

COMMScope, Inc. of North Carolina,
Plaintiff,
v.
Belden Inc. and PPC Broadband, Inc.,
Defendants.

Pursuant to Section 3(h)(iii)(a) of the Scheduling Order (D.I. 16) (the “Scheduling Order”), defendants Belden Inc. and PPC Broadband, Inc., (collectively referred to as “Belden”) hereby provide Belden’s initial reduction of the number of asserted prior art. These disclosures are made with respect to United States Patent No. 9,266,697 (the “’697 Patent”).

Belden provides this disclosure only as required by the Scheduling Order, and nothing herein should be construed as limiting Belden's right or ability to assert any additional prior art.

references, should further discovery, the Court's claim construction, or other circumstances so require in this or any other proceeding. Further, Belden reserves the right to rely on additional prior art, including all art identified in Belden's Initial Invalidity Contentions, as background and to show the general state and knowledge of the art and/or to determine the knowledge of a person of ordinary skill in the art. Discovery in the case is still in the initial stages, and Belden reserves the right to supplement and/or amend if CommScope asserts claim constructions different from those relied upon by CommScope; if CommScope is permitted to assert additional or different infringement allegations at a later date; if CommScope asserts an interpretation of prior art different from that used herein, including assertions that any limitations of the asserted claims are not disclosed in the prior art identified herein; and based upon information, documents, things, or electronically stored information produced in this or any other action or regulatory proceeding involving the patent at issue in this litigation (whether by CommScope or a third party to this action).

Subject to the foregoing, Belden initially identifies the following prior art references:

Prior Art Reference	Inventor(s)/ Author(s)	Filing Date	Publication/Issue Date
U.S. Pat. No. 2,400,417 ("Hickey")	John P. Hickey	Apr. 6, 1944.	May 14, 1946.
U.S. Pat. No. 3,150,769 ("Cohn")	Max Cohn	Sep. 6, 1962.	Sep. 29, 1964.

Prior Art Reference	Inventor(s)/ Author(s)	Filing Date	Publication/Issue Date
U.S. Pat. No. 4,650,073 (“Young”)	David J. Young	Aug. 9, 1985.	Mar. 17, 1987.
U.S. Pat. No. 5,337,933 (“Nunez”)	Raul Nunez	Jan. 11, 1993.	Aug. 16, 1994.
U.S. Pat. No. 5,529,186 (“Bass”)	Benjamin A. Bass	Dec. 9, 1994.	Jun. 25, 1996.
U.S. Pat. No. 5,704,479 (“Barnett”)	David H. Barnett David B. Camillo	Dec. 5, 1995.	Jan. 6, 1998.
U.S. Pat. No. 6,591,858 (“Peterson”)	Rebekah A. Peterson	Nov. 27, 2001.	Jul. 15, 2003.
U.S. Pat. No. 7,320,445 (“Eastwood”)	Kenneth Brian Eastwood Sondra Kay Eastwood	Apr. 15, 2005.	Jan. 22, 2008.

Prior Art Reference	Inventor(s)/ Author(s)	Filing Date	Publication/Issue Date
U.S. Pat. No. 8,424,795 ("Galgano")	Richard Galgano Mark K. Winkel Martin C. McGuire Martin J. McGuire	Aug. 9, 2011.	Apr. 23, 2013.
U.S. Pat. Pub. 2002/0125161 ("Cote")	Gerard Cote	Jan. 16, 2002.	Sep. 12, 2002.
U.S. Pat. Pub. No. 2007/0062997 ("Thurner")	Darryl G. Thurner	Sep. 9, 2005.	Mar. 22, 2007.
U.S. Pat. Pub. No. 2008/0240624 ("Godshaw")	Donald E. Godshaw Andrezj M. Redzsiz	Mar. 26, 2007.	Oct. 2, 2008.

Further, as noted in the Court's Scheduling Order (D.I. 16), "[p]rior art references used solely to provide background and contextual information, or to determine the knowledge of a person of ordinary skill in the art, shall not count against Defendants' limit." See D.I. 16, Section 3(h)(iii)(a). And Belden relies upon any and all additional prior art references, including all art identified in Belden's Initial Invalidity Contentions, in order to demonstrate background, to show the general state of the art and/or to determine the knowledge of a person of ordinary skill in the art.

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YOUNG CONAWAY STARGATT
& TAYLOR, LLP

/s/ Naresh K. Kannan

Pilar G. Kraman (No. 5199)
Robert M. Vrana (No. 5666)
Jennifer P. Siew (No. 7114)
Rodney Square
1000 North King Street
Wilmington, Delaware 19801
(302) 576-3586
pkraman@ycst.com
rvrana@ycst.com
jsiew@ycst.com

-and-

Douglas J. Nash (admitted *pro hac vice*)
John D. Cook (admitted *pro hac vice*)
BARCLAY DAMON LLP
Barclay Damon Tower
125 East Jefferson Street
Syracuse, New York 13202
(315) 425-2700

Naresh K. Kannan (admitted *pro hac vice*)
BARCLAY DAMON LLP
80 State Street
Albany, New York 12207
(518) 429-4200

Daniel J. McGrath (admitted *pro hac vice*)
Dhruthi Batchu (admitted *pro hac vice*)
BARCLAY DAMON LLP
160 Federal Street
10th Floor
Boston, Massachusetts 02110
(617) 274-2900

*Attorneys for Defendants Belden Inc., and PPC
Broadband Inc.*