

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

iFIT, INC.,)	
)	
Plaintiff and)	
Counterclaim Defendant,)	C.A. No. 20-1386-RGA
v.)	
)	
PELOTON INTERACTIVE, INC.,)	
)	
Defendant and)	
Counterclaim Plaintiff.)	

JOINT CLAIM CONSTRUCTION CHART

Pursuant to Section 7 of the Scheduling Order (D.I. 114), Plaintiff and Counterclaim Defendant iFIT, Inc. (“iFIT”) and Defendant and Counterclaim Plaintiff Peloton Interactive, Inc. (“Peloton”) (collectively, the “Parties”) hereby submit the following Joint Claim Construction Chart for U.S. Patent Nos. 7,166,062 (the “’062 Patent”) and 10,293,211 (the “’211 Patent”). The Joint Claim Construction Chart includes citations to the intrinsic evidence and exhibits including the ’062 Patent, ’211 Patent, and portions of the intrinsic record relied on in support of each party’s respective positions for terms the parties do not agree on. Each party reserves the right to supplement the citations to intrinsic evidence in the event it is necessary to rebut evidence and arguments made by the other party and as the claim construction process progresses. Copies of the ’062 and ’211 Patents are attached as Exhibit A and B, respectively.

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Table of Exhibits

Ex.	Description
A	U.S. Patent No. 7,166,062 (the “’062 Patent”)
B	U.S. Patent No. 10,293,211 (the “’211 Patent”)
C	Excerpts of the File History of the ’062 Patent
D	U.S. Patent No. 6,749,537
E	U.S. Patent No. 6,053,844
F	U.S. Patent No. 5,645,509
G	IPR2021-00342, Paper 2
H	IPR2021-00342, Paper 9
I	IPR2021-00342, Paper 27
J	IPR2021-00342, Ex. 2015
K	IPR2021-00342, Ex. 1005

I. AGREED TERMS/CONSTRUCTIONS

A. '211 PATENT

<u>Claim Term</u>	<u>Agreed Construction</u>
“A free weight assembly comprising” Preamble of claim 1	Preamble is limiting

II. DISPUTED TERMS/CONSTRUCTIONS

A. '062 PATENT

U.S. Patent No. 7,166,062		
<u>Claim Term</u>	<u>iFIT's Proposed Construction and Supporting Intrinsic Evidence</u>	<u>Peloton's Proposed Construction and Supporting Intrinsic Evidence</u>
“packetized” Claims 1, 3, 26, 29, 38, 47, 49, 57, 61, 78, 85, 89, 92, 95	Proposed Construction: “data that has been manipulated into one or more packets according to a packet switching protocol for transmission via a network” Supporting Intrinsic Evidence: Claims 1, 3, 26, 29, 38, 47, 49, 57, 61, 78, 85, 89, 92, 95 '062 Patent: 16:42–17:6 iFIT may rely on any intrinsic evidence cited by Peloton.	Proposed Construction: “data that has been manipulated into one or more packets according to a packet switching protocol for transmission via network [16]” Supporting Intrinsic Evidence: Claims 1, 3, 26, 29, 38, 47, 49, 57, 61, 78, 85, 89, 92, 95 '062 Specification 6:18-41; 10:10-18; 15:30-17:6; 21:14-45 Any intrinsic evidence cited by iFIT.
“control signal” Claims 1, 3, 4, 5, 26, 29, 38, 47, 49, 50, 61, 85, 87, 89, 92, 95	Proposed Construction: data for controlling the operating parameters of the exercise mechanism Supporting Intrinsic Evidence:	Proposed Construction: “signal that on its own controls operating parameters of an exercise device, such as speed, resistance, and the like” Supporting Intrinsic Evidence:

<u>U.S. Patent No. 7,166,062</u>		
<u>Claim Term</u>	<u>iFIT's Proposed Construction and Supporting Intrinsic Evidence</u>	<u>Peloton's Proposed Construction and Supporting Intrinsic Evidence</u>
	<p>Claims 1, 3, 4, 5, 26, 29, 38, 47, 49, 50, 61, 85, 87, 89, 92, 95</p> <p>'062 Patent: 7:66–8:5; 13:1–12; 16:27–17:6; 18:47–54; 20:59–21:45</p> <p>IPR2021-00342, Paper 9 at 25–26 IPR2021-00342, Paper 27 at 7–11 and 38–41 IPR2021-00342, Ex. 2015, 32–37</p> <p>iFIT may rely on any intrinsic evidence cited by Peloton.</p>	<p>Claims 1, 3, 4, 5, 26, 29, 38, 47, 49, 50, 61, 85, 87, 89, 92, 95</p> <p>'062 Specification</p> <p>2:55-3:25; 8:49-62; 10:34-49; 18:47-19:18; 20:27-44; 20:59-21:13; 22:22-37; 22:52-58; 23:58-24:9; 24:36-50; 27:42-57; 29:10-31; 33:21-37; 35:11-23; 36:27-41; 48:32-42; 49:9-20</p> <p>'062 File History</p> <p>2005-07-26 Non-Final Rejection</p> <p>2005-12-27 Amendment and Applicant Arguments Made in Amendment at 2, 8, 13, 18, 20, 23-28</p> <p>U.S. Pat. No. 6,749,537 (ICON_PELOTON00031417 “Hickman”), Abstract, 2:8-44; 4:15-37; 4:46-5:28; 6:11-52; 7:21-67; 8:39-61; 9:12-36; 14:9-30; Cls. 1, 5, 7, 10, 12, 15, 16, 17, 18, 20, 25, 26, 27, 28; Figs. 1-3; 6-8, & 9-11.</p> <p>U.S. Pat. No. 6,053,844 (ICON_PELOTON00006967, “Clem”),</p>

<u>U.S. Patent No. 7,166,062</u>		
<u>Claim Term</u>	<u>iFIT's Proposed Construction and Supporting Intrinsic Evidence</u>	<u>Peloton's Proposed Construction and Supporting Intrinsic Evidence</u>
		<p>Abstract, 1:67-2:21; 2:34-52; 2:66-3:14; 3:33-63; 4:22-5:59; Cls. 1, 4, 9, 14-16, 18, 21; Figs. 1 & 3.</p> <p>U.S. Pat. No. 5,645,509 (ICON_PELOTON0003178, "Brewer"), Abstract, 1:46-57; 2:5-11; 2:28-54; 3:30-4:5; 5:4-44; 8:36-9:14; 9:23-38; 9:56-10:10; 10:38-48; 10:56-11:5; 11:61-12:7; 12:13-41; 12:56-13:39; 14:54-15:10; 15:23-17:26; 18:50-67; Cls. 1, 2, 6, 7, 11, 12, 15; Figs. 1-3, 7, 11, 13, 15, 18-25. IPR2021-00342, Paper 2 at 45-60 (P.T.A.B. December 18, 2020).</p> <p>IPR2021-00342, Paper 9 at 24, 40-41 (P.T.A.B. April 23, 2021).</p> <p>IPR2021-00342, Paper 27 at 7, 10, 11, 39-41 (P.T.A.B. September 30, 2021).</p> <p>IPR2021-00342, Ex. 2015 at 12-14, 17-21, 22, 31-40, 43-51, 60, 66, 68, 70-76, 79-82, (P.T.A.B. September 30, 2021).</p> <p>IPR2021-00342, Ex. 1005 ("Studor") at 2:65-67; 4:6-10; 4:38-64; 5:15-32; 6:25-48; 8:23-38; 9:34-10:57; 11:5-56; 12:23-65; 13:18-21; 20:10-14; Figs. 1, 7 & 8 (P.T.A.B. December 18, 2020)</p>

U.S. Patent No. 7,166,062		
<u>Claim Term</u>	<u>iFIT's Proposed Construction and Supporting Intrinsic Evidence</u>	<u>Peloton's Proposed Construction and Supporting Intrinsic Evidence</u>
		Any intrinsic evidence cited by iFIT.
<p>“interface means, communicating with the exercise mechanism, for gathering a first signal from the user”</p> <p>Claims 1, 8, 9, 10</p>	<p>Proposed Construction:</p> <p>Means-plus-function limitation under 35 U.S.C. § 112(6)</p> <p>Function: gathering a first signal from the user</p> <p>Structure: user interface in communication with the exercise mechanism</p> <p>Supporting Intrinsic Evidence:</p> <p>Claims 1, 8, 9, 10</p> <p>'062 Patent: 9:18–42; 12:3–56; 31:35–41; Fig. 6</p> <p>iFIT may rely on any intrinsic evidence cited by Peloton.</p>	<p>Proposed Construction:</p> <p>Subject to 35 U.S.C. § 112 ¶ 6</p> <p>Function: “communicating with the exercise mechanism and gathering a first signal from the user”</p> <p>Structure: user interface.</p> <p>Supporting Intrinsic Evidence:</p> <p>Claims 1, 8, 9, 10, 30, 37, 50, 51;</p> <p><u>'062 Specification</u> 9:13-43; 11:41-12:56; 17:57-67; 18:15-46; 24:66-25:4; 29:10-31; 31:10-59; 32:53-33:9; 33:22-34:24; 34:64-35:9; 45:8-28; Figs. 2, 6, 7, 9, 10-12, 13, 15, 17</p> <p>Any intrinsic evidence cited by iFIT.</p>
<p>“communicating means, communicating with the interface means, for receiving a packetized second signal from a remote source over a network, the packetized second</p>	<p>Proposed Construction:</p> <p>Means-plus-function limitation under 35 U.S.C. § 112(6)</p>	<p>Proposed Construction:</p> <p>Subject to 35 U.S.C. § 112 ¶ 6</p> <p>Function: “communicating with the interface means and receiving a</p>

<u>U.S. Patent No. 7,166,062</u>		
<u>Claim Term</u>	<u>iFIT's Proposed Construction and Supporting Intrinsic Evidence</u>	<u>Peloton's Proposed Construction and Supporting Intrinsic Evidence</u>
<p>signal including one or more packetized control signals”</p> <p>Claims 1, 11, 15</p>	<p>Function: receiving a packetized second signal from a remote source over a network, the packetized second signal including one or more packetized control signals</p> <p>Structure: a computer in communication with the interface means, and equivalents thereof.</p> <p>Supporting Intrinsic Evidence:</p> <p>Claims 1, 11, 15</p> <p>'062 Patent: 17:57–61; 18:15–30</p> <p>iFIT may rely on any intrinsic evidence cited by Peloton.</p>	<p>packetized second signal from a remote source over a network, the packetized second signal including one or more packetized control signals”</p> <p>Structure: network interface or modem</p> <p>Supporting Intrinsic Evidence:</p> <p>Claims 1, 11, 15</p> <p>'062 Patent Specification</p> <p>17:57-67; 18:15-33; 24:66-25:4</p> <p>'062 Patent File History</p> <p>2005-07-26 Non-Final Rejection</p> <p>2005-12-27 Amendment and Applicant Arguments Made in Amendment at 2, 8, 13, 18, 20, 23-28</p> <p>Any intrinsic evidence cited by iFIT.</p>
<p>“means, responsive to the packetized second signal, for controlling the operating parameters of the exercise mechanism”</p>	<p>Proposed Construction:</p> <p>Means-plus-function limitation under 35 U.S.C. § 112(6)</p>	<p>Proposed Construction:</p> <p>Subject to 35 U.S.C. § 112 ¶ 6</p>

<u>U.S. Patent No. 7,166,062</u>		
<u>Claim Term</u>	<u>iFIT's Proposed Construction and Supporting Intrinsic Evidence</u>	<u>Peloton's Proposed Construction and Supporting Intrinsic Evidence</u>
Claims 1 and 49	<p>Function: controlling the operating parameters of the exercise mechanism responsive to the packetized second signal</p> <p>Structure: a controller that varies operating parameters, or equivalents thereof</p> <p>Supporting Intrinsic Evidence:</p> <p>Claims 1 and 49</p> <p>'062 Patent: 3:22–25; 5:66–6:18; 8:48–58; 27:41–57; 33:21–36</p> <p>iFIT may rely on any intrinsic evidence cited by Peloton.</p>	<p>Function: “responsive to the packetized second signal, controlling the operating parameters of the exercise mechanism”</p> <p>This term is indefinite.</p> <p>Supporting Intrinsic Evidence:</p> <p>Claims 1 and 49</p> <p><u>'062 Specification</u></p> <p>2:55-3:25; 8:49-62; 10:34-49; 18:47-19:18; 20:27-44; 20:59-21:13; 22:22-37; 22:52-58; 23:58-24:9; 24:36-50; 27:42-57; 29:10-31; 33:21-37; 35:11-23; 36:27-41; 48:32-42; 49:9-20</p> <p>Any intrinsic evidence cited by iFIT.</p>
<p>“means, responsive to the synchronized control signals carried by the second signal, for controlling the operating parameters of the exercise mechanism”</p> <p>Claim 49</p>	<p>Proposed Construction:</p> <p>Means-plus-function limitation under 35 U.S.C. § 112(6)</p> <p>Function: controlling the operating parameters of the exercise mechanism responsive to the synchronized control signals carried by the second signal</p>	<p>Proposed Construction:</p> <p>Subject to 35 U.S.C. § 112 ¶ 6</p> <p>Function: “responsive to the packetized second signal and controlling the operating parameters of the exercise mechanism”</p> <p>This term is indefinite.</p>

U.S. Patent No. 7,166,062		
<u>Claim Term</u>	<u>iFIT's Proposed Construction and Supporting Intrinsic Evidence</u>	<u>Peloton's Proposed Construction and Supporting Intrinsic Evidence</u>
	<p>Structure: a controller that varies operating parameters, or equivalents thereof</p> <p>Supporting Intrinsic Evidence:</p> <p>Claim 49</p> <p>'062 Patent: 3:22–25; 5:66–6:18; 8:48–9:2; 27:41–57; 33:21–36</p> <p>iFIT may rely on any intrinsic evidence cited by Peloton.</p>	<p>Supporting Intrinsic Evidence:</p> <p>Claims 1 and 49</p> <p>'062 Specification</p> <p>2:55-3:25; 8:49-62; 10:34-49; 18:47-19:18; 20:27-44; 20:59-21:13; 22:22-37; 22:52-58; 23:58-24:9; 24:36-50; 27:42-57; 29:10-31; 33:21-37; 35:11-23; 36:27-41; 48:32-42; 49:9-20</p> <p>Any intrinsic evidence cited by iFIT.</p>
<p>“means for reproducing the second signal”</p> <p>Claims 21, 22, 23, 49, 59</p>	<p>Proposed Construction: Means-plus-function limitation under 35 U.S.C. § 112(6)</p> <p>Function: reproducing the second signal</p> <p>Structure: output devices, including video output device such as a liquid crystal display (LCD) or cathode ray tube (CRT), audio output devices such as a speaker, or equivalents thereof</p> <p>Supporting Intrinsic Evidence: Claims 21, 22, 23, 49, 59</p> <p>'062 Patent: 12:62–13:19; 13:31–49</p>	<p>Proposed Construction: Subject to 35 U.S.C. § 112 ¶ 6</p> <p>Function: “reproducing the second signal”</p> <p>Structure: output devices</p> <p>Supporting Intrinsic Evidence: Claims 21, 22, 23, 49, 59</p> <p>'062 Specification Abstract; 2:62-3:5; 3:36-51; 12:57-13:64; 14:29-52; 16:48-17:5; 18:1-14; 18:65-</p>

<u>U.S. Patent No. 7,166,062</u>		
<u>Claim Term</u>	<u>iFIT's Proposed Construction and Supporting Intrinsic Evidence</u>	<u>Peloton's Proposed Construction and Supporting Intrinsic Evidence</u>
	iFIT may rely on any intrinsic evidence cited by Peloton.	19:18; 19:38-56; 20:4-39; 20:46-58; 21:14-45; 21:54-22:21; 22:38-51; 23:58-24:9; 26:12-53; 27:14-57; 29:10-31; 31:10-49; 32:25-32; 32:45-63; 37:8-38:39; 46:57-65; Figs. 6, 11, 12, 14, & 19 Any intrinsic evidence cited by iFIT.
<p>“control means, communicating with the exercise mechanism, for receiving one or more packetized control signals from the remote communication system indicative of the selected exercise program and for changing one or more operating parameters of the exercise mechanism based upon the selected exercise program and the one or more packetized control signals”</p> <p>Claim 78</p>	<p>Proposed Construction:</p> <p>Means-plus-function limitation under 35 U.S.C. § 112(6)</p> <p>Function: receiving one or more packetized control signals from the remote communication system indicative of the selected exercise program and changing one or more operating parameters of the exercise mechanism based upon the selected exercise program and the one or more packetized control signals</p> <p>Structure: a computer in communication with the exercise mechanism, and equivalents thereof</p> <p>Supporting Intrinsic Evidence:</p> <p>Claim 78</p>	<p>Proposed Construction:</p> <p>Subject to 35 U.S.C. § 112 ¶ 6</p> <p>Function: “communicating with the exercise mechanism and receiving one or more packetized control signals from the remote communication system indicative of the selected exercise program and changing one or more operating parameters of the exercise mechanism based upon the selected exercise program and the one or more packetized control signals”</p> <p>This term is indefinite.</p> <p>Supporting Intrinsic Evidence:</p> <p>'062 Specification</p> <p>Claim 78</p>

<u>U.S. Patent No. 7,166,062</u>		
<u>Claim Term</u>	<u>iFIT's Proposed Construction and Supporting Intrinsic Evidence</u>	<u>Peloton's Proposed Construction and Supporting Intrinsic Evidence</u>
	<p>'062 Patent: 18:47–55; 33:21–34</p> <p>iFIT may rely on any intrinsic evidence cited by Peloton.</p>	<p>2:55-3:25; 8:49-62; 10:34-49; 18:47-19:18; 20:27-44; 20:59-21:13; 22:22-37; 22:52-58; 23:58-24:9; 24:36-50; 27:42-57; 29:10-31; 33:21-37; 35:11-23; 36:27-41; 48:32-42; 49:9-20</p> <p>Any intrinsic evidence cited by iFIT.</p>
<p>“a controller, responsive to the packetized second signal, configured to control the operating parameters of the exercise mechanism”</p> <p>Claim 29</p>	<p>Not subject to 35 U.S.C. 112 ¶ 6. However, to the extent the Court is inclined to construe the term in accordance with 35 U.S.C. ¶ 6, iFIT would propose the following:</p> <p>Function: controlling the operating parameters of the exercise mechanism</p> <p>Structure: motor, solenoid, other electrically driven actuator, or equivalents thereof</p> <p>Supporting Intrinsic Evidence:</p> <p>Claim 29</p> <p>'062 Patent: 3:22–25; 5:66–6:18; 8:48–9:2; 27:41–57; 33:21–36</p>	<p>Proposed Construction:</p> <p>Subject to 35 U.S.C. § 112 ¶ 6</p> <p>Function: “responsive to the packetized second signal, to control the operating parameters of the exercise mechanism”</p> <p>This term is indefinite.</p> <p>Supporting Intrinsic Evidence:</p> <p>Claim 1, 29, 49, 78</p> <p>'062 Specification</p> <p>6:10-13; 8:49-62; 9:25-30; 19:57-64; 20:34-40; 23:21-32; 23:52-57; 24:59-65; 27:42-57; 33:22-26</p> <p>Any intrinsic evidence cited by iFIT.</p>

<u>U.S. Patent No. 7,166,062</u>		
<u>Claim Term</u>	<u>iFIT's Proposed Construction and Supporting Intrinsic Evidence</u>	<u>Peloton's Proposed Construction and Supporting Intrinsic Evidence</u>
	iFIT may rely on any intrinsic evidence cited by Peloton.	