

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

-----	X	
ZAXCOM, INC.,	:	
	:	
Plaintiff,	:	
	:	C.A. No. 1:23-cv-1245-JFM
v.	:	
	:	
	:	
RØDE MICROPHONES, LLC. and	:	
FREEDMAN ELECTRONICS PTY LTD.,	:	
	:	
Defendants.	:	
	:	
-----	X	

JOINT CLAIM CONSTRUCTION CHART

Plaintiff Zaxcom, Inc., (“Zaxcom”) and Defendants RØDE Microphones, LLC and Freedman Electronics PTY LTD (“Defendants”) submit this Joint Claim Construction Chart Pursuant to the Court’s Scheduling Orders in this matter. (D.I. 60, 98).

The parties have met and conferred regarding the terms/phrases in the asserted patents that the parties believe require construction by the Court. A list of terms/phrases for which the parties have agreed upon a definition is attached hereto as Exhibit A. A list of terms/phrases for which the parties have disputed constructions is attached hereto as Exhibit B.

The list of disputed terms/phrases in the asserted patents set forth in Exhibit B sets forth the claims in which the term/phrase appears, the parties’ respective constructions of the term/phrase, the intrinsic evidence respectively relied upon by the parties, and the parties’ respective reasons/explanations of why each construction makes a difference in the case. However, regardless of the Reasons for Construction that Defendants have provided in Exhibit B, to the extent that the Court rules against Defendants or in Zaxcom’s favor on any term, Defendants

do not concede that such ruling would result in any claim being valid or infringed. Pursuant to D.I. 60, the parties have included the patents-in-suit and the portions of the intrinsic evidence in support of their respective proposed constructions with this chart as exhibits hereto. Because of the substantial overlap between the specifications of the patents-in-suit, and for simplicity, in identifying their intrinsic evidence the parties have attempted to cite only to the specification of the '443 Patent where possible. The list of exhibits is as follows:

EXHIBIT	DESCRIPTION
A	Table of Agreed Upon Constructions
B	Table of Disputed Constructions
C	U.S. Patent 7,711,443
D	U.S. Patent 7,929,902 with IPR Certificate
E	U.S. Patent 8,385,814 with IPR Certificate
F	U.S. Patent 9,336,307 with IPR Certificate
G	U.S. Patent 10,276,207
H	U.S. Patent 11,610,605
I	U.S. Patent 12,051,444
J	Prosecution History of U.S. Patent 7,711,443
K	Excerpt of IPR2018-01130 (8,385,814), Final Written Decision (ZAXPROD0023558)
L	Excerpt of IPR2018-01129 (7,929,902), Final Written Decision (ZAXPROD0026514)
M	Zaxcom, Inc. v. Lectrosonics, Inc., No. 2020-1350, 2022 WL 499843 (Fed. Cir. Feb. 18, 2022)
N	Zaxcom, Inc. v. Lectrosonics, Inc., No. 2020-1921, 2022 WL 499848 (Fed. Cir. Feb. 18, 2022)
O	Excerpt of IPR2018-01129 (7,929,902),

	Patent Owner Response (ZAXPROD0027341)
P	Excerpt of IPR2018-01129 (7,929,902), Patent Owner Motion to Amend (ZAXPROD0027192)
Q	Excerpt of IPR2018-01129 (7,929,902), Reply in Support of Motion to Amend (ZAXPROD0027790)
R	Excerpt of IPR2018-01130 (8,385,814), Patent Owner Response (ZAXPROD0023641)
S	Excerpt of IPR2018-01130 (8,385,814), Motion to Amend (ZAXPROD0023505)
T	Excerpt of IPR2018-00972 (9,336,307), Final Written Decision (ZAXPROD0030851)
U	Excerpt of United States Patent 7,929,902 Prosecution History (ZAXPROD0014403)
V	Excerpt of United States Patent 8,385,814 File History (ZAXPROD0014837)
W	U.S Patent No. 7,434,154 (Konetski)
X	Excerpt of IPR2018-01130 (8,385,814), Reply in Support of Motion to Amend (ZAXPROD0024059)

Pursuant to the Court's Scheduling Order, the parties respective statements on claim narrowing are as follows:

A. Zaxcom's Position

Pursuant to the Court's Amended Scheduling Order (D.I. 98 at p. 2), Zaxcom submits that the Court should not order a claim reduction at this time.

There are 25 terms/phrases across the 7 asserted patents-in-suit where there is a substantive dispute as to their meaning. See Ex. B hereto at Section 1. This amounts to 3- 4 terms/phrases per patent (although certain terms/phrases are used across multiple patents). This is not unusual in District of Delaware practice, and the Court may address how the parties should argue the terms at the Markman hearing to lessen any burden on the Court. *See, e.g., Shopify Inc. v. Express*

Mobile, Inc., 2020 U.S. Dist. LEXIS 110101 (D. Del. June 23, 2020)(joint claim construction chart contained 26 terms and Court directed parties to rank importance of terms and argue 10 at the hearing and deferred resolution of remaining terms until summary judgment). Zaxcom submits that the claim construction dispute is manageable without further claim reduction at this time. The parties are willing to adjust the word counts for the claim construction briefs to account for number of disputed terms, subject to the Court's approval.

Zaxcom is presently asserting 131 claims across the 7 patents-in-suit. Zaxcom has already dropped all asserted claims where Defendants raised an indefiniteness challenge pursuant to *IPXL Holdings, L.L.C. v. Amazon.com, Inc.*, 430 F.3d 1377 (Fed. Cir. 2005), for allegedly mixing statutory subject matter (at least 6 claims). All remaining claim construction disputes in sections 2 and 3 of Ex. B were created by Defendants. Defendants have raised indefiniteness challenges to 5 terms. Ex. B at Section 2. Finally, Defendants have asserted that the term "control unit" should be construed using "means-plus-function" analysis (which Zaxcom disputes). Ex. B at Section 3. The asserted patents are all continuations/continuations-in-part of each other, and the ruling on "control unit" should not differ among the patents. Defendants should not be able to force an early claim reduction by including additional indefiniteness challenges and a means-plus-function challenge against the remaining asserted claims, particularly given that the Defendants have concurrently filed IPRs.

Defendants have filed IPRs against 4 of the 7 patents-in-suit: '443, '902 (which already went through an IPR filed by another party), '207 and, most recently, the '444 patent (which was added to the case via amendment of the Complaint). The PTAB has not issued any decision on institution. Decisions instituting IPRs against some, but not all, of the challenged patents will materially affect Zaxcom's claim selection. These decisions should be issued for at least the '443,

‘902 and ‘207 patents before expert reports are due pursuant to the Schedule in D.I. 98. As a result, the Court should maintain the schedule as is with the claim reduction set for 14 days after the Court issues its claim construction Order. D.I. 14.

B. Defendants’ Position

There has been little progress on claim narrowing. Before the parties exchanged proposed terms on January 3, 2025, Zaxcom was asserting 139 claims from the seven related patents in this case. Over the course of the parties’ seven weeks of negotiations over the Joint Claim Construction Chart, Zaxcom dropped the following 8 claims:

- ‘443 Patent: Claim 15;
- ‘814 Patent: Claims 11, 25, 27, 35, and 38; and
- ‘444 Patent: Claims 25 and 27.

After the above reduction, 131 claims are currently asserted. Collectively, those claims raise 43 issues of claim construction and/or indefiniteness—including 26 non-means-plus-function terms, 5 terms that Defendants contend are indefinite, and 12 means-plus function terms—that the parties will ask the Court to address during the Markman proceeding. It is expected that the parties will seek leave from the Court to substantially increase the word limits for the Markman briefing.

By now, Zaxcom has sufficient information to pick its best claims. Infringement, non-infringement, and invalidity contentions have been served. Defendants have filed all of the Inter Partes Reviews (“IPRs”) that they will file relating to the claims asserted in the present lawsuit. Defendants’ document production is substantially complete, so Zaxcom should be able to figure out on which claims it has the greatest chance of proving infringement. Zaxcom asks the Court to delay claim reductions until after the IPR institution decisions come out in June 2025 and August 2025, respectively, but the PTAB’s schedule is irrelevant to a when a court schedules claim

reduction or other claim construction deadlines. See *Univ. of Va. Pat. Found. v. Gen'l Elec. Co.*, Civ. Action No. 3:14cv51, 2015 WL 6958073 at *3 (W.D. Va. Nov. 10, 2015) (the IPR process “is not a proper factor in considering whether to limit the number of claims in federal district court.”); *Smith Interface Tech., LLC v. Apple Inc.*, No. 23-CV-1187 TWR (DTF) (S.D. Cal. May 16, 2024) (D.I. 91 at 5 n. 3) (same).

Therefore, Defendants submit that Zaxcom should reduce its asserted claims to 20 before the Markman briefing begins. Doing so would almost certainly reduce the number of issues for Markman.

Dated: February 21, 2025

Of Counsel:

Rita C. Chipperson
CHIPPERSON LAW GROUP, P.C.
163 Madison Avenue, Suite 220-40
Morristown, New Jersey 07960
973-845-9071
rcc@chippersonlaw.com

Respectfully submitted,

O’KELLY & O’ROURKE, LLC

/s/ Gerard M. O’Rourke
Gerard M. O’Rourke (No. 3265)
Sean T. O’Kelly (No. 4349)
824 North Market Street, Suite 1001A
Wilmington, DE 19801
(302) 778-4000
gorourke@okorlaw.com
sokelly@okorlaw.com

Attorneys for Plaintiff

SHAW KELLER LLP

Of Counsel:

Martin J. Black
Michael H. McGinley
Michael A. Fisher
Jeffrey S. Edwards
DECHERT LLP
Cira Centre
2929 Arch Street
Philadelphia, PA 19104-2808
(215) 994-4000

/s/ Emily S. DiBenedetto
Nathan R. Hoeschen (No. 6232)
Emily S. DiBenedetto (No. 6779)
SHAW KELLER LLP
I.M. Pei Building
1105 North Market Street, 12th Floor
Wilmington, DE 19801
(302) 298-0700
nhoeschen@shawkeller.com
edibenedetto@shawkeller.com

Jeffrey B. Plies
DECHERT LLP
515 Congress Avenue, Suite 1400
Austin, TX 78701
(512) 394-3000

Attorneys for Defendants

Exhibit A – Agreed Terms

Claim Term/Phrase	Claim Identification	Proposed Construction
“local timecode”		“A time reference within a device.”
“jam synchronize”		“Aligning the internal clock of one device, program or application with the internal clock of another device, program, or application.”
“replacing”		“Using data from the transmitter to fix a dropout in a separately recorded file.”
“timestamp”	’443 Patent, all asserted claims; ’902 Patent, Claims 1-6, 9, 10, 13, 17-23; ’814 Patent, all asserted claims; ’605 Patent, Claims 2-6	information stored with an audio sample or audio file conveying the time at which the audio sample or first audio sample of the file occurred
“multi-memory unit”	’902 Patent, Claims 4, 5, 9, 10; ’814 Patent, Claims 7, 8	“a device with a plurality of individual memory ports.”
“header”	’443 Patent, Claim 22; ’814 Patent, Claim 65	“an information structure that precedes and identifies the information that follows”

Exhibit B – Disputed Terms

Section 1: Disputed Terms

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
“master timecode generator”	‘443 Patent – claims 1 and 27; ‘902 Patent – claims 1 and 21; ‘814 Patent – claims 13, 28 and 50; ‘207 Patent – claims 17, 59, 75, and 91; ‘444 Patent – claims 7 and 20;	A producer of a master time reference signal that controls at least one other timecode generator	‘443 Patent (Ex. C) at FIG 2A, FIG 4A, FIG 5, FIG 6, Col. 2, lines 1 – 21; col. 2, lines 58 – 61; col. 3, line 55 – 67; col. 4, lines 55 – 62; col. 5, lines 17 – 56; col. 8, line 65 - col. 9, lines 12; col. 9, lines 36 – 52; col. 10, lines 4 – 51; col. 12, lines 56 – 64; col. 13: 28 – 32; col. 13, line 66 – col. 14, line 2; col. 14, lines 39 – 62; col. 15, lines 4 – 12; col. 17, lines 10 - 16.	“a producer of a plurality of master timecodes controlling other time code generators” Alternatively, to the extent that Zaxcom’s construction is considered, it should be revised to read: “a producer of a master time reference signal comprising hours, minutes, seconds, and frames, that controls at least one other timecode generator”	‘443 patent (Ex. C) at FIG 1, FIG. 2A, FIG. 4A, FIG. 5, FIG. 6, 2:1-5, 2:58-61, 5:17-56, 8:65-9:12, 9:36-52, 10:12-33, 10:47-51, 12:42-64, 13:28-32, 13:66-14:2,14:39-42, 14:57-62, 15:4-12, 17:10-16; IPR2018-01130 (8,385,814), Final Written Decision (Ex. K) at pp. 9-11; IPR2018-01129 (7,929,902), Final Written Decision (Ex. L) at pp. 12-14; <i>Zaxcom, Inc. v. Lectrosonics, Inc.</i>, No. 2020-1350, 2022 WL	Relevant to Infringement And/Or Validity. To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the accused products are not infringing.	Claim construction issue relates to whether the accused products infringe.

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
					499843 (Fed. Cir. Feb. 18, 2022) (affirming decision on the ‘307 patent) (Ex. M); <i>Zaxcom, Inc. v. Lectrosonics, Inc.</i>, No. 2020-1921, 2022 WL 499848 (Fed. Cir. Feb. 18, 2022) (affirming decisions on the ‘814 and ‘902 patents) (Ex. N); IPR2018-01129 (7,929,902), Patent Owner Response, April 24, 2019 (Ex. O) pp. 46-48; IPR2018-01129 (7,929,902), Patent Owner Motion to Amend, April 24, 2019 (Ex. P) pp. 20-21;		

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
					IPR2018-01129 (7,929,902), Reply in Support of Motion to Amend, April 24, 2019 (Ex. Q) pp. 2-4.		
“master timecode(s)”	‘443 Patent – claims 1, 3, 20, 22, 23, 25 and 26; ‘902 Patent – claims 1, 6, 13, 17, 21, and 23; ‘814 Patent – claims 27, 38, 6, 48, 49, 50, 55, 56, 58, 60, and 63; ‘207 Patent – claims 17, 22, 23, 59, 60, 75, 76, 91 and 92; ‘444 Patent – claims 1, 4, 13, 17, 27, 28	“A time reference signal used to synchronize at least one device.”	‘443 patent (Ex. C) at FIGS 4-7; col. 2, lines 1 – 21; col. 2, lines 58 – 61; col. 3, lines 32 – 67; col. 4, lines 13 – 37; col. 4, lines 55 – 62; col. 5, lines 17 – 57; -; col. 9, lines 1 – 12; col. 9, lines 35 – 52; col. 10, lines 4 – 34; col. 10, lines 35– 51; col. 12, lines 56-64; col. 13, lines 21-45; col. 13, line 50- col. 14, line 18; col. 14, lines 25-	“code[s] synchronizing audio samples“	‘443 patent (Ex. C) at FIG. 4-7, 2:58-61, 3:32-54, 4:13-37, 5:17-31, 5:42-57, 9:1-12, 9:45-52, 10:4-34, 10:47-51, 12:56-64, , 13:21-45, 13:50-14:18, 14:25-30, 14:39-42, 14:58-61, 15:4-16, 16:32-45, 17:10-16, 18:17-24; IPR2018-01129 (7,929,902), Final Written Decision (Ex. L) at 12-14; IPR2018-01130 (8,385,814), Final Written Decision (Ex. K)	Relevant to Infringement And/Or Validity. . To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the accused products are not infringing.	Relevant to infringement as Defendants dispute that at least some of the alleged master timecodes identified in Plaintiff’s contentions synchronize audio samples.

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
	and 29;		30; col. 14, lines 39-42; col. 14, lines 58-61; col. 15, lines 4-16; col. 16, lines 38-45; col. 17, lines 10-16; col. 18, lines 17-24. .		at 9-11; IPR2018-01129 (7,929,902), Patent Owner Response (Ex. O) pp. 13-17, 40, 46-47; IPR2018-01129 (7,929,902), Motion to Amend (Ex. P) pp. 20-21, 26; IPR2018-01129 (7,929,902), Reply in Support of Motion to Amend (Ex. Q) pp. 2-4, 9; IPR2018-01130 (8,385,814), Patent Owner Response (Ex. R) pp. 10-15, 20-21; IPR2018-01130 (8,385,814), Motion to Amend (Ex. S) pp. 19-20, 24-27		

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
“wearable”	‘443 Patent, Claim 1; ‘902 Patent, Claims 1, 21, 24; ‘814 Patent, Claims 48, 49, 50; ‘307 Patent, Claims 15, 26; ‘207 Patent, Claims 17, 59; ‘605 Patent, Claims 1, 16; ‘444 Patent, Claims 1, 13	“Suitable to be worn by a performer.”	‘443 Patent Abstract (Ex. C); FIG 1; FIG 3B; col. 1, lines 23 - 28; col. 1, lines 38 - 47; col. 2, lines 1 – 21; col. 2, lines 53 – 54; col. 3, lines 28 – 32; col. 4, lines 29 – 36; col. 7, lines 46 – 52; col. 8, lines 57 – 62; col. 9, lines 15 – 23; col. 10, lines 29 – 34; col. 10, lines 52 – 53; col. 12, lines 26 – 31; col. 16, lines 13 – 18; ‘443 claims 1, 19; Entire Prosecution History of ‘443 Patent (Ex. J.).	“suitable and in a condition to be worn”	‘443 (Ex. C) at FIG. 3B, 1:38-47, 2:1-5, 2:53-54, 3:29-32, 7:46-52, 8:57-62, 9:15-23, 10:52-53, 16:14-16, ‘443 claims 1, 19, ‘307 claims 1, 4, 15, 17, and 18, ‘207 claims 17 and 48; ‘814 (Ex. E), Claim 49; ‘444 (Ex. I) claim 3; IPR2018-01130 (8,385,814), Final Written Decision (Ex. K) at pp. 7-8; IPR2018-01129 (7,929,902), Final Written Decision (Ex. L) at pp. 10-12; IPR2018-00972	Relevant to Infringement And/Or Validity. . To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the asserted patents are invalid..	The scope of this term is at least relevant to validity and whether certain prior art references disclose this claim element.

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
					(9,336,307), Final Written Decision (Ex. T) at pp. 10-12; <i>Zaxcom, Inc. v. Lectrosonics, Inc.</i>, No. 2020-1350, 2022 WL 499843 (Fed. Cir. Feb. 18, 2022) (affirming decision on the '307 patent) (Ex. M); <i>Zaxcom, Inc. v. Lectrosonics, Inc.</i>, No. 2020-1921, 2022 WL 499848 (Fed. Cir. Feb. 18, 2022) (affirming decisions on the '814 and '902 patents) (Ex. N); '443 Prosecution History (Ex. J), Response to Office Action, November 12, 2009, pp. 21-22		

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
“local audio device wearable by a creator of said locally generated audio”	‘443 Patent, Claim 1; ‘902 Patent, Claim 1	“A local audio device suitable to be worn by the performer who creates the audio that is recorded by that performer’s local audio device.”	‘443 Patent Abstract (Ex. C) ; FIG 1; FIG 3B; col. 1, lines 23 - 28; col. 1, lines 38 - 47; col. 2, lines 1 – 21; col. 2, lines 53 – 54; col. 3, lines 28 – 32; col. 4, lines 29 – 36; col 7, lines 46 – 52; col. 8, lines 57 – 62; col. 9, lines 15 – 23; col. 10, lines 29 – 34; col. 10, lines 52 – 53; col. 12, lines 26 – 31; col. 16, lines 13 – 18; ‘443 claims 1, 19; Entire Prosecution History of ‘443 Patent (Ex. J.).	“local audio device suitable and in a condition to be worn by a person operating the local audio device”	‘443 (Ex. C) at FIGS. 1, 3B, 1:38-47, 2:1-5, 2:53-54, 7:46-52, 10:52-53, claims 1, 19; ‘307 (Ex. F) claims 1, 4, 15, 17, and 18, ‘207 claims 17 and 48; ‘814 (Ex. E), Claim 49; ‘444 (Ex. I) claims 1, 3	Relevant to Infringement and/or Invalidity. To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the asserted patents are invalid.	The scope of this term is at least relevant to whether certain prior art references disclose this claim element.
“body pack”	‘443 Patent – claim 19; ‘814 Patent – claim 62; ‘307 Patent – claim 17;	“A small box housing a transmitter.”	‘443 Patent (Ex. C)– FIG 1, FIG 3B; Col. 1, lines 38 – 47; Col. 7, lines 46 – 60; Col. 10, lines 52 – 67;	“a compact bundle of equipment arranged for convenience for carrying on the body”	‘443 patent (Ex. C) at FIG. 1, FIG 3B, 1:38-47, 7:46-60, 10:52-67	Relevant to Infringement And/Or Validity. . To the extent that the Court rules in	Relevant at least to validity and whether certain prior art references disclose this claim

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
	'605 Patent – claims 12 and 19; '444 Patent – claims 2, 3, 14 and 15;					Defendants' favor, Zaxcom does not concede that the asserted patents are invalid.	element.
"transmitting...audio data"	'443 Patent, Claim 1; '605 Patent, Claims 1, 16; '444 Patent, Claims 1, 13, 28, 29	Plain meaning – transmitting audio data – (<i>i.e.</i> , the audio data does not need to include timecodes).	443 patent (Ex. C)– Abstract; col. 2, lines 1 – 21; col. 3, lines 44-54; col. 4, lines 1-10; col. 8, lines 14-25; col. 14, line 63 – col. 15, line 22; FIG. 6; Entire Prosecution History of the '443 Patent;.	"transmitting audio data which includes timecodes"	'443 (Ex. C) at 2:11-19; '443 Prosecution History (Ex. J) Applicant Initiated Interview Request Form, July 8, 2009; Examiner Interview Summary, July 9, 2009; Response to Office Action, November 12, 2009, p.13.	Relevant to Infringement And/Or Validity. . To the extent that the Court rules in Defendants' favor, Zaxcom does not concede that the accused products are not infringing.	The meaning of this term, including whether it includes timecodes, is at least relevant to whether the Accused Products infringe these claims, as Defendants dispute that the Accused Products transmit audio data that includes timecodes.
"transmitted audio data"	'605 Patent, Claims 1, 3, 6, 16	For the '605 Patent, the phrase "transmitted audio data" should be construed as	'605 Patent (Ex. H), language of Claims 1 and 16.	"transmitted audio data which includes timecodes"	'443 (Ex. C) at 2:11-19; '443 Prosecution History (Ex. J)	Relevant to Infringement And/Or Validity. To the extent that the	The meaning of this term, including whether it includes

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
		“transmitted locally generated audio or local audio data.”			Applicant Initiated Interview Request Form, July 8, 2009, Examiner Interview Summary, July 9, 2009, Response to Office Action, November 12, 2009 p.13.	Court rules in Defendants’ favor, Zaxcom does not concede that the accused products are not infringing.	timecodes, is at least relevant to whether the Accused Products infringe these claims, as the Accused Products do not transmit audio data that includes timecodes.
“audio data”	’443 Patent, Claims 1, 3, 7, 15, 22, 24; ’902 Patent, Claims 1-4, 9, 13, 17-19; ’814 Patent, Claims 7, 8, 11, 16, 25, 27, 28, 35, 38, 48, 49, 50, 51, 53, 65; ’307 Patent, Claims 15, 16, 26, 28;	Plain meaning – data relating to audio in digital or analog form.	’443 Patent (Ex. C) – FIG 3A; col. 1, lines 38 – 47; col. 2, lines 1 – 21; col. 3, lines 44-54; col. 4, lines 1-10; col. 5, line 58 – col. 6, line 22; col. 7, line 61 – col. 8, line 25; col. 8, lines 33 – 56;	“audio signals in digital form”	’443 patent (Ex. C) at FIG. 3A, 2:7-11, 4:40-44, 7:10-14, 8:33-44, 9:24-35, 10:35-40, 12:1-6, 17:59-64; ’902 Prosecution History (Ex. U), Response to Office Action, August 5, 2010, p.15 (ZAXPROD001441 7;As-Filed Specification at [0048]-[0049] (ZAXPROD001452 4-25); ’814 Prosecution	Relevant to Infringement And/Or Validity. To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the accused products are not infringing.	The meaning of this term is at least relevant to whether the Accused Products infringe certain claims, including claims 1 and 13 of the ’444 patent, since Defendants dispute that the accused products receive local audio in digital form.

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
	'207 Patent, Claims 17, 21, 34, 59, 75, 91; '605 Patent, Claims 1-3, 5, 6, 8, 9, 16, 20; '444 Patent, Claims 1, 9, 12, 13, 22, 26, 28, 29				History (Ex. V), Response to Office Action, November 28, 2011 , pp.26-27 (ZAXPROD001486 2-63), Pending claims 1-4, 6, 8, 9, 11 (ZAXPROD001484 0-43); U.S Patent No. 7,434,154 (Konetski) (Ex. W); IPR2018-01130 (8,385,814). Motion to Amend, April 24, 2019 (Ex. S) p. 17. IPR2018-001129 (7,929,902), Final Written Decision (Ex. L) pp. 8-9.		
"stamped local audio data"	'443 Patent – claim 1; '902 Patent – claims 1, 13, 15, 21, and 22;	"Local audio data that is directly associated with a timestamp."	'443 Patent (Ex. C) at FIG 4A, FIG 9; col. 2, lines 1-21; Col. 3, lines 3-7, Col. 3, lines 30-41; col. 5, lines 25 -57; col. 8, line 57-	"local audio samples that are associated with a master timecode timestamp"	'443 patent (Ex. C) at FIG. 4A, 2:15-21, 3:3-7, 3:30-41, 5:25-31, 5:42-57, 8:57-9:3, 9:45-52, 17:44-64, 18:14-28, 20:19-32, 20:63-21:6	Relevant to Infringement And/Or Validity. . To the extent that the Court rules in Defendants'	The scope of this term is at least relevant to validity and whether certain prior art references disclose this claim

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
	'814 Patent – claims 48, 49, 50, 51 and 65;		col. 9, line 3; col. 9, lines 45-52; col. 17, lines 44 - 65; col. 18, lines 1- 32; col. 20, lines 19-32; col. 20, line 56- col. 21, line 6;			favor, Zaxcom does not concede that the accused products are not infringing, nor does Zaxcom concede that the asserted patents are invalid.	element. Also relevant to infringement as Defendants dispute that the allegedly stamped local audio data in the accused products are associated with master timecodes.
“unstamped local audio data”	'443 Patent – claim 1; '902 Patent – claims 1, 13, and 15; '814 Patent – claims 48 and 49;	“Local audio data that is not directly associated with a timestamp.”	'443 Patent (Ex. C) at FIG 4A, FIG 9; Col. 2, lines 1- 21; col. 3, lines 3- 7; col. 3, lines 30- 41; col. 17, line 44- col. 18, line 24.	“local audio samples that are not associated with a master timecode timestamp”	'443 patent (Ex. C) at FIG. 4A, 2:15-21, 3:3-7, 3:30-41, 17:44-18:24	Relevant to Infringement And/Or Validity. . To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the asserted patents are invalid.	Relevant at least to validity and whether certain prior art references disclose this claim element.

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
“remote control unit”	’443 Patent, Claims 2, 4, 8, 9, 26, 27; ’902 Patent, Claims 3, 18, 22, 25; ’814 Patent, Claims 5, 13, 32, 33, 52, 56; ’444 Patent, Claims 10, 16, 23, 24	Plain meaning – a device that controls another device from a distance.	’443 Patent (Ex. C) – FIG 1; FIG. 2A; FIG 2B; FIG 6; col. 2, lines 41-44; col. 3, lines 55 – 67; col. 4, line 38 – col 5, line 7; col. 5, lines 8 – 33; col. 5, line 58-col. 6, line 22; col. 6, lines 30 – 53; col. 6, line 54-col. 7, line 22; col. 7, lines 32 – 45; col. 10, lines 35 – 51; col. 15, lines 24 – 37;	“an independent electrical device, separate from a receiver or recorder, that controls another device from a distance”	’443 patent (Ex. C) at FIG. 1, FIG. 2A, FIG. 2B, FIG. 6, 2:41-44, 3:55-4:12, 4:38-62, 5:8-33, 5:58-6:22, 6:54-7:18, 7:34-45, 9:15-20, 11:7-13, 11:47-59, 12:42-55, 15:4-18, 16:26-29, claims 1, 2, 4, 7-9; ’443 Prosecution History (Ex. J), Response to Office Action, February 16, 2009, pp. 24-25; ’814 patent (Ex. E), claims 50, 52; ’207 patent (Ex. G), claims 59, 66	Relevant to Infringement And/Or Validity. . To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the accused products are not infringing.	Resolution of this claim construction dispute is relevant to whether the Accused Products infringe the claims, e.g., whether the accused Wireless GO II and Wireless PRO receiver units qualify as a “remote control unit.”
“personal computer”	’814 Patent, Claims 5, 33;	Plain meaning – (i.e., a computer designed for use by one person at	’443 Patent (Ex. C) at Col. 8, lines 23 – 44; col. 11,	“a non-handheld computer, not including a	’443 patent (Ex. C) at FIG. 2B, 6:30-37, 7:23-37, 11:64-67;	Relevant to Infringement And/Or Validity. .	The meaning of this term, including whether the

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
	'444 Patent, Claims 6, 16, 19, 24	a time.”)	lines 55 – 67; ; col. 17, lines 17 - 33.	multi-track recorder, a cellular phone, or a camera”	'444 Patent (Ex. I) claim 6	To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the accused products are not infringing.	remote control unit is a personal computer, is at least relevant to whether the Accused Products infringe certain claims, as Plaintiff’s infringement contentions rely on a phone for this limitation.
“local timecode generator”	'902 Patent – claim 21; '814 Patent – claims 23, 50 and 60; '207 Patent – claims 17, 59, 75, 91 '605 Patent – claim 8; '444 Patent –	A producer of a time reference for use by a local audio device.	'443 Patent (Ex. C) at FIG 3A, FIG 4A; FIG 5; Col. 2, lines 55 – 61; col. 4, lines 13 – 37; col. 5, lines 17 - 41; col. 7, lines 45 – 60; col. 8, line 57 – col. 9, line 23; col. 9, lines 35 – 45; col. 9, lines 53 – col.	“a producer of a plurality of local timecodes for use by a local audio device”	'443 patent (Ex. C) at FIG. 3A, FIG. 4A, 2:58-61, 4:13-19, 5:25-33, 7:46-60, 8:65-9:12, 9:35-45, 10:12-28, 10:47-51, 11:34-46, 12:1-6, 12:56-64, 15:11-16, 17:10-16	Relevant to Infringement And/Or Validity. . To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the accused products are	For consistency with Defendants’ construction of “master timecode generator.”

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
	claims 27 and 29.		10, line 34; col. 11, lines 34 – 46; col. 12, lines 32 – 41; col. 12, lines 56 – 64; col. 15, 4 – 23; col. 17, lines 10 – 16.			not infringing.	
“dropouts”	‘207 Patent – claims 75 and 91;	“Loss of audio data due to a wireless transmission error.”	‘433 Patent (Ex. C); Abstract; col. 1, lines 48 – 62; col. 2, lines 62 – 64; col. 3, lines 44 – 54; col. 4, lines 14 – 37; col. 12, lines 56 – 64.	“loss of audio data”	‘443 patent (Ex. C) at Abstract, 1:48-62, 2:62-64, 3:44-54, 4:20-28, 12:56-64, 14:63-66	Relevant to Infringement And/Or Validity. . To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the asserted patents are invalid.	Relevant at least to validity and whether certain prior art references disclose this claim element.
“locally generated audio” and “local audio”	‘443 Patent, Claim 1, ‘902 Patent, Claims 1, 17, 21, 24;	“Audio created by the wearer of the local audio device that is suitable for use as an independent track of audio”	‘443 Patent at Abstract (Ex. C); FIG 3A; Col. 2, lines 1-21; col. 8, lines 33 – 57;; col. 13, lines 18-21; col. 17, lines 59 – 64; claim	“analog audio generated local to an audio device”	‘443 patent (Ex. C) at FIG. 3A, 2:7-11, 4:40-44, 7:10-14, 8:33-44, 9:24-35, 10:35-40, 12:1-6, 17:59-64; ‘902 Prosecution	Relevant to infringement and/or invalidity. To the extent that the Court rules in Defendants’ favor, Zaxcom	Relevant to validity and whether certain prior art references disclose this claim element.

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
	'814 Patent, Claims 16, 22, 25, 27, 48, 49, 50; '307 Patent, Claims 15, 18, 26; '207 Patent, Claims 17-19, 59, 75, 91; '605 Patent, Claims 1, 13, 16, 20		language of asserted claims; Title of '443 patent;		History (Ex. U), Response to Office Action, August 5, 2010, p.15 (ZAXPROD00144 17), As-Filed Specification at [0048]-[0049] (ZAXPROD00145 24-25); '814 Prosecution History (Ex. V), Response to Office Action, November 28, 2011, pp.26-27 ZAXPROD001486 2-63, Pending claims 1-4, 6, 8, 9, 11 (ZAXPROD00148 40-43); U.S Patent No. 7,434,154 (Konetski) (Ex. W); IPR2018-01130 (8,385,814) Motion to Amend, April 24, 2019 (Ex. S) p. 17.	does not concede that the accused products are not infringing, nor does Zaxcom concede that the asserted patents are invalid.	Also relevant to whether the Accused Products infringe these claims, since, for instance, Defendants dispute that the Accused Products transmit locally generated audio in analog form.

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
“identifier”	‘902 Patent – claims 2, 17, 21, and 24; ‘814 Patent – claim 51; ‘307 Patent – claim 16; ‘207 Patent – claim 21;	“Data associated with recorded audio to aid in post-recoding identification of such audio.”	‘902 Patent (Ex. D) at Abstract; col. 2, lines 30 – 51; col. 2, lines 52 – 67; col. 3, lines 1 – 23; col. 6, lines 2 – 11; col. 7, lines 7 – 16; col. 8, lines 23 – 33; col. 13, lines 4 – 20; col. 14, lines 9 – 24; col. 16, lines 42 – 46.	“one that identifies”	‘902 patent (Ex D) at Abstract, 2:47-51, 2:64-67, 3:10-13, 6:2-11, 7:7-27, 7:35-65, 8:23-33, 13:16-20, 14:17-24, 16:42-46; ‘605 Patent (Ex H) at 37:12-20, FIG. 14.	Relevant to Infringement And/Or Validity. . To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the asserted patents are invalid.	Relevant at least to validity and whether certain prior art references disclose this claim element.
“local audio data...is...combined with said [remotely recorded/remote] audio data” or “combining local audio data...with said remote audio data”; or “combining said remote audio data with said local audio data”	‘902 Patent, Claim 24; ‘814 Patent, Claims 25, 27, 48;	Combining local audio data and remotely recorded/remote audio data to replace data lost due to a transmission error, where the local audio data is obtained from the local audio device of the performer that created and originally recorded the local audio	‘902 patent (Ex. D) – Abstract; col. 1, lines 33 – 58; col. 3, lines 1 – 23; col. 4, lines 10 – 36; col. 4, line 62 – col. 5, line 19; col. 10, lines 5 – 41; col. 11, lines 21 – 50; col. 13, lines 4 – 8; col. 14, lines 42 – 48; col. 16, lines 30 – 58; col. 19, lines 9 – 17;	Combining local audio data and remotely recorded data, regardless of whether they originate from the same audio source, including, but not limited to, combining separate audio data to form a multitrack audio file.	‘902 (Ex. D) at Abstract, 1:33-58, 3:1-13, 4:10-36, 5:15-19, 10:34-41, 11:45-50, 14:42-48, 16:49-58, 19:9-17, claim 17; ‘814 (Ex. E) claims 25, 27, and 48; ‘605 (Ex. H) claims 1-3, 5, 16, 20; IPR2018-01129 (7,929,902), Final	Relevant to Infringement And/Or Validity. To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the asserted patents are invalid.	The scope of this term is at least relevant to whether certain prior art references disclose this claim element.

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
		data that is replacing the remotely recorded/remote audio data.			Written Decision (Ex. L) at pp. 7-10; IPR2018-00972 (9,336,307), Final Written Decision (Ex. T) at pp. 7-10; Zaxcom, Inc. v. Lectrosonics, Inc., No. 2020-1350, 2022 WL 499843 (Fed. Cir. Feb. 18, 2022) (affirming decision on the ‘307 patent) (Ex. M); Zaxcom, Inc. v. Lectrosonics, Inc., No. 2020-1921, 2022 WL 499848 (Fed. Cir. Feb. 18, 2022) (affirming decisions on the ‘814 and ‘902 patents) (Ex. N)		
“the local audio data and the remotely recorded audio data are adapted	’605 Patent, Claims 1, 20	The local audio data and remotely recorded/remote audio data are adapted to be	902 patent (Ex. D) – Abstract; col. 1, lines 33 – 58; col. 3, lines 1 – 23; col. 4,	“the local audio data and the remotely recorded audio data are adapted	’902 (Ex. D) at Abstract, 1:33-58, 3:1-13, 4:10-36, 5:15-19, 10:34-41, 11:45-50, 14:42-48,	Relevant to infringement and/or invalidity.	The scope of this term is at least relevant to whether certain prior art

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
to be combinable” or “adapting the local portion of the local audio data and the remote portion of the remotely recorded audio data to be combinable”		combinable to replace data lost due to a transmission error, where the local audio data is obtained from the local audio device of the performer that created and originally recorded the local audio data that is replacing the remotely recorded/remote audio data.	lines 10 – 36; col. 4, line 62 – col. 5, line 19; col. 10, lines 5 – 41; col. 11, lines 21 – 50; col. 13, lines 4 – 8; col. 14, lines 42 – 48; col. 16, lines 30 – 58; col. 19, lines 9 – 17;	to be combinable, regardless of whether they originate from the same audio source, including, but not limited to, combining separate audio data to form a multitrack audio file.”	16:49-58, 19:9-17, claim 17; ‘814 (Ex. E) claims 25, 27, and 48; ‘605 (Ex. H) claims 1-3, 5, 16, 20; IPR2018-01129 (7,929,902), Final Written Decision (Ex. L) at pp. 7-10; IPR2018-00972 (9,336,307), Final Written Decision (Ex. T) at pp. 7-10; Zaxcom, Inc. v. Lectrosonics, Inc., No. 2020-1350, 2022 WL 499843 (Fed. Cir. Feb. 18, 2022) (affirming decision on the ‘307 patent) (Ex. M); Zaxcom, Inc. v. Lectrosonics, Inc., No. 2020-1921, 2022 WL 499848		references disclose this claim element.

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
					(Fed. Cir. Feb. 18, 2022) (affirming decisions on the ‘814 and ‘902 patents) (Ex. N)		
“track identifier”	’902 Patent, Claims 2-6, 9, 10, 13, 17-26; ’814 Patent, Claims 8, 48, 49, 51, 53-55; ’307 Patent, Claims 16, 28; ’207 Patent, Claims 21, 22; ’605 Patent, Claim 8	“an identifier that identifies a characteristic of a particular track of audio”	’902 Patent (Ex. D) Abstract; col. 2, lines 30 – 51; col. 2, lines 52 – 67; col. 3, lines 1 – 23; col. 5, line 66 – col. 6, line 11; col. 7, lines 7 – 27; col. 8, lines 23 – 33; col. 16, lines 42 – 46.	“an identifier that identifies a particular track of audio”	’902 patent (Ex. D) at Abstract, 2:48-51, 2:64-67, 3:19-23, 6:2-11	Relevant to Infringement And/Or Validity. To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the accused products are not infringing.	The meaning of this term is at least relevant to whether the Accused Products infringe these claims, as Defendants dispute that the purported identifier identified in Plaintiff’s infringement contentions identifies a track of audio.
’814 Patent, Claim 50: “at least one local audio device receiver for receiving [at	’814 Patent, Claim 50	Plain language of the claim – “at least on local audio device receiver for receiving at least one of the group consisting of digital	’814 Patent (Ex. E) Language of the claim as issued.	“at least one local audio device receiver for receiving digital commands, a transport status, said master	’814 patent (Ex. E) at claims 1, 50, FIG. 1, 2:14-20, 5:50-62, 6:27-42, 10:36-45, 13:46-59, 17:45-56 IPR2018-01130	Relevant to Infringement And/Or Validity. To the extent that the Court rules in Defendants’	Resolution of this claim construction dispute is at least relevant to whether the Accused

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
least one of the group consisting of] digital commands, a transport status, said master timecodes, and nonlocal audio data”		commands, a transport status, said master timecodes and nonlocal audio data.” (i.e., the brackets are a typographical error.)		timecodes, and nonlocal audio data”	(8,385,814), Motion to Amend, April 24, 2019 (Ex. S) pp. 2-6, 28; IPR2018-01130 (8,385,814), Reply in Support of Motion to Amend, August 26, 2019 (Ex. X) p. 13 IPR2018-01130 (8,385,814), Final Written Decision (Ex. K) at 33-38	favor, Zaxcom does not concede that the accused products are not infringing.	Products infringe this claim. For example, without limitation, Defendants dispute that the Accused Products receive transport status and/or nonlocal audio data.
“memory card”	’307 Patent, Claim 23	Claim 9 of the ’307 patent contains this term. Plain meaning – (i.e., an electronic data storage device used for storing digital information)	’443 Patent (Ex. C) at FIG 3A; FIG. 8, col. 9, lines 24-35, col. 11, lines 55-61; col. 13, lines 1-4; col. 16, lines 38 – 45; col. 17, lines 17-33 .	“user-insertable/re movable memory device”	’443 patent (Ex. C) at FIG 4B, FIG. 7, FIG. 8, 9:24-35, 11:55-59, 13:1-4, 16:40-43, 17:17-26	Relevant to Infringement And/Or Validity. . To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the accused products	The meaning of this term is at least relevant to whether the Accused Products infringe these claims, as Defendants dispute that the Accused Products

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
						are not infringing.	include a user-insertable/removable memory device.
“SMPTE compliant timecode,” “timecode[] adher[ing] to an SMPTE timecode format,” or “SMPTE timecode”	’207 Patent, Claims 23, 60, 76, 92; ’605 Patent, Claims 4, 21; ’444 Patent, Claims 4, 17	Plain meaning – (i.e., a timecode compliant with the SMPTE standard.)	’443 Patent (Ex. C) - Col. 1, lines 27 – 37; col. 4, lines 1 – 12; col. 5, lines 20 – 25;	“a timecode signal containing information regarding the hour, minute, second, frame, type of timecode (i.e., nondrop or drop frame), and user- definable information”	’443 patent (Ex. C) at 1:27-37, 5:20-25	Relevant to Infringement And/Or Validity. . To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the accused products are not infringing.	The meaning of this term is at least relevant to whether the Accused Products infringe these claims. For example, without limitation, Defendants dispute that the alleged timecodes in Plaintiff’s infringement contentions include frame and/or other information.
“repairs the at least one remote portion of the remotely recorded audio data damaged due to a loss of	’605 Patent, Claims 3, 6	Plain meaning – replaces the at least one remote portion of the remotely recorded audio data to correct for damage	’605 Patent (Ex. H) – Abstract; FIG 6; col. 2, lines 6-21; col. 3, lines 15-17; col. 3, line 62- col. 4, line 22; col. 4,	“replaces the at least one remote portion, but not all, of the remotely recorded audio data to correct	’605 patent (Ex. H) at Abstract, FIG. 6, 2:6-21, 3:15-17, 3:62-4:22, 4:48-5:6, 12:24-41, 13:45-14:17, 17:1-4, 17:39-52, 18:3-19;	Relevant to Infringement And/Or Validity. To the extent that the Court rules in Defendants’	The meaning of this term is at least relevant to infringement, as it relates to what patentee must show with

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
transmission of the transmitted audio data.”		due to a loss of transmission of the transmitted audio data (i.e., may include replacing all the remotely recorded audio data.).	line 48-col. 5, line 6; col. 12, lines 24-41; col. 13, line 37 - col. 14, line 17; col. 17, lines 1-4; col. 17, lines 39-52, col. 18, lines 3-19.	for damage due to a loss of transmission of the transmitted audio data”	‘814 patent (Ex. E) at Abstract; ‘307 patent (Ex. F) at Abstract; IPR2018-01129 (7,929,902), Patent Owner Response, April 24, 2019 (Ex. O) pp.5-6; ‘605 patent (Ex. H) at FIG. 6, 3:15-17, claim 1	favor, Zaxcom does not concede that the accused products are not infringing.	respect to the operation of third-party software identified in the infringement contentions.
Preamble of ‘605 Patent, Claim 1	‘605 Patent, Claim 1	The preamble is not limiting.	‘605 Patent (Ex. H), Claim 1.	The preamble is limiting.	‘605 Patent (Ex. H) Claim 1	Relevant to Infringement And/Or Validity. To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the accused products are not infringing.	Whether the preamble is limiting affects the applicability of certain claim requirements that Defendants contend are relevant to non-infringement.
“Multi-track data	‘443 Patent, Claim 15	“a data file consisting of	‘443 Patent (Ex. C), FIGS. 1, 3A,	“a data file consisting of	‘443 Patent (Ex. C) FIGS. 1, 3A, 1:17-	Relevant to Infringement	The scope of this term is at least

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
file”/”multi-track audio file”	‘902 Patent, Claim 17-20 ‘814 Patent, Claims 35 and 49 ‘444 Patent, Claims 6 and 19 ‘207 Patent, Claims 41 and 49	multiple, separate streams of sound with individual instruments or voices recorded on separate tracks	col. 1, lines 17-47, col. 2, lines 1-21; col. 3, lines 41 – 43; col. 4, lines 1-12; col. 7, lines 46 – col. 8, line 25; col. 8, lines 59-62; col. 9, lines 20-24; col. 10, lines 52-60; col. 13, lines 18 – 21; col. 15, lines 18-23. ‘444 at FIG. 13, col. 3, lines 36-41, col. 30, lines 7-25;	multiple tracks of audio, each track representing audio received by a separate microphone”	47, 2:1-4, 4:1-10, 7:65-67, 8:59-62, 9:20-24, 10:52-60, 15:18-23; ‘444 (Ex I) at FIG. 13, 336-41, 30:7-15.	and/or Invalidity. To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the asserted patents are invalid.	relevant to whether certain prior art references disclose this claim element.
local audio data for each of said performers is retrieved from said local audio devices subsequent to said audio event and is combined to create a single multi-track audio file	‘902 Patent, Claim 17 ‘814 Patent, Claim 49	“local audio data from each local audio device is combined with the local audio data of other local audio devices to create a single multi-track data file”	‘443 Patent (Ex. C), col. 3, lines 41-43; col. 15, lines 18-23	“local audio data for each performer from each local audio device is combined with the local audio data of other performers from other local audio devices to create a single multi-track data file”	‘443 Patent, FIG. 1, Abstract, 1:22-47, 3:32-43, 4:28-37, 9:15-23, 10:29-34, 12:26-29, 13:18-21, 14:67-15:3, 15:16-23.		The meaning of this term is at least relevant to whether the Accused Products infringe these claims. For example, without limitation, Defendants dispute that, in the Accused Products, local

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
							audio data for each performer from each local audio device is combined with the local audio data of other performers. In addition, the scope of this term is at least relevant to whether certain prior art references disclose this claim element.

Section 2: Indefiniteness

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
“the transmitted local audio”	’605 Patent, Claim 16	Not indefinite.	’605 Patent (Ex. H) “Transmitted audio data” is defined in Claim 16 as “locally	Indefinite (Nautilus)	’605 Patent (Ex H), Claim 16	Relevant to Validity	Claim construction issue relates directly to the validity of the claim and the

			generated audio or local audio data.”; ‘605 Patent, Claim 16.				potential scope of the case.
“wherein the local audio device is in the form of a body pack typically worn by news announcers and performers”	‘444 Patent, Claims 3, 15	Not indefinite	‘444 Patent (Ex. I) at FIGS 1, 3B; col. 1 , line 63 – col. 2, line 5; Col. 8, line 55 – col. 9, line 3;	Indefinite (<i>Nautilus</i>)	‘444 patent (Ex. I) at FIGs 1, 3B, 1:63-2:5, 8:55-9:3, claims 1, 2, 13	Relevant to Validity	Claim construction issue relates directly to the validity of the claim and the potential scope of the case.
‘444 Patent, Claims 1, 13: “the receiving of the local audio data by the local audio device”	‘444 Patent, Claims 1, 13	Not indefinite. Any purported lack of antecedent basis does not render the claim indefinite.	‘444 patent (Ex. I) at FIG. 3A, col. 5, lines 9-23; col. 9, lines 4-36; col. 10, lines 17-28; col. 11, lines 12-23; col. 12, lines 24-41, col.13, line 62- col. 14, line 17; col. 20, lines 22 – 39;	Indefinite (lack of antecedent basis; <i>Nautilus</i>)	‘444 patent (Ex I) at FIG. 3A, 5:9-13, 9:44-36, 10:17-28, 11:12-19, 12:24-29, 13:62-67, 20:30-39	Relevant to Validity	Claim construction issue relates directly to the validity of the claim and the potential scope of the case.
‘444 Patent, Claim 16: “the remote control unit”	‘444 Patent, Claim 16	Not indefinite.	‘444 Patent (Ex. I), Claims 13, 15, 16	Indefinite (lack of antecedent basis; <i>Nautilus</i>)	‘444 Patent (Ex I) Claims 13, 15, 16	Relevant to Validity.	Claim construction issue relates directly to the validity of the claim and the potential scope of the case.
“the remote	‘444 Patent,	Not indefinite	‘444 Patent (Ex. I)	Indefinite	‘444 patent (Ex I) at	Relevant to	Claim

receiver is a master timecode generator”	Claims 7, 20		at FIG 1, FIG 6; col. 11, lines 23 – 32; col. 17, lines 9 – 38;	(<i>Nautilus</i>)	FIG. 1, 11:23-32, 17:9-11, 17:30-38, claims 1, 7, 13, 20	Validity	construction issue relates directly to the validity of the claim and the potential scope of the case.
--	--------------	--	---	---------------------	--	----------	---

Section 3: Means-plus-function

Claim Term/Phrase	Claim Identification	Zaxcom Proposed Construction	Zaxcom Intrinsic Evidence Citations	Defendants Proposed Construction	Defendants Intrinsic Evidence Citations	Zaxcom Reason for Construction	Defendants Reason for Construction
“control unit”	’443 Patent, Claims 1, 17	Not in means-plus-function format. Claim should be interpreted using plain language of the claim.	’443 Patent (Ex. C) at FIG 3A; FIG 4; FIG 7; col. 2, lines 1 – 21; col. 7, line 46 – col. 9, lines 23; col. 10, lines 35 – 51; col. 13, line 6 – col. 14, line 24; col. 16, lines 38-45	Means-plus-function element: - Function: controlling the at least one local audio device, including creating local audio data from locally generated audio and storing the local audio data in a memory; - Structure: Texas Instruments part number TMS32005509A, electrically coupled to the local audio device receiver, the audio input device, and the memory	’443 patent (Ex C) at FIG 3A, FIG. 4, FIG. 7, 2:1-15, 7:46-60, 8:4-14, 8:26-32, 8:33-42, 8:57-9:1, 9:24-35, 10:35-47, 11:55-67, 12:1-17, 12:56-64, 13:6-9, 13:15-18, 13:28-41, 13:50-14:2, 14:6-18, 16:38-45	Relevant to Infringement And/Or Validity. To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the accused products are not infringing.	Resolution of this claim construction dispute is at least relevant to whether the Accused Products infringe the asserted apparatus claims, e.g., whether they include the corresponding structure or an equivalent thereof.
“control unit”	’902 Patent,	Not in means-	’443 Patent at	Means-plus-function	’443 patent (Ex	Relevant to	Resolution of

	Claim 1	plus-function format. Claim should be interpreted using plain language of the claim.	(Ex. C) FIG 3A; FIG 4; FIG 7; col. 2, lines 1 – 21; col. 7, line 46 – col. 9, lines 23; col. 10, lines 35 – 51; col. 13, line 6 – col. 14, line 24; col. 16, lines 38-45	element: - Function: controlling the at least one local audio device, including creating local audio data from locally generated audio and storing the local audio data in a memory; - Structure: Texas Instruments part number TMS32005509A, electrically coupled to the local audio device receiver, the audio input device, and the memory	C) at FIG 3A, 2:1-15, 7:46-60, 8:4-10, 8:26-32, 8:33-42, 8:57-9:1, 9:24-35, 10:35-47, 11:55-67, 12:1-17, 12:56-58	Infringement And/Or Validity. To the extent that the Court rules in Defendants' favor, Zaxcom does not concede that the accused products are not infringing.	this claim construction dispute is at least relevant to whether the Accused Products infringe the asserted apparatus claims, e.g., whether they include the corresponding structure or an equivalent thereof.
"control unit"	'902 Patent, Claims 21	Not in means-plus-function format. Claim should be interpreted using plain language of the claim.	'443 Patent (Ex. C) at FIG 3A; FIG 4; FIG 7; col. 2, lines 1 – 21; col. 7, line 46 – col. 9, lines 23; col. 10, lines 35 – 51; col. 13, line 6 – col. 14, line 24; col. 16, lines 38-45	Means-plus-function element: Function: controlling the at least one local audio device, including creating stamped local audio data and storing the stamped local audio data in a memory; Structure: Texas Instruments part number TMS32005509A, electrically coupled to the local audio device	'443 patent (Ex C) at FIG 3A, 2:1-15, 7:46-60, 8:4-10, 8:26-32, 8:33-42, 8:57-9:1, 9:24-35, 10:35-47, 11:55-67, 12:1-17, 12:56-58	Relevant to Infringement And/Or Validity. To the extent that the Court rules in Defendants' favor, Zaxcom does not concede that the accused products are not infringing.	Resolution of this claim construction dispute is at least relevant to whether the Accused Products infringe the asserted apparatus claims, e.g., whether they include the corresponding structure or an equivalent

				receiver, the audio input device, the memory, and the local timecode generator			thereof.
“control unit”	’814 Patent, Claims 16, 28, 40, 50	Not in means-plus-function format. Claim should be interpreted using plain language of the claim.	’443 Patent (Ex. C) at FIG 3A; FIG 4; FIG 7; col. 2, lines 1 – 21; col. 7, line 46 – col. 9, lines 23; col. 10, lines 35 – 51; col. 13, line 6 – col. 14, line 24; col. 16, lines 38-45	Means-plus-function element: Function: controlling the at least one local audio device, including creating stamped local audio data from locally generated audio and storing the stamped local audio data in a memory; Structure: Texas Instruments part number TMS32005509A, electrically coupled to the local audio device receiver, the audio input device, the memory, and the local timecode generator	’443 patent (Ex C) at FIG 3A, 2:1-15, 7:46-60, 8:4-10, 8:26-32, 8:33-42, 8:57-9:1, 9:24-35, 10:35-47, 11:55-67, 12:1-17, 12:56-58	Relevant to Infringement And/Or Validity. To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the accused products are not infringing.	Resolution of this claim construction dispute is at least relevant to whether the Accused Products infringe the asserted apparatus claims, e.g., whether they include the corresponding structure or an equivalent thereof.
“control unit”	’307 Patent, Claim 15	Not in means-plus-function format. Claim should be interpreted using plain language of the claim.	’443 Patent (Ex. C) at FIG 3A; FIG 4; FIG 7; col. 2, lines 1 – 21; col. 7, line 46 – col. 9, lines 23; col. 10, lines 35 –	Means-plus-function element: - Function: controlling the at least one local audio device, including creating local audio data and	’443 patent (Ex C) at FIG 3A, 2:1-15, 7:46-60, 8:4-10, 8:26-32, 8:33-42, 8:57-9:1, 9:24-35, 10:35-47, 11:55-67, 12:1-	Relevant to Infringement And/Or Validity. To the extent that the Court rules in Defendants’ favor, Zaxcom	Resolution of this claim construction dispute is at least relevant to whether the Accused Products infringe the

			51; col. 13, line 6 – col. 14, line 24; col. 16, lines 38-45	storing the local audio data in a memory; - Structure: Texas Instruments part number TMS32005509A, electrically coupled to the local audio device receiver, the audio input device, and the memory	17, 12:56-58	does not concede that the accused products are not infringing.	asserted apparatus claims, e.g., whether they include the corresponding structure or an equivalent thereof.
“control unit”	’207 Patent, Claims 17, 18, 33	Not in means-plus-function format. Claim should be interpreted using plain language of the claim.	’443 Patent (Ex. C) at FIG 3A; FIG 4; FIG 7; col. 2, lines 1 – 21; col. 7, line 46 – col. 9, lines 23; col. 10, lines 35 – 51; col. 13, line 6 – col. 14, line 24; col. 16, lines 38-45	Means-plus-function element: - Function: controlling the at least one audio device, including: (i) receiving a master timecode from a master timecode generator and jam synchronizing a local timecode generator to the master timecode generator using the master timecode, (ii) transmitting locally generated audio to a remote device via a wireless transmitter, (iii) storing the locally generated audio in a memory	’443 patent (Ex C) at FIG 3A, 2:1-15, 7:46-60, 8:4-10, 8:26-32, 8:33-42, 8:57-9:1, 9:24-35, 10:35-47, 11:55-67, 12:1-17, 12:56-58	Relevant to Infringement And/Or Validity. To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the accused products are not infringing.	Resolution of this claim construction dispute is at least relevant to whether the Accused Products infringe the asserted apparatus claims, e.g., whether they include the corresponding structure or an equivalent thereof.

				as audio data, and (iv) stamping at least a portion of the audio data with a local timecode; Structure: Texas Instruments part number TMS32005509A, coupled to the wireless transmitter, the audio input port, the memory, and the local timecode generator			
“control unit”	'207 Patent, Claims 59, 66	Not in means-plus-function format. Claim should be interpreted using plain language of the claim.	'443 Patent (Ex. C) at FIG 3A; FIG 4; FIG 7; col. 2, lines 1 – 21; col. 7, line 46 – col. 9, lines 23; col. 10, lines 35 – 51; col. 13, line 6 – col. 14, line 24; col. 16, lines 38-45	Means-plus-function element: - Function: controlling the audio device, including receiving a master timecode from a master timecode generator and jam synchronizing a local timecode generator to the master timecode generator using the master timecode, (ii) communicating locally generated audio to a wireless transmitter for transmission of the locally generated	'443 patent (Ex C) at FIG 3A, 2:1-15, 7:46-60, 8:4-10, 8:26-32, 8:33-42, 8:57-9:1, 9:24-35, 10:35-47, 11:55-67, 12:1-17, 12:56-58	Relevant to Infringement And/Or Validity. To the extent that the Court rules in Defendants' favor, Zaxcom does not concede that the accused products are not infringing.	Resolution of this claim construction dispute is at least relevant to whether the Accused Products infringe the asserted apparatus claims, e.g., whether they include the corresponding structure or an equivalent thereof.

				audio to a remote device, (iii) storing the locally generated audio in a memory as audio data, and (iv) stamping at least a portion of the audio data with a local timecode; - Structure: Texas Instruments part number TMS32005509A, coupled to the memory, the local timecode generator and the audio input port			
“control unit”	’207 Patent, Claim 75	Not in means-plus-function format. Claim should be interpreted using plain language of the claim.	’443 Patent (Ex. C) at FIG 3A; FIG 4; FIG 7; col. 2, lines 1 – 21; col. 7, line 46 – col. 9, lines 23; col. 10, lines 35 – 51; col. 13, line 6 – col. 14, line 24; col. 16, lines 38-45	Means-plus-function element: - Function: controlling the audio device, including: (i) receiving a master timecode from a master timecode generator and jam synchronizing a local timecode generator to the master timecode generator using the master timecode, (ii) transmitting locally	’443 patent (Ex C) at FIG 3A, 2:1-15, 7:46-60, 8:4-10, 8:26-32, 8:33-42, 8:57-9:1, 9:24-35, 10:35-47, 11:55-67, 12:1-17, 12:56-58	Relevant to Infringement And/Or Validity. To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the accused products are not infringing.	Resolution of this claim construction dispute is at least relevant to whether the Accused Products infringe the asserted apparatus claims, e.g., whether they include the corresponding structure or an equivalent thereof.

				generated audio to a remote device via a wireless transmitter, (iii) storing the locally generated audio in a memory as audio data, and (iv) stamping at least a portion of the audio data with a local timecode; - Structure: Texas Instruments part number TMS32005509A, coupled to the wireless transmitter, the memory, the local timecode generator and the audio input port			
“control unit”	’207 Patent, Claims 91, 98	Not in means-plus-function format. Claim should be interpreted using plain language of the claim.	’443 Patent (Ex. C) at FIG 3A; FIG 4; FIG 7; col. 2, lines 1 – 21; col. 7, line 46 – col. 9, lines 23; col. 10, lines 35 – 51; col. 13, line 6 – col. 14, line 24; col. 16, lines 38-45	Means-plus-function element: - Function: controlling the audio device - Structure: Texas Instruments part number TMS32005509A, coupled to the audio input port	’443 patent (Ex C) at FIG 3A, 2:1-15, 7:46-60, 8:4-10, 8:26-32, 8:33-42, 8:57-9:1, 9:24-35, 10:35-47, 11:55-67, 12:1-17, 12:56-58	Relevant to Infringement And/Or Validity. To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the accused products are not infringing.	Resolution of this claim construction dispute is at least relevant to whether the Accused Products infringe the asserted apparatus claims, e.g., whether they include the corresponding structure or an

							equivalent thereof.
“control unit”	’605 Patent, Claims 1, 2, 5, 9	Not in means-plus-function format. Claim should be interpreted using plain language of the claim.	’443 Patent (Ex. C) at FIG 3A; FIG 4; FIG 7; col. 2, lines 1 – 21; col. 7, line 46 – col. 9, lines 23; col. 10, lines 35 – 51; col. 13, line 6 – col. 14, line 24; col. 16, lines 38-45	Means-plus-function element: - Function: controlling the at least one local audio device, including creating local audio data and storing the local audio data in at least one local memory; Structure: Texas Instruments part number TMS32005509A, electrically coupled to the at least one local audio input device and the at least one local memory	’443 patent (Ex C) at FIG 3A, 2:1-15, 7:46-60, 8:4-10, 8:26-32, 8:33-42, 8:57-9:1, 9:24-35, 10:35-47, 11:55-67, 12:1-17, 12:56-58	Relevant to Infringement And/Or Validity. To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the accused products are not infringing.	Resolution of this claim construction dispute is at least relevant to whether the Accused Products infringe the asserted apparatus claims, e.g., whether they include the corresponding structure or an equivalent thereof.
“local processing unit”	’444 Patent, Claim 1	Not in means-plus-function format. Claim should be interpreted using plain language of the claim.	’443 Patent (Ex. C) at FIG 3A; FIG 4; FIG 7; col. 2, lines 1 – 21; col. 7, line 46 – col. 9, lines 23; col. 10, lines 35 – 51; col. 13, line 6 – col. 14, line	Means-plus-function element: - Function: controlling the at least one local audio device, including: (i) receiving at least one master timecode from a remote receiver via at least one local receiver, (ii) creating time-	’443 patent (Ex C) at FIG 3A, FIG. 4, FIG. 7, 2:1-15, 7:46-60, 8:4-14, 8:26-32, 8:33-42, 8:57-9:1, 9:24-35, 10:35-47, 11:55-67, 12:1-17, 12:32-34, 12:56-64, 13:6-	Relevant to Infringement And/Or Validity. To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the accused products are not	Resolution of this claim construction dispute is at least relevant to whether the Accused Products infringe the asserted apparatus claims, e.g., whether they

			24; col. 16, lines 38-45	referenced local audio data from locally generated audio and the at least one master timecode, and (iii) storing the time-referenced local audio data in at least one local memory; - Structure: Texas Instruments part number TMS32005509A, operatively coupled to the at least one local memory, and, optionally, the at least one local transmitter and, optionally, the at least one local receiver,	9, 13:15-18, 13:28-41, 13:50-14:2, 14:6-18, 16:19-21, 16:38-45	infringing.	include the corresponding structure or an equivalent thereof.
“local processing unit”	’444 Patent, Claim 13	Not in means-plus-function format. Claim should be interpreted using plain language of the claim.	’443 Patent (Ex. C) at FIG 3A; FIG 4; FIG 7; col. 2, lines 1 – 21; col. 7, line 46 – col. 9, lines 23; col. 10, lines 35 – 51; col. 13, line 6 – col. 14, line 24; col. 16, lines 38-45	Means-plus-function element: - Function: controlling the at least one local audio device, including: (i) receiving at least one master timecode from a remote receiver via at least one local receiver, (ii) synchronizing a	’443 patent (Ex C) at FIG 3A, FIG. 4, FIG. 7, 2:1-15, 7:46-60, 8:4-14, 8:26-32, 8:33-42, 8:57-9:1, 9:24-35, 10:35-47, 11:55-67, 12:1-17, 12:32-34, 12:56-64, 13:6-9, 13:15-18, 13:28-41,	Relevant to Infringement And/Or Validity. To the extent that the Court rules in Defendants’ favor, Zaxcom does not concede that the accused products are not infringing.	Resolution of this claim construction dispute is at least relevant to whether the Accused Products infringe the asserted apparatus claims, e.g., whether they include the corresponding

				local timecode with the at least one master timecode, (iii) creating time-referenced local audio data from the local timecode, and (iv) storing the time-referenced local audio data in at least one local memory; - Structure: Texas Instruments part number TMS32005509A, operatively coupled to the at least one local memory, and, optionally, the at least one local transmitter and, optionally, the at least one local receiver	13:50-14:2, 14:6-18, 16:19-21, 16:38-45		structure or an equivalent thereof.
--	--	--	--	--	--	--	--