

EXHIBIT B

EXHIBIT B – Wi-LAN’S IDENTIFICATION OF INTRINSIC AND EXTRINSIC EVIDENCE

Terms & Relevant Claims	Defendants’ Proposed Constructions	Intrinsic Evidence	Extrinsic Evidence
<i>channel pool</i>	Plain and ordinary meaning	’327 Patent, Abstract, 3:23-67, 23:13-26:22, 28:55-29:8 & Figs. 15-17.	
<i>orthogonal channel(s)</i>	<p>Wi-LAN proposes construing “orthogonal channels” (in the plural) and “orthogonal channel” (in the singular) separately, as follows:</p> <p>Orthogonal channels: “A set of channels that cross-correlate to zero with respect to each other”</p> <p>Orthogonal channel: “One of the set of orthogonal channels”</p>	<p>’326 Patent, Abstract, 1:15-55, 2:8-5:31, 24:42-49.</p> <p>’211 Patent, Abstract, 1:20-60, 2:13-5:36, 24:47-54.</p> <p>’327 Patent, 1:13-60, 4:1-3, 4:48-6:41, 26:15-22, and claim 10.</p> <p>’819 Patent, Abstract, 1:15-4:19, 4:45-5:22, 23:60-67</p>	
<i>overlay code</i>	“Orthogonal codes used to increase the number of orthogonal channels that would otherwise be available”	<p>’326 Patent, 2:8-3:40, 4:13-48, 10:50-12:20 (including Table 1), 12:35-15:37 (including Tables 2 and 3), 15:66-17:7, 19:1-18, 20:38-21:3, 24:20-30, and Figs. 7A, 7B, 8A, 8B, 11, 12, 15A & 15B.</p> <p>’211 Patent, 2:13-3:45, 4:18-53, 10:55-12:25 (including Table 1), 12:40-</p>	

		<p>15:52 (including Tables 2 and 3), 16:1-17:9, 19:8-25, 20:39-21:4, 24:29-39, and Figs. 7A, 7B, 8A, 8B, 11, 12, 15A & 15B.</p> <p>'327 Patent, 4:48-5:47, 12:48-14:23 (including Table 1), 14:33-18:65, (including Tables 2 and 3), 20:34-21:2, 22:21-52, 25:61-26:4, and Figs. 7A, 7B, 8A, 8B, 11, 12, 15A & 15B.</p> <p>'819 Patent, Abstract, 2:8-5:22, 10:44-11:67 (including Table 1), 12:14-23, 12:43-14:10, 14:34-16:41 (including Tables 2 and 3), 19:55-20:19, 23:38-48, Figs. 7A, 7B, 8A, 8B, 11, 12, 15A, 15B, and claims 5, 6, 16 & 17.</p>	
<p><i>parameters pertaining to a wireless link within the cell indicative of whether that wireless link is subject to interference from signals generated by said other cells</i></p>	<p>Plain and ordinary meaning</p>	<p>'327 Patent, Abstract, 1:63-3:67, 6:66-7:18, 21:35-22:7, 24:58-26:22, Fig. 17, and claims 1, 2, 3, 6, 7, 22, 23 & 24.</p>	

<p><i>subscriber terminal</i></p>	<p>“User equipment”</p>	<p>’326 Patent, Abstract, 1:8-45, 1:56-2:4, 3:41-4:12, 4:23-5:31, 6:32-54, 6:61-7:34, 8:22-67, 9:44-10:2, 10:13-35, 11:42-51, 12:35-58, 13:29-59, 14:6-67, 15:66-17:7, 17:59-18:32 (including Table 4), 19:1-18, 19:49-61, 20:14-33, 20:40-22:34, 23:47-24:19, 24:4-40, 24:50-67, 25:19-26:5, 26:32-41, 27:15-28:2, 28:13-20, and Figs. 1, 2, 3A, 5A, 5B, 7B, 8A, 8B & 11.</p> <p>’211 Patent, Abstract, 1:13-50, 1:61-2:9, 3:46-4:17, 4:28-5:37, 6:41-63, 7:2-44, 8:34-9:12, 9:55-10:8, 10:19-40, 11:49-58, 12:48-67, 13:43-14:6, 14:19-15:13, 16:15-17:25, 17:62-18:32 (including Table 4), 19:1-18, 19:49-61, 20:14-33, 20:40-22:42, 23:57-24:39, 24:61-25:10, 25:28-26:13, 26:40-49, 27:25-28:13, 28:28-35, and Figs. 1, 2, 3A, 5A, 5B, 7B, 8A, 8B & 11.</p>	<p>U.S. Patent No. 5,239,682 at, <i>e.g.</i>, 1:38-42, 3:38-40, 3:67-4:2 and Fig. 1.</p> <p>U.S. Patent No. 5,603,095 at, <i>e.g.</i>, 1:29-33, 4:24-31.</p> <p>U.S. Patent No. 5,659,598 at, <i>e.g.</i>, 2:3-14, 4:37-64</p> <p>Qualcomm University, Telecom Israel, “Understand HSPA: High-Speed Packet Access for UMTS,” (2006) (WIL-0007552)</p>
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		<p>'327 Patent, Abstract, 1:7-35, 1:63-2:15, 2:55-3:3, 4:4-5:27, 5:40-6:24, 6:35-41, 6:66-7:23, 8:24-47, 8:54-9:27, 10:16-61, 11:38-50, 12:10-31, 13:42-51, 14:33-56, 15:27-57, 16:4-65, 18:1-65, 19:43-20:15 (including Table 4), 20:52-21:26, 21:35-46, 21:66-22:15, 22:21-24:9, 24:58-26:4, 26:23-40, 26:59-27:44, 28:4-13, 28:55-29:8, 29:51-58, and Figs. 1, 2, 3A, 5A, 5B, 7B, 8A, 8B & 11.</p> <p>'819 Patent, Abstract, 1:8-45, 1:56-2:4, 3:36-60, 3:66-4:11, 4:20-5:17, 6:23-45, 6:52-7:25, 8:14-59, 9:34-46, 10:9-29, 11:32-41, 12:14-38, 13:9-37, 13:51-14:43, 15:43-16:41, 17:11-48 (including Table 4), 18:18-58, 18:66-19:10, 19:30-49, 19:54-21:52, 22:36-23:48, 24:1-19, 24:38-25:22, 25:49-58, 26:32-27:17, 27:28-35, and Figs. 1, 2, 3A, 5A, 5B, 7B, 8A, 8B & 11.</p>	
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<p><i>time division multiplexing (TDM) techniques</i></p> <p><i>TDM techniques</i></p>	<p>“Techniques for allocating an interval of time within a predetermined frame period to a data item, based on one or more characteristics associated with the data item”</p>	<p>’326 Patent, Abstract, 2:8-29, 2:51-67, 3:56-4:22, 4:56-5:9, 12:26-43, 13:29-59, 18:50-19:7, and Figs. 7A, 7B & 15A.</p> <p>’327 Patent, 5:48-6:4, 6:25-41, 14:25-41, 15:27-47, 20:34-58, and Figs. 7A, 7B & 15A.</p> <p>’819 Patent, 3:52-61, 12:6-23, 13:9-38, 17:66-18:24, and Figs. 7A, 7B & 15A.</p>	<p>U.S. Patent App. Pub. No. 2003/0063588 (Apr. 3, 2003) (Bates number forthcoming)</p> <p>3rd Generation Partnership Project 2, “Development of cdma2000, 1xEV-DV/1xEV-DO in 3GPP2,” (Bates number forthcoming)</p> <p>Agilent Techs., “Concepts of HSDPA” (2005) (Bates number forthcoming)</p> <p>Anritsu Corp., “Practical Tips on HSDPA Measurements” (2007) (Bates number forthcoming)</p> <p>Sanford Bingham, “Multiplexers,” Computerworld, Nov. 27, 1989, at 61, 64 (Bates number forthcoming)</p> <p>Jian Gu & Xiangguang Che, “On Link Budget of cdma2000 1x EV-DV</p>
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			<p>Forward Link” (Bates number forthcoming)</p> <p>Nokia Corp., “CDMA Evolution: cdma2000 1xEV-DV” (2003) (Bates number forthcoming)</p> <p>Nokia Corp., “Nokia HSDPA Solution” (2003) (Bates number forthcoming)</p> <p>Nortel Networks, “HSDPA and Beyond” (2005) (Bates number forthcoming)</p> <p>Qualcomm University, Telecom Israel, “Understand HSPA: High-Speed Packet Access for UMTS,” (2006) (WIL-0007552)</p> <p>Gee Rittenhouse & Haitao Zheng, “Providing VOIP Service in UMTS-HSDPA with Frame Aggregation” (Bates number forthcoming)</p>
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<p><u>Plaintiff's proposed term:</u> <i>a TDM decoder arranged to extract a data item from a predetermined time slot within said orthogonal channel</i></p> <p><u>Defendants' proposed term:</u> <i>TDM decoder</i></p>	<p>Wi-LAN believes that it is improper to construe this term in isolation. Rather, Wi-LAN proposes construing the term “a TDM decoder arranged to extract a data item from a predetermined time slot within said orthogonal channel,” as follows:</p> <p>“Hardware or software for extracting a data item from a predetermined time slot within the orthogonal channel”</p>	<p>'326 Patent, 2:8-3:41, 14:6-56, and Figs. 8A & 8B.</p> <p>'211 Patent, 2:36-3:46, 14:20-15-13, and Figs. 8A & 8B.</p> <p>'327 Patent, 6:5-24, 16:4-65, and Figs. 8A & 8B.</p>	<p>U.S. Patent App. Pub. No. 2003/0063588 (Apr. 3, 2003) (Bates number forthcoming)</p> <p>3rd Generation Partnership Project 2, “Development of cdma2000, 1xEV-DV/1xEV-DO in 3GPP2,” (Bates number forthcoming)</p> <p>Agilent Techs., “Concepts of HSDPA” (2005) (Bates number forthcoming)</p> <p>Anritsu Corp., “Practical Tips on HSDPA Measurements” (2007) (Bates number forthcoming)</p> <p>Sanford Bingham, “Multiplexers,” Computerworld, Nov. 27, 1989, at 61, 64 (Bates number forthcoming)</p> <p>Jian Gu & Xiangguang Che, “On Link Budget of cdma2000 1x EV-DV</p>
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<p><u>Plaintiff's proposed term:</u> <i>a TDM encoder arranged to apply time division multiplexing (TDM) techniques</i></p> <p><u>Defendants' proposed term:</u> <i>TDM encoder</i></p>	<p>Wi-LAN believes that it is improper to construe this term in isolation. Rather, Wi-LAN proposes construing the term “a TDM encoder arranged to apply time division multiplexing (TDM) techniques,” as follows:</p> <p>“Hardware or software for applying TDM techniques”</p>	<p>'326 Patent, Abstract, 2:8-30-3:41, 4:13-35, 13:29-14:56, and Figs. 7A, 7B & 8A.</p> <p>'327 Patent, 5:48-6:4, 14:42-16:54, and Figs. 7A, 7B & 8A.</p> <p>'819 Patent, 2:83:61, 12:23-14:33, and Figs. 7A, 7B & 8A.</p>	<p>U.S. Patent App. Pub. No. 2003/0063588 (Apr. 3, 2003) (Bates number forthcoming)</p> <p>3rd Generation Partnership Project 2, “Development of cdma2000, 1xEV-DV/1xEV-DO in 3GPP2,” (Bates number forthcoming)</p> <p>Agilent Techs., “Concepts of HSDPA” (2005) (Bates number forthcoming)</p> <p>Anritsu Corp., “Practical Tips on HSDPA Measurements” (2007) (Bates number forthcoming)</p> <p>Sanford Bingham, “Multiplexers,” Computerworld, Nov. 27, 1989, at 61, 64 (Bates number forthcoming)</p> <p>Jian Gu & Xiangguang Che, “On Link Budget of cdma2000 1x EV-DV</p>
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<p><i>time slot</i></p>	<p>“An interval of time”</p>	<p>'326 Patent, Abstract, 2:7-50, 3:56-4:12, 4:56-5:31, 13:29-14:56, 18:50-19:7, and Figs. 7B, 8A & 15A.</p> <p>'211 Patent, Abstract, 2:13-55, 3:61-4:17, 4:61-5:36, 13:43-15:2, 18:50-19:7, and Figs. 7B, 8A & 15A.</p> <p>'327 Patent, 5:48-6:24, 15:27-16:54, 20:34-58, and Figs. 7B, 8A & 15A.</p>	
<p><i>channelisation means</i> for determining which of the orthogonal channels will be subject to TDM techniques, and for transmitting that information to a plurality of subscriber terminals</p> <ul style="list-style-type: none"> '326 patent, claim 6 	<p><u>Function</u>: determining which of the orthogonal channels will be subject to TDM techniques</p> <p><u>Corresponding Structure</u>: The modem shelf 46, including at least the Demand Assignment Engine 380 described in the '326 patent. (<i>See also</i> evidence cited herein.)</p> <p><u>Function</u>: transmitting that information to a plurality of subscriber terminals</p> <p><u>Corresponding Structure</u>: The modem shelf 46, the power supply 44 and RF Combiner 42. (See, e.g., '326 patent, 735-8:51, Fig. 3 & Fig. 3A; <i>see also</i> evidence cited herein.)</p>	<p>'326 Patent, 3:42-4:12, 7:35-9:23, 11:42-12:20, 12:44-14:5, 14:57-28:20 (including Tables 2, 3 and 4), and Figs. 3, 3A & 17.</p>	

<p>channelisation means also determines, for those orthogonal channels subject to TDM techniques, how many time slots will be provided within each orthogonal channel</p> <ul style="list-style-type: none"> • '326 patent, claim 7 	<p><u>Function</u>: determining, for those orthogonal channels subject to TDM techniques, how many time slots will be provided within each orthogonal channel</p> <p><u>Corresponding Structure</u>: The modem shelf 46, including at least the Demand Assignment Engine 380 described in the '326 patent. (<i>See also</i> evidence cited herein.)</p>	<p>'326 Patent, 3:42-4:12, 7:35-9:23, 11:42-12:20, 12:44-14:5, 14:57-28:20 (including Tables 2, 3 and 4), and Figs. 3, 3A & 17.</p>	
<p>channelisation means for determining which of the orthogonal channels will be subject to overlay codes, and for transmitting that information to a plurality of subscriber terminals</p> <ul style="list-style-type: none"> • '819 patent, claim 10 	<p><u>Function</u>: determining which of the orthogonal channels will be subject to overlay codes</p> <p><u>Corresponding Structure</u>: The modem shelf 46, including at least the Demand Assignment Engine 380 described in the '819 patent. (<i>See also</i> evidence cited herein.)</p> <p><u>Function</u>: transmitting that information to a plurality of subscriber terminals</p> <p><u>Corresponding Structure</u>: The modem shelf 46, the power supply 44 and RF Combiner 42. (See, e.g., '819 patent, 7:26-8:43, Fig. 3 & Fig. 3A; <i>see also</i> evidence cited herein.)</p>	<p>'819 Patent, 3:37-4:19, 7:26-9:15, 11:32-67, 12:23-13:50, 14:34-27:35 (including Tables 2, 3 and 4), and Figs. 3, 3A & 17.</p>	