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

SPORTSCASTR INC. (d/b/a PANDA INTERACTIVE), Plaintiff, v. SPORTRADAR GROUP, AG, and SPORTRADAR AG, Defendants.	Civil Action No. 2:23-cv-00472-JRG (LEAD CASE)
SPORTSCASTR INC. (d/b/a PANDA INTERACTIVE), Plaintiff, v. GENIUS SPORTS LTD., GENIUS SPORTS MEDIA LTD., GENIUS SPORTS TECHNOLOGIES LTD., GENIUS SPORTS UK LTD., GENIUS SPORTS HOLDINGS LTD., GENIUS SPORTS GROUP LTD., MAVEN TOPCO LTD., MAVEN MIDCO LTD., MAVEN DEBTCO LTD., and MAVEN BIDCO LTD., Defendants.	Civil Action No. 2:23-cv-00471-JRG (MEMBER CASE)

P.R. 4-3 JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Pursuant to P.R. 4-3 and the First Amended Docket Control Order (D.I. 93), Plaintiff SportsCastr Inc. (d/b/a PANDA Interactive) ("Plaintiff" or "PANDA") and Defendants Sportradar Group, AG and Sportradar AG ("Sportradar") and Genius Sports Ltd., Genius Sports Media Ltd.,

IPR2025-00315
SportsCastr Inc. EX-2003

Genius Sports Technologies Ltd., Genius Sports Uk Ltd., Genius Sports Holdings Ltd., Genius Sports Group Ltd., Maven Topco Ltd., Maven Midco Ltd., Maven Debtco Ltd., and Maven Bidco Ltd. ("Genius") (collectively ("Defendants")) hereby file this joint claim construction and prehearing statement.

The claim terms listed below occur in U.S. Patent Nos. 10,805,687 ("the '687 Patent"), 11,039,218 ("the '218 Patent"), 10,425,697 ("the '697 Patent"), and 11,871,088 ("the '088 Patent"). which are asserted against Defendants.

I. P.R. 4-3(a)(1) AGREED CLAIM CONSTRUCTIONS

The Parties have agreed to the constructions as set forth in the following chart:

Term	Agreed Claim Construction
"and/or" ('697 Patent, Claim 7) ('687 Patent, Claim 8) ('218 Patent, Claims 26, 28, 30) ('088 Patent, Claims 1, 8, 15, 21, 25, 32)	Plain and ordinary meaning, which is "either or both of the elements so conjoined" or, when there are more than two elements, "one or more of the elements so conjoined." '697 Patent at 56:22–39.
"at least one of" ('697 Patent, Claims 7, 8, 10, 11, 15–18, 26) ('687 Patent, Claims 6, 8, 10, 11, 15–18, 26) ('218 Patent, Claim 30)	Plain and ordinary meaning, which when in reference to a list of one or more elements, means "at least one element selected from any one or more of the elements in the list of elements, but not necessarily including at least one of each and every element specifically listed within the list of elements and not excluding any combinations of elements in the list of elements." '697 Patent at 56:55–57:10.

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II. P.R. 4-3(a)(2) PROPOSED CONSTRUCTIONS FOR TERMS IN DISPUTE

A chart showing the Parties' proposed constructions or indefiniteness positions, with an identification of the intrinsic and extrinsic evidence supporting such constructions or positions is attached as Exhibit A.

III. P.R. 4-3(a)(3) THE ANTICIPATED LENGTH OF TIME NECESSARY FOR THE CLAIM CONSTRUCTION HEARING

Plaintiff and Defendants anticipate 3 hours as the total length of time necessary for the claim construction hearing.

IV. P.R. 4-3(a)(4) ANTICIPATED WITNESSES

No Party will call any live witnesses at the claim construction hearing. As identified in Exhibit A, the Parties may submit expert declarations from various experts in support of certain claim construction proposals.[1]

V. P.R. 4-3(a)(5) OTHER ISSUES TO BE ADDRESSED

The Parties have not identified other issues to be addressed at a claim construction pre-hearing conference.

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[1] **Defendants' Position:** Plaintiff did not indicate whether it would submit an expert declaration until 4:38 PM on the day of this filing, despite Defendants' repeated requests for this information. As such, Defendants do not currently submit an expert declaration with this joint claim construction statement. Defendants reserve the right to submit their own expert declaration.

PANDA's Position: PANDA disclosed the terms for which it may rely on an expert declaration in accordance with Rule 4-2 weeks before the JCCS filing. Defendants maintained over 60 terms in dispute until the day before the JCCS was due, and then only narrowed to the current set of 40 terms. The schedule does not permit a party to "wait and see" an opposing declaration and then file a rebuttal declaration on their own schedule. Moreover, Defendants maintained an unreasonable number of disputed terms to attempt to force PANDA to prematurely drop asserted claims. PANDA will therefore object to a rebuttal expert declaration as untimely.

Dated: February 7, 2025

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record as being served with a copy of the foregoing document via the court's CM/ECF system on February 7, 2025.

/s/ Matthew D. Wood

EXHIBIT A
TO P.R. 4-3 JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT[2] [3] [4]

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
1	"A system for providing, to a first plurality of viewer client devices, a first plurality of copies of a first live stream of digital content relating to a first live sporting event, and for providing, to a second plurality of viewer client devices, a second plurality of copies of a second live stream of digital content relating to the first live sporting event or a second live	Preamble is not limiting. Intrinsic Evidence '687 Patent, at Abstract, FIG 1A, 1B, 2, and 8 (and descriptions thereof), 2:57–3:43; 8:24–55; 13:27–37; 21:5–16; 22:49–23:9; 30:49–11; 31:47– 59; 33:34–44:43; 49:14–50:48. All claims.	Limiting Intrinsic Evidence '687 Patent at cls. 1–8, 10–17

[2] Defendants and Plaintiff each reserve the right to rely on any evidence the other party cites.

[3] Unless otherwise indicated, citations to one Asserted Patent should also be understood to refer to the corresponding material in the other Asserted Patents, which largely share identical specifications.

[4] **Defendants' Position:** Defendants note that, although there are 40 terms listed in Exhibit A, Defendants do not believe it is necessary for the Parties to separately brief all 40 terms. For example, there are terms having shared or related issues that can and should be briefed together for the convenience of the Parties and the Court. Defendants will continue to confer with Plaintiff for the purposes of attempting to narrow the issues and coordinate the presentation of disputed terms in the Parties' respective briefs.

PANDA's Position: Each of the forty remaining disputed terms raises their own issues and must be separately addressed. The sheer volume of terms and issues is unreasonable to brief in the limited space. PANDA requested weeks ago that the Defendants reduce the number of disputed terms. Defendants did not drop a single term until the day before the JCCS was due, and only then characterized it as "conditional" on PANDA dropping claims. PANDA must file its opening brief first and will therefore continue to incur unnecessary costs and expend resources addressing terms that will be dropped before Defendants file their brief.

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
	sporting event, the system comprising" '687 Patent, Claim 1 (Preamble)		
2	"A system for providing a first plurality of copies of a first live stream of digital content relating to a first live sporting event to a first plurality of viewer client devices, and for providing a second plurality of copies of a second live stream of digital content relating to a second live sporting event to a second plurality of viewer client devices, the system comprising:" '687 Patent, Claim 19 (Preamble)	Preamble is not limiting. <u>Intrinsic Evidence</u> '687 Patent, at Abstract, FIG 1A, 1B, 2, and 8 (and descriptions thereof), 2:57–3:43; 8:24–55; 13:27–37; 21:5–16; 22:49–23:9; 30:49–11; 31:47–59; 33:34–44:43; 49:14–50:48. All claims.	Limiting <u>Intrinsic Evidence</u> '687 Patent at cls. 19–22
3	"A method for providing, to a first viewer client device, a first copy of a first live stream of digital content relating to a first live sporting event, the method comprising:" '687 Patent, Claim 23 (Preamble)	Preamble is not limiting. <u>Intrinsic Evidence</u> '687 Patent, at Abstract, FIG 1A, 1B, 2, and 8 (and descriptions thereof), 2:57–3:43; 8:24–55; 13:27–37; 21:5–16; 22:49–23:9; 30:49–11; 31:47–59; 33:34–44:43; 49:14–50:48. All claims.	Limiting <u>Intrinsic Evidence</u> '687 Patent at cls. 23, 24, 26
4	"A system for providing, to a first viewer client device, a first	Preamble is not limiting.	Limiting

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
	copy of a first live stream of digital content relating to a first live sporting event, the system comprising:" '687 Patent, Claim 27 (Preamble)	Intrinsic Evidence '687 Patent, at Abstract, FIG 1A, 1B, 2, and 8 (and descriptions thereof), 2:57–3:43; 8:24–55; 13:27–37; 21:5–16; 22:49–23:9; 30:49–11; 31:47–59; 33:34–44:43; 49:14–50:48. All claims.	Intrinsic Evidence '687 Patent at cls. 27, 28, 30
5	"A system for providing a first plurality of copies of a first broadcaster's live stream of digital content including first live sporting event video-based commentary from a first broadcaster client device to a first plurality of viewer client devices, and for providing a second plurality of copies of a second broadcaster's live stream of digital content including second live sporting event video-based commentary from a second broadcaster client device to a second plurality of viewer client devices, the system comprising:" '697 Patent, Claim 1 (Preamble)	Preamble is not limiting. Intrinsic Evidence '687 Patent, at Abstract, FIG 1A, 1B, 2, and 8 (and descriptions thereof), 2:57–3:43; 8:24–55; 13:27–37; 21:5–16; 22:49–23:9; 30:49–11; 31:47–59; 33:34–44:43; 49:14–50:48. All claims.	Limiting Intrinsic Evidence '697 Patent at cls. 1–6, 10–17
6	"A system for providing a first plurality of copies of a first broadcaster's live stream of	Preamble is not limiting.	Limiting Intrinsic Evidence

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
	digital content including first video-based commentary about a first live sporting event from a first broadcaster client device to a first plurality of viewer client devices, and for providing a second plurality of copies of a second broadcaster's live stream of digital content including second video-based commentary about a second live sporting event from a second broadcaster client device to a second plurality of viewer client devices, the system comprising:" '697 Patent, Claim 19 (Preamble)	Intrinsic Evidence '687 Patent, at Abstract, FIG 1A, 1B, 2, and 8 (and descriptions thereof), 2:57–3:43; 8:24–55; 13:27–37; 21:5–16; 22:49–23:9; 30:49–11; 31:47–59; 33:34–44:43; 49:14–50:48. All claims.	'697 Patent at cls. 19–22
7	"A method for providing a first copy of a first broadcaster's live stream of digital content including first live sporting event video-based commentary from a first broadcaster client device to a first viewer client device, the method comprising:" '697 Patent, Claim 23 (Preamble)	Preamble is not limiting. Intrinsic Evidence '687 Patent, at Abstract, FIG 1A, 1B, 2, and 8 (and descriptions thereof), 2:57–3:43; 8:24–55; 13:27–37; 21:5–16; 22:49–23:9; 30:49–11; 31:47–59; 33:34–44:43; 49:14–50:48. All claims.	Limiting Intrinsic Evidence '697 Patent at cls. 23, 24, 26
8	"A system for providing a first copy of a first broadcaster's live	Preamble is not limiting.	Limiting Intrinsic Evidence

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
	stream of digital content including first live sporting event video-based commentary from a first broadcaster client device to a first viewer client device, the system comprising:" '697 Patent, Claim 27 (Preamble)	Intrinsic Evidence '687 Patent, at Abstract, FIG 1A, 1B, 2 and 8 (and descriptions thereof), 2:57–3:43; 8:24–55; 13:27–37; 21:5–16; 22:49–23:9; 30:49–11; 31:47–59; 33:34–44:43; 49:14–50:48. All claims.	'697 Patent at cls. 27, 28, 30
9	"A system for controlling a plurality of viewer client devices to receive first digital content relating to a first sporting event and first event information germane to the first sporting event, the first event information including online gaming information, the system comprising" '218 Patent, Claim 1 (Preamble)	Preamble is not limiting. Intrinsic Evidence '687 Patent, at Abstract, FIG 1A, 1B, 2, and 8 (and descriptions thereof), 2:57–3:43; 8:24–55; 13:27–37; 21:5–16; 22:49–23:9; 30:49–11; 31:47–59; 33:34–44:43; 49:14–50:48. All claims.	Limiting Intrinsic Evidence '218 Patent at cls. 1–4, 6–11
10	"A method for providing, to a first client device, first event information germane to a first sporting event, wherein the first event information includes first online gaming information relating to the first sporting event, the method comprising:" '218 Patent, Claim 12 (Preamble)	Preamble is not limiting. Intrinsic Evidence '687 Patent, at Abstract, FIG 1A, 1B, 2, and 8 (and descriptions thereof), 2:57–3:43; 8:24–55; 13:27–37; 21:5–16; 22:49–23:9; 30:49–11; 31:47–59; 33:34–44:43; 49:14–50:48. All claims.	Limiting Intrinsic Evidence '218 Patent at cls. 12–15

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
11	"A method for controlling a first viewer client device to display a video relating to a first sporting event together with first online gaming information germane to the first sporting event, the method comprising:" '218 Patent, Claim 16 (Preamble)	Preamble is not limiting. <u>Intrinsic Evidence</u> '687 Patent, at Abstract, FIG 1A, 1B, 2, and 8 (and descriptions thereof), 2:57–3:43; 8:24–55; 13:27–37; 21:5–16; 22:49–23:9; 30:49–11; 31:47–59; 33:34–44:43; 49:14–50:48. All claims.	Limiting <u>Intrinsic Evidence</u> '218 Patent at cls. 16–20
12.	"socket" ('697 Pat. cl. 1, 2, 4–6, 9, 13, 14, 19-25; '687 Pat. cl. 1, 2, 4, 5, 7, 9, 13, 14, 19–25; '218 Pat. cl. 1–5, 7, 10, 12, 13, 15, 16, 19, 20; '088 Pat. cl. 1, 8, 13, 18, 24, 30) **<u>Defendants' Position</u>**: same claims as above with the addition of '088 Pat, cl. 4, 5, 28, 29	Plain and ordinary meaning, which is "endpoint for network communications." <u>Extrinsic Evidence</u> Declaration of Dr. Michael Shamos, in support of Plaintiff's construction of this term. SCSTR_PLR_00001; SCSTR_PLR_00004; GS_00017677; https://www.opensourceforu.com/2015/03/a-guide-to-using-raw-sockets/ <u>Intrinsic Evidence</u> '697 Patent FIGs 2, 3, 21A–21E, 22A–22B, 23A–23B, 24A–24B, and 25A–25C (and descriptions thereof); 5:29-44; 5:54-6:6; 6:64-10:9; 9:16-58; 19:64-20:61; 20:64-22:4; 22:5-23:3; 23:11-19; 23:42-24:5;	"a network communication endpoint identified by port number and network address" <u>Intrinsic Evidence</u> • '697 Patent at 2:65–3:34, 5:7–55, 9:16–10:43, 14:41–49, 18:26–44, 19:64–20:61, 21:37–24:5, 24:38–25:33, 26:19–27:27, 29:25–43, 29:57–30:7, 31:59–32:11, 45:20–46:49, 46:61–47:11, 47:41–48:8, 49:5–36, 51:27–52:3, 53:21–37, 53:62–54:11, 54:39–56:3, Figs. 1–3, 16B, 18B, 21A–E, 22A–B, 23A–B, 24A–B, 25A; cls. 1,2, 4–6, 9, 13, 14, 19–25, • '687 Patent at cls. 1, 2, 4, 5, 7, 9. 13. 14, 19–25

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
		26:50-27:27; 29:44-30:29; 51:27-52:3; 52:47-62; and 52:63-54:11.	• '218 Patent at cls. 1–5, 7, 10, 12, 13, 15, 16, 19, 20 • '088 Patent at cls. 1, 8, 13, 18, 24, 30 • IPR2024-01305, Patent Owner Preliminary Response (Dkt. 7), including at 21–60. • IPR2024-01307. Patent Owner Preliminary Response (Dkt. 7), including at 22–61. • IPR2024-01308. Patent Owner Preliminary Response (Dkt. 8), including at 22–61. • IPR2024-01309. Patent Owner Preliminary Response (Dkt. 8), including at 22–61. • IPR2024-01310. Patent Owner Preliminary Response (Dkt. 7), including at 36–73. • IPR2024-01311. Patent Owner Preliminary Response (Dkt. 7), including at 34–70. <u>Extrinsic Evidence</u>

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
			• *SportsCastr Inc. (d/b/a PANDA Interactive) v. Genius Sports Ltd.*, No. 2:23-cv-471-JRG (E.D. Tex.), First Amended Complaint (Dkt. 43) ("-471FAC") ¶¶ 9–13, 47–57 • *SportsCastr Inc. (d/b/a PANDA Interactive) v. Genius Sports Ltd.*, No. 2:23-cv-471-JRG (E.D. Tex.), Second Amended Complaint (Dkt. 56) ("-471 SAC") ¶¶ 9–13, 80–90 • *SportsCastr Inc. (d/b/a PANDA Interactive) v. Genius Sports Ltd.*, No. 2:23-cv-471-JRG (E.D. Tex.), Plaintiff's Responses and Objections to Defendant's First Set of Interrogatories (5/29/2024) ("-471 Pl. First R&O") at 32–33 • M. Marques da Silva, MULTIMEDIA COMMUNICATIONS AND NETWORKING (GS_00001504), including at 4–49, 329–86 • A.S. Tanenbaum & D.J. Wetherall, COMPUTER NETWORKS (GS_00010283), including at 29–31, 41–74, 438–63, 495–522, 546–68

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
			• NEWTON'S TELECOM DICTIONARY (27th ed., 2013) (GS_00017306), including at 1098 ("socket," "socket address," "socket interface," "socket number," and "sockets") • WILEY ELECTRICAL AND ELECTRONIC ENGINEERING DICTIONARY (2004) (GS_00017309), including at 721 ("socket") • WEBSTER'S NEW WORLD COMPUTER DICTIONARY (10th ed., 2003) (GS_00017312), including at 197 ("IP address"), 347 ("socket") • Brian Hall, "Beej's Guide to Unix IPC" (GS_00017619), at 1, 41–45 • Brian Hall, "Beej's Guide to Network Programming Using Internet Sockets" (GS_00017670), at 13 • Scott Klement, "RPG IV Socket Tutorial" (GS_00017779), at 2–3, 14–15 • MICROSOFT COMPUTER DICTIONARY (5th ed., 2002) (GS_00025306), at 498

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
13	"event socket" ('697 Pat. cl. 1, 2, 4–6, 9, 13, 14, 19–25; '687 Pat. cl. 1, 2, 4, 5, 7, 9, 13, 14, 19, 20, 22, 23, 25; '218 Pat. cl. 1–5, 7, 12, 13, 16, 19, 20)	"socket through which event information can be sent in a synchronized manner to multiple client devices" <u>Extrinsic Evidence</u> Declaration of Dr. Michael Shamos, in support of Plaintiff's construction of this term. <u>Intrinsic Evidence</u> '218 Patent, 20:24-30; 22:5-25; 23:52-63; 26:39-56; 27:1-12; 27:8-13; 27:37-44; 46:27-47:7; 47:20-24; FIG. 2; FIG. 3; FIG. 6; FIG. 10; FIG. 16, FIG. 17, FIG. 18 (and descriptions thereof) *See also* evidence for the "socket" term	"a socket dedicated to a particular event" <u>Intrinsic Evidence</u> • '697 Patent at 2:65–3:34, 5:7–55, 9:16–10:43, 14:41–49, 18:26–44, 19:64–20:61, 21:37–24:5, 24:38–25:33, 26:19–27:27, 29:25–43, 29:57–30:7, 31:59–32:11, 45:20–46:49, 46:61–47:11, 47:41–48:8, 49:5–36, 51:27–52:3, 53:21–37, 53:62–54:11, 54:39–56:3, Figs. 1–3, 16B, 18B, 21A–E, 22A–B, 23A–B, 24A–B, 25A; cls. 1, 2, 4–6, 9, 13, 14, 19–25, • '687 Patent at cls. 1, 2, 4, 5, 7, 9. 13. 14, 19–25 • '218 Patent at cls. 1–5, 7, 10, 12, 13, 15, 16, 19, 20 • IPR2024-01305, Patent Owner Preliminary Response (Dkt. 7), including at 21–60. • IPR2024-01307. Patent Owner Preliminary Response (Dkt. 7), including at 22–61.

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
			• IPR2024-01308. Patent Owner Preliminary Response (Dkt. 8), including at 22–61. • IPR2024-01309. Patent Owner Preliminary Response (Dkt. 8), including at 22–61. • IPR2024-01310. Patent Owner Preliminary Response (Dkt. 7), including at 36–73. • IPR2024-01311. Patent Owner Preliminary Response (Dkt. 7), including at 34–70. <u>Extrinsic Evidence</u> • -471 FAC ¶¶ 9–13, 47–57 • -471 SAC ¶¶ 9–13, 80–90 • -471 Pl. First R&O at 32–33 • M. Marques da Silva, MULTIMEDIA COMMUNICATIONS AND NETWORKING (GS_00001504), including at 4–49, 329–86 • A.S. Tanenbaum & D.J. Wetherall, COMPUTER NETWORKS

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
			(GS_00010283), including at 41–74, 438–63, 495–522, 546–68 • NEWTON'S TELECOM DICTIONARY (27th ed., 2013) (GS_00017306), including at 1098 ("socket," "socket address," "socket interface," "socket number," and "sockets") • WILEY ELECTRICAL AND ELECTRONIC ENGINEERING DICTIONARY (2004) (GS_00017309), including at 721 ("socket") • WEBSTER'S NEW WORLD COMPUTER DICTIONARY (10th ed., 2003) (GS_00017312), including at 197 ("IP address"), 347 ("socket") • Brian Hall, "Beej's Guide to Unix IPC" (GS_00017619), at 1, 41–45 • Brian Hall, "Beej's Guide to Network Programming Using Internet Sockets" (GS_00017670), at 13 • Scott Klement, "RPG IV Socket Tutorial" (GS_00017779), at 2–3, 14–15

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
			• MICROSOFT COMPUTER DICTIONARY (5th ed., 2002) (GS_00025306), at 498
14	"event information" ('697 Pat. cl. 1, 3, 4, 6, 7, 13, 19, 20, 22, 23, 27; '687 Pat. cl. 1–4, 7, 9, 19, 20, 22, 23, 25, 27, 29; '218 Pat. cl. 1, 3, 4, 6, 7, 11-13, 16, 20, 30; '088 Pat. cl. 1, 5–8, 11–13, 15–27, 29–34)	"information about a particular event, including but not limited to one or more of team information (e.g., team names, abbreviations and/or logos), score information (e.g., with essentially real-time score updates synchronized with the video-based commentary), player information, venue information, game status information (e.g., on-base, at-bat, timeouts, fouls, pole position, yards-to-go, yards-to-goal, down), team statistics, player statistics, alerts, trivia, polls, news, broadcaster and/or viewer messages, and/or advertising associated with or relevant to the event, a participant in the event, a location of the event, a date/time of the event." <u>Intrinsic Evidence</u> '697 Patent, FIGs 15, 16A, 16B, 25 (and descriptions thereof), 3:45–64; 4:40–7:6; 9:41–58; 10:16–43; 19:38–20:44; 21:37–52; 22:7–52; 22:40–53; 23:1–29; 26:21–27:27; 29:25–30:29; 39:11–19; 45:20–34; 46:50–48:8; 50:42–56; 52:4–7.	plain and ordinary meaning/no construction required <u>Intrinsic Evidence</u> • '697 Patent at Abstract; 1:1–7, 3:58–64, 4:41–5:14, 6:49–7:6, 7:48–8:15, 13:66–14:11, 14:41–63, 14:38–45, 18:57–66, 20:12–44, 21:36–52, 22:40–52, 24:61–25:33, 26:19–27:27, 29:25–43, 39:11–33, 45:20–34, 46:50–48:8, 52:4–13, 54:39–56:3; Figs. 1A, 15, 16A, 16B, 24A, 16B; cls. 1–4, 6–8, 13, 19, 20, 22, 23, 27–29 • '687 Patent at cls. 1–4, 7, 9, 13, 19, 20, 22, 23, 25, 27–29 • '218 Patent at cls. 1, 3, 4, 6, 7, 11–13, 15, 16, 20, 30 • '088 Patent at cls. 1, 5–8, 11–13, 15–27, 29–34
15	"transmit at least the first score information the at least some of the first event information to the first viewer client device of the	transmit at least the first score information **<u>of</u>** the at least some of the first event information to the first viewer client device of the first plurality of viewer client devices	Indefinite <u>Intrinsic Evidence</u>

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
	first plurality of viewer client devices via a third Internet communication channel between at least one first event socket of the at least one socket server and the first viewer client device of the first plurality of viewer devices" ('697 Patent, Claim 19)	via a third Internet communication channel between at least one first event socket of the at least one socket server and the first viewer client device of the first plurality of viewer devices <u>Extrinsic Evidence</u> Declaration of Dr. Michael Shamos, in support of Plaintiff's construction of this term. <u>Intrinsic Evidence</u> Claim 19, '697 patent, 9:59-10:43; Figure 2 (and description thereof).	'697 Patent at cl. 19
16	"means for transmitting the first score information to at least the first viewer client device via a first event information communication channel that is different from the first video communication channel" ('697 Patent, Cl. 27)	Subject to § 112(f) Function: transmitting the first score information to at least the first viewer client device via a first event information communication channel that is different from the first video communication channel. Structure: a socket of a socket server that implements one or more of the algorithms described in the corresponding portions of FIGs. 2, 3, 21A-21E, and accompanying disclosures, including 5:29-44; 9:16-10:43; 19:64-20:61;21:37-22:67; 23:20-45; 26:50-27:27;29:25-43; 46:61-47:11; 51:27-49;	Subject to § 112(f); indefinite <u>Intrinsic Evidence</u> • '697 Patent at 5:29–55, 9:16–10:43, 19:64–20:61, 21:53–24:5, 26:50–27:27, 29:25–43, 45:20–46:49, 47:41–48:8, 49:5–36, 51:27–52:20, 53:21–37, 54:39–56:3; cl. 27

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
		53:21-37 of the '697 Patent, and equivalents thereof. <u>Extrinsic Evidence</u> Declaration of Dr. Michael Shamos, in support of Plaintiff's construction of this term. <u>Intrinsic Evidence</u> '697 patent, at FIG. 2, FIG. 3, FIGS. 21A-21E (and descriptions thereof); 5:29-44; 9:16-10:43; 19:64-20:61; 21:37-22:67; 23:20-45; 26:50-27:27; 29:25-43; 46:61-47:11; 51:27-49; 53:21-37.	
17	"means for transmitting the first event information to at least the first viewer client device via a first event information communication channel that is different from the first video communication channel" ('697 Pat. Cl. 27)	Subject to § 112(f); not indefinite. Function: transmitting the first event information to at least the first viewer client device via a first event information communication channel that is different from the first video communication channel. Structure: a socket of a socket server that implements one or more of the algorithms described in the corresponding portions of FIGs. 2, 3, 21A-21E, and accompanying disclosures, including 5:29-44; 9:16-10:43; 19:64-20:61; 21:37-22:67; 23:20-45; 26:50-27:27; 29:25-43; 46:61-47:11; 51:27-49; 53:21-37 of the '697 Patent, and equivalents thereof.	Subject to § 112(f); indefinite <u>Intrinsic Evidence</u> • '687 Patent at 5:38–64, 9:25–10:52, 20:6–21:3, 21:62–24:14, 26:59–27:36, 29:34–52, 45:29–46:58, 47:50–48:17, 49:14–45, 51:36–52:29, 53:30–46, 54:39–56:3; cl. 27

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
		Extrinsic Evidence Declaration of Dr. Michael Shamos, in support of Plaintiff's construction of this term. Intrinsic Evidence '697 patent, at FIG. 2, FIG. 3, FIGS. 21A-21E (and descriptions thereof); 5:29-44; 9:16-10:43; 19:64-20:61; 21:37-22:67; 23:20-45; 26:50-27:27; 29:25-43; 46:61-47:11; 51:27-49; 53:21-37.	
18	"means for providing the first copy to the first viewer client device via a first video communication channel" ('697 Pat. cl. 27, 30; '687 Pat. cl. 27, 30)	Subject to § 112(f) Functions: providing the first copy to the first viewer client device via a first video communication channel. Structure: a media source that implements one or more of the algorithms described in the corresponding portions of FIGs. 2, 3, 4A-4B, 5A-5C, 6, 7, 8, 9A-9D, 11, and 12, and accompanying disclosures, including 9:16-10:43; 15:30-58; 18:7-19; 19:7-37; 21:21-36; 25:46-26:18; 27:30-52; 28:5-40; 30:54-31:22; 31:23-32:21; 32:22-38:46; 39:34-40:61; and 41:10-44:35 of the '697 Patent, and equivalents thereof. Intrinsic Evidence	Subject to § 112(f); indefinite Intrinsic Evidence • '697 Patent at 5:29–55, 9:16–10:43, 18:7–19, 18:45–19:63, 20:62–21:36, 22:53–67, 25:46–26:18, 27:28–28:40, 30:38–31:22, 31:23–32:21, 32:22–33:20, 33:21–36:14, 36:15–40:4, 40:5–61, 40:62–41:9, 41:10–44:35, 44:36–45:19, 45:20–46:49, 52:63–54:11, 54:39–56:11; Figs. 6, 7; cls. 27, 30 • '687 Patent at cls. 27, 30 Extrinsic Evidence • Apple Inc. HTTP Live Streaming Overview (2016) (GS_00001382)

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
		FIGs. 2, 3, 4A-4B, 5A-5C, 6, 7, 8, 9A-9D, 11, and 12, and accompanying disclosures, including 9:16-10:43; 15:30-58; 18:7-19; 19:7-37; 21:21-36; 25:46-26:18; 27:30-52; 28:5-40; 30:54-31:22; 31:23-32:21; 32:22-38:46; 39:34-40:61; and 41:10-44:35 of the '697 Patent. Extrinsic Evidence Declaration of Dr. Michael Shamos, in support of Plaintiff's construction of this term.	
19	"means for periodically retrieving, via the Internet and from an event information provider, first event information germane to a first live sporting event" ('697 Pat. cl. 27)	Subject to § 112(f). Functions: periodically retrieving, via the Internet and from an event information provider, first event information germane to a first live sporting event. Structure: a control server that implements one or more of the algorithms described in the corresponding portions of FIGs. 2, 3, 15, and 16A-16B, and accompanying disclosures, including 9:16-10:43; 14:64-15:29; 17:24-45; 19:38-63; 21:37-52; 24:6-37; 27:5-27; 45:20-48:8 of the '697 Patent, and equivalents thereof. Extrinsic Evidence	Subject to § 112(f); indefinite Intrinsic Evidence • '697 Patent at 9:16–10:43, 17:24–45, 19:7–20:11, 21:37–52, 46:50–48:8, 50:36–56, 54:39–56:3; Figs. 10, 15, 16A, 16B; cl. 27

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
		Declaration of Dr. Michael Shamos, in support of Plaintiff's construction of this term. Intrinsic Evidence FIGs. 2, 3, 15, and 16A-16B, and accompanying disclosures, including 9:16-10:43; 14:64-15:29; 17:24-45; 19:38-63; 21:37-52; 24:6-37; 27:5-27; 45:20-48:8 of the '697 Patent	
20	"means for retrieving, via the Internet, first event information germane to a first live sporting event" ('687 Pat. cl. 27)	Subject to § 112(f). Function: retrieving, via the Internet, first event information germane to a first live sporting event. Structure: a control server that implements one or more of the algorithms described in the corresponding portions of FIGs. 2, 3, 15, and 16A-16B, and accompanying disclosures, including 9:16-10:43; 14:64-15:29; 17:24-45; 19:38-63; 21:37-52; 24:6-37; 27:5-27; 45:20-48:8 of the '697 Patent, and equivalents thereof. Extrinsic Evidence Declaration of Dr. Michael Shamos, in support of Plaintiff's construction of this term. Intrinsic Evidence	Subject to § 112(f); indefinite Intrinsic Evidence • '687 Patent at 9:25–10:52, 17:33–54, 19:16–20:20, 21:46–61, 46:59–48:17, 50:45–65, 54:39–56:3; Figs. 10, 15, 16A, 16B; cl. 27

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
		FIGs. 2, 3, 15, and 16A-16B, and accompanying disclosures, including 9:16-10:43; 14:64-15:29; 17:24-45; 19:38-63; 21:37-52; 24:6-37; 27:5-27; 45:20-48:8 of the '697 Patent.	
21	"means for transmitting and receiving first chat information regarding the first live sporting event via at least one first chat/system event Internet communication channel that is different from the first video communication channel and the first event information channel" ('687 Pat. cl. 28)	Subject to § 112(f). Functions: transmitting and receiving first chat information regarding the first live sporting event via at least one first chat/system event Internet communication channel that is different from the first video communication channel and the first event information channel. Structure: a socket of a socket server that implements one or more of the algorithms described in the corresponding portions of FIGs. 2, 3, 21A-21E, 22A-22B, 23A-23B, 24A-24B, and 25A-25C, and accompanying disclosures, including 5:29-44; 9:16-58; 19:64-20:61; 22:7-67; 23:46-24:5; 26:50-27:27; 29:44-30:29; 51:27-52:3; 52:47-62; 52:63-54:11 of the '697 Patent, and equivalents thereof. <u>Extrinsic Evidence</u> Declaration of Dr. Michael Shamos, in support of Plaintiff's construction of this term.	Subject to § 112(f); indefinite <u>Intrinsic Evidence</u> • '687 Patent, at 5:38–64, 9:25–10:52, 20:6–21:3, 21:62–24:14, 26:59–27:36, 29:34–52, 45:29–46:58, 47:50–48:17, 49:14–45, 51:36–52:29, 53:30–46, 53:63–55:25; cl. 28

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
		Intrinsic Evidence FIGs. 2, 3, 21A-21E, 22A-22B, 23A-23B, 24A-24B, and 25A-25C, and accompanying disclosures, including 5:29-44; 9:16-58; 19:64-20:61; 22:7-67; 23:46-24:5; 26:50-27:27; 29:44-30:29; 51:27-52:3; 52:47-62; 52:63-54:11 of the '697 Patent	
22	"means for transmitting and receiving first chat information regarding the first live sporting event video-based commentary included in the first broadcaster's live stream of digital content via at least one first chat/system event Internet communication channel that is different from the first video communication channel and the first event information communication channel" ('697 Pat. cl. 28)	Subject to § 112(f). Functions: transmitting and receiving first chat information regarding the first live sporting event video-based commentary included in the first broadcaster's live stream of digital content via at least one first chat/system event Internet communication channel that is different from the first video communication channel and the first event information communication channel, Structure: a socket of a socket server that implements one or more of the algorithms described in the corresponding portions of FIGs. 2, 3, 21A-21E, 22A-22B, 23A-23B, 24A-24B, and 25A-25C, and accompanying disclosures, including 5:29-44; 9:16-58; 19:64-20:61; 22:7-67; 23:46-24:5; 26:50-27:27; 29:44-30:29; 51:27-52:3; 52:47-62; 52:63-54:11 of the '697 Patent, and equivalents thereof. Extrinsic Evidence	Subject to § 112(f); indefinite Intrinsic Evidence • '697 Patent, at 5:29–55, 9:16–10:43, 19:64–20:61, 21:53–24:5, 26:50–27:27, 29:25–43, 45:20–46:49, 47:41–48:8, 49:5–36, 51:27–52:20, 53:21–37, 54:39–56:3; cl. 28

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
		Declaration of Dr. Michael Shamos, in support of Plaintiff's construction of this term. <u>Intrinsic Evidence</u> FIGs. 2, 3, 21A-21E, 22A-22B, 23A-23B, 24A-24B, and 25A-25C, and accompanying disclosures, including 5:29-44; 9:16-58; 19:64-20:61; 22:7-67; 23:46-24:5; 26:50-27:27; 29:44-30:29; 51:27-52:3; 52:47-62; 52:63-54:11 of the '697 Patent	
23	"means for updating the first score information and queueing an asynchronous message including the updated first score information for transmission on the first event information communication channel" ('697 Pat. cl. 29)	Subject to § 112(f) Functions: updating the first score information and queueing an asynchronous message including the updated first score information for transmission on the first event information communication channel. Structure: a control server that implements one or more of the algorithms described in the corresponding portions of FIGs. 2, 3, 10, 16A-16B, 17A-17B, and 22A-22B, and accompanying disclosures, including 24:6-37; 47:41-48:53; 52:47-62 of the '697 Patent, and equivalents thereof. <u>Extrinsic Evidence</u>	Subject to § 112(f); indefinite <u>Intrinsic Evidence</u> • '697 Patent at 4:41–5:6, 14:41–63, 19:38–63, 24:6–37, 31:23–33:20, 45:20–48, 47:12–25, 48:9–53, 54:39–56:3; Figs. 17A, 17B; cl. 29

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
		Declaration of Dr. Michael Shamos, in support of Plaintiff's construction of this term. Intrinsic Evidence FIGs. 2, 3, 10, 16A-16B, 17A-17B, and 22A-22B, and accompanying disclosures, including 24:6-37; 47:41-48:53; 52:47-62 of the '697 Patent	
24	"means for updating the first event information and queueing an asynchronous message including the updated first event information for transmission on the first event information communication channel" ('687 Pat. cl. 29)	Subject to § 112(f). Functions: updating the first event information and queueing an asynchronous message including the updated first event information for transmission on the first event information communication channel. Structure: a control server that implements one or more of the algorithms described in the corresponding portions of FIGs. 2, 3, 10, 16A-16B, 17A-17B, and 22A-22B, and accompanying disclosures, including 24:6-37; 47:41-48:53; 52:47-62 of the '697 Patent, and equivalents thereof. Extrinsic Evidence Declaration of Dr. Michael Shamos, in support of Plaintiff's construction of this term. Intrinsic Evidence FIGs. 2, 3, 10, 16A-16B, 17A-17B, and 22A-22B, and accompanying disclosures,	Subject to § 112(f); indefinite Intrinsic Evidence • '687 Patent at 19:47–20:2, 24:15–46, 31:41–33:20, 45:29–57, 48:18–62, 53:63–55:25; Figs. 17A, 17B; cl. 29

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
		including 24:6-37; 47:41-48:53; 52:47-62 of the '697 Patent	
25	"broadcaster" ('697 Patent, claims 1-3, 5-6, 10-17, 19, 21-24, 26-28, 30) ('687 Patent, claim 12)	Plain and ordinary meaning <u>Intrinsic Evidence</u> '697 patent, at 2:48-64; 2:65-3:64; 5:7-7:6; 7:32-47; 9:16-10:43; 13:36-14:11; 14:41-16:67; 18:26-19:6; 20:12-61; 20:62-21:36; 24:61-25:33; 29:44-30:29; 49:5-50:21; 50:36-51:26; 51:27-52:3; 52:47-62; FIGS. 1A-1B, FIG. 2, FIGS. 4A-4B, FIG. 5A, FIG. 6, FIGS. 13A-13B, FIG. 17A, FIGS. 18A-18B, FIGS. 20A-20B, FIG. 21A, FIG. 22A, FIG. 25C (and descriptions thereof). <u>Extrinsic evidence</u>: Microsoft Computer Dictionary, Fifth Edition ("broadcast" terms)	"a registered user (a user that provides profile information and validation credentials to establish a user account so as to access, via a login process using the validation credentials, the one or more of the various servers and corresponding server functionality), that creates/provides video and/or audio (also referred to herein in some instances as "video-based commentary") for consumption by one or more viewers." <u>Intrinsic Evidence</u> • '697 Patent at 7:36–40, 7:44–47 • '687 Patent at 7:43–47, 7:51–54 • '218 Patent at 7:53–57, 7:61–64 • '088 Patent at 8:12–16, 8:20–23
26	"live stream of digital content" / "stream of digital content" ('697 Patent, claims 1-3, 5-6, 10-17, 19, 21-24, 26-28, 30)	Plain and ordinary meaning <u>Intrinsic Evidence</u> '697 patent, at 2:65-3:34; 8:16-47; 9:16-10:43; 13:16-35; 14:64-15:58; 20:62-21:36; 24:6-37; 25:35-45; 30:39-53; 50:36-56; 52:47-62; FIG. 1A, FIG. 2, FIG. 3, FIGS.	"digital video and/or audio transferred between at least two network-connected devices in real-time or essentially real-time as created/provided by a broadcaster" <u>Intrinsic Evidence</u> • '697 Patent at 2:65–3:34, 5:29–55, 7:43–47, 7:51–54, 8:22–47, 9:16–

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
	('687 Patent, claims 1-3, 5-7, 10-17, 19, 21-23, 26-27, 30) ('218 Patent, claims 12, 14-16, 18)	4A-4B, FIGS. 20A-20B, FIGS. 22A-22B, 23A-23B, 24A-24B, 25A-25C (and descriptions thereof). <u>Extrinsic Evidence</u> Microsoft Computer Dictionary, Fifth Edition ("stream" terms)	10:43, 11:9–12, 12:64–13:6, 13:16–35, 14:41–15:58, 16:10–34, 19:7–63, 20:12–21:36, 22:7–67, 23:46–24:5, 24:61–25:33, 25:35–27:27, 30:30–37, 30:39–31:22, 32:23–33:20, 50:37–52:62; Figs. 1A, 2, 3, 4A–B. 5A–C, 6, 20A-B, 21A–E, 22A–B; cls. 1–3, 5, 6, 10–17, 19, 21–24, 26–28, 30 <u>Extrinsic Evidence</u> • COMPUTER DESKTOP ENCYCLOPEDIA (GS_00024392), including at 864 ("stream," "streaming audio," "streaming data," "streaming video") • WEBSTER'S NEW WORLD DICTIONARY OF COMPUTER TERMS (GS_00025309), including at 511 ("stream," "streaming audio," "streaming video")
27	"socket server" ('697 Patent, claims 1-2, 4–6, 9, 13-14, 19–25) (687 Patent, claims 1-2, 4-5, 7, 9, 13-14, 19–25)	Plain and ordinary meaning <u>Intrinsic Evidence</u> '218 Patent, 20:24-30, 26:39-56, 27:1-12, 27:8-13, 27:37-44, 46:27-47:7; 47:20-24; FIG. 2; FIG. 3; FIG. 6; FIG. 10; FIG. 16, FIG. 17, FIG. 18 (and descriptions thereof)	a server in which a socket is dedicated to a single event" <u>Intrinsic Evidence</u> • '697 Patent at 5:29–55, 9:16–10:43, 19:64–20:61; 21:37–52; 22:7–67, 23:20–24:5, 26:19–27:27, 46:13–49, 49:5–16, 50:37–54:11,

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
	('218 Patent, claims 1, 3-4, 7, 10, 12, 15-16) ('088 Patent, claims 1, 4-5, 8, 13, 18, 24, 28-30)	*See also* the evidence for "socket" and "event socket"	Figs. 2, 3, 10, 13A–B, 18A–B, 21A–E, 22A–B, 23A–B, 24A–B, cls. 1,2, 4–6, 9, 13, 14, 19–25 • '687 Patent at cls. 1, 2, 4, 5, 7, 9. 13. 14, 19–25 • '218 Patent at cls. 1, 4, 7, 10, 12, 15, 16 • '088 Patent at cls. 1, 4, 5, 8, 13, 18, 24, 28–30 • IPR2024-01305, Patent Owner Preliminary Response (Dkt. 7), including at 21–60. • IPR2024-01307. Patent Owner Preliminary Response (Dkt. 7), including at 22–61. • IPR2024-01308. Patent Owner Preliminary Response (Dkt. 8), including at 22–61. • IPR2024-01309. Patent Owner Preliminary Response (Dkt. 8), including at 22–61.

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
			• IPR2024-01310. Patent Owner Preliminary Response (Dkt. 7), including at 36–73. • IPR2024-01311. Patent Owner Preliminary Response (Dkt. 7), including at 34–70. <u>Extrinsic Evidence</u> • -471 FAC ¶¶ 9–13, 47–57 • -471 SAC ¶¶ 9–13, 80–90 • Plaintiff's Complaint (Dkt. No. 1) ¶¶ 9–13, 46–56 • Plaintiff's First Amended Complaint (Dkt. No. 17) ¶¶ 9–13, 53–63 • Plaintiff's Second Amended Complaint (Dkt. No. 81) ¶¶ 9–13, 80–90 • -471 Pl. First R&O 32–33. • *SportsCastr Inc. (d/b/a PANDA Interactive) v. Genius Sports Ltd.*, No. 2:23-cv-471-JRG (E.D. Tex.), Plaintiff's Responses and Objections to the Genius Sports

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
			Defendants' Interrogatories 1/15/2025) at 8–19. • M. Marques da Silva, MULTIMEDIA COMMUNICATIONS AND NETWORKING (GS_00001504), including at 4–49, 329–86. • A.S. Tanenbaum & D.J. Wetherall, COMPUTER NETWORKS (GS_00010283), including at 29–31, 41–74, 438–63, 495–522, 546–68. • NEWTON'S TELECOM DICTIONARY (27th ed., 2013) (GS_00017306), including at 1098 ("socket," "socket address," "socket interface," "socket number," and "sockets") • WILEY ELECTRICAL AND ELECTRONIC ENGINEERING DICTIONARY (2004) (GS_00017309) including at 721 ("socket") • WEBSTER'S NEW WORLD COMPUTER DICTIONARY (10th ed., 2003) (GS_00017312), including

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
			at 197 ("IP address"), 347 ("socket") • Brian Hall, "Beej's Guide to Unix IPC" (GS_00017619), at 1, 41–45 • Brian Hall, "Beej's Guide to Network Programming Using Internet Sockets" (GS_00017670), at 13 • Scott Klement, "RPG IV Socket Tutorial" (GS_00017779), at 2–3, 14–15 • MICROSOFT COMPUTER DICTIONARY (5th ed., 2002) (GS_00025306), at 498 • James F. Kurose & Keith W. Ross, COMPUTER NETWORKING: A TOP-DOWN APPROACH (Michael Hirsch et al. eds., 6th ed. 2013) (GS_00024406), including at 89–103, 156–98, 231–36, 252–58, 283–85, 497–502, 595–612, 624–27. • COMPUTER DESKTOP ENCYCLOPEDIA (GS_00024392), including at 714–15 ("port," "port address," "port number"), 737

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
			("protocol port"), 828 ("socket"), 893–97 ("TCP/IP," "TCP/IP ABC's," "TCP/IP stack"), 945 ("UNIX socket") • IBM DICTIONARY OF COMPUTING (GS_00025295), including at 517 ("port," "port number"), 632 ("socket," "socket address")
28	"the plurality of media sources comprises: at least one of: at least one real-time messaging protocol (RTMP) media server … ; and at least one web real time communication (WebRTC)" ('697 Patent, claims 10, 17, 26) ('687 Patent, claims 10, 17, 26)	Plain and ordinary meaning <u>Intrinsic Evidence</u> '697 patent, at 8:22-47; 9:1-10:43; 15:30-58; 18:7-19; 19:7-63; 20:62-21:36; 24:6-37; 24:61-25:33; 25:46-26:18; 27:28-28:4; 30:38-67; 31:23-32:21; 32:22-33:20; 34:9-33; 41:10-37; 45:20-46:12; 49:5-16; 51:1-26; FIG. 2, FIG. 3, FIG. 6, FIG. 8, FIG. 18A (and descriptions thereof); claims 1-30; '687 patent, claims 1-30.	Indefinite <u>Intrinsic Evidence</u> • '697 Patent at cls. 10, 11, 15–18, 26 • '687 Patent at cls. 10, 11, 15–18, 26
29	"requests … only the first HLS file suite …" / "no other HLS file suite …" ('697 Patent, claims 15, 17) ('687 Patent, claims 15, 17)	Plain and ordinary meaning <u>Intrinsic Evidence</u> '697 patent, at 28:5-40; 31:59-32:11; 37:39-39:10; 40:37-61; 41:10-42:45; 44:36-45:13; FIGS. 2, 5A-5C, FIG. 8, FIGS. 9A-9D (and descriptions thereof).	Indefinite <u>Intrinsic Evidence</u> • '697 Patent at 8:22–47, 19:7–63, 27:30–28:40, 31:59–32:11; 33:21–45:19; 53:38–50, Figs. 2-3, 6A-D, 7, 8, 9A-D, 24A-B; cls. 10–12, 15–18, 26, 30.

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
			• '687 Patent at cls. 10–12, 15–18, 26, 30. Extrinsic Evidence • Roger Pantos & William May, *HTTP Live Streaming v.19* (Apr. 4, 2016), https://datatracker.ietf.org/doc/drfat-pantos-http-live-streaming/19/ • Apple Inc. HTTP Live Streaming Overview (2016) (GS_00001382) • Apple Inc., Timed Metadata for HTTP Live Streaming (2011)
30	"persistent connection" ('697 Patent, claims 16, 17) ('687 Patent, claims 16, 17) ('218 Patent, claims 3, 20, 24)	Plain and ordinary meaning Intrinsic Evidence '697 patent, at 5:29-55; 8:22-47; 15:30-58; 20:45-61; 33:34-55; 37:47-38:46; 40:62-41:37; 42:17-34; 51:27-49; 53:62-54:11; FIG. 8 (and description thereof). Extrinsic Evidence Microsoft Computer Dictionary, Fifth Edition ("persistent connection")	"a continuous and uninterrupted connection" Intrinsic Evidence • '697 Patent at 15:30–58; 33:34–55; 40:62–41:37; 42:17-34; cls. 16–17. • '687 Patent at cls. 16–17. • '218 Patent at cls. 3, 20, 24.

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
31	"online gaming information" ('218 Patent, claims 1, 3-4, 6-7, 12, 16, 21, 23, 25, 27, 29) ('088 Patent, claims 6, 11, 16, 22, 26, 33)	Plain and ordinary meaning <u>Intrinsic Evidence</u> '697 patent, at 3:46-4:23; 4:41-5:6; 6:49-7:6; 7:48-8:15; 13:36-56; 14:12-26; 27:5-27; 28:41-59; 46:61-47:11; 47:26-40; '218 patent, 4:59-5:24, 9:34-10:9; 20:16-30, 21:56-22:4, 22:26-57; 21:56-22:4, 22:26-57; 27:1-22; 27:23-45; FIG. 2, FIG. 4.	"information about a video game played over the Internet" <u>Intrinsic Evidence</u> • '218 Patent at Abstract, 2:13–25, 4:16–41, 7:65–8:33; cls. 1, 3-4, 6-7, 12, 16, 21, 23, 25, 27, 29. • '088 Patent at 1:62–2:7, 3:65–4:23, 8:24–58; cls. 6, 11, 16, 22, 26, 33
32	"germane" ('697 Patent, claims 1, 19, 23, 27 '687 Patent, claims 1, 19, 23, 27 '218 Patent, claims 1, 4, 12, 16)	Not indefinite; plain and ordinary meaning <u>Intrinsic Evidence</u> '697 patent, at 4:41-5:6; 9:16-10:43; 13:66-14:11; 14:64-15:29; 16:11-34; 17:24-45; 18:45-19:6; 19:38-63; 21:37-52; 22:7-52; 26:19-49; 29:25-43; 39:11-33; 45:20-48; 46:50-48:8; 52:4-20; FIG. 1A, FIG. 15, FIGS. 16A-16B, FIGS. 21A-21D, FIGS. 22A-22B, FIGS. 23A-23B, FIGS. 24A-24B, FIGS. 25A-25C (and descriptions thereof).	Indefinite <u>Intrinsic Evidence</u> • '697 Patent at 4:41–5:6; 9:16–58; 14:64–15:29, 19:38–63, 21:37–52, 26:19–27:27, 45:21–48; cls. 1, 19, 23, 27. • '687 Patent at cls. 1, 19, 23, 27. • '218 Patent at cls. 1, 4, 12, 16.

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
33	"first broadcaster client device" / "second broadcaster client device[5] ('697 Patent, claim 12 '687 Patent, claim 12)	Not indefinite; plain and ordinary meaning Intrinsic Evidence '697 patent, at 2:48-64; 2:65-3:64; 5:7-7:6; 7:32-47; 9:16-10:43; 13:36-14:11; 14:41-16:67; 18:26-19:6; 20:12-61; 20:62-21:36; 24:61-25:33; 29:44-30:29; 49:5-50:21; 50:36-51:26; 51:27-52:3; 52:47-62; FIGS. 1A-1B, FIG. 2, FIGS. 4A-4B, FIG. 5A, FIG. 6, FIGS. 13A-13B, FIG. 17A, FIGS. 18A-18B, FIGS. 20A-20B, FIG. 21A, FIG. 22A, FIG. 25C (descriptions thereof).	Indefinite Intrinsic Evidence • '697 Patent at cls. 1, 10-12. • '687 Patent at cls. 1, 10-12.
34	"such that the online gaming information is shared in a synchronized manner by the first viewer client device and the second viewer client device." ('218 Patent, claim 4)	Not indefinite; plain and ordinary meaning Intrinsic Evidence '697 patent, at 3:46-4:23; 4:41-5:6; 6:49-7:6; 7:48-8:15; 13:36-56; 14:12-26; 27:5-27; 28:41-59; 46:61-47:11; 47:26-40. '218 Patent, 20:24-30, 26:39-56, 27:1-12, 27:8-13, 27:37-44, 46:27-47:7; 47:20-24; FIG. 2; FIG. 3; FIG. 6; FIG. 10; FIG. 16, FIG. 17, FIG. 18 (and descriptions thereof); '088 Patent at 24:45–50; 26:54–27:9; 40:18–21 *See also* the "socket" term Extrinsic Evidence	Indefinite Intrinsic Evidence • '697 Patent at 3:65–4:23, 7:48–8:15, 14:41–63, 19:64–20:44, 23:1–45, 46:50–60 • '218 Patent at cl. 4 • IPR2024-01310, Patent Owner Preliminary Response (Dkt. 7), including at 1–8, 58–60, 70–73.

[5] PANDA objects to the inclusion of these claim terms and the assertion that they are indefinite because the Defendants failed to timely disclose any invalidity or indefiniteness argument for this term in their P.R. 3-3 invalidity contentions.

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
		Declaration of Dr. Michael Shamos, in support of Plaintiff's construction of this term	• IPR2024-01311, Patent Owner Preliminary Response (Dkt. 7), including at 1–7, 55–57, 70 Extrinsic Evidence • A.S. Tanenbaum & D.J. Wetherall, COMPUTER NETWORKS (GS_00010283), including at 86, 726–27 • COMPUTER DESKTOP ENCYCLOPEDIA (GS_00024392), including at 507 ("latency") • IBM DICTIONARY OF COMPUTING (GS_00025295), including at 668–69 ("synchronization, "synchronous," "synchronous transmission") • Webster's New World Dictionary of Computer Terms (GS_00025309), including at 314 ("latency")
35	"the at least one socket server transmits the changes in the online gaming information to the first viewer client device and the second viewer client device via the first event socket to provide a single synchronized update and	Not indefinite; plain and ordinary meaning Extrinsic Evidence Declaration of Dr. Michael Shamos, in support of Plaintiff's construction of this term.	Indefinite Intrinsic Evidence • '697 Patent at 23:20–45, 24:61–29:43, 40:5–22, 44:57–45:13

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
	mitigate client-by-client latency and/or synchronization issues" ('218 Patent, claim 7)	Microsoft Computer Dictionary, Fifth Edition, SCLR_PLR_00009 at 00011. GS_00024392 at 394 GS_00010283 <u>Intrinsic Evidence</u> '218 Patent at FIG 2, 8, 9A–9D; 2:45–65; 3:8–15; 4:52–58; 4:65–5:19; 5:32–46; 7:1–25; 20:16–30; 23:19–37; 23:60–63; 25:15–20; 26:25–27:45; 28:4–58; 36:8–21; 39:23–40:16; 40:31–41:6. '088 Patent at 24:45–50; 26:54–27:9; 40:18–21	• '218 Patent at 2:40–3:15, 4:42–6:6, 6:16–46, 7:1–25, 14:61–15:16, 20:16–63, 23:4–63, 24:56–28:58, 30:8–25, 31:40–32:38, 35:25–36:27, 39:5–41:6, 45:4–33, 46:64–47:25, 53:64–54:7, 54:53–56:16; Figs. 1A, 2, 25A–C; cl. 7 <u>Extrinsic Evidence</u> • A.S. Tanenbaum & D.J. Wetherall, COMPUTER NETWORKS (GS_00010283), including at 86, 726–27 • COMPUTER DESKTOP ENCYCLOPEDIA (GS_00024392), including at 507 ("latency") • IBM DICTIONARY OF COMPUTING (GS_00025295), including at 668–69 ("synchronization," "synchronous," "synchronous transmission") • Webster's New World Dictionary of Computer Terms (GS_00025309), including at 314 ("latency")

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
36	"digital content corresponding to the first event information"[6] ('088 Patent, claims 1, 5, 8, 13, 18, 24, 29, 30)	Not indefinite; plain and ordinary meaning <u>Intrinsic Evidence</u> '697 patent, at 2:65-3:34; 4:24-5:28; 8:16-47; 9:16-10:43; 13:66-14:11; 14:64-15:29; 16:11-34; 17:24-45; 18:45-19:6; 19:38-63; 20:62-21:52; 22:7-67; 26:19-49; 29:25-43; 39:11-33; 45:20-48; 46:50-48:8; 52:4-20; FIG. 1A, FIG. 15, FIGS. 16A-16B, FIGS. 21A-21D, FIGS. 22A-22B, FIGS. 23A-23B, FIGS. 24A-24B, FIGS. 25A-25C.	Indefinite <u>Intrinsic Evidence</u> • '088 Patent at 2:65–3:34, 5:29–55, 8:65–9:23; cls. 1, 5, 8, 13, 18, 24, 29, 30.
37	"the first digital content received at the first client device and the second client device is synchronized and client-by-client latency between the first client device and second client device to render the first event information is thereby mitigated or significantly reduced" ('088 Patent, claims 1, 8)	Not indefinite; plain and ordinary meaning <u>Extrinsic Evidence</u> Declaration of Dr. Michael Shamos, in support of Plaintiff's construction of this term. Microsoft Computer Dictionary, Fifth Edition, SCLR_PLR_00009 at 00011. GS_00024392 at 394 GS_00010283 <u>Intrinsic Evidence</u>	Indefinite <u>Intrinsic Evidence</u> • '697 Patent at 23:20–45, 24:61–29:43, 40:5–22, 44:57–45:13 • '088 Patent at 2:22–64, 4:41–5:55, 5:64–6:27, 6:49–7:49, 12:42–53, 14:21–43, 19:45–20:25, 22:49–23:26, 24:19–27:9, 27:35–28:22, 29:39–56, 31:4–32:2, 34:59–36:14, 38:57–40:60, 44:56–45:12, 46:49–47:10, 51:50–52:3, 54:12–67, 55:45–67, 56:55–59:22, 61:45–62:65; Figs. 1A, 2, 8, 9A–D, 29

[6] PANDA objects to the inclusion of this claim term and the assertion that it is indefinite because the Defendants failed to timely disclose any invalidity or indefiniteness argument for this term in their P.R. 3-3 invalidity contentions.

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
		'218 Patent at FIG 2, 8, 9A–9D; 2:45–65; 3:8–15; 4:52–58; 4:65–5:19; 5:32–46; 7:1–25; 20:16–30; 23:19–37; 23:60–63; 25:15–20; 26:25–27:45; 28:4–58; 36:8–21; 39:23–40:16; 40:31–41:6; '088 Patent at 24:45–50; 26:54–27:9; 40:18–21; '697 Patent, 23:20-45.	Extrinsic Evidence • A.S. Tanenbaum & D.J. Wetherall, COMPUTER NETWORKS (GS_00010283), including at 86, 726–27 • COMPUTER DESKTOP ENCYCLOPEDIA (GS_00024392), including at 507 ("latency") • IBM DICTIONARY OF COMPUTING (GS_00025295), including at 668–69 ("synchronization," "synchronous," "synchronous transmission") • Webster's New World Dictionary of Computer Terms (GS_00025309), including at 314 ("latency")
38	"the at least one first display of the first client device" ('088 Patent, claim 13)	Not indefinite; plain and ordinary meaning, which is "the at least one first display of the second client device" Intrinsic Evidence '697 patent, at 3:35-64; 4:41-5:6; 5:56-6:27; 14:27-40; 16:10-34; 20:12-61; 27:5-27; 28:41-29:43; 39:11-33; 46:50-48:8; 50:3-21; 52:4-20. FIGS. 2, 6 (and description thereof); All claims.	Indefinite Intrinsic Evidence • '697 Patent at 4:41–5:6, 5:64–6:49, 7:7–28, 13:16–35, 14:12–26, 15:59–16:47, 20:12–44, 26:21–49, 28:43–29:24, 31:1–22, 50:3–35, 51:27–52:46, 54:54–55:7; Fig. 1B, 2, 21A–E

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
			• '088 Patent at 3:46–64, 4:41–5:6, 5:64–6:27, 7:50–8:4, 15:39–56, 26:3–31, 28:25–41, 30:49–31:3, 50:3–35, 51:27–52:46, 54:24–46:; Figs. 1B, 2, 21A–E, 30; cl. 13
39	"the at least one first display of the first client device," ('088 Patent, claim 24)	Not indefinite; plain and ordinary meaning which is "the at least one first display of the second client device" <u>Intrinsic Evidence</u> '697 patent, at 3:35-64; 4:41-5:6; 5:56-6:27; 14:27-40; 16:10-34; 20:12-61; 27:5-27; 28:41-29:43; 39:11-33; 46:50-48:8; 50:3-21; 52:4-20; FIGS. 2, 6 (and description thereof); All claims.	Indefinite <u>Intrinsic Evidence</u> • '697 Patent at 4:41–5:6, 5:64–6:49, 7:7–28, 13:16–35, 14:12–26, 15:59–16:47, 20:12–44, 26:21–49, 28:43–29:24, 31:1–22, 50:3–35, 51:27–52:46, 54:54–55:7; Fig. 1B, 2, 21A–E • '088 Patent at 3:46–64, 4:41–5:6, 5:64–6:27, 7:50–8:4, 15:39–56, 26:3–31, 28:25–41, 30:49–31:3, 50:3–35, 51:27–52:46, 54:24–46:; Figs. 1B, 2, 21A–E, 30; cl. 24
40	"wherein the second instructions transmitted by the webserver cause the third client device to: connect to the second media server endpoint to receive, on a fourth communication channel between the first media server endpoint and the third client	Not indefinite; plain and ordinary meaning, which is "wherein the second instructions transmitted by the webserver cause the third client device to: connect to the second media server endpoint to receive, on a fourth communication channel between the second media server endpoint and the third client	Indefinite <u>Intrinsic Evidence</u> • '697 Patent at 14:27–15:58; Fig. 1A • '088 Patent at cl. 31

No.	Disputed Term or Phrase	Plaintiff's Proposed Construction & Support	Defendant's Proposed Construction & Support
	device, the first copy of the composite outgoing stream"[7] ('088 Patent, claim 31)	device, the first copy of the composite outgoing stream" <u>Intrinsic Evidence</u> '697 patent, at 5:29-55; 9:16-10:43; 19:7-63; 20:62-21:36; 22:53-67; FIG. 1A, FIG. 2, FIG. 6 (and descriptions thereof); All claims.	

[7] PANDA objects to the inclusion of this claim term and the assertion that it is indefinite because the Defendants failed to timely disclose any invalidity or indefiniteness argument for this term in their P.R. 3-3 invalidity contentions.