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

Judge David Folsom

ESN LLC	)(	
	)(	
V.	)(	CIVIL NO. 5:08CV20
	)(	
CISCO SYSTEMS	)(	

ATTORNEY FOR PLAINTIFFS: Peter McAndrews; Gerald Willis; Johnny Ward

ATTORNEY FOR DEFENDANTS: Sayuri Sharper; Charles Verhoeven; Michael Jones

LAW CLERK: David Keyzer

COURTROOM DEPUTY: Mel Martin

COURT REPORTER: Libby Crawford

CLAIM CONSTRUCTION HEARING
June 11, 2009 @ 9:00 am

OPEN: 8:57 _____ADJOURN: 11:47

8:57   ct opens; ct/ preliminary claim construction; will give you a few minutes to review; will make
        this exhibit 1 to the record;

8:59   recess;

9:15   ct resumes;

9:15   McAndrews/ final 5 we will rest on briefs

9:15   Verhoeven/ responds; 2, 3, and 4th we agree with courts construction;

9:16   ct/ any the plf can agree on

9:16   McAndrews/ can agree on 3, 4, 5; term 2 will rest on brief;

9:17   ct/ why you feel courts construction is not appropriate or needs some briefing;

9:17   McAndrews/ responds "telephone line interface";

9:19   Verhoeven/ reply;

9:20   ct/ will adopt construction in 3, 4, and 5; ptys do not agree with 1 and 6 and will take those up;

9:21   Verhoeven/ we rest on our papers as to # 4;

9:21   ct/ plf agrees to 4

9:21   McAndrews/ that is correct;

9:21   ct/ so that leaves us 1 and 6;

9:21   McAndrews/ address' the ct;

9:22   ct/ go forward with the rest of claim construction;

9:23   McAndrews/ presentation;

9:31   Verhoeven/ responds;

9:36   McAndrews/ reply;

9:37   ct/ which claim term;

9:37   McAndrews/ Sip terms;   and then that will leave us with 6th term on the sheet and we will stand on our papers;

9:38   Verhoeven/ agrees;

9:38   ct/ would like to hear why you disagree with my preliminary construction;

9:38   McAndrews/ will address that now

9:42   Verhoeven/ the point counsel just made, your construction is clearer;

9:43   ct/ will make slides a part of the record;

9:45   McAndrews/ reply;

9:46   ct/ ready to go forward on the balance and that will be all one group

9:47   McAndrews/ that is correct; "SIP"   9:58 "SIP Agents";   10:15 "SIP proxy server", 10:24 "SIP proxy server that mediates all SIP communications over the broadband network interface

involving the non-sip telephone",

10:36 recess;

10:47 Verhoeven/ response;   "SIP"; 11:11 "SIP User Agent";

11:33 McAndrews/ reply;

11:44 ct/ make slides from tutorial and claim construction hrg a part of the record;

11:45 McAndrews/ address' the ct; third party;

11:47 ct/ address' the ptys re: conference when does 60 days run;

11:47 McAndrews/ July 19th;

11:47 ct/ if you can't work through it file appropriate motion;

11:47 recess;