

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

SOFTVIEW LLC,

Plaintiff,

v.

APPLE INC.; AT&T MOBILITY LLC;  
DELL INC.; HTC CORP.; HTC AMERICA,  
INC.; HUAWEI TECHNOLOGIES CO.,  
LTD.; FUTUREWEI TECHNOLOGIES,  
INC.; KYOCERA CORP.; KYOCERA  
WIRELESS CORP.; LG ELECTRONICS,  
INC.; LG ELECTRONICS USA, INC.;  
LG ELECTRONICS MOBILECOMM  
U.S.A., INC.; MOTOROLA MOBILITY  
INC.; SAMSUNG ELECTRONICS CO.,  
LTD.; SAMSUNG ELECTRONICS  
AMERICA, INC.; SAMSUNG  
TELECOMMUNICATIONS AMERICA,  
LLC; and SONY ERICSSON MOBILE  
COMMUNICATIONS (USA) INC.,

Defendants.

Civil Action Nos. 10-389-LPS

**CONSOLIDATED**

**SOFTVIEW LLC'S OPENING CLAIM CONSTRUCTION BRIEF**

OF COUNSEL:

Morgan Chu  
Samuel K. Lu  
Erin McCracken  
Craig Johnson  
IRELL & MANELLA LLP  
1800 Avenue of the Stars, Suite 900  
Los Angeles, CA 90067  
(310) 277-1010

Steven L Caponi (#3483)  
BLANK ROME LLC  
1201 Market Street, Suite 800  
Wilmington, DE 19801  
(301) 425-6400  
caponi@blankrome.com  
Attorneys for Plaintiff SoftView LLC

Dated: September 21, 2012

**EXHIBIT**  
Petitioner - Motorola  
**PX 1020**

## TABLE OF CONTENTS

	<u>Page</u>
I. INTRODUCTION .....	1
II. OVERVIEW OF THE TECHNOLOGY .....	1
III. RELEVANT CLAIM CONSTRUCTION PRINCIPLES .....	2
A. Claim Terms Should Be Given Their Ordinary And Accustomed Meaning .....	2
B. Limitations From The Specification Must Not Be Imported Into The Claims .....	2
IV. DISPUTED CLAIM TERMS .....	3
A. "scalable content" .....	3
B. "scalable / scaling / scaled" .....	4
C. "translating" .....	4
D. "processing [the] HTML-based Web content to produce scalable content" .....	5
E. "format" .....	6
F. "vector-based content" .....	7
G. "scalable vector-based content" .....	7
H. "vector" .....	8
I. "primary datum" .....	10
J. "object datum" .....	12
K. "layout location datum" .....	13
L. "enabling the user to zoom and pan a view of the Web page" .....	14
M. "original" .....	16
N. "fit across" .....	17
O. "tapping" .....	19
P. "preserve(s) / preserved / preserving / preservation" .....	21

	<u>Page</u>
Q. "machine-readable medium" .....	23
R. "storage means" .....	24
S. "processing means" .....	25
1. The "processing means" performs the function of processing .....	25
2. "Processing means" corresponds to a processor, microcontroller, or logic circuitry.....	26
T. "wireless communication[s] means" .....	27
V. CONCLUSION.....	29

## TABLE OF AUTHORITIES

	<u>Page(s)</u>
<b><u>Cases</u></b>	
<i>Atmel Corp. v. Info. Storage Devices, Inc.</i> , 198 F.3d 1374 (Fed. Cir. 1999).....	28
<i>Brown v. 3M</i> , 265 F.3d 1349 (Fed. Cir. 2001).....	2
<i>Budde v. Harley-Davidson, Inc.</i> , 250 F.3d 1369 (Fed. Cir. 2001).....	27
<i>Ekchian v. Home Depot, Inc.</i> , 104 F.3d 1299 (Fed. Cir. 1997).....	2
<i>F5 Networks, Inc. v. A10 Networks, Inc.</i> , No. 2:10-CV-00654-MJP, 2011 U.S. Dist. LEXIS 73689 (W.D. Wash. July 8, 2011).....	10
<i>Haemonetics Corp. v. Baxter Healthcare Corp.</i> , 607 F.3d 776 (Fed. Cir. 2010).....	21
<i>In re Nuijten</i> , 500 F.3d 1346 (Fed. Cir. 2007).....	23, 24
<i>Innova/Pure Water, Inc. v. Safari Water Filtration Sys., Inc.</i> , 381 F.3d 1111 (Fed. Cir. 2004).....	20
<i>Karlin Tech. Inc. v. Surgical Dynamics, Inc.</i> , 177 F.3d 968 (Fed. Cir. 1999).....	6
<i>Playtex Products, Inc. v. Procter &amp; Gamble Co.</i> , 400 F.3d 901 (Fed. Cir. 2005).....	28
<i>SRI Int'l v. Matsushita Elec. Corp. of Am.</i> , 775 F.2d 1107 (Fed. Cir. 1985).....	3
<i>St. Clair Intellectual Property Consultants, Inc. v. Apple Inc.</i> , No. 10-982-LPS, 2012 U.S. Dist. LEXIS 110481 (D. Del. August 7, 2012).....	27
<i>Teleflex, Inc. v. Ficoso N. Am. Corp.</i> , 299 F.3d 1313 (Fed. Cir. 2002).....	2, 3
<i>Tex. Digital Sys. Inc. v. Telegenix Inc.</i> , 308 F.3d 1193 (Fed. Cir. 2002).....	2

	<u>Page(s)</u>
<i>Trilithic, Inc. v. Wavetek U.S., Inc.</i> , 64 F. Supp. 2d 816 (S.D. Ind. 1999).....	28
<i>Vas-Cath, Inc. v. Mahurkar</i> , 935 F.2d 1555 (Fed. Cir. 1991).....	28
<i>Vitronics Corp. v. Conceptronic, Inc.</i> , 90 F.3d 1576 (Fed. Cir. 1996).....	18

**Statutes**

35 U.S.C. § 101.....	24
35 U.S.C. § 112.....	25, 28

# 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.