

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

WI-LAN INC.,	§	
	§	
Plaintiff,	§	CASE NO. 6:10-CV-521
	§	CASE NO. 6:13-CV-252
vs.	§	Consolidated Cases
	§	
ALCATEL-LUCENT USA INC., ET AL.,	§	
	§	JURY TRIAL DEMANDED
	§	
Defendants.	§	
	§	

NOTICE REGARDING CLAIMS FOR TRIAL

Plaintiff Wi-LAN Inc. respectfully advises the Court that in order to narrow the claims and defenses for trial, the parties have agreed that Plaintiff Wi-LAN Inc. will identify no more than eight asserted claims for trial and Defendants will identify no more than eight prior art references to prove that the asserted claims are invalid.¹ The parties have further agreed that with regard to validity defenses and counterclaims, the jury verdict form will have questions corresponding only to the claims asserted by Wi-LAN at trial.

Wi-LAN identifies the following eight claims:

1. U.S. Patent No. 6,088,326 – Claims 2, 5, 9
2. U.S. Patent No. 6,381,211 – Claims 2, 5
3. U.S. Patent No. 6,222,819 – Claim 11
4. U.S. Patent No. 6,195,327 – Claims 11, 12

Defendants identify the following eight prior art references:

1. U.S. Patent No. 6,018,528
2. “Spread Spectrum and Time Division Multiple Access Satellite Communications” by Mohanty

¹ Defendants reserve the right to present other documents, including prior-art references, for other purposes.

3. TIA/EIA IS-95-A Standard
4. U.S. Patent No. 6,112,080
5. PCT Application WO 95/03652
6. U.S. Patent No. 5,533,013
7. “CDMA for Cellular and PCS” by Tiedemann
8. “The PCS CDMA System Overview” by Zehavi and Tiedemann

Dated: June 24, 2013

Respectfully submitted,

Local Counsel

Johnny Ward (TX Bar No. 00794818)
Wesley Hill (TX Bar No. 24032294)
Clair Abernathy Henry
(TX Bar No. 24053063)
WARD & SMITH LAW FIRM
P.O. Box 1231
1127 Judson Rd., Ste. 220
Longview, TX 75606-1231
Tel: (903) 757-6400
Fax: (903) 757-2323
jw@jwfirm.com
wh@jwfirm.com
claire@wsfirm.com

By: /s/ Wesley Hill

David B. Weaver (TX Bar No. 00798576)
Lead Attorney
Avelyn M. Ross (TX Bar No. 24027817)
Ajeet P. Pai (TX Bar No. 24060376)
Syed K. Fareed (TX Bar No. 24065216)
Jeffrey T. Han (TX Bar No. 24069870)
Seth A. Lindner (TX Bar No. 24078862)
Janice Ta (TX Bar No. 24075138)
VINSON & ELKINS LLP
2801 Via Fortuna, Suite 100
Austin, TX 78746
Tel: (512) 542-8400
Fax: (512) 542-8612
dweaver@velaw.com
aross@velaw.com
apai@velaw.com
sfareed@velaw.com
jhan@velaw.com
slindner@velaw.com
jta@velaw.com

Steve R. Borgman
(TX Bar No. 02670300)
Gwendolyn J. Samora
(TX Bar No. 00784899)
VINSON & ELKINS LLP
1001 Fannin Street, Suite 2500
Houston, TX 77002-6760
Tel: (713) 758-2222
Fax: (713) 758-2346
sborgman@velaw.com

Chuck P. Ebertin (CA Bar No. 161374)
VINSON & ELKINS LLP
1841 Page Mill Road, Suite 200-B
Palo Alto, CA 94304
Tel: (650) 687-8204
Fax: (650) 618-8508
cebertin@velaw.com

Constance S. Huttner
(NY Bar No. 1722024)
VINSON & ELKINS LLP
666 5th Avenue, 26th Floor
New York, NY 10103-0040
Tel: (212) 237-0040
Fax: (917) 849-5339
chuttner@velaw.com

Wi-LAN@velaw.com

Attorneys for Plaintiff, Wi-LAN Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served by electronic delivery this 24th day of June, 2013.

/s/ Wesley Hill
Wesley Hill