

# EXHIBIT C

**EXHIBIT C – DEFENDANTS’ IDENTIFICATION OF INTRINSIC AND EXTRINSIC EVIDENCE**

Terms & Relevant Claims	Defendants’ Proposed Constructions	Intrinsic Evidence	Extrinsic Evidence
<i>channel pool</i>	“The set of orthogonal channels available to a central terminal to use to establish wireless links”	<p>’327 Patent: Abstract; Figs. 16 and 17; Cols. 3:4-22, 3:31-40, 10:46-11:11, 14:9-19, 23:13-46, 24:10-26:22, and 28:14-20; and Claims 1-7, 11, and 21-27.</p> <p>’327 Prosecution History: Mar. 16, 2000 Office Action; June 20, 2000 Response to Examiner’s Action.</p>	<i>Newton’s Telecom Dictionary</i> , p. 657 (21st ed. 2005)
<i>orthogonal channel(s)</i>	“A communication channel defined by an orthogonal code”	<p>’326 Patent: Abstract; Table 1; Cols. 1:33-55, 4:48-5:4, 10:49-55, 11:16-19, and 15:1-15; and Claims 1-2 and 5-15.</p> <p>’819 Patent: Abstract; Cols. 1:45-55, 2:54-65, 3:2-6, 4:48-65, 23:60-63; and Claims 1, 7-12, 18-25, and 27-32.</p> <p>’327 Patent: Col. 1:36-38 and Claims 10 and 13-16.</p> <p>’211 Patent: Abstract; 1:51-60, 2:12-64, 3:2-35, 3: 50-4: 49, 4:61-5:38,</p>	<p><i>Collins Dictionary of Electronics</i>, p. 293 (2nd ed. 2007).</p> <p>U.S. Patent No. 5,533,013, including 3:24-27; 3:42-44</p> <p><i>The IEEE Wireless Dictionary</i>, 2d ed. 2011 (def’n of “channel”).</p>

		18:7-12, 18:50-67, 19:8-18, 19:46-49, and 24:51-59; and Claims 1, 2, and 5-10.	
<i>overlay code</i>	“A second code applied in series with the orthogonal code”	<p>'326 Patent: Abstract; Figs. 7A, 7B, 8A, 8B, 9A, and 12; Cols. 11:52-67, 12:11-20, 12:34-42, 12:63-13:6, 13:50-14:5, 15:1-50, 16:24-41, 19:8-18, and 20:40-58; and Claims 2, 5 9-11, and 13.</p> <p>'819 Patent: Abstract; Figs. 7A, 7B, 8A, 8B, 9A, and 12; Cols. 2:54-65, 3:7-20, 5:18-22, 11:42-67, 12:15-23, 12:43-67, 13:29-14:10, 14:44-15:27, 16:1-8, 18:25-35, 19:58-67, and 23:37-48; and Claims 1-2, 4, 6-10, 12-13, 15, and 17-32.</p> <p>'327 Patent: Figs. 7A, 7B, 8A, 8B, 9A, and 12; Cols. 5:28-39, 12:39-13:67, 14:9-19, 14:33-41, 14:61-15: 26, 15:48-16:3, 16:66-17:52, 18:25-32, 20:59-21:2, and 22:21-40; and Claims 13 and 14.</p>	<p><i>The IEEE Standard Dictionary of Electrical and Electronics Terms</i>, p. 168 (6th ed. 1996)</p> <p><i>Newton's Telecom Dictionary</i>, pp. 196, 617 (21st ed. 2005)</p> <p>Airspan 60 Digital Radio System – Trinity ASIC : Functional Requirement Specification, including p. 10; (AS 00371)</p> <p>DSC Communications Corporation – Invention Disclosure Form (10/6/95), including p. 1; (AS 00040)</p> <p>EMAIL from P. Struhsaker to M. Lysejko. Oct. 24, 1995; (AS 00048-00049)</p> <p>Airspan DA – Radio Interface Architecture, including p. 8; Jan 1997;</p>

		<p>'211 Patent: Abstract; Figs. 7A, 7B, 8A, 8B, 9A, 12, 15A, and 15B; Cols. 3:6-35, 4:28-40, 4:44-52, 11:59-12:34, 12:48-56, 13:12-20, 14: 1-18, 14:37-45, 15:14-67, 16:39-59, 19:8-18, 20:40-58, and 24:35-39; and Claims 2, 5, 7, and 8.</p> <p>U.S. Patent No. 5,956,345: including Fig. 4 and Cols. 4:54-63.</p>	<p>(AS 00332)</p> <p><i>Oxford Dictionaries</i> (2011) <a href="http://oxforddictionaries.com">http://oxforddictionaries.com</a> (16 Nov. 2011) (def'n of "overlay").</p> <p>DSC Communications Corporation – Invention Disclosure Form (10/6/95), including p. 1; (AS 00021)</p> <p>AS60 CDMA Waveform Enhancements, including p.3, Sept. 11, 1996; (AS 00377)</p> <p>Demand Assignment/Fixed Assignment CDMA Wireless Local Loop Standard, including p. 7; (AS 00529)</p> <p>Demand Assignment/Fixed Assignment CDMA Wireless Local Loop Standard, including p. 21; (AS 00530)</p> <p>Airspan DA – Radio Interface Architecture,</p>
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			<p>including p. 7; Jan 1997; (AS 00331)</p> <p>Tiedemann, E., “CDMA for Cellular and PCS,” including Fig. 4-2 and p. 286</p> <p>Zehavi, E. et al., “The PCS CDMA System Overview,” including Fig. 1 and p. 86.</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>“Two or more indicators that an individual wireless link is experiencing interference from other cells”</p>	<p>’327 Patent: Abstract; Fig. 17; Cols. 2:16-3:3, 3:31-53, 12:33-38, and 24:37-25:60; and Claims 1-3, 6-7, 21, and 23-24.</p> <p>’327 Prosecution History: Mar. 16, 2000 Office Action; June 20, 2000 Response to Examiner’s Action.</p>	
<p><i>subscriber terminal</i></p>	<p>“A fixed-location device”</p>	<p>’326 Patent: Figs. 1, 2A, 2B, and 11; Cols. 6:61-7:4 and 15:66-16:15.</p> <p>’819 Patent: Abstract; Figs. 1, 2A, 2B, and 11; and Cols. 6:52-62, 6:63-7:25, 13:51-14:29, and 15:43-59.</p> <p>’327 Patent: Figs. 1, 2A,</p>	<p>Airspan DA – Architecture Design Overview, including p. 16, (AS00305)</p> <p>Demand Assignment/Fixed Assignment CDMA Wireless Local Loop Standard, including p. 5; (AS 00515)</p>

		<p>2B, and 11; Cols. 8:47-53 and 18:1-16.</p> <p>'211 Patent: Abstract; Figs. 1, 2, 2A, 2B, 4, 11, 17, and 19A; Cols. 1:21-33, 1:65-67, 2:2-4, 2:13-16, 2:37-39, 3:53-58, 4:1-14, 4:21-24, 4:31-65, 5:16-18, 6:44-55, 7:3-44, 8:35-39, 8:44-46, 8:58-66, 9:5-8, 9:19-22, 10:6-8, 10:19-24, 10:32-36, 11:49-51, 11:56-58, 12:47-49, 12:51-53, 12:60-63, 13:1-4, 13:45-53, 13:53-62, 14:1-67, and 16:15-17:9, 17:20-24, 17:61-18:41, 19:1-41, 19:49-60, 20:7-8, 20:10-13, 20:14, 20:16-22, 20:23-32, 20:39-22:42, 23:28-34, 23:44-46, 23:47-50, 23:57-64, 24:1-5, 24:6-8, 24:8-10, 24:35-39, 24:46-50, 24:60-25:10, 25:28-29, 25:37-39, 25:46-49, 25:52-58, 25:61-26:20, and 27:5-28:26; and Claims 1, 5, and 6.</p>	<p>Demand Assignment/Fixed Assignment CDMA Wireless Local Loop Standard, including p. 8; (AS 00517)</p> <p>Demand Assignment/Fixed Assignment CDMA Wireless Local Loop Standard, including p. 9; (AS 00518)</p>
<p><i>time division multiplexing (TDM) techniques</i></p>	<p>“Methods in which a communication channel is shared among multiple wireless links by allowing each link to use the channel for a given period of time</p>	<p>'326 Patent: Figs. 7B, 9B, 13A, 13B, 15A, and 15B; Table 4; Cols. 2:51-60, 3:56- 4:12, 12:17-33, 13:6-</p>	<p>DSC Communications Corporation – Invention Disclosure Form (10/6/95), including p. 1; (AS 00021)</p>

<p><b><i>TDM techniques</i></b></p>	<p>in a defined, repeated sequence”</p>	<p>59, 15:38-50, 17:8-50, and 18:11-19:18; and Claims 1, 5-8, 11-12, 14, and 15.</p> <p>’819 Patent: Figs. 7B, 9B, 13A, 13B, 15A, and 15B; Table 4; Cols. 3:52-61, 11:64-12:13, 12:54-13:38, 15:14-27, 16:42-17:2, and 17:28-55; and Claim 11.</p> <p>’327 Patent: Figs. 7B, 9B, 13A, 13B, 15A, and 15B; Table 4; Cols. 6:25-34, 14:9-32, 15:5-57, 17:39-52, 18:66-19:32, and 19:62-21:2; and Claim 15.</p> <p>’211 Patent: Abstract; Figs. 9B, 13A, 13B, 14A, 14B, and 15A; Summary of the Invention; Cols. 13:43-15:2, 17:35-18:38, and 18:50-19:7; and Claims 1, 2, 5-7, and 8-10.</p> <p>U.S. Patent No. 5,894,473: including Fig. 8; and Cols. 5:57-6:14 and 14:33-67.</p> <p>U.S. Patent No. 5,481,533: including Figs. 2, 3A, and</p>	<p>DSC Communications Corporation – Invention Disclosure Form (10/6/95), including p. 3; (AS 00023)</p> <p>DSC Communications Corporation – Invention Disclosure Form (10/6/95), including p. 7; (AS 00044)</p> <p>Airspan DA – Radio Interface Architecture, including p. 7; Jan 1997; (AS 00331)</p> <p>Airspan DA – Radio Interface Architecture, including p.15; Jan 1997; (AS 00339)</p> <p>Airspan DA – Radio Interface Architecture, including p. 17; Jan 1997; (AS 00341)</p> <p><i>IEEE Standard Dictionary of Electrical and Electronics Terms</i>, p. 1115 (6th ed. 1996)</p>
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		<p>3B; Cols. 2:41-57, 3:4-4:10, and 5:12-19.</p>	<p><i>McGraw-Hill Concise Encyclopedia of Science and Technology</i>, p. 658 (3d ed. 1994)</p> <p><i>Newton's Telecom Dictionary</i>, p. 606 (11th ed. 1996)</p> <p><i>The Illustrated Dictionary of Electronics</i>, p. 642 (6th ed. 1994)</p> <p><i>Wireless Communications: Principles &amp; Practice</i>, at 400-01 (1st ed. 1996)</p> <p>Ramjee Prasad, "CDMA for Wireless Personal Communications," including pp. 20-21 (1996)</p>
<p><b><u>Plaintiff's proposed term:</u></b>  <b><i>a TDM decoder arranged to extract a data item from a predetermined time slot within said orthogonal channel</i></b></p> <p><b><u>Defendants' proposed term:</u></b></p>	<p>"A device used to extract information from a communication channel that is shared among multiple wireless links by allocating a given period of time to each such link in a defined, repeated sequence"</p>	<p>'326 Patent: Figs. 7B, 9B, 13A, and 15A; Table 4; and Cols. 2:51-60, 3:56-4:12, 13:6-59, 15:38-50, and 18:11-37.</p> <p>'819 Patent: Figs. 7B, 9B, 13A, 15A; Table 4; and</p>	<p>DSC Communications Corporation – Invention Disclosure Form (10/6/95), including p. 1; (AS 00021)</p> <p>DSC Communications Corporation – Invention Disclosure Form (10/6/95),</p>

<p><b><i>TDM decoder</i></b></p>		<p>Cols. 3:52-61, 12:54-13:38, 15:14-27, and 17:28-55.</p> <p>'327 Patent: Figs. 7B, 9B, 13A, 15A; Table 4; and Cols. 6:25-34, 14:9-18, 15:5-57, 17:39-52, and 19:62-20:21.</p> <p>'211 Patent: Figs. 7B, 8A, 9B; 13A, 13B, 14A, 14B, and 15A; Cols. 2:50-51, 3:21-22, 13:43-15:2, 17:35-18:38, and 18:50-19:7; and Claims 1, 2, and 5-7.</p> <p>U.S. Patent No. 5,894,473: including Fig. 8; Cols. 5:57-6:14, and 14:33-67.</p> <p>U.S. Patent No. 5,481,533: including Figs. 2, 3A, 3B; Cols. 2:41-57, 3:4-4:10, and 5:12-19.</p>	<p>including p. 3; (AS 00023)</p> <p>DSC Communications Corporation – Invention Disclosure Form (10/6/95), including p. 7; (AS 00044)</p> <p>Airspan DA – Radio Interface Architecture, including p. 7; Jan 1997; (AS 00331)</p> <p>Airspan DA – Radio Interface Architecture, including p.15; Jan 1997; (AS 00339)</p> <p>Airspan DA – Radio Interface Architecture, including p. 17; Jan 1997; (AS 00341)</p> <p><i>IEEE Standard Dictionary of Electrical and Electronics Terms</i>, p. 1115 (6th ed. 1996)</p> <p><i>McGraw-Hill Concise Encyclopedia of Science and Technology</i>, p. 658 (3d ed. 1994)</p>
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<p><b><u>Plaintiff's proposed term:</u></b>  <i>a TDM encoder arranged to apply time division multiplexing (TDM) techniques</i></p> <p><b><u>Defendants' proposed term:</u></b>  <i>TDM encoder</i></p>	<p>"A device that applies time division multiplexing (TDM) techniques to share a communication channel among multiple wireless links"</p>	<p>'326 patent: Figs. 13A, 13B, 15A, and 15B; Cols. 4:13-19 and 13:29-59; and Claims 1, 2, 5, 8, 9, 10, and 11.</p> <p>'819 patent: Figs. 13A, 13B, 15A, and 15B; Cols. 3:52-61 and 13:9-37; and Claim 11.</p> <p>'327 patent: Figs. 13A, 13B, 15A, and 15B; Col.</p>	<p>Newton's Telecom Dictionary, p. 307 (21st ed. 2005)</p>

		15:27-57; and Claim 15.	
<i>time slot</i>	“A period of time during which a single wireless link is permitted to use a shared communication channel”	<p>'326 Patent: Figs. 13A and 13B; Cols. 3:56-4:12 and 17:32-44; and Claims 1, 5, 7, 11, 12, 15.</p> <p>'327 Patent: Figs. 13A, 13B, 15A, and 15B; Col. 19:12-25; and Claims 15 and 16.</p> <p>'211 Patent: Abstract; Figs. 9B, 13A, 13B, 14A, 14B, and 15A; Cols. 2:50-51, 5:28-32, 13:43-15:2, 17:35-18:38, and 18:50-19:7; and Claims 1, 5, 6, and 10.</p> <p>U.S. Patent No. 5,894,473: Fig. 8; and Cols. 5:57-6:14, and 14:33-67.</p> <p>U.S. Patent No. 5,481,533: Figs. 2, 3A, and 3B; and Cols. 2:41-57, 3:4-4:10, and 5:12-19.</p>	<p><i>IEEE Standard Dictionary of Electrical and Electronics Terms</i>, p. 1111 (6th ed. 1996)</p> <p><i>Newton's Telecom Dictionary</i>, p. 607 (11th ed. 1996)</p> <p><i>The Computer Glossary</i>, p. 400 (7th ed. 1995)</p>

<p><b><i>channelisation means</i></b> 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"> <li>• '326 patent, claim 6</li> </ul>	<p>Indefinite under 35 U.S.C. § 112</p>		
<p><b><i>channelisation means</i></b> 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"> <li>• '326 patent, claim 7</li> </ul>	<p>Indefinite under 35 U.S.C. § 112</p>		
<p><b><i>channelisation means</i></b> 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"> <li>• '819 patent, claim 10</li> </ul>	<p>Indefinite under 35 U.S.C. § 112</p>		