

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

PANTECH CORPORATION and PANTECH
WIRELESS, LLC

Plaintiffs,

v.

ONEPLUS TECHNOLOGY (SHENZHEN)
CO., LTD.,

Defendant.

Case No. 5:24-cv-00038-RWS-JBB

JURY TRIAL DEMANDED

PRELIMINARY CONSTRUCTIONS

To focus oral argument, the Court provides the following proposed constructions regarding U.S. Patent Nos. 9,288,824 (the '824 Patent); 11,212,838 (the '838 Patent); 9,763,283 (the '283 Patent); 10,863,573 (the '573 Patent); 9,369,251 (the '251 Patent); 8,995,372 (the '372 Patent); and 10,764,803 (the '803 Patent). These constructions are not final and are subject to further review. That is, each party should address the constructions it believes are incorrect at the hearing.

No.	Term	Pantech's Proposed Construction	OnePlus's Proposed Construction	Preliminary Construction
1.	time period '824 Patent, Claim 7	Plain and ordinary meaning	An amount of time	"an amount of time"
2.	wherein the time period starts at a time point after an end time of transmitting the random access preamble, and a subframe number corresponding to the time point is obtained by adding an offset to a subframe number corresponding to the end time of transmitting the random access preamble, and the offset equals three '824 Patent, Claim 7	Plain and ordinary meaning	Indefinite	"is obtained by": "is defined by"

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3.	uplink resources '838 Patent, Claims 1-4	Plain and ordinary meaning	Resources that include at least an indication of a spreading code	Plain and ordinary meaning	O
4.	master base station (master eNB, MeNB) '283 Patent, Claims 1-3	Plain and ordinary meaning	Master eNB	"master eNB"	R
5.	secondary base station (secondary eNB, SeNB) '283 Patent, Claim 1	Plain and ordinary meaning	Secondary eNB	"secondary eNB"	A
6.	macro base station '573 Patent, Claim 8	Plain and ordinary meaning	Macro eNB	"macro eNB"	P
7.	small base station '573 Patent, Claim 8	Plain and ordinary meaning	Small eNB	"small eNB"	A
8.	the mapping process including a muting for zero power transmission '251 Patent, Claim 12	Plain and ordinary meaning	Indefinite	"the data including a muting for zero power transmission"	O

<p>9.</p>	<p>a uplink timing group configuring unit to configure a uplink (UL) timing group including at least one of component carriers (CCs) having a difference in center frequencies within a threshold range, CCs having the same beamforming scheme, CCs having the same timing advance (TA) value, and CCs having the same reference downlink (DL) CC to be used for obtaining a TA value, from among a plurality of CCs</p> <p>'372 Patent, Claim 8</p>	<p>Plain and ordinary meaning (not governed by 35 U.S.C. § 112(6)/(f))</p>	<p>Means plus function claim limitation under 35 U.S.C. § 112 ¶ 6/(f)</p> <p>Function: configure a uplink (UL) timing group including at least one of component carriers (CCs) having a difference in center frequencies within a threshold range, CCs having the same beamforming scheme, CCs having the same timing advance (TA) value, and CCs having the same reference downlink (DL) CC to be used for obtaining a TA value, from among a plurality of CCs</p> <p>Structure: indefinite</p>	<p>Not governed by 35 U.S.C. § 112(6)/(f)</p> <p>“a uplink timing group configuring unit to configure”: “a processor programmed to configure”</p>
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10.	<p>a delegate CC setting unit to set a CC satisfying at least one of a CC having a lowest center frequency value, a CC having a center frequency value that is closest to a mean value, a CC having a highest center frequency, a CC having a broadest frequency band, a CC in which a radio link monitoring (RLM) is defined, in the configured UL timing group as a delegate CC</p> <p>'372 Patent, Claim 8</p>	<p>Plain and ordinary meaning</p> <p>(not governed by 35 U.S.C. § 112(6)/(f))</p>	<p>Means plus function claim limitation under 35 U.S.C. § 112 ¶6/(f)</p> <p>Function: set a CC satisfying at least one of a CC having a lowest center frequency value, a CC having a center frequency value that is closest to a mean value, a CC having a highest center frequency, a CC having a broadest frequency band, a CC in which a radio link monitoring (RLM) is defined, in the configured UL timing group as a delegate CC</p> <p>Structure: indefinite</p>	<p>Not governed by 35 U.S.C. § 112(6)/(f)</p> <p>“a delegate CC setting unit to set”: “a processor programmed to set”</p>
11.	<p>wireless network node</p> <p>'803 Patent, Claim 1</p>	<p>Plain and ordinary meaning</p>	<p>NodeB</p>	<p>Plain and ordinary meaning</p>
12.	<p>primary cell</p> <p>'803 Patent, Claims 1, 5, 6</p>	<p>Plain and ordinary meaning</p>	<p>a cell from a group of cells associated with the NodeB designated as a primary cell</p>	<p>Plain and ordinary meaning</p>

13.	one or more non-primary cells '803 Patent, Claim 1	Plain and ordinary meaning	one or more cells from the group of cells associated with the NodeB designated as one or more nonprimary cells	Plain and ordinary meaning	✓ 0
14.	downlink shared channel transmission '803 Patent, Claim 1	Plain and ordinary meaning	downlink shared channel transmission during a hand over	"a transmission in a downlink shared channel"	✓ 0
15.	A user equipment (UE) for receiving multi-flow data with respect to one evolved packet system (EPS) bearer through a macro base station (macro eNB) and a small base station (small eNB) serving a single cell in a wireless communication system supporting dual connectivity '573 Patent, Claim 8	[Agreed]	[Agreed]	Preamble is limiting	