**UNITED STATES DISTRICT COURT**
**WESTERN DISTRICT OF TEXAS**
**AUSTIN DIVISION**

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| **INGENIOSPEC, LLC,** | § | |
| | § | **NO. 1:25-CV-867-ADA** |
| **Plaintiff,** | § | **(LEAD CASE)** |
| | § | |
| **v.** | § | **NO. 1:25-CV-00877-ADA** |
| | § | **(MEMBER CASE)** |
| **APPLE INC.,** | § | |
| | § | |
| **Defendant.** | § | |
| | § | |

**CLAIM CONSTRUCTION ORDER**

The Court provided preliminary claim constructions on April 2, 2026, for terms in U.S. Patent Nos. 8,112,104 (the "'104 Patent"), 8,582,789 (the "'789 Patent"), 11,644,693 (the "'693 Patent"), 11,921,355 (the "'355 Patent"), 12,001,599 (the "'599 Patent"), and 12,044,901 (the "'901 Patent"). The Court held a claim construction hearing on April 6, 2026, in which the Court heard argument. After careful consideration of the parties' briefs, oral argument, and the applicable law, the Court enters its final constructions for each term as shown below.

| # | Term | IngenioSpec's Proposed Construction | Apple's Proposed Construction | Court's Construction |
|---|---|---|---|---|
| 1 | "provide[d] that . . . the wireless headset is active" / "provide[d] that said determining determines . . . the wireless headset is active" and "said | Plain and ordinary meaning | "upon establishing a communication link between the wireless headset and the wireless communication system" | Plain and ordinary meaning |

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| | determining comprises determining whether the wireless headset is active”<br><br>’104 Patent, claims 2, 6, 10 | | | |
| 2 | Preamble, including “input signals”<br><br>’789 Patent, claim 13 | Plain and ordinary meaning | Preamble is limiting + “signals input to the audio system” | Preamble is limiting. [no further construction of "input signals"] |
| 3 | “head-worn personal electronic apparatus” / “head-worn wearable electronic device” / “head-worn electronic personal audio apparatus” / “head-worn electronic device” / Preamble (’355 Patent)<br><br>’355 Patent, preamble, claims 1-3, 5-19, 21-54, 57- | Plain and ordinary meaning | “electronic eyewear or headwear” | “electronic eyewear or headwear” |

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| | 70, 72, 75-82, 85-92, 95-100<br><br>’693 Patent, claims 24-27, 30, 31, 33-38, 42, 49, 50, 52-54, 61, 64, 70-73<br><br>’901 Patent, claims 1-7, 9-10, 12-15, 18, 20-21, 25-28, 30- 31, 35, 38-50, 53-54, 56-58 | | | |
| 4 | “[a/the] speaker[s] … proximate to an ear of the user” / “the first speaker … proximate to a first ear of the user” / “the second speaker … proximate to a second ear of the user”<br><br>’693 Patent, claims 24, 42, 75<br><br>’355 Patent, claims 1, 17, 65, 77, 87 | Plain and ordinary meaning | “[a/the] speaker[s] . . . near an ear of the user” / “the first speaker . . . near a first ear of the user” / “the second speaker . . . near a second ear of the user” | Plain and ordinary meaning |

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| | ’901 Patent, claims 1, 35 | | | |
| 5 | Preamble, including “to at least help [a/the] user hear audio outputs produced by the device” ’599 Patent, claims 1, 20, 22, 24 | Plain and ordinary meaning | Preamble is limiting + indefinite | Preamble is only partially limiting. The structural component of the preamble is limiting, but the “to at least help [a/the] user hear audio outputs produced by the device” component is not limiting.<br><br>“to at least help [a/the] user hear audio outputs produced by the device” is not indefinite. |

**SIGNED** on April 6, 2026.

ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE