IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

PEGASUS WIRELESS INNOVATION LLC, *Plaintiff*, v. CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS *et al.,* *Defendants*, ERICSSON INC. and NOKIA OF AMERICA CORP., *Intervenors*,	§ § § § § § § § § § § § § § § § § § § §	Case No. 2:23-cv-00640-JRG (Lead Case)
CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS, *Counterclaim-Plaintiff*, ERICSSON INC. and NOKIA OF AMERICA CORP., *Intervenors*, v. PEGASUS WIRELESS INNOVATION LLC and KT CORPORATION, *Counterclaim-Defendants*.	§ § § § § § § § § § § § § § § § § § § §	Case No. 2:23-cv-00640-JRG (Lead Case)
PEGASUS WIRELESS INNOVATION LLC, *Plaintiff*, v. AT&T CORP. *et al.,* *Defendants*, ERICSSON INC. and NOKIA OF AMERICA CORP., *Intervenors*,	§ § § § § § § § § § § § § § § § § § § §	Case No. 2:23-cv-00638-JRG (Member Case)

Petitioners' Exhibit 1015
Google et al. v. KT Corporation et al.
IPR2025-00292

NEW CINGULAR WIRELESS PCS, LLC, *Counterclaim-Plaintiff*, ERICSSON INC. and NOKIA OF AMERICA CORP., *Intervenors*, v. PEGASUS WIRELESS INNOVATION LLC and KT CORPORATION, *Counterclaim-Defendants*.	§ § § § § § § § § § § § § § § §	Case No. 2:23-cv-00638-JRG (Member Case)
PEGASUS WIRELESS INNOVATION LLC, *Plaintiff*, v. T-MOBILE USA, INC. *et al.,* *Defendants*, ERICSSON INC. and NOKIA OF AMERICA CORP., *Intervenors*,	§ § § § § § § § § § § § § § § §	Case No. 2:23-cv-00639-JRG (Member Case)
T-MOBILE USA, INC., *Counterclaim-Plaintiff*, ERICSSON INC. and NOKIA OF AMERICA CORP., *Intervenors*, v. PEGASUS WIRELESS INNOVATION LLC and KT CORPORATION, *Counterclaim-Defendants*.	§ § § § § § § § § § § § § § § §	Case No. 2:23-cv-00639-JRG (Member Case)

DEFENDANTS AND INTERVENORS'
P.R. 4-2 PRELIMINARY CLAIM CONSTRUCTIONS AND EXTRINSIC EVIDENCE

Pursuant to Patent Rule 4-2 and the First Amended Docket Control Order (Dkt. 68) in the above-captioned cases,[1] Defendants and Counterclaim-Plaintiffs Cellco Partnership d/b/a Verizon Wireless, Verizon Business Network Services LLC, Verizon Corporate Services Group Inc., and TracFone Wireless, Inc ("Verizon"), AT&T Corp., AT&T Services, Inc., AT&T Mobility LLC, AT&T Mobility II LLC, New Cingular Wireless PCS, LLC, and Cricket Wireless LLC ("AT&T"), and T-Mobile USA, Inc., Sprint Solutions LLC, and Sprint Spectrum LLC. ("T-Mobile") (Verizon, AT&T, and T-Mobile collectively, "Defendants") and Intervenors Ericsson Inc. ("Ericsson") and Nokia of America Corp. ("Nokia") (Ericsson and Nokia collectively, "Intervenors") respectfully submit their Preliminary Proposed Claim Constructions and Extrinsic Evidence for the claim terms, phrases, or clauses that the parties identified on November 5, 2024, for claim construction purposes pursuant to Patent Rule 4-1.

Defendants and Intervenors base these preliminary proposed constructions upon their current knowledge, understanding, and belief as to the facts and information available as of this date. Defendants and Intervenors reserve the right to further amend these preliminary proposed claim constructions as the parties proceed with discovery and work toward the preparation of a final Joint Claim Construction Statement. In particular, Defendants and Intervenors reserve the right to modify or supplement these P.R. 4-2 disclosures to facilitate agreement with Pegasus Wireless Innovation LLC ("Pegasus" or "Plaintiff"), to avoid duplication of terms or phrases, to reflect newly-received information, or in response to any changes in Pegasus's P.R. 3-1 and P.R. 3-2 disclosures. To the extent necessary to clarify the issues for the Court or otherwise avoid ambiguity or confusion, Defendants and Intervenors reserve the right to address a word or phrase

[1] Unless indicated otherwise, docket citations throughout this List of Proposed Terms for Construction refer to Case No. 2:23-cv-00640-JRG.

separately from the terms listed below, if addressing that word or phrase separately will assist in the resolution of the parties' disputes.

Defendants and Intervenors also reserve their right to revise these preliminary proposed constructions in view of Pegasus's proposals and as discovery proceeds. Defendants and Intervenors specifically reserve the right to modify or supplement their preliminary proposed constructions once they have had an opportunity to review Pegasus's preliminary proposed constructions. Defendants and Intervenors further reserve the right to rely on extrinsic evidence identified by Pegasus and to add additional extrinsic evidence, particularly for constructions on which the parties disagree. Furthermore, Defendants and Intervenors reserve the right to update their citations to additional relevant extrinsic evidence, such as inventor testimony and testimony from attorneys responsible for prosecuting the asserted patents, as well as to identify additional dictionary definitions and prior art.

Defendants and Intervenors also reserve the right to amend these disclosures to the extent Pegasus supplements or amends its infringement contentions or claim construction disclosures. Pegasus has not served infringement contentions that comply with P.R. 3-1 and/or Paragraph 3 of the Court's Discovery Order (Dkt. 58) and has otherwise not provided sufficient notice as to its infringement theories in this case. Defendants and Intervenors are prejudiced in identifying the terms and constructions below in the absence of knowledge as to how Pegasus intends to assert its claim scope in this litigation. Defendants and Intervenors specifically reserve the right to modify the terms and proposed constructions identified herein within a reasonable time of Pegasus being permitted to serve any supplemental contentions.

Defendants and Intervenors contend that various claim limitations are indefinite. To the extent that Defendants and Intervenors provided proposed alternative claim constructions for these

claim limitations and in the event that the claims are not found to be indefinite, such proposal is not an admission that these claims are amenable to proper construction and/or satisfy the definiteness requirement of 35 U.S.C. § 112, which Defendants and Intervenors specifically deny. Moreover, nothing in these proposed terms should suggest that a particular limitation or claim is valid or construable, accurately described, enabled or definite within the meaning of 35 U.S.C. § 112.

To confirm the proper construction, in addition to the extrinsic evidence cited below, Defendants and Intervenors may rely on the patents and other references cited during the prosecution of the asserted patents. Defendants and Intervenors also may rely on one or more of the prior art systems and/or publications identified in their Invalidity Contentions to explain the state of the art and/or to show the ordinary meaning of certain claim terms. Furthermore, Defendants and Intervenors may rely on any public statement of Pegasus and/or its representatives (including statements made in prosecution of foreign counterparts to the asserted patents), or any current or former employee of Pegasus; any of the named inventors and/or prosecuting attorneys; and/or any information from other sources, including discovery produced in this case. Defendants and Intervenors may also rely on documents produced by Pegasus pursuant to Patent Local Rule 3-2 to the extent those documents evidence the ordinary meaning of claim terms and/or any different meaning assigned to claim terms by the inventors. Defendants and Intervenors may also rely on testimony from one or more of the inventors and/or the prosecuting attorney elicited in ongoing discovery in this case. Testimony from one or more of the inventors or the prosecuting attorney may be relevant to the meaning or indefiniteness of one or more of the contested claim terms.

As noted below, Defendants and Intervenors may also rely on testimony from one or more expert witnesses, including any identified by Pegasus. Such expert evidence may address the relevant field of art, the level of ordinary skill in the art, whether certain terms connote sufficient structure to perform the claimed functions, whether the patents' specifications disclose and clearly link sufficient structure to perform the claimed functions, the definiteness of certain terms, and the meaning that certain claim terms would have to a person of ordinary skill in the art based on the asserted patents' disclosure and associated prosecution history, including any extrinsic evidence offered by Pegasus or Defendants and Intervenors.

I. U.S. Patent No. 11,627,631 ("the '631 Patent")

Claim Term	'631 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
"A controller for transmitting and receiving data, the controller comprising: a processor performs: to decide whether to perform a handover, to transmit a handover request message when it is decided to perform the handover, . . . to receive a handover request confirmation message in response to the handover request message . . . ."	7	Indefinite	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

II. U.S. Patent No. 10,181,931 ("the '931 Patent")

Claim Term	'931 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
"A method of transmitting response information of downlink data of a Machine Type Communication (MTC) terminal"	1	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’931 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“A method of configuring a resource of response information of downlink data for a Machine Type Communication (MTC) terminal in a base station”	3	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’931 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“A Machine Type Communication (MTC) terminal for transmitting response information of downlink data to a base station”	5	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’931 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“A base station for configuring a resource of response information of downlink data for a Machine Type Communication (MTC) terminal”	7	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’931 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“terminal different from the MTC terminal”	1, 3, 5, and 7	Plain and ordinary meaning, which means a non-MTC terminal.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

"Machine Type Communication (MTC) terminal" / "MTC terminal"	1-7	Plain and ordinary meaning, which means a low capability terminal that has low performance hardware and software compared with a typical LTE/LTE-Advance terminal that performs data communication without human interaction.	U.S. Patent Publication No. 2016/0127952 at [0006] (Pegasus_PriorArt_0004544), [0007]; U.S. Patent No. 11,470,619 at 1:19-31 (Pegasus_PriorArt_0004350). 3GPP TR 36.888 v12.0.0 (2013-06) Study on provision of low-cost Machine-Type Communications (MTC) User Equipments (UEs) based on LTE (Release 12) (PEGASUS_DEFS_0000025); 3GPP TS 22.368 v12.2.0 (2013-03) Service Requirements for Machine-Type Communications (MTC) Stage 1 (Release 12) (PEGASUS_DEFS_0000001); Tarik Taleb & Andreas Kunz, *Machine Type Communications in 3GPP Networks: Potential, Challenges, and Solutions*, IEEE Communications Magazine (March 2012) (PEGASUS_DEFS_0000080). Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have

Claim Term	’931 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
			understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.
“separated from”	1, 3, 5, and 7	Indefinite.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’931 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“configured to”	5	Plain and ordinary meaning, which means “actually configured to and not merely capable of performing the claimed function.”	Dictionary of Computer And Internet Terms at 106-07 (PEGASUS_DEFS_0000088); Webster’s Ninth New Collegiate Dictionary (1990) at 275 (PEGASUS_DEFS_0000093); Thomas’s Concise Telecom and Networking Dictionary at 57 (PEGASUS_DEFS_0000096); Bay Networks Guide To Networking Terms at 29 (PEGASUS_DEFS_0000101). Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

III. U.S. Patent No. 10,616,932 ("the '932 Patent")

Claim Term	'932 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
"A method of configuring, by an access unit, a wireless connection of a terminal"	1	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’932 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“An access unit for configuring a wireless connection of a terminal”	8	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’932 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“access unit”	1, 2, 8, 9, 10, 11, 12, 13, 14	Plain and Ordinary Meaning	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

IV. U.S. Patent No. 11,405,942 ("the '942 Patent")

Claim Term	'942 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
"a newly defined RNTI other than at least a cell-RNTI (C-RNTI)"	1, 5, 9	Indefinite.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’942 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“configured to”	9	Plain and ordinary meaning of “configured to,” which means “actually configured to and not merely capable of performing the claimed function.”	Dictionary of Computer And Internet Terms at 106-07 (PEGASUS_DEFS_0000088); Webster’s Ninth New Collegiate Dictionary (1990) at 275 (PEGASUS_DEFS_0000093); Thomas’s Concise Telecom and Networking Dictionary at 57 (PEGASUS_DEFS_0000096); Bay Networks Guide To Networking Terms at 29 (PEGASUS_DEFS_0000101). Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’942 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“A method of receiving a downlink (DL) signal by a first user equipment (UE)”	1	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’942 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“A method of transmitting a downlink (DL) signal by a base station (BS)”	5	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’942 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“A user equipment (UE) for receiving a downlink (DL) signal”	9	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

V. U.S. Patent No. 10,594,460 ("the '460 Patent")

Claim Term	'460 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
"A method for a user equipment (UE) to transmit an uplink (UL) control channel and a UL data channel to a base station (BS)"	1	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’460 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“A method for a base station (BS) to receive an uplink (UL) control channel and a UL data channel from a user equipment (UE)”	5	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’460 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“A user equipment (UE) for transmitting an uplink (UL) control channel and a UL data channel to a base station (BS)”	9	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’460 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“a frequency hopping offset set composed of one or more frequency hopping offset values”	1, 5, and 9	“a frequency hopping offset set composed of multiple frequency hopping offset values”	Merriam-Webster (Merriam-Webster.com Dictionary), Definition of “set” (n. a number of things of the same kind that belong or are used together”) (PEGASUS_DEFS_0000087). Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’460 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“configured to”	9	Plain and ordinary meaning of “configured to,” which means “actually configured to and not merely capable of performing the claimed function.”	Dictionary of Computer And Internet Terms at 106-07 (PEGASUS_DEFS_0000088); Webster’s Ninth New Collegiate Dictionary (1990) at 275 (PEGASUS_DEFS_0000093); Thomas’s Concise Telecom and Networking Dictionary at 57 (PEGASUS_DEFS_0000096); Bay Networks Guide To Networking Terms at 29 (PEGASUS_DEFS_0000101). Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

VI. U.S. Patent No. 10,721,118 ("the '118 Patent")

Claim Term	'118 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
"A method of a user equipment for configuring dual connectivity"	1	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’118 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“A method of a secondary base station for controlling dual connectivity of a user equipment”	7	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.
“A user equipment for configuring dual connectivity”	10	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’118 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“configured to”	10	Plain and ordinary meaning of “configured to,” which means “actually configured to and not merely capable of performing the claimed function.”	Dictionary of Computer And Internet Terms at 106-07 (PEGASUS_DEFS_0000088); Webster’s Ninth New Collegiate Dictionary (1990) at 275 (PEGASUS_DEFS_0000093); Thomas’s Concise Telecom and Networking Dictionary at 57 (PEGASUS_DEFS_0000096); Bay Networks Guide To Networking Terms at 29 (PEGASUS_DEFS_0000101). Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

VII. U.S. Patent No. 11,219,000 ("the '000 Patent")

Claim Term	'000 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
"A method of transmitting uplink (UL) control information by a user equipment (UE)"	1	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’000 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“A method of receiving uplink (UL) control information by a base station”	5	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.
“A user equipment (UE) for transmitting uplink (UL) control information”	9	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’000 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“a controller configured to determine one of UL control channel resource sets contained in the received UL control channel resource set configuration information, and determine one of UL control channel resources configuring the determined one UL control channel resource set”	9	Subject to 35 U.S.C. § 112(f). Function: “determine one of UL control channel resource sets contained in the received UL control channel resource set configuration information, and determine one of UL control channel resources configuring the determined one UL control channel resource set” Structure: Indefinite In the alternative, to the extent not governed by 112(f), plain and ordinary meaning of “configured to,” which means “actually configured to and not merely capable of performing the claimed function.”	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’000 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“configured to”	9	Plain and ordinary meaning of “configured to,” which means “actually configured to and not merely capable of performing the claimed function.”	Dictionary of Computer And Internet Terms at 106-07 (PEGASUS_DEFS_0000088); Webster’s Ninth New Collegiate Dictionary (1990) at 275 (PEGASUS_DEFS_0000093); Thomas’s Concise Telecom and Networking Dictionary at 57 (PEGASUS_DEFS_0000096); Bay Networks Guide To Networking Terms at 29 (PEGASUS_DEFS_0000101). Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

VIII. U.S. Patent No. 10,638,463 ("the '463 Patent")

Claim Term	'463 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
"A method of transmitting uplink (UL) control information by a user equipment"	1	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’463 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“A method of receiving uplink (UL) control information by a base station”	4	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.
“A user equipment for transmitting uplink (UL) control information”	7	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’463 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“a controller configured to determine one of UL control channel resource sets contained in the UL control channel resource set configuration information, and determine one of UL control channel resources configuring the determined one UL control channel resource set”	7	Subject to 35 U.S.C. § 112(f). Function: “determine one of UL control channel resource sets contained in the UL control channel resource set configuration information, and determine one of UL control channel resources configuring the determined one UL control channel resource set” Structure: Indefinite In the alternative, to the extent not governed by 112(f), plain and ordinary meaning of “configured to,” which means “actually configured to and not merely capable of performing the claimed function.”	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’463 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“configured to”	7	Plain and ordinary meaning of “configured to,” which means “actually configured to and not merely capable of performing the claimed function.”	Dictionary of Computer And Internet Terms at 106-07 (PEGASUS_DEFS_0000088); Webster’s Ninth New Collegiate Dictionary (1990) at 275 (PEGASUS_DEFS_0000093); Thomas’s Concise Telecom and Networking Dictionary at 57 (PEGASUS_DEFS_0000096); Bay Networks Guide To Networking Terms at 29 (PEGASUS_DEFS_0000101). Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

IX. U.S. Patent No. 9,894,644 ("the '644 Patent")

Claim Term	'644 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
"A method for receiving, by a terminal, downlink control information through downlink control channels repeatedly allocated in a plurality of subframes"	1	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’644 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“A method for transmitting, by a base station, downlink control information through downlink control channels repeatedly allocated in a plurality of subframes”	2	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.
“A terminal for receiving downlink control information through downlink control channels repeatedly allocated in a plurality of subframes”	3	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’644 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“configured to”	3	Plain and ordinary meaning of “configured to,” which means “actually configured to and not merely capable of performing the claimed function”	Dictionary of Computer And Internet Terms at 106-07 (PEGASUS_DEFS_0000088); Webster’s Ninth New Collegiate Dictionary (1990) at 275 (PEGASUS_DEFS_0000093); Thomas’s Concise Telecom and Networking Dictionary at 57 (PEGASUS_DEFS_0000096); Bay Networks Guide To Networking Terms at 29 (PEGASUS_DEFS_0000101). Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’644 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“combining the received downlink control channels on the basis of the configuration information” / “to combine the received downlink control channels based on the configuration information”	1, 3	Plain and ordinary meaning.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

X. U.S. Patent No. 10,009,161 ("the '161 Patent")

Claim Term	'161 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
"A method for transmitting channel state information by a User Equipment (UE)"	1	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’161 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“to have same difference within a predetermined error rate”	2, 4	Indefinite.	TS 36.213 V11.4.0 (2013-09) (Pegasus_PriorArt_0017171). Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’161 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“A method for receiving channel state information by a base station”	3	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.
“A User Equipment (UE) for transmitting channel state information”	5	Preamble is limiting.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’161 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“configured to”	5	Plain and ordinary meaning, which means “actually configured to and not merely capable of performing the claimed function.”	Dictionary of Computer And Internet Terms at 106-07 (PEGASUS_DEFS_0000088); Webster’s Ninth New Collegiate Dictionary (1990) at 275 (PEGASUS_DEFS_0000093); Thomas’s Concise Telecom and Networking Dictionary at 57 (PEGASUS_DEFS_0000096); Bay Networks Guide To Networking Terms at 29 (PEGASUS_DEFS_0000101). Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’161 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“to have a same difference within a predetermined error rate”	6	Indefinite.	TS 36.213 V11.4.0 (2013-09) (Pegasus_PriorArt_0017171). Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

Claim Term	’161 Patent Claim(s)	Preliminary Construction	Preliminary Identification of Extrinsic Evidence
“wherein and five CQI index values for 64QAM modulation, respectively”	6	Indefinite.	Testimony of Dr. James Proctor regarding how one of ordinary skill in the art at the time of the claimed inventions of the Asserted Claims would have understood the identified claim language; and background and context regarding the technology at issue, including, but not limited to, the level of ordinary skill in the art, in an effort to assist the Court in understanding the technology in dispute from the perspective of one of ordinary skill at the relevant time.

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Respectfully submitted,
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on December 4, 2024 to all counsel of record via electronic mail.

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