

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

CONTINENTAL AUTOMOTIVE SYSTEMS US,
INC., a Delaware Corporation,

Plaintiff,

Case No.: 2:11-CV-14525-SJM-MJH

vs.

District Judge Stephen J. Murphy, III
Magistrate Judge Michael J. Hluchaniuk

SCHRADER ELECTRONICS, INC., a Delaware
Corporation, and SCHRADER-BRIDGEPORT
INTERNATIONAL, INC., a Delaware Corporation,

Defendants.

PLAINTIFF CONTINENTAL AUTOMOTIVE SYSTEMS US, INC.'S
OPENING CLAIM CONSTRUCTION BRIEF

SCHRADER
EXH. 1007

TABLE OF CONTENTS

	<u>Page</u>
I. INTRODUCTION	1
II. CONTINENTAL’S PATENTED TIRE PRESSURE MONITORING TECHNOLOGY	1
A. The ‘973 Patent	2
B. The ‘019 Patent	2
C. The ‘418 Patent	3
III. THE LAW OF CLAIM CONSTRUCTION	4
IV. CONTINENTAL’S PATENT CLAIMS USE WELL UNDERSTOOD TERMS AND THEIR PLAIN MEANING CONTROLS	5
A. The ‘973 Patent	5
1. “natural time lag” (Claim 1)	5
“internal time lag” (Claim 2)	5
2. “precision of an RC-type oscillator” (Claim 2)	6
3. “used to prevent collisions” (Claim 1)	6
B. The ‘019 Patent	8
1. “converting measured air pressure into a temperature compensated second air pressure, said converting being in accordance with said measured temperature” (Claim 1) “converting said air pressure into a temperature compensated air pressure corresponding to said temperature” (Claim 11)	8
2. “determining temporal fluctuation(s) of said temperature compensated second air pressure, said fluctuations being in accordance with a difference between said temperature compensated second air pressure and a predetermined temperature compensated reference air pressure” (Claim 1)	10
3. “determining” (Claim 11)	11
4. “threshold (value)” (Claims 1, 11)	11
5. “generating an alarm if said fluctuations exceed a predetermined threshold” (Claim 1) “generating an alarm signal when said temporal fluctuation of said temperature compensated air pressure exceeds an air pressure threshold value” (Claim 11)	12
6. “updating determined temporal fluctuation of said temperature compensated air pressure according to said measured additional parameter” (Claim 11)	13

TABLE OF CONTENTS
(continued)

	<u>Page</u>
C. The '418 Patent.....	14
1. “low profile tire pressure assembly adapted to conform to a curved surface of a tire” (Claim 1)	14
2. “attached to” (Claim 1).....	15
3. “defining/defines” (Claims 1, 6).....	15
4. “the low-profile tire pressure assembly including a battery side adapted to house the battery and a printed circuit board side adapted to house the printed circuit board” (Claims 1, 4)	16
5. “vertex dividing the printed circuit board side and the battery side” (Claim 1) “vertex defines a location where the printed circuit board and the battery substantially meet and are free from overlapping” (Claim 6).....	17
6. “valve stem” (Claims 1, 2, 5).....	18
7. “positioning the valve stem through the opening” (Claim 1).....	18
8. “generally perpendicular” (Claim 1).....	19
V. CONCLUSION.....	20

TABLE OF AUTHORITIES

	Page(s)
CASES	
<i>Abbott Labs. v. Sandoz, Inc.</i> , 566 F.3d 1282 (Fed. Cir. 2009).....	18
<i>Anchor Wall Sys. v. Rockwood Retaining Walls</i> , 340 F. 3d 1298 (Fed. Cir. 2003).....	19
<i>Georgia-Pacific Corp. v. United States Gypsum Co.</i> , 195 F.3d 1322 (Fed. Cir. 1999).....	11
<i>Innova/Pure Water, Inc. v. Safari Water Filtration Sys., Inc.</i> , 381 F.3d 1111 (Fed. Cir. 2004).....	16
<i>Markman v. Westview Instruments, Inc.</i> , 52 F.3d 967 (Fed. Cir. 1995) (en banc), <i>aff'd</i> , 517 U.S. 370 (1996)	4, 7
<i>Merck & Co. v. Teva Pharms. USA, Inc.</i> , 395 F.3d 1364 (Fed. Cir. 2005).....	13
<i>Oatey Co. v. IPS Corp.</i> , 514 F.3d 1271 (Fed. Cir. 2008).....	10, 12, 13
<i>Phillips v. AWH Corp.</i> , 415 F.3d 1303 (Fed. Cir. 2005) (en banc).....	passim
<i>Power-One, Inc. v. Artesyn Techs., Inc.</i> , No. 2:05-cv-463, 2007 U.S. Dist. LEXIS 20458 (E.D. Tex. Mar. 22, 2007)	11
<i>SunRace Roots Enter. Co. v. SRAM Corp.</i> , 336 F.3d 1298 (Fed. Cir. 2003).....	6
<i>Toshiba Corp. v. Hynix Semiconductor Inc.</i> , No. C-04-4708, 2006 U.S. Dist. LEXIS 63313 (N.D. Cal. Aug. 21, 2006)	4
<i>U.S. Surgical Corp. v. Ethicon, Inc.</i> , 103 F.3d 1554 (Fed. Cir. 1997).....	4
<i>Wilson Sporting Co. v. Hillerich & Bradsby Co.</i> , 442 F.3d 1322 (Fed. Cir. 2006).....	13
OTHER AUTHORITIES	
U.S. Patent No. 6,998,973.....	1, 2, 5, 7

U.S. Patent No. 7,004,019..... passim

U.S. Patent No. 7,284,418..... passim

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.