

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

WI-LAN, INC.	)	
	)	
Plaintiff,	)	CIVIL ACTION NO. 2:07-CV-473
v.	)	
	)	
ACER, INC. et al.	)	<b>CONSOLIDATED WITH:</b>
	)	
Defendant;	)	
	)	CIVIL ACTION NO. 2:07-CV-474
	)	
WI-LAN, INC.	)	HON. T. JOHN WARD
	)	
Plaintiff,	)	JURY
v.	)	
	)	
WESTELL TECHNOLOGIES, INC. et al.	)	
	)	
Defendant.	)	

**JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT  
PURSUANT TO PATENT RULE 4-3**

Pursuant to Patent Rule 4-3 and the Court's Docket Control Order, the Plaintiff Wi-LAN, Inc. ("Wi-LAN") and Defendants 2Wire, Inc., Acer America Corporation, Apple Inc., Atheros Communications, Inc., Belkin International, Inc., Broadcom Corporation, D-Link Systems, Inc., Dell, Inc., Gateway, Inc., Hewlett-Packard Company, Intel Corporation, Marvell Semiconductor, Inc., Lenovo (United States) Inc., Netgear, Inc., Sony Electronics, Inc., Sony Computer Entertainment America, Inc., Toshiba America Information Systems, Inc., and Westell Technologies, Inc. (collectively "Defendants") hereby submit this Joint Claim Construction Statement.

**A. CONSTRUCTION OF THOSE CLAIM TERMS, PHRASES, OR CLAUSES  
ON WHICH THE PARTIES AGREE**

The Parties agree to the construction of the following term:

Term	Claim	Agreed Construction
$\chi$	7	a real value that when multiplied by the duration of one time domain sample provides the maximum expected clock error

**B. EACH PARTY'S PROPOSED CONSTRUCTION OF EACH DISPUTED CLAIM TERM, PHRASE, OR CLAUSE, TOGETHER WITH AN IDENTIFICATION OF INTRINSIC AND OTHER EVIDENCE**

Exhibits A and B, attached hereto, identify the disputed claim terms. Exhibit A contains Defendants' proposed constructions for each disputed claim term and intrinsic and other evidence supporting Defendants' proposed constructions; Exhibit B contains Wi-LAN's proposed constructions for each disputed claim term and intrinsic and other evidence supporting Wi-LAN's proposed constructions.

**C. THE ANTICIPATED LENGTH OF TIME NECESSARY FOR THE CLAIM CONSTRUCTION HEARING**

The Parties anticipate that the Claim Construction Hearing will take no longer than four hours, two hours per side.

**D. POSSIBLE WITNESSES AT THE CLAIM CONSTRUCTION HEARING**

In accordance with P.R. 4-3(d), Defendants provide Exhibit C and Wi-LAN provides Exhibit D.

Dated: January 11, 2010

Respectfully submitted,

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ON BEHALF OF DEFENDANTS**

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**ATTORNEYS FOR PLAINTIFF WI-LAN, INC**

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on January 11, 2010. Any other counsel of record will be served by First Class U.S. mail on this same date.

*/s/ Michael E. Jones* \_\_\_\_\_