UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
WACO DIVISION

PROXENSE, LLC, Plaintiff, vs. INTEL CORPORATION, Defendant.	Case No. 6:24-cv-00283-ADA **JURY TRIAL DEMANDED**

DEFENDANT INTEL CORPORATION'S PROPOSED CLAIM TERMS FOR CONSTRUCTION

Pursuant to the October 28, 2024 Scheduling Order entered in this case, Dkt. 18 at 1, Defendant Intel Corporation ("Intel") hereby discloses its proposed claim constructions to Plaintiff Proxense, LLC ("Proxense").

Intel proposes claim constructions from the following asserted patents: U.S. Patent Nos. 8,219,129 ("'129 patent"); 8,457,672 ("'672 patent"); 9,265,043 ("'043 patent"); and 8,036,152 ("'152 patent"). Intel reserves the right, consistent with the Federal Rules of Civil Procedure and the Local Rules of this Court, as well as any other applicable rule, to revise its proposed terms for construction, as well as its proposed constructions, in view of Proxense's forthcoming proposed constructions, including the right to adopt any claim terms or constructions proposed by Proxense, and the right to add additional terms if, in view of Proxense's infringement allegations, the parties have further disputes regarding claim scope. *See O2 Micro Int'l Ltd. v. Beyond Innovation Tech. Co., Ltd.*, 521 F.3d 1351, 1360 (Fed. Cir. 2008).

Intel's Proposed Claim Construction

No.	Proposed Term and Asserted Claim(s)	Intel's Proposed Construction
1	***"class [] associated with one or more of the [] client device and [a/the] user of the [] client device"*** ('129 patent, claims 1 and 18[1]; '672 patent claim 1; '043 claim 1) Term As Used In Individual Claims: '129 patent, claim 1; '672 patent, claim 1: "the first class is associated with one or more of the first client device and a user of the first client device, and the second class is associated with one or more of the second client device and a user of the second client device" '129 patent, claim 18[2]: "the class associated with one or more of the portable client device and the user of the portable client device" '043 patent, claim 1: "the first class is associated with one or more of the first portable client device and a user of the first portable client device"	***Plain and ordinary meaning in which the class is associated with the client device or user of the client device, not data items or network characteristics*** Construction As Used In Individual Claims: '129 patent, claim 1, '672 patent, claim 1: "Plain and ordinary meaning in which the first class is associated with the first client device or a user of the first client device, not data items or network characteristics; and the second class is associated with the second client device or a user of the second client device, not data items or network characteristics. '129 patent, claim 18[3]: Plain and ordinary meaning in which the class is associated with the portable client device or the user of the portable client device, not data items or network characteristics. '043 patent, claim 1: Plain and ordinary meaning in which the first class is associated with the first portable client device or a user of the first portable client device, not data items or network characteristics

[1] The cover pleading to Proxense's Preliminary Infringement Contentions identified only claims 1 and 18 of the '129 patent as asserted claims. Preliminary Infringement Contentions at 2. However, Exhibit A to Proxense's Preliminary Infringement Contentions included claim 16 of the '129 patent. *See, e.g.*, Preliminary Infringement Contentions Exhibit A at 6. Intel notified Proxense of this discrepancy (*see* October 8, 2024 letter from Jordan L. Hirsch to David L. Hecht), but Proxense has refused to address this issue (*see* October 18, 2024 letter from David L. Hecht to Jordan L. Hirsch). Most recently, Proxense's Amended Proposed Terms for Claim Construction, provided on December 11, 2024, state that Proxense asserts claims 1 and 18 of the '129 patent and do not include claim 16. Proxense thus has not properly asserted claim 16. Intel's proposed construction of this term, however, would apply to claim 16.

[2] The identical term is in claim 16 of the '129 patent. *See supra* at n. 1.

[3] This construction also would apply to claim 16 of the '129 patent. *See supra* at n. 1.

No.	Proposed Term and Asserted Claim(s)	Intel's Proposed Construction
2	***"synchronization information"*** ('129 patent, claims 1 and 18[4]; '672 patent, claim 1; '043 patent, claim 1)	***"Information that contains individual bit masks to be applied to bit fields of individual client devices."***
3	***"time slot"*** ('129 patent, claims 1 and 18[5]; '672 patent claim 1; '043 patent, claim 1; '152 patent, claims 1 and 7)	"***A period of time that information is communicated between two devices***"
4	***"a timer [] to indicate when to switch from sleep mode to [] active mode based on [] time slot assignment information"*** ('152 patent, claims 1 and 7) Term As Used In Individual Claims: '152 patent, claim 1: "a timer operatively coupled to the wireless transceiver used to indicate when to switch from sleep mode to active mode based on time slot assignment information received by the wireless transceiver" '152 patent, claim 7: "setting a timer to indicate when to switch from sleep mode to an active mode based on the time slot assignment information"	***Plain and ordinary meaning in which a timer (not a known communication period) indicates when to switch from sleep mode to active mode based on time slot assignment information*** Construction as Used In Individual Claims: '152 patent, claim 1: Plain and ordinary meaning in which a timer (not a known communication period) that is operatively coupled to the wireless transceiver is used to indicate when to switch from sleep mode to active mode based on time slot assignment information received by the wireless transceiver '152 patent, claim 7: Plain and ordinary meaning in which a timer (not a known communication period) is set to indicate when to switch from sleep mode to an active mode based on the time slot assignment information

[4] The identical term is in claim 16 of the '129 patent and Intel's proposed construction would apply to that claim. *See supra* at n. 1

[5] The identical term is in claim 16 of the '129 patent and Intel's proposed construction would apply to that claim. *See supra* at n. 1.

Dated: December 16, 2024

Respectfully submitted,

/s/ Brittany Amadi

Brian C. Nash
Texas Bar No. 24051103
Austin M. Schnell
Texas Bar No. 24095985
MORRISON & FOERSTER LLP
300 Colorado Street, Suite 1800
Austin, TX 78701
Tel: (512) 617-0650
BNash@mofo.com
ASchnell@mofo.com

Brittany Amadi
WILMER CUTLER PICKERING HALE & DORR LLP
2100 Pennsylvania Avenue NW
Washington DC 20037
Tel: (202) 663-6000
Brittany.Amadi@wilmerhale.com

Jordan Hirsch (admitted *Pro Hac Vice*)
Michaela P. Sewall (admitted *Pro Hac Vice*)
Alex Nemtzow (admitted *Pro Hac Vice*)
Makenzi Herbst (admitted *Pro Hac Vice*)
WILMER CUTLER PICKERING HALE & DORR LLP
60 State Street
Boston, Massachusetts 02109
Tel: (617) 526-6000
Jordan.Hirsch@wilmerhale.com
Michaela.Sewall@wilmerhale.com
Alex.Nemtzow@wilmerhale.com
Makenzi.Herbst@wilmerhale.com

Counsel for Defendant Intel Corporation

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record are being served with a copy of the foregoing document via electronic mail on December 16, 2024.

/s/ Brittany Amadi