IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

TELCORDIA TECHNOLOGIES, INC., *Plaintiff,* *Counterclaim-Defendant,* vs. ALCATEL USA, INC., *Defendant,* *Counterclaim-Plaintiff.*	Civil Action No. 04-874 GMS

ALCATEL USA, INC.'S
PROPOSED CONSTRUCTIONS FOR DISPUTED CLAIM TERMS

In accordance with this Court's Scheduling Order and subject to the following, Defendant Alcatel USA, Inc. ("Alcatel") provides the following Proposed Constructions for claims 1, 3 and 4 of the '306 patent, claims 1, 5, 11 and 33 of the '633 patent, and claims 17, 18, 19 and 24 of the '052 patent.

Alcatel reserves the right to offer evidence and argument regarding the construction of any term of the '306 patent, the '633 patent and/or the '052 patent identified by Plaintiff in this action, by any party in *Telcordia Technologies, Inc. v. Lucent Technologies, Inc.*, Civil Action No. 04-875-GMS (the "Lucent Action") or in *Telcordia Technologies, Inc. v. Cisco Systems, Inc.*, Civil Action No. 04-876-GMS (the "Cisco Action").

Alcatel further reserves the right to revise these Proposed Constructions in light of Telcordia's proposed constructions, discussions at the Meet and Confer, the constructions proposed by any party in the Lucent Action or the Cisco Action and/or as discovery proceeds.

PROPOSED CONSTRUCTIONS

I. U.S. PATENT. NO. 4,893,306

Claim term/phrase	Alcatel's Proposed Construction
frame timing information [claims 1, 3] timing information [claim 4]	Frame alignment information.
empty payload field [claims 1, 3 and 4]	A payload field that is empty of source data, but including bit signals of some kind.
filling the empty payload fields in said frames with data in packetized format from a plurality of sources which have access to the bit stream including circuit or packet sources [claim 1] inserting said packets from said sources into the empty payload fields of said frames [claim 3] inserting each of said packets comprised of data from one of said plurality of sources into any empty payload field [claim 4]	Replacing the empty payload field with data from a single source.
data in packetized format [claim 1] data packet [claim 3] data . . . into packet format [claim 4]	A discrete block of data having an address header at the front thereof.
plurality of sources which have access to the bit stream [claim 1] plurality of sources having different bit rates and which have access to said bit stream [claim 3]	Two or more sources, each of whose data can be inserted only via its own separate tributary into the bit stream.

Claim term/phrase	**Alcatel's Proposed Construction**
data in packetized format from any of said sources is written into any available empty payload field of any of said frames [claim 1] such that a packet from any of said sources is inserted into any available empty payload field of any of said frames [claim 3] inserting each of said packets comprised of data from one of said plurality of sources into any empty payload field of any of said frames available to said inserting means [claim 4]	Packets are only put in frames which are empty.
available empty payload field [claims 1 and 3] empty payload field of any of said frames available to said inserting means [claim 4]	An empty payload field that can be filled with a data packet only from the highest priority source having a complete data packet ready to transmit.
transmitting data from each of said sources at its own desired bit rate via said bit stream [claims 1, 3] data from each of said sources can be transmitted at its own desired bit rate via said bit stream [claim 4]	The original bit rate of the sources is maintained for transmission of the source data, *i.e.*, the number of packets per second generated by a given source will equal the number of packets per second inserted into the output stream for that source.
generating means… [claim 4]	This element is a means-plus-function limitation and should be construed pursuant to § 112, ¶ 6. The function is "generating a train of frames wherein each frame includes a transmission overhead field containing timing information and an empty payload field." The corresponding structure of the "generating means" includes a control 210 that generates a periodic signal, a tristate

Claim term/phrase	Alcatel's Proposed Construction
	device 222 connected to the control 210 that receives the periodic signal, a timing generator 209, a ROM 224 that generates a frame alignment word and is connected to the tristate device 222, which reads the frame alignment word, a bus 219 that carries the frame alignment word to a parallel-to-serial converter 216, and a serial output 206.
processing means… [claim 4]	This element is a means-plus-function limitation and should be construed pursuant to § 112, ¶ 6. The function is "processing data from a plurality of sources into packet format." The corresponding structure of the "processing means" is a plurality of packetizers 55, each of which adds a packet header to its own source data and communicates a "packet ready" pulse to its own framer when a complete packet is stored in its own FIFO.
inserting means… [claim 4]	This element is a means-plus-function limitation and should be construed pursuant to § 112, ¶ 6. The function is "receiving said train of frames and for inserting each of said packets comprised of data from one of said plurality of sources into any empty payload field of any of said frames available to said inserting means to form said bit stream so that data from each of said sources can be transmitted at its own desired bit rate via said bit stream and so that data from said plurality of sources can be transmitted simultaneously via said bit stream." The corresponding structure of the "inserting means" is a plurality of framers 53, each of which includes a serial data input 202 that receives a DTDM frame, a serial-to-parallel converter 212 that converts the DTDM frame to parallel form, a frame detector 214 that detects the

Claim term/phrase	Alcatel's Proposed Construction
	DTDM frame, a parallel-to-serial converter that converts the DTDM frame to serial form, a serial output 206 that outputs the DTDM frame, a tristate device 218 that enables the DTDM frame to be written to the serial output 206, a parallel data input 204 that receives data to be written into a DTDM frame, a tristate device 220 that enables the data to be written into the DTDM frame, a bus 219 that writes data into the DTDM frame, a timing generator 209 that provides timing information, and a control unit 210 that receives from the frame detector 214 information indicating an empty DTDM frame and provides control signals to tristate devices 218 and 220.

II. U.S. PATENT. NO. RE. 36,633

Claim term/phrase	Alcatel's Proposed Construction
the timing clock of the service input [claims 1, 5] the timing clock of a service input [claims 11, 33]	The clock at a source node derived from the incoming data signal to be transmitted over the network.
dividing the timing clock of a service input by a factor of an integer N to form residual time stamp (RTS) periods [claims 1, 5]	Dividing the timing clock of a service input by a factor of integer N to form residual time stamp (RTS) periods. *See* construction of "the timing clock of [a/the] service input" above.
residual time stamp (RTS) [claims 1, 5]	A contiguous p-bit representation of the number of network clock cycles.
residual time stamp (RTS) [claims 11, 33]	A contiguous p-bit representation of the number of derived network clock cycles.
counting the network clock cycles [claim 1]	Counting the actual number of cycles from the timing reference that synchronizes the source and destination nodes. "network clock" [claims 1, 5, 11, 33] means "the timing reference that synchronizes the source and destination nodes." "network clock cycles" [claims 1, 5] means "the actual number of cycles from the network clock."
2^P counts uniquely and unambiguously represent the range of possible network clock cycles within an RTS period [claims 1, 5]	This claim limitation is indefinite for failure to satisfy 35 U.S.C. § 112 ¶ 2.
transmitting . . . an RTS [claims 1, 5, 11, 33]	The RTS is transmitted in a portion of the overhead other than the convergence sublayer overhead.
at the end of each RTS period [claims 1, 5]	At the end of each RTS period.

Claim term/phrase	**Alcatel's Proposed Construction**
the period between each pulse [claim 1] the periods between pulses [claim 5]	The time interval between two pulses.
derived network clock [claims 11, 33]	A clock derived by dividing the network clock by a rational number.
counting means… [claim 5]	This element is a means-plus-function limitation and should be construed pursuant to § 112, ¶ 6. The function is "counting network clock cycles modulo 2^P, where 2^P is less than the number of network clock cycles within an RTS period and P is chosen so that the 2^P counts uniquely and unambiguously represent the range of possible network clock cycles within an RTS period." The specification does not describe any structure for performing the claimed function. This claim limitation is therefore indefinite for failure to satisfy 35 U.S.C. § 112 ¶ 2.
dividing means… [claim 5]	This element is a means-plus-function limitation and should be construed pursuant to § 112, ¶ 6. The function is "dividing the timing clock of the service input by a factor of an integer N to form residual time stamp (RTS) periods." The corresponding structure is a divide-by-N circuit 14.
transmitting means… [claim 5] means for transmitting from the source node an RTS that is equal to the modulo 16 count of derived network clock cycles in RTS period [claim 11]	This element is a means-plus-function limitation and should be construed pursuant to § 112, ¶ 6. The function is "transmitting over the telecommunications network an RTS at the end of each RTS period that is equal to the modulo 2^P count of network clock cycles at that time." The specification does not describe any structure for performing the claimed function. This claim limitation is therefore indefinite for failure to satisfy 35 U.S.C. §

Claim term/phrase	Alcatel's Proposed Construction
	112 ¶ 2.
receiving means [claim 5]	This element is a means-plus-function limitation and should be construed pursuant to § 112, ¶ 6. The function is "receiving the RTSs transmitted over the telecommunications network by said transmitting means." The specification does not describe any structure for performing the claimed function. This claim limitation is therefore indefinite for failure to satisfy 35 U.S.C. § 112 ¶ 2.
converting means [claim 5]	This element is a means-plus-function limitation and should be construed pursuant to § 112, ¶ 6. The function is "converting the received RTSs into a pulse signal in which the periods between pulses are determined from the numbers of network clock cycles associated with the counts of network clock cycles within said RTS periods." The specification does not describe any structure for performing the claimed function. This claim limitation is therefore indefinite for failure to satisfy 35 U.S.C. § 112 ¶ 2.
means for multiplying the frequency of the pulse signal generated by said converting means by the same factor of an integer N used in said dividing means for recovering the timing clock of the service input [claim 5]	This element is a means-plus-function limitation and should be construed pursuant to § 112, ¶ 6. The function is "transmitting over the telecommunications network an RTS at the end of each RTS period that is equal to the modulo 2^P count of network clock cycles at that time." The corresponding structure is PLL 41.
means, at the source node, for defining a residual time stamp (RTS) period as an integral number N of source-node service clock cycles [claim 11]	This element is a means-plus-function limitation and should be construed pursuant to § 112, ¶ 6. The function is "defining a residual time stamp (RTS)

Claim term/phrase	**Alcatel's Proposed Construction**
	period as an integral number N of source-node service clock cycles." The corresponding structure is Divide-By-N circuit 14.
means, at the source node, for defining a derived network clock frequency f_{nx} from a network frequency fn where fnx =f_n/x, x is a rational number, and f_{nx} is less than or equal to twice the service clock frequency [claim 11]	This element is a means-plus-function limitation and should be construed pursuant to § 112, ¶ 6. The function is "defining a derived network clock frequency f_{nx} from a network frequency f_n." The corresponding structure is divide by x circuit 11.
means, at the source node, for counting the derived network clock cycles modulo 16 in an RTS period [claim 11]	This element is a means-plus-function limitation and should be construed pursuant to § 112, ¶ 6. The function is "counting the derived network clock cycles modulo 16 in an RTS period." The corresponding structure P-Bit Counter 12 (where P=4) and Latch 15.

III. U.S. PATENT. NO. 6,247,052

Claim term/phrase	Alcatel's Proposed Construction
telecommunications switching system [claims 17, 18]	A telecommunication system for establishing and releasing connections among telecommunication transmission paths.
remote computer [claims 17, 18]	A computer that is separate from the telecommunications switching system.
accessing a server with said browser [claim 17]	Communicating with a server using a program used to view and interact with various kinds of electronic documents or internet resources.
providing a copy of the application program from said server to said remote computer [claim 17]	Ordinary meaning.
accessing said telecommunications switching system with said application program from said remote computer [claim 17]	Ordinary meaning.
communicating with a system manager building block of the telecommunications switching system from said remote computer [claim 17]	Communicating with a portion of whatever is managing the telecommunications switching system from said remote computer.
system manager building block [claim 17]	A portion of whatever is managing the telecommunications switching system.
monitoring [claim 17]	Ordinary meaning.
hypertext markup language (HTML) server [claim 19]	Ordinary meaning.
Java Applet [claim 24]	A computer program, which is written in the Java language.

Dated: February 10, 2006

YOUNG CONAWAY STARGATT & TAYLOR, LLP

Josy W. Ingersoll (I.D. No. 1088)
Adam Poff (I.D. No. 3990)
The Brandywine Building
1000 West Street
Wilmington, DE 19801
Tel. (302) 571-6672

Of Counsel:

Stuart J. Sinder
Michelle Carniaux
Mark Hannemann
Clement J. Naples
Michael G. Gabriel
KENYON & KENYON LLP
One Broadway
New York, NY 10004
Tel. (212) 425-7200
Fax. (212) 425-5288
Attorneys for Defendant / Counterclaim Plaintiff Alcatel USA, Inc.

CERTIFICATE OF SERVICE

I, Adam W. Poff, Esquire hereby certify that on February 10, 2006, I caused to be electronically filed a true and correct copy of the foregoing document with the Clerk of the Court using CM/ECF, which will send notification that such filing is available for viewing and downloading to the following counsel of record:

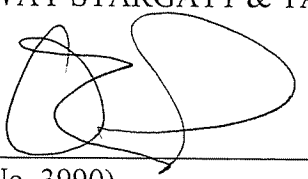
Steven J. Balick, Esquire
Ashby & Geddes
222 Delaware Avenue
Wilmington, DE 19801

I further certify that on February 10, 2006, I caused a copy of the foregoing document to be served by hand delivery on the above-listed counsel of record and on the following non-registered participants in the manner indicated:

BY E-MAIL

Donald R. Dunner, Esquire
Don O. Burley, Esquire
Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.
901 New York Avenue, NW
Washington, DC 20001

YOUNG CONAWAY STARGATT & TAYLOR, LLP



Adam W. Poff (No. 3990)
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, Delaware 19801
(302) 571-6600
apoff@ycst.com

Attorneys for Defendant