

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

INTELLECTUAL VENTURES I LLC and	)	
INTELLECTUAL VENTURES II LLC,	)	
	)	
<i>Plaintiffs,</i>	)	C.A. No. 4:24-cv-00980-ALM
	)	
v.	)	
	)	JURY TRIAL DEMANDED
AMERICAN AIRLINES, INC.	)	
	)	
<i>Defendant.</i>	)	

PLAINTIFFS' IDENTIFICATION OF PROPOSED CONSTRUCTION

Pursuant to Patent Local Rule (“P.R.”) 4-2, Intellectual Ventures I LLC and Intellectual Ventures II LLC (“Plaintiffs” or “IV”) hereby provide its following disclosure of preliminary claim constructions and extrinsic evidence for the claim terms identified by IV and Defendant American Airlines, Inc. (“Defendant” or “American”). IV’s disclosure is based on currently available information, and IV reserves the right to modify this disclosure should additional information become available through discovery. IV further reserves the right to modify this disclosure once it has reviewed Defendant’s proposed constructions.

IV objects to American’s late service of its Amended Disclosure of Terms for Construction on July 11, 2025, one business day prior to the parties’ deadline to provide disclosures under P.R. 4-2. IV reserves all rights to supplement these disclosures based on American’s amended P.R. 4-1 disclosures and its P.R. 4-2 disclosures.

Unless otherwise specified below, IV’s position in response to American’s P.R. 4-1 amended disclosures is that each claim term identified in those disclosures for United States Patent No. 8,332,844 (“the ’844 Patent”), United States Patent No. 8,407,722 (“the ’722 Patent”), United States Patent No. 7,949,785 (“the ’785 Patent”), United States Patent No. 7,324,469

(“the ’469 Patent”), and United States Patent No. 7,257,582 (“the ’582 Patent”) (collectively, the “Asserted Patents” or “Patents-in-Suit”) requires no construction and should be given its plain and ordinary meaning as read by a person of ordinary skill in the art at the time of the invention, in the context of the entire patent, including the specification and drawings. *See Phillips v. AWH Corp.*, 415 F.3d 1303, 1313 (Fed. Cir. 2005) (*en banc*); *Golden Bridge Tech., Inc. v. Apple Inc.*, 758 F.3d 1362, 1365 (Fed. Cir. 2014). To the extent American alleges that any claim term identified in American’s P.R. 4-1 amended disclosures is indefinite, IV’s position is that such term(s) is not indefinite.

IV reserves all rights and does not waive any proposed construction, defense, or position by the submission of this disclosure. IV reserves the right to rely on any form of intrinsic evidence or extrinsic evidence, such as expert opinion testimony, in the form of declarations filed with the Court and/or live testimony at the claim construction hearing or a technology tutorial should the Court desire it. IV’s expert(s) may testify upon (i) what a person of ordinary skill in the art during the relevant time period(s) would understand the claim limitations to mean based on the knowledge, experience, and understanding of a person of ordinary skill in the art, and upon reviewing the claims of the Asserted Patents, in view of the intrinsic evidence and any additional extrinsic evidence identified; (ii) technical background relating to the claim construction issues; (iii) the knowledge of a person of ordinary skill in the art at the relevant time period(s); (iv) the qualifications of a person of ordinary skill in the art at the relevant time period(s); (v) any documents upon which IV’s expert(s) may rely upon; and (vi) facts and law sufficient to justify the opinions of IV’s expert(s).

IV reserves the right to amend these disclosures in the event further discovery or development of the evidence warrants such an amendment. IV also reserves the right to amend or

supplement this disclosure as may be appropriate, particularly in response to or in consideration of Defendant's proposals and positions concerning claim construction, validity, and/or infringement, and/or in response to the meet and confer process concerning claim construction.

Subject to the above limitations and reservations or rights, Plaintiffs submit as Appendix A preliminary proposed constructions for the identified terms/ phrases to be construed by the Court.

Date: July 14, 2025

RESPECTFULLY SUBMITTED,

By: /s/ Jonathan K. Waldrop

Jonathan K. Waldrop (CA Bar No. 297903)
(Admitted in this District)

jwaldrop@kasowitz.com

Darcy L. Jones (CA Bar No. 309474)
(Admitted in this District)

djones@kasowitz.com

Marcus A. Barber (CA Bar No. 307361)
(Admitted in this District)

mbarber@kasowitz.com

John W. Downing (CA Bar No. 252850)
(Admitted in this District)

jdowning@kasowitz.com

Heather S. Kim (CA Bar No. 277686)
(Admitted in this District)

hkim@kasowitz.com

ThucMinh Nguyen (CA Bar No. 304382)
(Admitted in this District)

tnguyen@kasowitz.com

KASOWITZ LLP

101 California Street

Suite 3950

San Francisco, CA 94111

Telephone: (415) 421-6140

Facsimile: (415) 358-4408

Allen F. Gardner (TX Bar No. 24043679)
allen@allengardnerlaw.com

ALLEN GARDNER LAW, PLLC

609 S. Fannin

Tyler, Texas 75701

Telephone: (903) 944-7537

Facsimile: (903) 944-7856

Attorneys for Plaintiffs

INTELLECTUAL VENTURES I LLC,

INTELLECTUAL VENTURES II LLC

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument was served or delivered electronically, via email, to all counsel of record on this 14th day of July, 2025.

/s/ Jonathan K. Waldrop
Jonathan K. Waldrop

Appendix A: IV's Proposed Claim Construction

Patent	Claims	Terms/Phrases	Proposed Construction	Extrinsic Evidence
U.S. Patent No. 8,332,844	7, 11	"root image"	Plain and ordinary meaning, no construction necessary	Expert declaration in rebuttal in support of IV's position regarding proper construction.

Patent	Claims	Terms/Phrases	Proposed Construction	Extrinsic Evidence
U.S. Patent No. 8,407,722	14	"input source"	Plain and ordinary meaning, no construction necessary	Expert declaration in rebuttal in support of IV's position regarding proper construction.
	14	"identify a category of the update message based on the input source"	Plain and ordinary meaning, no construction necessary	Expert declaration in rebuttal in support of IV's position regarding proper construction.
	14	"node type"	Plain and ordinary meaning, no construction necessary	Expert declaration in rebuttal in support of IV's position regarding proper construction.
	14	"property of the live object"	Plain and ordinary meaning, no construction necessary	Expert declaration in rebuttal in support of IV's position regarding proper construction.

Patent	Claims	Terms/Phrases	Proposed Construction	Extrinsic Evidence
U.S. Patent No. 7,949,785	30, 37	“network address”	Plain and ordinary meaning, no construction necessary	Expert declaration in rebuttal in support of IV’s position regarding proper construction. Papers, exhibits, and declarations submitted in IPR2025-00786, including Brief in Support of Patent Owner’s Request for Discretionary Denial. ¹
	30	“network route director”	Plain and ordinary meaning, no construction necessary	Expert declaration in rebuttal in support of IV’s position regarding proper construction. Papers, exhibits, and declarations submitted in IPR2025-00786, including Brief in Support of Patent Owner’s Request for Discretionary Denial.
	30, 37	“virtual network address”	Plain and ordinary meaning, no construction necessary	Expert declaration in rebuttal in support of IV’s position regarding proper construction. Papers, exhibits, and declarations submitted in IPR2025-00786, including Brief in Support of Patent Owner’s Request for Discretionary Denial.

¹ All documents relating to IPR2025-00786 are publicly available.

Patent	Claims	Terms/Phrases	Proposed Construction	Extrinsic Evidence
	30	“configured to register devices” / “configured to distribute” / “configured to receive”	Plain and ordinary meaning, no construction necessary	Expert declaration in rebuttal in support of IV’s position regarding proper construction. Papers, exhibits, and declarations submitted in IPR2025-00786, including Brief in Support of Patent Owner’s Request for Discretionary Denial.
	30	“DNS server for the virtual network”	Plain and ordinary meaning, no construction necessary	Expert declaration in rebuttal in support of IV’s position regarding proper construction. Papers, exhibits, and declarations submitted in IPR2025-00786, including Brief in Support of Patent Owner’s Request for Discretionary Denial.
	37	“[maintain data to] associate [a virtual network address with a device]”	Plain and ordinary meaning, no construction necessary	Expert declaration in rebuttal in support of IV’s position regarding proper construction. Papers, exhibits, and declarations submitted in IPR2025-00786, including Brief in Support of Patent Owner’s Request for Discretionary Denial.

Patent	Claims	Terms/Phrases	Proposed Construction	Extrinsic Evidence
U.S. Patent No. 7,324,469	24	“a remote location a experiencing a relatively high volume of transient traffic	Plain and ordinary meaning, no construction necessary Not indefinite	Expert declaration in rebuttal in support of IV’s position regarding proper construction. Expert declaration in rebuttal that term is not indefinite.
	24	“a relatively high volume of transient traffic”	Plain and ordinary meaning, no construction necessary Not indefinite	Expert declaration in rebuttal in support of IV’s position regarding proper construction. Expert declaration in rebuttal that term is not indefinite.

Patent	Claims	Terms/Phrases	Proposed Construction	Extrinsic Evidence
U.S. Patent No. 7,257,582	1	“partition”	Plain and ordinary meaning, no construction necessary	Expert declaration in rebuttal in support of IV’s position regarding proper construction. Papers, exhibits, and declarations submitted in IPR2025-00785, including Brief in Support of Patent Owner’s Request for Discretionary Denial. ²

² All documents relating to IPR2025-00785 are publicly available.

Patent	Claims	Terms/Phrases	Proposed Construction	Extrinsic Evidence
	1	“description of all said partitions”	Plain and ordinary meaning, no construction necessary	Expert declaration in rebuttal in support of IV’s position regarding proper construction. Papers, exhibits, and declarations submitted in IPR2025-00785, including Brief in Support of Patent Owner’s Request for Discretionary Denial.
	1	“c) simultaneously executing at least a respective one of the subtasks of the computer-executable process in each of at least some of said processors on a respective one of the partitions with each subtask reading and processing the respective partition so as to process the respective partition and produce respective subtask output”	Plain and ordinary meaning, no construction necessary Not indefinite	Expert declaration in rebuttal in support of IV’s position regarding proper construction. Expert declaration in rebuttal that term is not indefinite. Papers, exhibits, and declarations submitted in IPR2025-00785, including Brief in Support of Patent Owner’s Request for Discretionary Denial.
	1	“on a first-come/first-served basis”	Plain and ordinary meaning, no construction necessary	Expert declaration in rebuttal in support of IV’s position regarding proper construction. Papers, exhibits, and declarations submitted in IPR2025-00785, including Brief in Support of Patent Owner’s Request for Discretionary Denial.