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THOMPSON HINE LLP
Marla R. Butler, *pro hac vice*
marla.butler@thompsonhine.com
Two Alliance Center
3560 Lenox Road NE, Suite 1600
Atlanta, GA 30326
Telephone: (404) 407-3680

Jeffrey C. Metzcar, *pro hac vice*
jeff.metzcar@thompsonhine.com
10050 Innovation Dr., #400
Miamisburg, OH 45342
Telephone: (937) 443-6841

Jesse L. Jenike-Godshalk, *pro hac vice*
jesse.jenike-godshalk@thompsonhine.com
312 Walnut Street, Suite 2000
Cincinnati, OH 45202
Telephone: (513) 352-6702

Andrew Himebaugh, *pro hac vice*
andy.himebaugh@thompsonhine.com
20 N. Clark Street, Suite 3200
Chicago, IL 60602
Telephone: (312) 998-4247

TURNER BOYD SERAPHINE LLP
Jennifer Seraphine, Bar No. 245463
seraphine@turnerboyd.com
Vyson Hsu, Bar No. 322336
hsu@turnerboyd.com
155 Bovet Road, Suite 750
San Mateo, CA 94402
Telephone: (650) 521-5930
Facsimile: (650) 521-5931

*Attorneys for Defendants/Counterclaim-
Plaintiffs Caption Health, Inc. & GE
HealthCare Technologies, Inc.*

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

UNIVERSITY OF BRITISH COLUMBIA,

Plaintiff/Counterclaim-
Defendant,

v.

CAPTION HEALTH, INC.
GE HEALTHCARE TECHNOLOGIES INC.

Defendants/Counterclaim-
Plaintiffs.

Case No. 3:24-cv-3200

**DEFENDANTS' ADDITIONAL
PROPOSED TERMS FOR
CONSTRUCTION PURSUANT
TO PATENT L.R. 4-1**

In accordance with Patent Local Rule 4-1 and the Court's Scheduling Order (Dkt. 82), Defendants Caption Health, Inc. and GE HealthCare Technologies, Inc. (collectively, "Defendants" or "GEHC") hereby serve these Additional Proposed Claim Terms from U.S. Patent No. 11,129,591 (the "'591 Patent") and U.S. Patent No. 10,751,029 (the "'029 Patent") for Construction ("List") on Plaintiff, University of British Columbia ("Plaintiff" or "UBC").

This List addresses claims 1–20 of the '591 Patent and claims 1–30 of the '029 Patent and supplements the lists that Defendants served on April 11, 2025. As noted directly in the List below, Defendants identify each claim in which the listed term *appears*, but not each claim to

1 which the term may *apply*, such as dependent claims. To the extent that any claim term, phrase, or
2 clause includes particular terms, phrases, or clauses to be construed separately, such elements are
3 deemed part of this disclosed List. And, to the extent any term, phrase, or clause included in the
4 List must or should be construed in the context of additional claim language, such additional
5 language is deemed part of this disclosed List.

6 The claim terms, phrases, and/or clauses set forth in the List are preliminary. Defendants
7 therefore reserve the right to supplement, modify, or otherwise amend the List, including upon
8 review of and in response to claim terms proposed in Plaintiff's corresponding list, or upon receipt
9 and review of any further amendments or supplements to Plaintiff's infringement contentions.

10 The inclusion of any claim term in the List is not intended and should not be understood to
11 mean that any particular term, phrase, or clause has a special or uncommon meaning. Moreover,
12 Defendants' inclusion of any term, phrase, or clause on the List does not constitute an admission
13 nor opinion on whether such a term, phrase, or clause is amenable to construction, definite, or
14 enabled (as may impact any argument as to validity under 35 U.S.C. §§ 101, 102, 103, and 112).

Additional Proposed Claim Terms for Construction

| Term | Claim(s) in which Term Appears |
|---|---|
| each of the plurality of predetermined echocardiographic image view categories is associated with a respective set of assessment parameters, each of the sets of assessment parameters being a set of neural network parameters that define a neural network having a plurality of layers | Claims 1, 11, and 15 of the '591 patent |

To prioritize construction of the identified terms and reduce the number of issues in dispute, Defendants are also willing to withdraw their previous proposal that the Court construe the following claim terms:

| Term | Claim(s) in which Term Appears |
|--|---|
| a set of common [assessment/neural network] parameters, which are common to each of the sets of [assessment/neural network] parameters | Claims 6, 10, 14, and 20 of the '591 patent |
| clinical plane assessment value | Claims 9 and 13 of the '591 patent |

This proposal should not be interpreted as Defendants' agreement with any alternative construction previously proposed by Plaintiff in response to Defendants' request for construction. It is merely a withdrawal of Defendants' request.

1 For the avoidance of confusion, Defendants’ complete list of terms identified for
 2 construction is as follows:

| Term | Claim(s) in which Term Appears |
|---|---|
| quality assessment value | Claims 1–3, 5, 7–17, and 19 of the ‘591 patent and claims 1, 9–14, 21, and 27–30 of the ‘029 patent |
| determining that a [first/second] set of assessment parameters of the sets of assessment parameters is associate with the [first/second] view category | Claims 1, 11, and 15 of the ‘591 patent |
| in response to determining that the [first/second] set of assessment parameters is associated with the [first/second] view category, inputting the [first/second] at least one echocardiographic image into the neural network defined by the [first/second] set of assessment parameters | Claims 1, 11, and 15 of the ‘591 patent |
| each of the plurality of predetermined echocardiographic image view categories is associated with a respective set of assessment parameters, each of the sets of assessment parameters being a set of neural network parameters that define a neural network having a plurality of layers | Claims 1, 11, and 15 of the ‘591 patent |

22 THOMPSON HINE LLP

23 Dated: September 5, 2025

24 /s/ Marla R. Butler

25 Marla R. Butler, *pro hac* vice
 26 marla.butler@thompsonhine.com
 27 Two Alliance Center
 28 3560 Lenox Road Suite 1600
 Atlanta, Georgia 30326-4266
 Telephone: (404) 407-3680

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jeff.metzcar@thompsonhine.com
10050 Innovation Dr., #400
Miamisburg, OH 45342
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jesse.jenike-godshalk@thompsonhine.com
312 Walnut Street, Suite 2000
Cincinnati, OH 45202
Telephone: (513) 352-6702

Andrew Himebaugh, *pro hac vice*
andy.himebaugh@thompsonhine.com
20 N. Clark Street, Suite 3200
Chicago, IL 60602
Telephone: (312) 998-4247

Jennifer Seraphine (State Bar No. 245463)
seraphine@turnerboyd.com
Vyson Hsu (State Bar No. 322336)
hsu@turnerboyd.com
TURNER BOYD SERAPHINE LLP
155 Bovet Road, Suite 750
San Mateo, CA 94402
Telephone: (650) 521-5930

*Attorneys for Defendants/Counterclaim-Plaintiffs
Caption Health, Inc. & GE HealthCare
Technologies Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2025, a true and correct copy of the foregoing document was transmitted via electronic mail addressed to:

| | |
|--|---|
| <p>Ramsey M. Al-Salam, Bar No. 109506 RAlsalam@perkinscoie.com Dorianne Salmon, pro hac vice forthcoming DSalmon@perkinscoie.com PERKINS COIE LLP 1201 Third Avenue, Suite 4900 Seattle, Washington 98101-3099 Telephone: +1.206.359.8000</p> <p>Moeka Takagi, Bar No. 333226 MTakagi@perkinscoie.com PERKINS COIE LLP 3150 Porter Drive Palo Alto, California 94304-1212 Telephone: +1.650.838.4300</p> | <p><i>Attorneys for Plaintiff University of British Columbia</i></p> |
|--|---|

/s/ Jesse Jenike-Godshalk
Jesse Jenike-Godshalk

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