

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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' AMENDED AND
SUPPLEMENTED PROPOSED
CLAIM TERMS FROM U.S.
PATENT NO. 11,129,591 FOR
CONSTRUCTION PURSUANT
TO PATENT L.R. 4-1**

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

This List addresses claims 1–20 of the '591 Patent. Defendants are amending the list that they previously served on December 20, 2024 to narrow the total number of terms from ten to five

1 and are supplementing to add a term whose construction first became an issue at the mediation
2 conference on March 13, 2025.

3 As noted directly in the List below, Defendants identify each claim in which the listed term
4 *appears*, but not each claim to which the term may *apply*, such as dependent claims. To the extent
5 that any claim term, phrase, or clause includes particular terms, phrases, or clauses to be construed
6 separately, such elements are deemed part of this disclosed List. And, to the extent any term,
7 phrase, or clause included in the List must or should be construed in the context of additional
8 claim language, such additional language is deemed part of this disclosed List.

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

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

Proposed Claim Terms for Construction

Term	Claim(s) in which Term Appears
quality assessment value	Claims 1–3, 5, 7–17, 19
determining that a [first/second] set of assessment parameters of the sets of assessment parameters is associated with the [first/second] view category	Claims 1, 11, 15
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, 15
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, 20
clinical plane assessment value	Claims 9, 13

THOMPSON HINE LLP

Dated: April 11, 2025

/s/ Marla R. Butler

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

Jeffrey C. Metzcar, *pro hac vice*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

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 April 11, 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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28