

From: Dan Smith  
 To: Ogi Zivojnovic; Andy Yu; LS3 Team; Sonos-CDCA0169-service  
 Cc: QE-Google-CDCall69  
 Subject: Re: Sonos v. Google | 2:20-cv-00169 | Google's Disclosure of Proposed Constructions  
 Date: Friday, October 3, 2025 10:07:35 PM

[EXTERNAL EMAIL from smith@ls3ip.com]



Ogi,

Per the parties' agreement to narrow the number of disputed terms to be construed by the Court to a total of 10 terms across all Sonos and Google asserted patents, Sonos identifies the following 4 terms for construction in addition to the 2 joint terms that the parties agreed would be construed.

**Sonos's Terms**

No.	Term or Phrase	Patent(s)	Sonos's Proposed Construction	Google's Proposed Construction
1.	"The computing device of claim 1, further comprising program instructions stored on the non-transitory computer-readable medium that, when executed by the at least one processor, cause the computing device to perform functions comprising."	Sonos's '883	"The playback device of claim 1, further comprising program instructions stored on the non-transitory computer-readable medium that, when executed by the at least one processor, cause the playback device to perform functions comprising:"	Plain and ordinary meaning
2.	"commissioning" / "commissioning process"	Google's '790 and '608	Lexicography, namely, "commissioning" is construed to mean configuration of the other device 107 and the system 100 as a whole such that the other device 107 is enabled to function properly over the WLAN 104 including, if required, access to the Internet 102," which is indefinite. See '790 Patent, 4:55-60; '608 Patent, 5:2-7.	Plain and ordinary meaning
3.	"executing an application on the target device to decode and process by the commissioning logic"	Google's '790	Indefinite	Plain and ordinary meaning
4.	"the transducer"	Google's '790	Indefinite	Plain and ordinary meaning

**Joint Terms**

No.	Term or Phrase	Patent(s)	Sonos's Proposed Construction	Google's Proposed Construction
1.	"user input indicating that a user wishes to set up a playback device to operate on the secure WLAN"	Sonos's '896	"an objectively verifiable indication that a user wishes to set up a playback device to operate on the secure WLAN, which does not require that the user select the secure WLAN"	"an objectively verifiable indication that a user wishes to set up a playback device to operate on the same secure WLAN used by the computing device"  Otherwise: Indefinite
2.	"short-range signal transmission path"  "establishing a/the short-range signal transmission path"	Google's '790 and '608	"short-range signal transmission path": Plain and ordinary meaning; includes a path that utilizes protocols based on 802.11 standards.  "establishing a/the short-range signal transmission path": Plain and ordinary meaning; includes establishing a path that utilizes protocols based on 802.11 standards.	"short-range signal transmission path": Plain and ordinary meaning.  "establishing a/the short-range signal transmission path": "establishing a short-range signal transmission path before joining the [WLAN / communication network]"

Accordingly, Sonos is dropping the following terms from its list of terms for construction: (i) "decode and process ... and recover" (Google's '790 and '608); (ii) "in response to receiving the request, receiving from the wireless device via the short-range transmission path one or more WLAN configuration packets"; and (iii) "commissioning logic that is coupled to the transducer" (Google's '790). To be clear, Sonos's decision to drop these terms is **not** an agreement that any alleged plain meaning Google has proposed or may propose in the future for those terms is correct. And for the third term, Sonos is maintaining its argument that "the transducer" is indefinite.

With respect to the fourth term Google is dropping—“the at least one an individual future time” in claim 31 of the '001 Patent—despite your language that this term “is itself indefinite for **at least** the same reasons as the recitation of ‘an individual future time’ in claim 30,” Sonos understands that Google will **not** be making additional indefiniteness arguments beyond its indefiniteness arguments for “an individual future time” in claim 30 of the '001 Patent. Please let us know immediately if this understanding is incorrect.

Finally, in view of Sonos’s expert declaration deadline next week, please let us know if Google is maintaining its “plain and ordinary meaning” construction for “the transducer” (Google’s '790) or if Google is changing its proposed construction to “a transducer,” as Google suggested during the meet and confer.

Best,  
Dan

**From:** Ogi Zivojnovic <ogizivojnovic@quinnemanuel.com>

**Date:** Friday, October 3, 2025 at 3:56 PM

**To:** Dan Smith <smith@ls3ip.com>, Andy Yu <andyyu@quinnemanuel.com>, LS3 Team <LS3\_team@ls3ip.com>, Sonos-CDCA0169-service <Sonos-CDCA0169-service@orrick.com>

**Cc:** QE-Google-CDCA169 <qe-google-cdca169@quinnemanuel.com>

**Subject:** RE: Sonos v. Google | 2:20-cv-00169 | Google’s Disclosure of Proposed Constructions

Dan,

Google is dropping the following terms from its list of terms for construction:

1. “an application for controlling [one or more / the] playback devices” ('896 patent, claims 1, 13; '883 patent, claims 1, 14)
2. “while ...” and “after receiving ...” ('896 patent, claims 1, 13)
3. “wherein the first control information identifies particular audio content to be played back by the synchrony group that is available at an audio source outside of the at least one data network” ('001 patent, claims 18, 29)
4. “the at least one an individual future time” ('001 patent, claim 31)

For the first three terms, their plain meaning will be controlling. To be clear, Google’s decision not to seek constructions for these claim terms is **not** an agreement that any alleged plain meaning Sonos has proposed or may propose in the future for those terms is correct.

For the fourth term—“the at least one an individual future time” ('001 patent, claim 31)—Google agrees to Sonos’ construction of “an individual future time,” but maintains that this construction is itself indefinite for at least the same reasons as the recitation of “an individual future time” in claim 30. Accordingly, Google will brief the recitation of “an individual future time” in claims 30 and 31 together.

With these changes, the six joint and Google terms are listed below. Please note that we are making a minor change to our construction for “establishing a/the short-range signal transmission path” following our discussions at the meet and confer. We look forward to receiving Sonos’ selection of the remaining four terms.

Party	Patent(s) & Claim(s)	Term(s)	Google’s Proposed Construction	Sonos’ Proposed Construction
Google	'014 patent, claim 42	“relative volume loudness difference”	Indefinite	No construction necessary
Joint	'896 patent, claims 1, 13	“user input indicating that a user wishes to set up a playback device to operate on the secure WLAN”	an objectively verifiable indication that a user wishes to set up a playback device to operate on the same secure WLAN used by the computing device; Otherwise, indefinite	an objectively verifiable indication that a user wishes to set up a playback device to operate on the secure WLAN, which does not require that the user select the secure WLAN
Google	'001 patent, claims 12, 18, 23, 29	“audio information that is representative of the audio content” / “audio information that is representative of the particular audio content”	Indefinite	No construction necessary
Google	'001 patent, claim 30, 31	“an individual future time”	Indefinite	No construction necessary
Joint	'790 patent, claims 1, 9, 16 '608 patent, claims 1, 11, 16	“establishing a/the short-range signal transmission path”	“establishing a short-range <b>signal transmission communication</b> path before joining the [WLAN / communication network]”	Plain and ordinary meaning; includes a path that utilizes protocols based on 802.11 standards.
Google	'790 patent, claims 1, 9, 16 '608 patent, claims 1, 11, 16	“independently of the WLAN” / “independently of a/the communication network”	“without traversing an access point defining the [WLAN / communication network]”	Plain and ordinary meaning; does not depend on the WLAN / communication network.

**From:** Dan Smith <[smith@ls3ip.com](mailto:smith@ls3ip.com)>  
**Sent:** Thursday, October 2, 2025 6:56 PM  
**To:** Ogi Zivojnovic <[ogizivojnovic@quinnemanuel.com](mailto:ogizivojnovic@quinnemanuel.com)>; Andy Yu <[andyyu@quinnemanuel.com](mailto:andyyu@quinnemanuel.com)>; LS3 Team <[LS3\\_team@ls3ip.com](mailto:LS3_team@ls3ip.com)>; Sonos-CDCA0169-service <[Sonos-CDCA0169-service@orrick.com](mailto:Sonos-CDCA0169-service@orrick.com)>  
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**Subject:** Re: Sonos v. Google | 2:20-cv-00169 | Google's Disclosure of Proposed Constructions

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That works. We will plan to exchange terms tomorrow.

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**From:** Ogi Zivojnovic <[ogizivojnovic@quinnemanuel.com](mailto:ogizivojnovic@quinnemanuel.com)>  
**Date:** Thursday, October 2, 2025 at 5:22 PM  
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**Subject:** RE: Sonos v. Google | 2:20-cv-00169 | Google's Disclosure of Proposed Constructions

Dan,

We will need postpone our exchange of terms we are dropping to tomorrow.

Thanks,  
Ogi

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**From:** Dan Smith <[smith@ls3ip.com](mailto:smith@ls3ip.com)>  
**Sent:** Tuesday, September 30, 2025 1:43 PM  
**To:** Andy Yu <[andyyu@quinnemanuel.com](mailto:andyyu@quinnemanuel.com)>; LS3 Team <[LS3\\_team@ls3ip.com](mailto:LS3_team@ls3ip.com)>; Sonos-CDCA0169-service <[Sonos-CDCA0169-service@orrick.com](mailto:Sonos-CDCA0169-service@orrick.com)>  
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**Subject:** Re: Sonos v. Google | 2:20-cv-00169 | Google's Disclosure of Proposed Constructions

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Counsel,

As a follow-up to our meet and confer, Sonos intends to submit an expert declaration in connection with the following two claims terms in Google's '790 Patent: (1) "executing an application on the target device to decode and process by the commissioning logic" and (2) "the transducer."

Best,  
Dan

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**From:** Andy Yu <[andyyu@quinnemanuel.com](mailto:andyyu@quinnemanuel.com)>  
**Date:** Thursday, September 25, 2025 at 10:56 AM  
**To:** Dan Smith <[smith@ls3ip.com](mailto:smith@ls3ip.com)>, LS3 Team <[LS3\\_team@ls3ip.com](mailto:LS3_team@ls3ip.com)>, Sonos-CDCA0169-service <[Sonos-CDCA0169-service@orrick.com](mailto:Sonos-CDCA0169-service@orrick.com)>  
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**Subject:** RE: Sonos v. Google | 2:20-cv-00169 | Google's Disclosure of Proposed Constructions

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Counsel,

Unfortunately, these times won't work for us. We can do Monday afternoon, 9/29, 1-4pm PT. Please let us know if that works.

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[EXTERNAL EMAIL from [smith@ls3ip.com](mailto:smith@ls3ip.com)]

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Counsel,

Are you available to meet and confer on the parties' proposed constructions tomorrow before 11:30am or between 2-3pm ct or Friday before 11:30am or after 2:30pm ct?

Best,  
Dan

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**From:** Andy Yu <[andyyu@quinnemanuel.com](mailto:andyyu@quinnemanuel.com)>  
**Date:** Monday, September 22, 2025 at 9:17 PM  
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**Subject:** Sonos v. Google | 2:20-cv-00169 | Google's Disclosure of Proposed Constructions

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Counsel,

Please see attached.

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