IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

OMNI MEDSCI, INC., ***Plaintiff*,** **v.** **SAMSUNG ELECTRONICS, CO. LTD., SAMSUNG ELECTRONICS AMERICA, INC., FOSSIL GROUP, INC., FOSSIL STORES I, INC., FOSSIL PARTNERS, L.P., ONEPLUS TECHNOLOGY (SHENZHEN) CO., LTD., and ŌURA HEALTH OY,** ***Defendants.***	**Civil Action No. 2:24-CV-01070-JRG-RSP** **JURY TRIAL DEMANDED**

OMNI MEDSCI, INC.'S LOCAL PATENT RULE 4-2 DISCLOSURE OF
PRELIMINARY CLAIM CONSTRUCTIONS AND EXTRINSIC EVIDENCE

Pursuant to Local Patent Rule 4-2 and the Court's Second Amended Docket Control Order, Dkt. 65, Omni MedSci, Inc. ("Omni") hereby discloses its preliminary claim constructions and identification of extrinsic evidence for the claim terms (herein, the "Identified Terms") of the Asserted Patents and Claims that have been identified for construction by Omni and Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, "Samsung"); Fossil Group, Inc., Fossil Stores, Inc., and Fossil Partners, L.P. (collectively, "Fossil"); and Ōura Health Oy's ("Ōura") (collectively, "Defendants"):

- U.S. Patent No. 9,055,868 ("the '868 Patent"): claims 7-9;
- U.S. Patent No. 9,651,533 ("the '533 Patent"): claims 5, 11, 12;
- U.S. Patent No. 10,517,484 ("the '484 Patent"): claim 8, 10;
- U.S. Patent No. 10,874,304 ("the '304 Patent"): claims 11, 19-20;
- U.S. Patent No. 12,193,790 ("the '790 Patent"): claim 7; and
- U.S. Patent No. 12,268,475 ("the '475 Patent"): claims 5, 13.

Omni's disclosures herein are limited to the Identified Terms. Omni has not been apprised of Defendants' proposed constructions of the Identified Terms or their proffered extrinsic evidence. Omni reserved the right to rely on extrinsic evidence not identified herein to rebut or provide context to Defendants' proffered constructions or evidence, or to the extent Defendants take positions that are inconsistent with the plain and ordinary meaning of the Identified Terms from the vantage point of a person of ordinary skill in the art at the time of filing and/or invention of the claims of the Asserted Patents.

Omni bases its disclosure on the current state of this case and its current knowledge and analysis, without the benefit of complete discovery. Consistent with the Local Patent Rules, Omni reserves the right to supplement, revise, and otherwise modify its P.R. 4-2 disclosures and preliminary constructions, including in response to Defendants' P.R. 4-2 disclosures and preliminary constructions, as new information becomes available, and to facilitate the preparation of the Joint Claim Construction and Prehearing Statement. Omni specifically reserves the right to

rely on additional definitions from the extrinsic evidence, including but not limited to the dictionaries cited herein. Omni specifically reserves the right to rely on the extrinsic evidence identified by Defendants and any expert testimony proffered by Defendants to support Omni's proposed claim constructions.

Where a term is related to, overlaps with, and/or subsumes, other terms, Omni incorporates as to each such term its preliminary constructions of, and cited evidence for, such related, overlapping, or subsumed terms.

Appendix A contains Omni's preliminary proposed constructions and identified extrinsic evidence (produced as Bates Nos. OMS_SAM0014208 – OMS_SAM0014399). Omni also identifies as extrinsic evidence the expert testimony of Dr. Christopher Daft regarding the state of the art, technical background, and how a person of ordinary skill in the art at the time of filing and/or invention of the claims of the Asserted Patents would have understood the meaning of the Identified Terms.

Dated: October 31, 2025

/s/ Daniel S. Stringfield

William E. Davis III
Texas Bar No. 24047416
bdavis@davisfirm.com
Ty Wilson
Texas Bar No. 24106583
twilson@davisfirm.com
DAVIS FIRM, PC
213 N. Fredonia Street, Suite 230
Longview, TX 75601
Tel: (903) 230-9090
Fax: (903) 230-9661

Daniel S. Stringfield (Admitted E.D. Tex.)
Illinois Bar No. 6293893
dstringfield@nixonpeabody.com
Timothy P. Maloney (Admitted E.D. Tex.)
Illinois Bar No. 6216483

tmaloney@nixonpeabody.com
Daniel D. Georgiev (Admitted E.D. Tex.)
Illinois Bar No. 6326950
Texas Bar No. 24136166
dgeorgiev@nixonpeabody.com
Peter Krusiewicz (Admitted E.D. Tex.)
Illinois Bar No. 6342444
pkrusiewicz@nixonpeabody.com
NIXON PEABODY LLP
70 West Madison
Suite 5200
Chicago, IL 60602
Tel: (312) 977-4400
Fax: (312) 977-4405

Elizabeth M. Chiaviello (Admitted E.D. Tex.)
Texas Bar No. 24088913
D.C. Bar No. 90033239
echiaviello@nixonpeabody.com
Benjamin R. Holt (Admitted E.D. Tex.)
D.C. Bar No. 1048285
bholt@nixonpeabody.com
NIXON PEABODY LLP
799 9th Street NW
Suite 500
Washington, D.C. 20001
Tel: (202) 585-8000
Fax: (202) 585-8080

Nicholas Choi (Admitted E.D. Tex.)
New York Bar No. 5811492
nchoi@nixonpeabody.com
NIXON PEABODY LLP
55 West 46th Street
New York, NY 10036
Tel: (212) 940-3013
Fax: (833) 486-5222

Attorneys for Plaintiff Omni MedSci, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on October 31, 2025, I electronically served the foregoing document *via* electronic mail to all counsel of record.

/s/ Daniel D. Georgiev
Daniel D. Georgiev

APPENDIX A: Plaintiff's Proposed Constructions and Citations to Extrinsic Evidence

I. '868 Patent

Party Proposing	Term or Phrase	Plaintiff's Preliminary Construction	Extrinsic Evidence
Plaintiff	"beam" ('868 patent, cls. 7, 8, 9) *See also*: ('533 patent, cl. 12) ('304 patent, cls. 11, 19, 20)	"photons or light transmitted to a particular location in space"	Dr. Christopher Daft may provide a declaration discussing the state of the technology relating to the alleged inventions, providing a definition of one of ordinary skill in the art, and explaining how a person of ordinary skill in the art would interpret this term in view of established terminology in the field of the inventions, the disclosures of the '868 patent specification, and the record of proceedings reflected in the prosecution history file. Claim Construction Order (Dkt. 211), *Omni MedSci, Inc. v. Apple, Inc.*, Case No. 2:18-cv-00134-RWS (E.D. Tex.) (J. Schroeder) Claim Construction Order (Dkt. 152), *Omni MedSci, Inc. v. Apple, Inc.*, Case No. 2:18-

			cv-00429-RWS (E.D. Tex.) (J. Schroeder)

II. ’533 Patent

Party Proposing	Term or Phrase	Plaintiff’s Preliminary Construction	Extrinsic Evidence
Plaintiff and Defendants	“beam” (’533 patent, cl. 12) *See also*: (’868 patent, cls. 7, 8, 9) (’304 patent, cls. 11, 19, 20)	“photons or light transmitted to a particular location in space”	Dr. Christopher Daft may provide a declaration discussing the state of the technology relating to the alleged inventions, providing a definition of one of ordinary skill in the art, and explaining how a person of ordinary skill in the art would interpret this term in view of established terminology in the field of the inventions, the disclosures of the ’533 patent specification, and the record of proceedings reflected in the prosecution history file. Claim Construction Order (Dkt. 211), *Omni MedSci, Inc. v. Apple, Inc.*, Case No. 2:18-cv-00134-RWS (E.D. Tex.) (J. Schroeder) Claim Construction Order (Dkt. 152), *Omni MedSci, Inc.*

			v. Apple, Inc., Case No. 2:18-cv-00429-RWS (E.D. Tex.) (J. Schroeder)
Defendants	"one or more filters" ('533 patent, cl. 11)	Plain and ordinary meaning	Dr. Christopher Daft may provide a declaration discussing the state of the technology relating to the alleged inventions, providing a definition of one of ordinary skill in the art, and explaining how a person of ordinary skill in the art would interpret this term in view of established terminology in the field of the inventions, the disclosures of the '533 patent specification, and the record of proceedings reflected in the prosecution history file.
Defendants	"personal device" ('533 patent, cl. 5)	"a computer or microprocessor-based device having a wireless receiver, a wireless transmitter, a display, a microphone, a speaker, one or more buttons or knobs, a microprocessor, and a touch screen"	Dr. Christopher Daft may provide a declaration discussing the state of the technology relating to the alleged inventions, providing a definition of one of ordinary skill in the art, and explaining how a person of ordinary skill in the art would interpret this term in view of established terminology in the field of the inventions, the disclosures of the '533 patent specification, and the record of proceedings

			reflected in the prosecution history file. *Apple Inc. v. Omni MedSci, Inc.*, IPR2019-00916, Paper 39 (PTAB Oct. 14, 2020)

III. ’484 Patent

Party Proposing	Term or Phrase	Plaintiff’s Preliminary Construction	Extrinsic Evidence
Plaintiff and Defendants	“to identify an object” (’484 patent, cl. 8) *See also*: (’790 patent, cl. 7)	“to recognize or establish an object as being a particular thing”	Dr. Christopher Daft may provide a declaration discussing the state of the technology relating to the alleged inventions, providing a definition of one of ordinary skill in the art, and explaining how a person of ordinary skill in the art would interpret this term in view of established terminology in the field of the inventions, the disclosures of the ’484 patent specification, and the record of proceedings reflected in the prosecution history file. Random House Kernerman Webster’s College Dictionary (2010)

			Apple Inc. v. Omni MedSci, Inc., No. 2023-1034, 2024 WL 3084509 (Fed. Cir. June 21, 2024)
Defendants	"to use artificial intelligence to process" ('484 patent, cl. 10)	Plain and ordinary meaning	Dr. Christopher Daft may provide a declaration discussing the state of the technology relating to the alleged inventions, providing a definition of one of ordinary skill in the art, and explaining how a person of ordinary skill in the art would interpret this term in view of established terminology in the field of the inventions, the disclosures of the '484 patent specification, and the record of proceedings reflected in the prosecution history file.

IV. '304 Patent

Party Proposing	Term or Phrase	Plaintiff's Preliminary Construction	Extrinsic Evidence
Plaintiff	"beam" ('304 patent, cls. 11, 19, 20) *See also*:	"photons or light transmitted to a particular location in space"	Dr. Christopher Daft may provide a declaration discussing the state of the technology relating to the alleged inventions, providing a definition of one of ordinary skill in the art, and explaining how a person of ordinary skill in the art would interpret this term in view of established terminology in

	('868 patent, cls. 7, 8, 9) ('533 patent, cl. 12)		the field of the inventions, the disclosures of the '304 patent specification, and the record of proceedings reflected in the prosecution history file. Claim Construction Order (Dkt. 211), *Omni MedSci, Inc. v. Apple, Inc.*, Case No. 2:18-cv-00134-RWS (E.D. Tex.) (J. Schroeder) Claim Construction Order (Dkt. 152), *Omni MedSci, Inc. v. Apple, Inc.*, Case No. 2:18-cv-00429-RWS (E.D. Tex.) (J. Schroeder)
Plaintiff and Defendants	"modulating" / "modulation" ('304 patent, cl. 19) *See also:* "modulate" / "modulation" ('475 patent, cl. 13)	"[vary/varying/the varying of] the amplitude, frequency, or phase of the light produced"	Dr. Christopher Daft may provide a declaration discussing the state of the technology relating to the alleged inventions, providing a definition of one of ordinary skill in the art, and explaining how a person of ordinary skill in the art would interpret this term in view of established terminology in the field of the inventions, the disclosures of the '304 patent specification, and the record of proceedings reflected in the prosecution history file. Claim Construction Order (Dkt. 211), *Omni MedSci, Inc. v. Apple, Inc.*, Case No. 2:18-cv-00134-RWS (E.D. Tex.) (J. Schroeder) Claim Construction Order (Dkt. 152), *Omni MedSci, Inc. v. Apple, Inc.*, Case No. 2:18-cv-00429-RWS (E.D. Tex.) (J. Schroeder)

			The American Heritage Science Dictionary (2011) Published by Houghton Mifflin Harcourt Publishing Co., available at https://www.dictionary.com/browse/modulate IEEE 100 The Authoritative Dictionary of IEEE Standards Terms Seventh Term (2000) Microsoft Computer Dictionary, Fourth Edition (1999) Merriam Webster's Collegiate Dictionary, Eleventh Edition (2003) Microsoft Press Computer Dictionary, Third Edition (1997) Newton's Telecom Dictionary, Twenty-Sixth Edition (2011)
Defendants	"modulating at least one of the semiconductor sources having an initial light intensity" ('304 patent, cl. 19)	No construction necessary apart from the construction of "modulating" / "modulation" (*see* above) ('304 patent, cl. 19) *See also:* "modulate" / "modulation" ('475 patent, cl. 13)	Dr. Christopher Daft may provide a declaration discussing the state of the technology relating to the alleged inventions, providing a definition of one of ordinary skill in the art, and explaining how a person of ordinary skill in the art would interpret this term in view of established terminology in the field of the inventions, the disclosures of the '304 patent specification, and the record of proceedings reflected in the prosecution history file.

			Claim Construction Order (Dkt. 211), *Omni MedSci, Inc. v. Apple, Inc.*, Case No. 2:18-cv-00134-RWS (E.D. Tex.) (J. Schroeder) Claim Construction Order (Dkt. 152), *Omni MedSci, Inc. v. Apple, Inc.*, Case No. 2:18-cv-00429-RWS (E.D. Tex.) (J. Schroeder) The American Heritage Science Dictionary (2011) Published by Houghton Mifflin Harcourt Publishing Co., available at https://www.dictionary.com/browse/modulate IEEE 100 The Authoritative Dictionary of IEEE Standards Terms Seventh Term (2000) Microsoft Computer Dictionary, Fourth Edition (1999) Merriam Webster's Collegiate Dictionary, Eleventh Edition (2003) Microsoft Press Computer Dictionary, Third Edition (1997) Newton's Telecom Dictionary, Twenty-Sixth Edition (2011)

V. ’790 Patent

Party Proposing	Term or Phrase	Plaintiff’s Preliminary Construction	Extrinsic Evidence
Plaintiff and Defendants	“to identify an object” (’790 patent, cl. 7) *See also*: (’484 patent, cl. 8)	“to recognize or establish an object as being a particular thing”	Dr. Christopher Daft may provide a declaration discussing the state of the technology relating to the alleged inventions, providing a definition of one of ordinary skill in the art, and explaining how a person of ordinary skill in the art would interpret this term in view of established terminology in the field of the inventions, the disclosures of the ’790 patent specification, and the record of proceedings reflected in the prosecution history file. Random House Kernerman Webster’s College Dictionary (2010) *Apple Inc. v. Omni MedSci, Inc.*, No. 2023-1034, 2024 WL 3084509 (Fed. Cir. June 21, 2024)

VI. ’475 Patent

Party Proposing	Term or Phrase	Plaintiff’s Preliminary Construction	Extrinsic Evidence
Plaintiff and Defendants	“modulate” / “modulation” (’475 patent, cl. 13) *See also:* “modulating” / “modulation” (’304 patent, cl. 19)	“[vary/varying/the varying of] the amplitude, frequency, or phase of the light produced”	Dr. Christopher Daft may provide a declaration discussing the state of the technology relating to the alleged inventions, providing a definition of one of ordinary skill in the art, and explaining how a person of ordinary skill in the art would interpret this term in view of established terminology in the field of the inventions, the disclosures of the ’475 patent specification, and the record of proceedings reflected in the prosecution history file. Claim Construction Order (Dkt. 211), *Omni MedSci, Inc. v. Apple, Inc.*, Case No. 2:18-cv-00134-RWS (E.D. Tex.) (J. Schroeder) Claim Construction Order (Dkt. 152), *Omni MedSci, Inc. v. Apple, Inc.*, Case No. 2:18-cv-00429-RWS (E.D. Tex.) (J. Schroeder) The American Heritage Science Dictionary (2011) Published by Houghton Mifflin Harcourt Publishing Co., available at https://www.dictionary.com/browse/modulate IEEE 100 The Authoritative Dictionary of IEEE Standards Terms Seventh Term (2000)

			Microsoft Computer Dictionary, Fourth Edition (1999) Merriam Webster's Collegiate Dictionary, Eleventh Edition (2003) Microsoft Press Computer Dictionary, Third Edition (1997) Newton's Telecom Dictionary, Twenty-Sixth Edition (2011)
Defendants	"modulate the light source with a modulation frequency" ('475 patent, cl. 13)	No construction necessary apart from the construction of "modulate" / "modulation" (*see* above) ('475 patent, cl. 13) *See also:* "modulating" / "modulation" ('304 patent, cl. 19)	Dr. Christopher Daft may provide a declaration discussing the state of the technology relating to the alleged inventions, providing a definition of one of ordinary skill in the art, and explaining how a person of ordinary skill in the art would interpret this term in view of established terminology in the field of the inventions, the disclosures of the '475 patent specification, and the record of proceedings reflected in the prosecution history file. Claim Construction Order (Dkt. 211), *Omni MedSci, Inc. v. Apple, Inc.*, Case No. 2:18-cv-00134-RWS (E.D. Tex.) (J. Schroeder) Claim Construction Order (Dkt. 152), *Omni MedSci, Inc. v. Apple, Inc.*, Case No. 2:18-cv-00429-RWS (E.D. Tex.) (J. Schroeder)

			The American Heritage Science Dictionary (2011) Published by Houghton Mifflin Harcourt Publishing Co., available at https://www.dictionary.com/browse/modulate IEEE 100 The Authoritative Dictionary of IEEE Standards Terms Seventh Term (2000) Microsoft Computer Dictionary, Fourth Edition (1999) Merriam Webster's Collegiate Dictionary, Eleventh Edition (2003) Microsoft Press Computer Dictionary, Third Edition (1997) Newton's Telecom Dictionary, Twenty-Sixth Edition (2011)
Defendants	"to use artificial intelligence in making decisions" ('475 patent, cl. 5)	Plain and ordinary meaning	Dr. Christopher Daft may provide a declaration discussing the state of the technology relating to the alleged inventions, providing a definition of one of ordinary skill in the art, and explaining how a person of ordinary skill in the art would interpret this term in view of established terminology in the field of the inventions, the disclosures of the '475 patent specification, and the record of proceedings reflected in the prosecution history file.