

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CARVANA, LLC,

Plaintiff and  
Counterclaim Defendant,

v.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION,

Defendant and  
Counterclaim Plaintiff.

Case No. 1:23-cv-8616 (KMK) (VR)

**JURY TRIAL DEMANDED**

**DEFENDANT AND COUNTERCLAIM PLAINTIFF  
INTERNATIONAL BUSINESS MACHINE CORPORATION'S  
OPENING CLAIM CONSTRUCTION BRIEF**

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Dated: August 13, 2024

Respectfully submitted,

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I hereby certify that that on August 13, 2024, I electronically filed a true and correct copy of the foregoing with the Clerk of the Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record.

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**PLAINTIFF AND COUNTERCLAIM DEFENDANT CARVANA, LLC'S  
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#### IV. CONCLUSION

For the foregoing reasons, Carvana respectfully requests that the Court adopt Carvana's claim constructions and reject IBM's claim constructions.

Dated: September 13, 2024

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Dated: October 1, 2024

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