

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

PROXENSE, LLC,

Plaintiff,

vs.

MICROSOFT CORP.,

Defendant.

Case Nos. 6:23-cv-00319-ADA

**JURY TRIAL DEMANDED**

**JOINT CLAIM CONSTRUCTION STATEMENT**

Pursuant to the Court’s April 4, 2023 Standing Order Governing Proceedings – Patent Cases, Plaintiff Proxense LLC (“Plaintiff” or “Proxense”) and Defendant Microsoft Corp. (“Defendant” or “Microsoft”) hereby respectfully submit this Joint Claim Construction Statement. The Joint Claim Construction Statement identifies disputed constructions for each of the claim terms at issue concerning U.S. Patent No. 8,352,730 (the 730 patent), U.S. Patent No. 9,298,905 (the 905 patent), U.S. Patent No. 8,886,954 (the 954 patent), U.S. Patent No. 8,646,042 (the 042 patent), U.S. Patent No. 9,679,289 (the 289 patent), and U.S. Patent No. 10,073,960 (the 960 patent).

**AGREED CONSTRUCTIONS**

<b>730 / 954 / 905 Patents</b>		
	<b>Claim Term</b>	<b>Agreed Construction</b>
1	“ID code” or “device ID code” (730 Patent, claims 1, 3, 15; 954 Patent, claims 1, 3; 905 Patent, claims 1, 2)	a unique code identifying a device

<b>042 / 289 / 960 Patents</b>		
	<b>Claim Term</b>	<b>Agreed Construction</b>
2	“hybrid device” (042 Patent, claim 10; 289 Patent, claims 14, 16)	a device comprising an integrated personal digital key (PDK) and an integrated receiver-decoder circuit

## DISPUTED CONSTRUCTIONS

730 / 954 / 905 Patents proposed terms				
	Claim Term	Microsoft's Proposed Construction	Proxense's Proposed Construction	Party Proposing Term
1	"access message" (730 claims 1, 15; 954 claim 1; 905 claim 1)	a message enabling access	Adopt the construction from <i>Proxense v. Samsung</i> , 6:21-cv-00210-ADA:  A signal or notification enabling or announcing access.	Microsoft
2	"wherein the biometric data and the scan data are both based on a fingerprint scan by the user" (730 claim 5)	Invalid under §112 ¶ 4	Adopt the ruling from <i>Proxense v. Samsung</i> , 6:21-cv-00210-ADA:  No construction needed, plain and ordinary meaning.	Microsoft

042 / 289 / 960 Patents proposed terms				
	Claim Term	Microsoft's Proposed Construction	Proxense's Proposed Construction	Party Proposing Terms
3	"receiver-decoder circuit" (042 claim 10; 289 claims 14, 16)	a circuit that wirelessly receives encrypted data from the PDK and decodes it	Adopt the construction from <i>Proxense v. Samsung</i> , 6:21-cv-00210-ADA:  A component or collection of components, capable of wirelessly receiving data in an encrypted format and decoding the encrypted data for processing.	Microsoft
4	"personal digital key" (042 claim 10)	a device that includes an antenna, a transceiver for communicating with the RDC and a controller and memory for storing	Adopt the construction from <i>Proxense v. Samsung</i> , 6:21-cv-00210-ADA:  An operably connected collection of elements	Microsoft

		information particular to a user	including an antenna and a transceiver for communicating with a RDC and a controller and memory for storing information particular to a user.	
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Dated: January 10, 2024

Respectfully submitted,

By: /s/ David L. Hecht

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**CERTIFICATE OF SERVICE**

I, David L. Hecht, hereby certify that on January 10, 2024, this document, **JOINT CLAIM CONSTRUCTION STATEMENT** was duly filed and served on all counsel via ECF.

*/s/ David L. Hecht*  
David L. Hecht