

EXHIBIT A

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The Parties' Proposed Construction of Each Disputed Claim Term, Phrase, or Clause

CLAIM TERM	PLAINTIFF'S PROPOSED CONSTRUCTION	DEFENDANTS' PROPOSED CONSTRUCTION
<i>channel pool</i>	Plain and ordinary meaning	“The set of orthogonal channels available to a central terminal to use to establish wireless links”
<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>	Orthogonal channel: “A communication channel defined by an orthogonal code”
<i>overlay code</i>	“Orthogonal codes used to increase the number of orthogonal channels that would otherwise be available”	“A second code applied in series with the orthogonal code”
<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>	Plain and ordinary meaning	“Two or more indicators that an individual wireless link is experiencing interference from other cells”

CLAIM TERM	PLAINTIFF'S PROPOSED CONSTRUCTION	DEFENDANTS' PROPOSED CONSTRUCTION
<i>subscriber terminal</i>	"User equipment"	"A fixed-location device"
<i>time division multiplexing (TDM) techniques</i> <i>TDM techniques</i>	"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"	"Methods in which a communication channel is shared among multiple wireless links by allowing each to use the channel for a given period of time in a defined, repeated sequence"
<u><i>Plaintiff's proposed term:</i></u> <i>a TDM decoder arranged to extract a data item from a predetermined time slot within said orthogonal channel</i> <u><i>Defendants' proposed term:</i></u> <i>TDM decoder</i>	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: "Hardware or software for extracting a data item from a predetermined time slot within the orthogonal channel"	"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"
<u><i>Plaintiff's proposed term:</i></u> <i>a TDM encoder arranged to apply time division multiplexing (TDM) techniques</i> <u><i>Defendants' proposed term:</i></u> <i>TDM encoder</i>	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: "Hardware or software for applying TDM techniques"	"A device that applies time division multiplexing (TDM) techniques to share a communication channel among multiple wireless links"

CLAIM TERM	PLAINTIFF'S PROPOSED CONSTRUCTION	DEFENDANTS' PROPOSED CONSTRUCTION
<i>time slot</i>	"An interval of time"	"A period of time during which a single wireless link is permitted to use a shared communication channel"
<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> Ex. B.)</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, 7:35-8:51, Fig. 3 & Fig. 3A; <i>see also</i> Ex. B.)</p>	Indefinite under 35 U.S.C. §112
<p><i>channelisation means</i> 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> Ex. B.)</p>	Indefinite under 35 U.S.C. §112
<p><i>channelisation means</i> for determining which of the orthogonal channels will be subject to overlay codes, and for</p>	<p><u>Function</u>: determining which of the orthogonal channels will be subject to</p>	Indefinite under 35 U.S.C. §112

CLAIM TERM	PLAINTIFF'S PROPOSED CONSTRUCTION	DEFENDANTS' PROPOSED CONSTRUCTION
<p>transmitting that information to a plurality of subscriber terminals</p> <ul style="list-style-type: none"> '819 patent, claim 10 	<p>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> Ex. B.)</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> Ex. B.)</p>	