IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

MOBILE DATA TECHNOLOGIES LLC, Plaintiff, v. **META PLATFORMS, INC.,** Defendants.	Civil Action No. 7:22-cv-00244-ADA-DTG **JURY TRIAL DEMANDED**

JOINT CLAIM CONSTRUCTION STATEMENT

Pursuant to this Court's Scheduling Order (Dkt. 28) dated May 30, 2023, Plaintiff Mobile Data Technologies LLC ("Plaintiff" or "MDT") and Defendant Meta Platforms, Inc. ("Defendants" or "Meta"), (together, Plaintiff and Defendant are referred to as the "Parties") hereby respectfully submit this Joint Claim Construction Statement. The Joint Claim Construction Statement identifies agreed and disputed constructions for each of the claim terms at issue concerning U.S. Patent Nos. 8,739,336 (the "'336 Patent"), 8,825,801 (the "'801 Patent"), 9,032,039 (the "'039 Patent"), 9,619,578 (the "'578 Patent"), 9,922,348 (the "'348 Patent"), and 10,839,427 (the "'427 Patent"), (all together, the "Patents-in-Suit").

I. DISPUTED TERMS

All terms are proposed by Defendant.

Claim Term	Plaintiff's Proposed Construction	Defendants' Proposed Construction
"mobile information channel"	Plain and Ordinary meaning; no construction required.	"a virtual location at the content management site at which user-authored content may be added for

’336 patent, claims 1, 11, 15-18, 20, 22, 26, 27 ’801 patent, claims 1, 3, 4, 11, 13, 15, 17, 18, 20, 23, 25	But if the Court requires construction, “a medium for transferring information that allows mobile device users to author content”	transmission to the mobile web site”
“**application-based information channel**” ’039 patent, claims 19, 20, 23 ’578 patent, claims 1, 9, 12, 21	Plain and Ordinary meaning; no construction required. But if the Court requires construction, “a computer program-based medium for transferring information”	“a virtual location at the content management site at which user-authored content may be added for transmission to the mobile web site”
“web-based shared information channel” ’348 patent, claims 1, 8, 10, 13-15, 17-19	Plain and Ordinary meaning; no construction required. But if the Court requires construction, “a medium for transferring information accessible to more than one user via the internet”	“a virtual location at the content management site at which user-authored content may be added for transmission to the mobile web site”
“activate a given mobile information channel” ’336 patent, claims 1, 11, 15	Plain and Ordinary meaning; no construction required. But if the Court requires construction, see previous construction for “mobile information channel.” The construction for “activate” is “start a sequence or process”	“choose a mobile information channel to be visible at the mobile web site”
“control activation of a mobile information channel” ’801 patent, claims 1, 23, 25	Plain and Ordinary meaning; no construction required. But if the Court requires construction, “operating, regulating, or managing the start of a sequence or process of a medium for transferring information that allows	“choose a mobile information channel to be visible at the mobile web site” Or in the alternative, “control the choosing of a mobile information channel to be visible at the mobile web site”

	mobile device users to author content"	
"mobile device" '801 patent: claims 1-3, 20, 23, 25 '039 patent: claims 19, 20, 23 '578 patent: claims 1-4, 6, 9, 12-14, 21 '348 patent: claims 1, 5-10, 13-15, 17-19 '427 patent: claims 1, 10	Plain and Ordinary meaning; no construction required. But if the Court requires construction, "a piece of handheld equipment"	"any type of portable information processing device capable of being configured for communication over a network, including but not limited to a mobile telephone, a personal digital assistant (PDA), a palmtop computer, a hand-held computer, a laptop computer, a tablet computer, a global positioning system (GPS) receiver or other GPS-based navigational device, an MP3 player or other type of audio player, a pager, a watch or other timepiece, a camera, or a portable game player"
"data feed" '348 patent, claims 10, 11, 15, 16, 19, 20	Plain and Ordinary meaning; no construction required. But if the Court requires construction, "provision of information."	"an extensible markup language (XML) or rich site summary (RSS) feed"
"content management resources" '427 patent, claim 1	Plain and Ordinary meaning; no construction required. But if the Court requires construction, the construction for "content" is "data" The construction for "management" is "administration" The construction for "resources" is "any part of a computer system or network"	"content management web site, i.e., a web site that allows a user without programming to create and manage content on a mobile web site, or a portion thereof"
"mobile resources" '427 patent, claim 1	Plain and Ordinary meaning; no construction required. But if the Court requires construction, see previous constructions for "resources."	"mobile web site, i.e., a web site designed to be accessed by a mobile device, or a portion thereof"

	The construction for "mobile" is "readily moved from one location to another."	
"designate data from one or more data sources external to the first set of one or more servers" '427 patent, claim 1	Plain and Ordinary meaning; no construction required. But if the Court requires construction, the construction for "designate" is "indicate" The construction for "data source" is "a collection of information" The construction for "external" is "outside of" The construction for "set" is "a collection of" The construction for "servers" is "computers"	See previous constructions for "mobile resources" and "content management resources" The construction for "external" is "outside of"
"the mobile resources being accessible independent of the content management resources" '427 patent, claim 1	Plain and Ordinary meaning; no construction required. But if the Court requires a construction, see previous constructions for "mobile resources" and "content management resources." The construction for "accessible" is "capable of being reached" The construction for "independent" is "free from the control of"	See previous constructions for "mobile resources" and "content management resources" The construction for "accessible" is "capable of being reached" The construction for "independent" is "free from the control of"

Dated: September 13, 2023

By: ***/s/ Erick S. Robinson***
Erick S. Robinson
Lead Counsel
Texas Bar No. 24039142
Patrick M. Dunn
Texas Bar No. 24125214
Spencer Fane LLP
816 Congress Avenue, Suite 1200
Austin, TX 78701
Telephone: (713) 212-2638
Fax: (512) 840-4550
erobinson@spencerfane.com
pdunn@spencerfane.com

Kyle L. Elliott (admitted *pro hac vice*)
Missouri Bar No. 49145
Brian T. Bear (admitted *pro hac vice*)
Missouri Bar No. 61957
Kevin S. Tuttle (admitted *pro hac vice*)
Spencer Fane LLP
1000 Walnut Street, Suite 1400
Kansas City, MO 64106
Telephone: (816) 474-8100
Fax: (816) 474-3216
kelliott@spencerfane.com
bbear@spencerfane.com
ktuttle@spencerfane.com

Danielle J. Healey
Texas Bar No. 09327
Brian Medich (Admitted W.D. Tex./
D.C. Bar No. 1671486)
Spencer Fane LLP
3040 Post Oak Blvd, Suite 1300
Houston, TX 77056
Telephone: 713-212-2676
dhealey@spencerfane.com
bmedich@spencerfane.com

Attorneys for Mobile Data Technologies LLC

Respectfully submitted,

By: ***/s/ Heidi L. Keefe***
Heidi L. Keefe (CA Bar 178960)
Elizabeth L. Stameshkin (CA Bar 260865)
(Admitted *pro hac vice*)
COOLEY LLP
3175 Hanover Street
Palo Alto, CA 94304
Telephone: (650) 843-5000
Email: hkeefe@cooley.com

COOLEY LLP
Phillip E. Morton (admitted *pro hac vice*)
1299 Pennsylvania Avenue, NW, Suite 700
Washington, DC 20004
Email: pmorton@cooley.com
Attorneys for Meta Platforms, Inc.

CERTIFICATE OF SERVICE

I hereby certify that, on September 13, 2023, all counsel of record who have appeared in this case are being served with a copy of the foregoing via the Court's CM/ECF system.

/s/ Erick S. Robinson
Erick S. Robinson