

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 06-21359-CIV-KING

ROTHSCHILD TRUST
HOLDINGS, LLC,

Plaintiff,

v.

CITRIX SYSTEMS, INC.,
and CITRIX ONLINE, LLC,

Defendants.

ORDER ON CLAIMS CONSTRUCTION

This matter comes before the Court upon a full evidentiary hearing held on April 13, 2007 (DE # 56) and the May 2, 2007 (DE # 64) before this Court, pursuant to *Markman v. Westview Instruments, Inc.*, 517 U.S. 370 (1996).

In the *Markman* Hearings, Plaintiff Rothschild Trust Holdings, LLC (herein "Rothschild") and Defendants Citrix Systems, Inc. and Citrix Online, LLC (herein collectively "Citrix") argued their proposed constructions of thirteen (13) disputed terms in U.S. Patent No. 6,101,534 (herein "the 534 Patent") before this Court. The Court heard oral argument, took testimony, and examined various exhibits. After a full development of the record and careful consideration of the parties' papers, oral

arguments, evidence, and the patent-in-suit, the Court now construes the disputed terms as follows.

I. BACKGROUND

The '534 Patent, entitled “Interactive, Remote, Computer Interface System,” was issued to Plaintiff on August 8, 2000. The Leigh Rothschild technology, invented in 1996, was accepted and published by the U.S. Patent and Trademark Office without comment in 2000.

The purpose of the interactive, remote, computer interface system claimed in the '534 Patent was to overcome problems associated with transporting large data files over the Internet. The system described in the '534 Patent is structured to achieve “real time, continuous movement, interactivity and image generation” when accessing data-rich video or audio filed over a computer network. '534 Patent, Col. 1:18-20. Thus, the system described in the '534 Patent permits persons at locations away from a computer to access, communicate and interact with data stored on such computer. The '534 Patent lists various examples of what can be done with the claimed invention, such as 3-D space navigation; remote real-estate walkthroughs; remote software upgrades, audio/video playbacks; fast, regular information updates; and enhanced websites.

II. LEGAL STANDARD

This Court recognizes that the construction of the scope and meaning of disputed terms within patent claims is a question of law to be determined by the court. *Markman*, 517 U.S. at 372. The goal of claim construction is to "interpret what the patentee meant by a particular term or claim." *Reinshaw PLC v. Marposs Societa per Azioni*, 158 F.3d 1243, 1249 (Fed. Cir. 1998). As the Court undertaking the construction of disputed terms this Court may look "to sources available to the public that show what a person of skill in the art would have understood the disputed claim language to mean." *Innova/Pure Water, Inc. v. Safari Water Filtration Sys., Inc.*, 381 F. 3d 1111, 1116 (Fed. Cir. 2004). The Court's analysis focuses on three sources: the claims, the specifications, and the prosecution history, as precedent dictates. *Markman*, 52 F.3d at 979.

In reviewing this matter this Court recognizes that the claim construction analysis begins with an examination of the specific claim language. "The analytical focus must begin and remain centered on the language of the claims themselves, for it is that language that the patentee chose to use to particularly point out and distinctly claim the subject matter which the patentee regards as his invention." *Innova/Pure Water*, 381 F.3d at 1116. This Court is mindful that "[c]ourts can neither broaden nor narrow the claims to give the patentee something different" from

what is set forth in the patent. *E.I. Du Pont de Nemours & Co. v. Phillips Petroleum Co.*, 849 F.2d 1430, 1433 (Fed. Cir. 1988). Accordingly, the Court's final construction must align with the words chosen by the patentee to describe the claimed invention.

In construing the disputed claim terms, this Court also looked to the intrinsic evidence including the written description, the drawings, and the prosecution history, to provide context and clarification regarding the intended meaning of the claim terms or phrases. *Teleflex, Inc. v. Ficoso N.Am. Corp.*, 299 F.3d 1313, 1324-25 (Fed. Cir. 2002). This Court is cognizant that limitations from the specification of the '534 Patent may not be read into the claims, absent the inventor's express intention to the contrary. *Id.* at 1326. An inventor does not have to set forth in the specification every imaginable potential manifestation of the invention. *CCS Fitness, Inc. v. Brunswick Corp.*, 288 F.3d 1359, 1366 (Fed. Cir. 2002). Courts should not limit the invention to the specific examples or preferred embodiment found in the specification. *Markman*, 52 F.3d at 979; *Intelifus, Inc. v. Biomedical Enterprises, Inc.*, 2007 WL 233387 (S.D.N.Y. 2007) and *Trilithic, Inc. v. Wavetek U.S., Inc.*, 64 F. Supp.2d 816, 820 (S.D. Ind. 1999) (patent claims must be read in light of the specification, but courts must avoid reading limitations from the specification into the claim).

This Court engaged in its interpretation mindful that if the analysis of the intrinsic evidence remained ambiguous after its review of the intrinsic record, the Court may look to extrinsic evidence such as expert testimony, dictionaries and learned treatises. *Vitronics Corp. v. Conceptronic, Inc.*, 90 F.3d 1576, 1584 (Fed. Cir. 1996). When considering extrinsic evidence, however, the Court must take care not to use it to vary or contradict the claim terms of the ‘534 Patent.

III. DISCUSSION

A. INDEPENDENT CLAIM 1

Claim 1 is the ‘534 Patent’s only independent claim. Consistent with the ‘534 Patent’s foregoing disclosure of an “interactive, remote computer interface system,” Claim 1 describes and requires an “interactive, remote computer interface system” comprising of, among other things:

(1) Two different computer assemblies in two different locations:

- a “remote server assembly” and
- a “local processor assembly.”

(2) Associated display information divided between the two computer assemblies:

- “primary site data” included on the remote server assembly;
- “auxiliary site data” included on the data storage assembly associated with the local processor assembly; and

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