

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

COMMSCOPE, INC. OF NORTH CAROLINA,	)	
	)	
	)	
Plaintiff,	)	C.A. No. 24-427-RGA
	)	
v.	)	JURY TRIAL DEMANDED
	)	
BELDEN INC. and PPC BROADBAND, INC.,	)	
	)	
	)	
Defendants.	)	

Joint Claim Construction Chart

Pursuant to Paragraph 7 of the Scheduling Order (D.I. 16), the parties submit this joint claim construction chart for the disputed terms/phrases of the patent-in-suit: U.S. Patent No. 9,266,697.

1. Stipulated Constructions

The parties have no stipulated construction.

2. Disputed Constructions

Exhibit A is a chart identifying: (1) the disputed terms; (2) each party's proposed constructions with citations to the intrinsic evidence, and (3) an explanation why resolution of the dispute matters. The parties expressly reserve the right to rely upon evidence cited by one another. The parties reserve the right to amend their constructions, and to rely on additional intrinsic or extrinsic evidence as the claim construction process proceeds.

3. Copies of Intrinsic Evidence

The following exhibits are copies of the patents-in-suit and other intrinsic evidence:

Exhibit	Description
B	Patent-in-suit (U.S. Patent No. 9,266,697)
C	File History for the patent-in-suit
D	Prior art cited on face of patent-in-suit (US 2002/0125161A1 to Cote)
E	Prior art cited on face of patent-in-suit (US 4,160,533 to Kotzur)
F	Prior art cited on face of patent-in-suit (US 6,966,791 to Farr)
G	Prior art cited on face of patent-in-suit (US 2010/0320310 to McManus)

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EXHIBIT A – JOINT CLAIM CONSTRUCTION CHART

Terms	CommScope's Proposed Construction	Belden's Proposed Construction	Why Resolution Makes a Difference
“removable [plastic] insert” ’697 Patent (claims. 9, 10)	Not means-plus-function. Plain and ordinary meaning which is: “a [plastic] part that fits within the main compartment and is removable from it.” Alternatively, if subject to means-plus-function: <i>Function</i>: being insertable and removable from the main compartment <i>Structure</i> (Claim 9): a plastic part sized to fit within the main compartment and not integral with the main compartment, or equivalents thereof. <i>Structure</i> (Claim 10): a part made of solid formed plastic, corrugated plastic, or corrugated cardboard that is sized to fit within the main compartment and not integral with the main compartment, or equivalents thereof. <u>Intrinsic evidence</u> -4:60-64, 4:65-5:18, Fig. 4 -4:56-59, 2:66-3:8, 2:51-65, Figs. 1, 5. -1:36-59 -Surrounding claim language -Other versions of the claims during prosecution (e.g., A209-212) -Discussion of prior art removable insert during prosecution (e.g., A235, A260-62, A266-68, A283-84, A286-87, A295-96, A311-13)	Means-plus-function. <i>Function</i>: being able to support a cable reel, while also being able to be removed from the main compartment. <i>Structure</i> (Claim 9): a plastic structure that includes a box made of solid formed plastic or corrugated plastic with an open top, or equivalents thereof. <i>Structure</i> (Claim 10): a structure that includes a box made of solid formed plastic, corrugated plastic, or corrugated cardboard with an open top, or equivalents thereof. ’697 Patent (Ex. B), including (without limitation) for example: • 1:36-59 • 1:63-2:10 • 2:51-3:16 • 3:28-4:7 • 4:60-5:18 • 5:25-6:29 • 6:41-6:67 • 7:1-21 • 7:26-44 • FIGs. 1-5 • Claims 9-10	Plaintiff’s Position: Plaintiff did not propose this term for construction, but resolution will impact whether the scope of the claim is limited to means-plus-function. Defendants’ Position: Resolution may impact non-infringement of the asserted claims against Defendants, and also their invalidity, including under Section 112. Specifically, for example, resolution clarifies what a “removable insert” is, such that Defendants believe that the Accused Products do not infringe. If the term is not means-plus-function, then Defendants believe the claims are invalid.

	-Prior art cited on the face of the patent (Exs. D-G)	'697 Patent File History (Ex. C), including (without limitation) for example: • As filed claims dated June 15, 2009 • Preliminary Amendment dated December 8, 2010 • Office Action dated October 5, 2011 • Response dated January 4, 2012 • Office Action dated February 16, 2012 • Appeal Brief dated May 15, 2012 • Office Action dated July 20, 2012 • Response dated October 19, 2012 • Office Action dated December 6, 2012 • Appeal Brief dated March 18, 2013 • Examiner's Answer dated May 8, 2013 • Reply Brief dated July 8, 2013 • Decision on Appeal dated July 23, 2013	
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