IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT DELAWARE

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

CLAIM CONSTRUCTION ORDER

In this case, plaintiff Zaxcom alleges that defendants (collectively, Rode) infringe U.S. patent nos. 7,711,443, 7,929,902, 8,385,814, 9,336,307, 10,276,207, 11,610,605, and 12,051,444. The parties dispute the construction of several claim terms that they have grouped together and associated with certain representative claims. We assume the reader has knowledge of the patents and allegations in this case, claim construction law, and the arguments advanced before and during the claim construction hearing. After the joint claim construction briefing (DI 145, 146, 147) was filed, we held oral argument on July 9, 2025. At our request, the parties filed supplemental briefing (DI 157, 158, 160, 161, 162). It is **ORDERED** the motion for claim construction (DI 144) is **GRANTED**. Below, we insert our rulings into the same outline the parties used in their joint claim construction brief.

I. REPRESENTATIVE CLAIMS

The parties have set forth the following representative claims for the asserted patents.

A. U.S. Patent 7,711,443

1. A system for recording locally generated audio comprising: at least one master timecode generator for generating a plurality of master timecodes; and at least one local audio device wearable by a creator of said locally generated audio including: at least one local audio device receiver for wirelessly receiving said master timecodes; at least one audio input port for receiving locally generated audio from an audio input device; at least one memory; at least one control unit in communication with said local audio device receiver, said audio input device, and said memory for creating local audio data from said locally generated audio and storing said local audio data in said memory; and at least one local audio device wireless transmitter for wirelessly transmitting said local audio data in real time, said at least one local audio device wireless transmitter in communication with said at least one control unit; wherein said local audio data includes stamped local audio data and unstamped local audio data; wherein said stamped local audio data includes at least one timestamp to reference at least a portion of said local audio data to at least one of said master timecodes; and wherein said unstamped local audio data does not include a reference to said master timecodes.

B. U.S. Patent 7,929,902

1. A system for recording locally generated audio comprising: at least one master timecode generator for generating a plurality of master timecodes; and at least one local audio device wearable by a creator of said locally generated audio including: at least one local audio device receiver for receiving at least one of the group consisting of digital commands, said master timecodes, and non-local audio data; at least one audio input port for receiving locally generated audio from an audio input device; at least one memory; and at least one control unit electrically coupled to said local audio device receiver, said audio input device, and said memory for creating local audio data from said locally generated audio and storing said local audio data in said memory; wherein said local audio data includes stamped local audio data and unstamped local audio data; wherein said stamped local audio data includes at least one first timestamp to reference at least a portion of said local audio data to at least one of said master timecodes; and wherein said unstamped local audio data does not include a reference to said master timecodes.

C. U.S. Patent 8,385,814

50. (substitute for claim 1) A system for locally recording locally generated audio and remotely recording the locally generated audio comprising: at least one remote recorder; at least one master timecode generator for generating a plurality of master timecodes; and at least one local audio device wearable by a creator of said locally generated audio including: at least one local audio device receiver for receiving [at least one of the group consisting of] digital commands, a transport status, said master timecodes, and non- local audio data; at least one audio input port for

receiving said locally generated audio from an audio input device; at least one memory; a wireless transmitter transmitting said locally generated audio to said at least one remote recorder; at least one local timecode generator for generating a plurality of local timecodes said local timecode generator is synchronized by said master timecodes; and at least one control unit electrically coupled to said local audio device receiver, said audio input device, said memory, and said local timecode generator for creating stamped local audio data from said locally generated audio and storing said stamped local audio data in said memory; wherein said stamped local audio data includes at least one local timestamp to reference at least a portion of said stamped local audio data to at least one of said local timecodes; said at least one remote recorder receiving said locally generated audio and remotely recording said locally generated audio as remote audio data; receiving said stamped local audio data, and replacing a portion of said remote audio data with said stamped local audio data.

D. U.S. 9,336,307

15. (substitute for claim 1) An apparatus or system for locally recording locally generated audio, and remotely recording said locally generated audio as remotely recorded audio data comprising: at least one local audio device wearable by a creator of said locally generated audio including: at least one local audio device receiver for receiving at least one of the group consisting of digital data, time data, and audio data; at least one audio input port for receiving said locally generated audio from an audio input device, said audio input device wearable by a creator of said locally generated audio; a wireless transmitter transmitting said locally generated audio to a remote recorder; at least one memory; at least one control unit electrically coupled to said local audio device receiver, said audio input device, and said memory for creating local audio data and storing said local audio data in said memory; and said at least one remote recorder receiving and remotely recording said locally generated audio as remotely recorded audio data, receiving said local audio data, and replacing said remotely recorded audio data with said local audio data.

E. U.S. 10,276,207

17. At least one audio device wearable by a user for storing locally generated audio and transmitting the locally generated audio to a remote device, the remote device including at least one of a receiver, a recorder, a mixer, and combination thereof, the at least one audio device comprising: a wireless transmitter, an audio input port configured to couple to an audio input device to receive the locally generated audio; a memory; a local timecode generator operable to generate a local timecode; a control unit coupled to the wireless transmitter, the audio input port, the memory, and the local timecode generator, the control unit operable to: (i) receive a master timecode from a master timecode generator and jam synchronize the local timecode generator to the master timecode generator using the master timecode, (ii) transmit the locally generated audio to the remote device via the wireless transmitter; and (iii) store the locally generated audio in the memory as audio data; and (iv) stamp at least a portion of the audio data with the local timecode.

F. U.S. 11,610,605

1. A system for locally recording locally generated audio as local audio data, and for simultaneously communicating transmitted audio data for remote recording as remotely recorded

audio data, the transmitted audio data including local audio data or locally generated audio, the system comprising: at least one local audio device wearable by a creator of the locally generated audio, the local audio device including: at least one local audio input port for receiving the locally generated audio; a local wireless transmitter for transmitting the transmitted audio data; at least one local memory; and at least one local control unit electrically coupled to the at least one local audio input device and the at least one local memory for creating the local audio data and storing the local audio data in the at least one local memory; and at least one remote receiver adapted to communicate with the at least one local audio device, adapted to receive the transmitted audio data, and adapted to store the transmitted audio data or communicate the transmitted audio data to a remote recorder, for remotely recording the transmitted audio data as the remotely recorded audio data; wherein the local audio data and the remotely recorded audio data are adapted to be combinable during or after generation of the locally generated audio by replacing at least one remote portion of the remotely recorded audio data with at least one local portion of the local audio data.

G. U.S. 12,051,444

1. A system for locally recording locally generated audio as time-referenced local audio data and for substantially simultaneously transmitting audio data to a remote device, the system comprising: a remote receiver, the remote receiver configured to create at least one master timecode and to receive audio data; a local audio device capable of communicating with the remote receiver and configured to receive locally generated audio; the at least one local audio device wearable by a creator of the locally generated audio, the at least one local audio device including: at least one local memory; at least one local transmitter; at least one local receiver; and at least one local processing unit, the at least one local processing unit 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, wherein the at least one local memory stores instructions that, when executed by the at least one local processing unit, configures the local audio device to: receive the at least one master timecode from the remote receiver via the at least one local receiver; create time-referenced local audio data from the locally generated audio and the at least one master timecode; store the time-referenced local audio data in the at least one local memory; and wherein the audio data is transmitted to the remote receiver substantially simultaneously with the receiving of the local audio data by the local audio device, the creating of the time-referenced local audio data, or the storing of the time-referenced local audio data in the at least one local memory.

II. AGREED-UPON CONSTRUCTIONS

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"
"dropouts"	'207 Patent – claims 75 and 91	"Loss of audio data due to a wireless transmission error."
"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 particular track of audio"

III. DISPUTED CONSTRUCTIONS

The disputed claim constructions with the parties' respective positions are as follows.

a. "master timecode generator"

Claim Term	Zaxcom's Construction	Defendants' Construction
"master timecode generator"	A producer of a master time reference signal that controls at least one other timecode generator	AMENDED DEFENDANTS' CONSTRUCTION: "a producer of a plurality of master timecodes controlling other time code generators by controlling their speed" 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"

The simplest accurate construction of "master timecode generator" consistent with the claims and specification is "a producer of master timecodes." The dispute reflected for this claim term is better incorporated into the "master timecodes" themselves, which we address below. We also note that we disagree that Zaxcom clearly and unmistakably disavowed claim scope in the Lectrosonics IPRs, at least because the subject statements were merely exemplary. *See* DI 145 at 22.

b. "master timecode(s)"

Claim Term	Zaxcom's Construction	Defendants' Construction
"master timecode(s)"	"A time reference signal used to synchronize at least one device."	ORIGINAL DEFENDANTS' CONSTRUCTION: "Code[s] synchronizing audio samples." AMENDED DEFENDANTS'

		CONSTRUCTION: "code[s] synchronizing audio samples and controlling the speed of time code generators"

We adopt defendants' original construction, "code(s) synchronizing audio samples," for the reasons explained by both parties in the briefing; we omit the additional language proposed by defendants because, as mentioned above, we do not see a sufficiently clear disavowal in the Lectrosonics IPRs.

c. "wearable"

Claim Term	Zaxcom's Construction	Defendants' Construction
"wearable"	"Suitable to be worn by a performer."	"suitable and in a condition to be worn"

"Wearable" means "suitable and in a condition to be worn" for the reasons explained by defendants. In this context, "wearable" is a functional characteristic of the claimed device — as claim 1 recites: "at least one local audio device wearable by a creator of said locally generated audio." Hence, the parties agree that the device must be designed so that it is wearable by somebody; the claim says that somebody is a creator of the locally generated audio. Zaxcom's construction therefore would further limit the creator to being a performer. That dispute is better resolved in the context of the next claim term at issue.

d. "local audio device wearable by a creator of said locally generated audio"

Claim Term	Zaxcom's Construction	Defendants' Construction
"local audio device wearable by a creator of said locally generated audio"	"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."	"local audio device suitable and in a condition to be worn by a person operating the local audio device"

This claim term means "A local audio device suitable and in a condition to be worn by a performer whose audio is being recorded." Here the dispute is whether "a creator of said locally generated audio" must be a performer, or could be another person operating the local audio device. Boiled down further, is a "creator" a "performer" or an "operat[or]" (of equipment not necessarily suitable for wearing by a performer). The briefing did not provide much insight into the question of what it means to create (or be a creator of) audio. But the claim structure provides a compelling answer. The word "audio" is used as a noun, meaning, sound — something that one can hear (or perhaps an initial analog version of the same). Although an operator might create an audio file, audio recording, or the like, it is the person vocalizing, playing an instrument, etc., who is "create[ing]" "audio." Claim 1 of the 443 patent, after all, recites "A system for recording locally generated audio," meaning that the audio first comes into existence (when the performer makes it) and then is recorded (perhaps by a separate operator).

e. "body pack"

Claim Term	Zaxcom's Construction	Defendants' Construction
"body pack"	"A small box housing a transmitter ."	"a compact bundle of equipment arranged for convenience for carrying on the body"

A "body pack" is "a small box housing a transmitter." We adopt Zaxcom's arguments made in its supplemental briefing (DI 157, 158). The intrinsic evidence was limited; this is a situation where the patent used a term that it was assumed the reader would understand. Hence, we found the extrinsic evidence more insightful. In particular, we found Mr. Norflus's declaration credible, useful, and consistent with the documentary evidence included with his declaration.

f. "transmitting…audio data"

Claim Term	Zaxcom's Construction	Defendants' Construction
"transmitting… audio data"	Plain meaning – transmitting audio data – (*i.e.*, the audio data does not need to include timecodes).	"transmitting audio data which includes timecodes"

g. "transmitted audio data"

Claim Term	Zaxcom's Construction	Defendants' Construction
"transmitted audio data"	For the '605 Patent, the phrase "transmitted audio data" should be construed as "transmitted locally generated audio or local audio data."	"transmitted audio data which includes timecodes"

For both claim terms, we disagree with defendants that there was a clear and unmistakable disclaimer, so we reject the "which includes timecodes" modifier suggested by defendants, and adopt Zaxcom's arguments in that respect. Given the context of the language of claim 1 of the 605 patent, we see no reason to adopt the extra language proposed by Zaxcom ("locally generated" and "or local").

h. "audio data"

Claim Term	Zaxcom's Construction	Defendants' Construction
"audio data"	Plain meaning – data relating to audio in digital or analog form.	"audio signals in digital form"

i. "locally generated audio" and "local audio"

Claim Term	Zaxcom's Construction	Defendants' Construction
"locally generated audio" and "local audio"	"Audio created by the wearer of the local audio device that is suitable for use as an independent track of audio"	"analog audio generated local to an audio device"

The parties argued these terms together because of the disputed delineation between digital and analog audio. We agree with defendants that the specification draws a consistent distinction. "Audio data" is what the specification calls something that includes the digitized form of audio. Zaxcom — which advanced very little argument on this point[1] — relies on, e.g., the statement in the specification that "audio may be transmitted and recorded in analog form, thereby eliminating local ADC 322" (443 patent 8:23-25), but that illustrates defendants' position because it says "audio" rather than "audio data" when talking about analog audio.

Hence, for largely the reasons explained by defendants, "audio data" means "data comprising audio signals in digital form." With that clarification, it should be unnecessary to further construe "locally generated audio" and "local audio." (During oral argument, Zaxcom did not dispute that the local audio is analog, and the other nuances of Zaxcom's proposed construction are either addressed in other claim terms or are so unargued that they are waived.)

j. "stamped local audio data"

Claim Term	Zaxcom's Construction	Defendants' Construction
"stamped local audio data"	"Local audio data that is directly associated with a timestamp."	"local audio samples that are associated with a master timecode timestamp"

k. "unstamped local audio data"

Claim Term	Zaxcom's Construction	Defendants' Construction
"unstamped local audio data"	"Local audio data that is not directly associated with a timestamp."	"local audio samples that are not associated with a master timecode timestamp"

For the stamped and unstamped terms, we adopt defendants' constructions for the reasons argued by defendants.

l. "remote control unit"

[1] DI 145 at 68, 76 — just a few substantive sentences.

Claim Term	Zaxcom's Construction	Defendants' Construction
"remote control unit"	Plain meaning – a device that controls another device from a distance.	"an independent electrical device, separate from a receiver or recorder, that controls another device from a distance"

"Remote control unit" means "a device that controls another device from a distance." We adopt Zaxcom's arguments, including that Zaxcom did not clearly and unmistakably disavow the remote control unit being integrated with a receiver.

m. "personal computer"

Claim Term	Zaxcom's Construction	Defendants' Construction
"personal computer"	Plain meaning – (*i.e.,* a computer designed for use by one person at a time.")	"a non-handheld computer, not including a multi-track recorder, a cellular phone, or a camera"

"Personal computer" means, if it needs a construction, "a computer designed for use by one person at a time." Defendants read the specification to be classifying personal computers as exclusively non-handheld, and different than cellular phones, but the evidence is inconclusive on that point. Fairly read, the specification indicates that personal computers may be non-handheld and may be different than cellular phones, but there is insufficient evidence to entirely exclude alternatives.

n. "local timecode generator"

Claim Term	Zaxcom's Construction	Defendants' Construction
"local timecode generator"	A producer of a time reference for use by a local audio device.	"a producer of a plurality of local timecodes for use by a local audio device"

"Local timecode generator" means "a producer of local timecodes." We are unpersuaded that any additional nuance is appropriate or helpful.

o. "identifier"

Claim Term	Zaxcom's Construction	Defendants' Construction
"identifier"	"Data associated with recorded audio to aid in post-recoding identification of such audio."	"one that identifies"

"Identifier" means "data that identifies." In particular Zaxcom did not persuade us that the evidence warranted the narrowing "to aid in post-recoding identification of such audio" language.

p. "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"

Claim Term	Zaxcom's Construction	Defendants' Construction
"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"	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 data that is replacing the remotely recorded/remote audio data.	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.

There should be no reason to construe this claim term except that Zaxcom aims to stay "consistent with the plain language of the claim as well as the purpose of the invention to fix dropouts." DI 145 at 102. To the extent Zaxcom relies on the remainder of the claim, it already speaks for itself. And there is insufficient evidence to otherwise incorporate the alleged purpose of the claim as Zaxcom proposes. Given that defendants' construction essentially does nothing but refute Zaxcom's, we assume it would be best to leave this claim term unconstrued.

q. "the local audio data and the remotely recorded audio data are adapted 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"

Claim Term	Zaxcom's Construction	Defendants' Construction
"the local audio data and the remotely recorded audio data are adapted 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"	The local audio data and remotely recorded/remote audio data are adapted to be 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.	"the local audio data and the remotely recorded audio data are adapted 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."

For the same reasons as the previous claim term, we disagree with Zaxcom's proposed narrowing construction and think it best to leave this claim term unconstrued.

r. "at least one local audio device receiver for receiving [at least one of the group consisting of] digital commands, a transport status, said master timecodes, and nonlocal audio data"

Claim Term	Zaxcom's Construction	Defendants' Construction
'814 Patent, Claim 50: "at least one local audio device receiver for receiving [at least one of the group consisting of] digital commands, a transport status, said master	Plain language of the claim – "at least on local audio device receiver for receiving at least one of the group consisting of digital commands, a transport status, said master timecodes and nonlocal audio data." (*i.e.,*the brackets are a typographical error.)	"at least one local audio device receiver for receiving digital commands, a transport status, said master timecodes, and nonlocal audio data"

timecodes, and nonlocal audio data"		

We adopt defendants' construction for the reasons explained by defendant. The face of the claims as well as the IPR record make it completely clear that the bracketed language ought to have been deleted, and that a skilled artisan reading the claim would understand that as well. If nothing else, Zaxcom could be understood to have expressly disavowed the broader claim scope; or be estopped from asserting it.

s. "memory card"

Claim Term	Zaxcom's Construction	Defendants' Construction
"memory card"	Claim 9 of the '307 patent contains this term. Plain meaning – (i.e., an electronic data storage device used for storing digital information)	"user-insertable/removable memory device"

We agree with Zaxcom's proposed construction, "an electronic data storage device used for storing digital information," for the reasons explained by Zaxcom.

t. "SMPTE compliant timecode," "timecode[] adher[ing] to an SMPTE timecode format," or "SMPTE timecode"

Claim Term	Zaxcom's Construction	Defendants' Construction
"SMPTE compliant timecode," "timecode[] adher[ing] to an SMPTE timecode format," or "SMPTE timecode"	Plain meaning – (*i.e.,* a timecode compliant with the SMPTE standard.)	"a timecode signal containing information regarding the hour, minute, second, frame, type of timecode (i.e., nondrop or drop frame), and user- definable information"

We will adopt Zaxcom's construction for the time being because the portions of the specification that discuss SMPTE timecodes are not definitional — so we cannot be confident that defendants' construction is correct. That said, we agree with defendants that, if this claim term is going to be material to the jury, it may benefit from a construction. Thus, if defendants believe this term requires further construction, it should address that with Zaxcom and the court as soon as practicable (presumably with the aid of extrinsic evidence).

u. "repairs the at least one remote portion of the remotely recorded audio data damaged due to a loss of transmission of the transmitted audio data."

Claim Term	Zaxcom's Construction	Defendants' Construction
"repairs the at least one remote portion of the remotely recorded audio data damaged due to a loss of transmission of the transmitted audio data."	Plain meaning – replaces the at least one remote portion of the remotely recorded audio data to correct for damage due to a loss of transmission of the transmitted audio data (i.e., may include replacing all the remotely recorded audio data.).	"replaces the at least one remote portion, but not all, of the remotely recorded audio data to correct for damage due to a loss of transmission of the transmitted audio data"

We agree with defendants' reasoning, especially with respect to claims 2, 3, 5, and 6 of the 605 patent, and therefore adopt defendants' construction.

v. Preamble of '605 Patent, Claim 1

Claim Term	Zaxcom's Construction	Defendants' Construction
Preamble of '605 Patent, Claim 1	The preamble is not limiting.	The preamble is limiting.

The preamble at issue, in claim 1 of the 605 patent, is "[a] system for locally recording locally generated audio as local audio data and for simultaneously communicating transmitted audio data for remote recording as remotely recorded audio data." We agree with Zaxcom that the preamble is a statement of intended use. There are terms within the preamble that provide

antecedent basis, but the body of the claim "recites a structurally complete invention." *Shoes by Firebug LLC v. Stride Rite Children's Grp.*, LLC, 962 F.3d 1362, 1367 (Fed. Cir. 2020).

w. "Multi-track data file"/"multi-track audio file"

Claim Term	Zaxcom's Construction	Defendants' Construction
"Multi-track data file"/"multi-track audio file"	"a data file consisting of multiple, separate streams of sound with individual instruments or voices recorded on separate tracks	"a data file consisting of multiple tracks of audio, each track representing audio received by a separate microphone"

"Multi-track data file"/"multi-track audio file" means "a data file consisting of multiple tracks of audio." Reviewing the references to multi-track data in the specification, the only clear requirement is that there be a combination of multiple single audio tracks. These could originate from different microphones, different local devices, different voices, etc.

x. 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

Claim Term	Zaxcom's Construction	Defendants' Construction
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	"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"	"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"

We adopt defendants' construction for the reasons explained by defendants.

H. Section 2: Indefiniteness

a. "wherein the local audio device is in the form of a body pack typically worn by news announcers and performers"

Claim Term	Zaxcom's Construction	Defendants' Construction
"wherein the local audio device is in the form of a body pack typically worn by news announcers and performers"	Not indefinite	Indefinite (*Nautilus*)

Defendants did not show that this term renders the relevant claims indefinite. It is defendants' responsibility to show why a skilled artisan could not reasonably ascertain the scope of the claim in some way that is material to an issue to the case. Defendants ask interesting questions in their brief, DI 145 at 138, but they do not amount to proof of invalidity.

b. '444 Patent, Claims 1, 13: "the receiving of the local audio data by the local audio device"

Claim Term	Zaxcom's Construction	Defendants' Construction
'444 Patent, Claims 1, 13: "the receiving of the local audio data by the local audio device"	Not indefinite. Any purported lack of antecedent basis does not render the claim indefinite.	Indefinite (lack of antecedent basis; *Nautilus*)

Defendants did not show that this term renders the relevant claims indefinite. Zaxcom concedes that the claims are incomplete in the way defendants argue, but disagrees that the claim should be indefinite. We agree; defendants have not shown that a skilled artisan would lack reasonable certainty in applying the claim.

a. "control unit"

Claim Term	Zaxcom's Construction	Defendants' Construction
"control unit"	Not in means-plus-function format. Claim should be	Means-plus-function element: - Function: controlling

	interpreted using plain language of the claim.	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

This claim term is not means-plus-function because it connotes adequate structure. The precedent discussed by the parties was of limited value because a term like "control unit" or "local processing unit" may or may not be a nonce word depending on the specific context of the patent. In the context of the devices at issue, control units and local processing units are identifiable structural components.

b. "local processing unit"

Claim Term	Zaxcom's Construction	Defendants' Construction
"local processing unit"	Not in means-plus-function format. Claim should be interpreted using plain language of the claim.	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- 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,

This claim term is not means-plus-function because it connotes adequate structure, as explained above.

MURPHY, J.

Date: November 17, 2025