THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ARENDI S.A.R.L.,	)	
	)	
Plaintiff,	)	
	)	C.A. No. 12-1601-JLH
v.	)	
	)	**JURY TRIAL DEMANDED**
MOTOROLA MOBILITY LLC F/K/A	)	
MOTOROLA MOBILITY, INC.,	)	
	)	
Defendant.	)	
	)	
ARENDI S.A.R.L.,	)	
	)	
Plaintiff,	)	
	)	C.A. No. 13-919-JLH
v.	)	
	)	**JURY TRIAL DEMANDED**
GOOGLE LLC,	)	
	)	
Defendant.	)	

DEFENDANTS' OPENING BRIEF IN SUPPORT OF THEIR MOTION FOR CLARIFICATION OF CLAIM CONSTRUCTION

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I.   **Statement of the Nature and Stage of the Proceedings, and Summary of Argument**

Plaintiff Arendi S.A.R.L. ("Arendi") and Defendants Google LLC ("Google") and Motorola Mobility LLC f/k/a Motorola Mobility, Inc. ("Motorola") have completed discovery, dispositive motions, and an unsuccessful mediation, and now prepare for a trial in these patent-infringement cases beginning April 24, 2023. (*See* D.I. 412,[1] Supp. Scheduling Order.)

It has become apparent that the Court's prior construction of one asserted claim limitation suffers from an ambiguity that, in the absence of clarification, will confuse jurors and improperly force the jury to decide the scope of the Asserted Claims. Specifically, Defendants move for clarification regarding the meaning and scope of the claim element, "while the document is being displayed, analyzing, in a computer process, first information from the document to determine if the first information is at least one of a plurality of types of information that can be searched for in order to find second information related to the first information." (D.I. 97-1, '843 patent at 10:43–48.) The Court previously construed the constituent phrase "to determine if the first information is at least one of a plurality of types of information that can be searched for" to mean "to determine if the first information belongs to one or more of several predefined categories of identifying information (e.g., a name) or contact information (e.g., a phone number, a fax number, or an email address) that can be searched for in an information source external to the document." (D.I. 143 at 13.)

In subsequent rulings on *Daubert* and summary judgment motions, Judge Stark ruled that the Asserted Claims do not require that a separate searchability determination be made at the time that the computer process actually analyzes a specific text string to ascertain whether it belongs to a predefined category of information (*e.g.*, a phone number). (D.I. 400 at 6–7, 15, 23.) As a result,

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[1] All docket citations are to the *Arendi v. Google* case, C.A. No. 13-919, unless otherwise indicated.

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