

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

REMBRANDT WIRELESS
TECHNOLOGIES, LP,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO. LTD.;
SAMSUNG ELECTRONICS AMERICA,
INC.; SAMSUNG TELECOMMUNICATIONS
AMERICA, LLC; SAMSUNG AUSTIN
SEMICONDUCTOR, LLC; RESEARCH IN
MOTION, CORP. and RESEARCH IN
MOTION, LTD,

Defendants.

§
§
§
§
§
§
§
§
§
§
§
§
§
§
§

Case No. 2:13-cv-00213

Jury Trial Requested

P.R. 4-3 JOINT CLAIM CONSTRUCTION STATEMENT

Pursuant to the Court’s Docket Control Order (Dkt. No. 53) and P.R. 4-3, Plaintiff Rembrandt Wireless Technologies, LP (“Rembrandt”) and Defendants Samsung Electronics Co. Ltd., Samsung Electronics America, Inc., Samsung Telecommunications America, LLC, Samsung Austin Semiconductor, LLC (collectively, “Samsung”), Research in Motion, Corp., and Research in Motion, Ltd. (collectively, “RIM”) hereby submit this Joint Claim Construction and Prehearing Statement (“Joint Statement”).

There are currently two patents asserted in this litigation: U.S. Patent No. 8,023,580 (“the ’580 Patent”); and U.S. Patent No. 8,457,228 (“the ’228 Patent”).

Samsung Ex. 1017
(Samsung v. Rembrandt)

I. P.R. 4-3(a) Agreed Claim Constructions

The Parties' agreed constructions are below:

Term to be Construed	Parties' Agreed Construction
“master/slave relationship” <ul style="list-style-type: none">• ‘580 claims 1, 10, 58, 66• ‘228 claims 1, 22, 26	No construction necessary
“slave” <ul style="list-style-type: none">• ‘580 claims 1, 2, 10, 58, 59• ‘228 claims 1, 10, 11, 15, 18, 20, 22, 23, 26, 38, 47, 48, 49, 50, 52	No construction necessary
“in which a slave communication from a slave to a master occurs in response to a master communication from the master to the slave” <ul style="list-style-type: none">• ‘580 claim 1• ‘228 claim 22	No construction necessary
“in which a slave message from a slave to a master occurs in response to a master message from the master to the slave” <ul style="list-style-type: none">• ‘580 claim 58	No construction necessary
“in which a slave communication from a slave device to the master communication device occurs in response to a master communication from the master communication device to the slave device” <ul style="list-style-type: none">• ‘228 claims 1, 26	No construction necessary
“wherein the slave data from the single slave transceiver is received in response to a request sent from the master transceiver to the single slave transceiver” <ul style="list-style-type: none">• ‘228 claim 11	No construction necessary
“wherein the first modulation	No construction necessary

<p>method is different than the second modulation method”</p> <ul style="list-style-type: none"> • ‘580 claims 23, 32 	
<p>“a second modulation method that is different than the first modulation method”</p> <ul style="list-style-type: none"> • ‘580 claim 40 	No construction necessary
<p>“first information in the first portion indicates at least which of the first modulation method and the second modulation method is used for modulating second information in the payload portion ... the first sequence indicates an impending change from the first modulation method to the second modulation method”</p> <ul style="list-style-type: none"> • ‘580 claim 1 	No construction necessary
<p>“the first data comprises an indication of an impending change from the first modulation method to the second modulation method”</p> <ul style="list-style-type: none"> • ‘580 claims 23, 32 	No construction necessary
<p>“a first sequence, modulated in accordance with the first modulation method, that indicates an impending change from the first modulation method to the second modulation method”</p> <ul style="list-style-type: none"> • ‘580 claim 40 	No construction necessary
<p>“transmit a first sequence to notify of a change from said first modulation method to a second modulation method”</p> <ul style="list-style-type: none"> • ‘580 claims 49, 54 	No construction necessary
<p>“a first sequence, in the first modulation method, that indicates at least which of the first modulation method and the second modulation method is used for</p>	No construction necessary

<p>modulating a second sequence, wherein, in at least one message, the first sequence indicates an impending change from the first modulation method to the second modulation method”</p> <ul style="list-style-type: none"> • ‘580 claim 58 	
<p>“the third information comprises information that is indicative of an impending change in modulation to a second modulation method”</p> <ul style="list-style-type: none"> • ‘228 claim 1 	No construction necessary
<p>“the message-specific first information is indicative of whether the message-specific second information will be modulated using a different type of modulation method than is used for the message-specific first information”</p> <ul style="list-style-type: none"> • ‘228 claims 15, 52 	No construction necessary
<p>“the message-specific first information is indicative of whether the message-specific second information will be modulated according to the first modulation method or the second modulation method”</p> <ul style="list-style-type: none"> • ‘228 claim 17 	No construction necessary
<p>“the fifth information is indicative of an impending change in modulation to the second modulation method”</p> <ul style="list-style-type: none"> • ‘228 claim 18 	No construction necessary
<p>“the first transmission sequence includes information that is indicative of an impending change in modulation method from the first modulation method to the second modulation method”</p> <ul style="list-style-type: none"> • ‘228 claim 26 	No construction necessary

<p>“information that is indicative of the type of modulation method used for the second transmission sequence”</p> <ul style="list-style-type: none"> • ‘228 claim 27 	No construction necessary
<p>“the message-specific first information is indicative of whether the message-specific second information will be modulated using a different type of modulation method than is used for the message-specific first information”</p> <ul style="list-style-type: none"> • ‘228 claim 52 	No construction necessary
<p>“indicates that communication from the master to the slave has reverted to the first modulation method”</p> <ul style="list-style-type: none"> • ‘580 claims 2, 59 	No construction necessary
<p>“indicates that communication has reverted to the first modulation method”</p> <ul style="list-style-type: none"> • ‘580 claims 23, 49 	No construction necessary
<p>“indicates that a subsequent communication has reverted to the first modulation method”</p> <ul style="list-style-type: none"> • ‘580 claim 41 	No construction necessary
<p>“[transceiver/ transmitter]”</p> <ul style="list-style-type: none"> • ‘580 claims 1, 2, 4, 5, 10, 19-22, 25, 34, 40, 41, 43, 49, 53, 54, 58, 59, 61, 62, 66, 76-79 • ‘228 claims 1, 2, 3, 5, 10, 11, 14, 15, 18, 19, 20, 22, 23, 25, 26, 37-40, 48, 49, 52 	No construction necessary
<p>“[transceiver/ transmitter]... configured to [transmit/send]”</p> <ul style="list-style-type: none"> • ‘580 claims 2, 4, 21, 25, 34, 40, 41, 43, 53, 58, 59, 61, 78 • ‘228 claims 1, 2, 3, 10, 14, 18, 19, 22, 23, 25, 26, 48, 49, 52 	No construction necessary

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.