

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

M2M SOLUTIONS LLC,  
a Delaware limited liability company,

Plaintiff,

v.

SIERRA WIRELESS AMERICA, INC., et al.,

Defendants.

C.A. No. 12-030-RGA

CONFIDENTIAL – FILED  
UNDER SEAL

M2M SOLUTIONS LLC,  
a Delaware limited liability company,

Plaintiff,

v.

ENFORA, INC., et al.,

Defendants.

C.A. No. 12-032-RGA

CONFIDENTIAL – FILED  
UNDER SEAL

M2M SOLUTIONS LLC,  
a Delaware limited liability company,

Plaintiff,

v.

TELIT COMMUNICATIONS PLC, et al.,

Defendants.

C.A. No. 12-033-RGA

CONFIDENTIAL – FILED  
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**PLAINTIFF'S ANSWERING BRIEF IN  
OPPOSITION TO DEFENDANTS' MOTION FOR  
RECONSIDERATION OF THE COURT'S  
CLAIM CONSTRUCTIONS OF "PROCESSING MODULE" AND  
"PROGRAMMABLE INTERFACE" BASED ON THE FEDERAL  
CIRCUIT *EN BANC* DECISION IN *WILLIAMSON V. CITRIX ONLINE***

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## TABLE OF CONTENTS

	<u>Page</u>
I. INTRODUCTION.....	1
II. PROCEDURAL AND FACTUAL BACKGROUND.....	2
A. The Court’s November, 2013 <i>Markman</i> Ruling Construing The Claim Terms “Processing Module” and “Programmable Interface” .....	2
B. Intrinsic Record Disclosures Explaining How the “Processing Module” Performs Its Recited Authenticating Function.....	3
C. A Simple Three-Step Algorithm For Performing The Recited Authenticating Function That Can Readily Be Implemented In Software .....	6
D. Usage Of The Claim Term “Programmable Interface” In The Prior Art To Designate A General Class Of Structures .....	7
III. ARGUMENT.....	7
A. Applicable Legal Standards .....	7
1. Algorithms As Structure For Software-Implemented Claim Terms. ....	7
2. Standards For Determining When Section 112(6) Will Apply To Claim Terms Lacking The Word “Means”.....	9
3. Standards For Determining Whether Adequate Corresponding Structure Exists For Supporting Claim Terms That Are Subject To Section 112(6). .....	11
B. Defendants Fail To Demonstrate That <i>Williamson</i> Requires The “Processing Module” Claim Term To Be Governed By Section 112(6) Or Held Indefinite Thereunder .....	13
1. Section 112(6) Does Not Apply Because Surrounding Claim Language In The “Processing Module” Limitation Connotes Sufficient Algorithmic Structure.....	13
2. Even If Section 112(6) Did Apply, The “Processing Module” Claim Term Would Not Be Indefinite Because Sufficient Corresponding Algorithmic Structure Exists In The Specification.....	15
C. The <i>Williamson</i> Decision Is Of No Consequence To The Court’s Previous Construction Of The “Programmable Interface” Claim Term .....	15
IV. CONCLUSION.....	15

## TABLE OF AUTHORITIES

	<u>Page(s)</u>
<b><u>Federal Cases</u></b>	
<i>AllVoice Computing PLC v. Nuance Communications, Inc.</i> , 504 F.3d 1236 (Fed. Cir. 2007).....	12, 14, 15
<i>Apex, Inc. v. Raritan</i> , 325 F.3d 1364 (Fed. Cir. 2003) .....	2
<i>Apple Inc. v. Motorola, Inc.</i> , 757 F.3d 1286 (Fed. Cir. 2014) .....	7, 10, 13, 14
<i>Applied Med. Res. Corp. v. U.S. Surgical Corp.</i> , 448 F.3d 1324 (Fed. Cir. 2006).....	11
<i>Aristocrat Techs. Austl. Pty Ltd. v. International GameTech</i> , 521 F.3d 1328 (Fed. Cir. 2008).....	10, 11
<i>B. Braun Med., Inc. v. Abbot</i> , 124 F.3d 1419 (Fed. Cir. 1997).....	11
<i>Beneficial Innovations, Inc. v. Blockdot, Inc.</i> , Nos. 2:07-CV-263-TJW-CE, 2:07-CV-555-TJW-CE, 2010 WL 1441779, (E.D. Tex. April 12, 2010) .....	2
<i>Blackboard, Inc. v. Desire2Learn Inc.</i> , 574 F.3d 1371 (Fed. Cir. 2009).....	8, 14
<i>In re Donaldson Co.</i> , 16 F.3d 1189 (Fed. Cir. 1994) .....	11
<i>Elcommerce.com, Inc. v. SAP AG</i> , 745 F.3d 490 (Fed. Cir. 2014) .....	12
<i>Finisar Corp. v. TheDirectTV Group, Inc.</i> , 523 F.3d 1323 (Fed. Cir. 2008) .....	8, 9, 12
<i>Function Media, L.L.C. v. Google, Inc.</i> , 708 F.3d 1310 (Fed. Cir. 2013) .....	8
<i>Lighting World, Inc. v. Birchwood Lighting, Inc.</i> , 382 F.3d 1354 (Fed. Cir. 2004) .....	9
<i>Noah Systems, Inc. v. Intuit Inc.</i> , 675 F.3d 1302 (Fed. Cir. 2012).....	8, 11, 14
<i>Pi-Net International Inc. v. JPMorgan Chase &amp; Co.</i> , No. 12-282-RGA, 2014 U.S. Dist. LEXIS 47569, (D. Del. April 7, 2014).....	12
<i>TecSec, Inc. v. Internat. Business Machines Corp.</i> , 731 F.3d 1336 (Fed. Cir. 2013) .....	11
<i>Typhoon Touch Technologies, Inc. v. Dell, Inc.</i> , 659 F.3d 1376 (Fed. Cir. 2011) ..	9, 12, 14
<i>Williamson v. Citrix Online, LLC</i> , No. 2013-1130, 2015 U.S. App. LEXIS 10082 (Fed. Cir. June 16, 2015) .....	1, 9, 13, 15
<b><u>Miscellaneous Authorities</u></b>	
<i>Microsoft Computer Dictionary</i> (4 <sup>th</sup> ed. 1999) .....	2

## **I.** **INTRODUCTION**

Plaintiff M2M Solutions LLC (“M2M”) hereby submits its answer in opposition to the Motion For Reconsideration Of The Court’s Claim Constructions Of “Processing Module” And “Programmable Interface” (D.I. 180)<sup>1</sup> filed by Defendants in response to the Federal Circuit’s recent decision in *Williamson v. Citrix Online, LLC*, No. 2013-1130, 2015 U.S. App. LEXIS 10082 (Fed. Cir. June 16, 2015). Of potential relevance here, *Williamson* held that the rebuttable presumption against applying 35 U.S.C. § 112, ¶ 6 (“Section 112(6)”) to non-means claim terms should be reduced from a “heightened” to an ordinary presumption, and that the word “module” standing alone may sometimes serve as a “nonce word.” However, for the reasons demonstrated by M2M below, nothing in the *Williamson* decision would require the Court to change its prior constructions of the “processing module” or “programmable interface” claim terms so as newly to treat them as mean-plus-function limitations, much less to find either of those terms indefinite as a consequence of such treatment.

As a matter of law, the “processing module” claim term is *not* governed by Section 112(6) because its surrounding claim language connotes sufficiently definite algorithmic structure explaining the particular manner in which its recited “authenticating” function is performed. Even if Section 112(6) were improperly applied (which it should not be), this would also qualify as adequate corresponding structure to preclude an indefiniteness finding.

With regard to the “programmable interface” claim term, *Williamson* is simply of no consequence. *Williamson* did not address “programmable interface” or analogous claim language, and the Court’s previous finding that this claim term connotes sufficiently definite structure renders the presumption un rebuttable whether it be “heightened” or merely ordinary.

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<sup>1</sup> Unless otherwise noted, all “D.I.” references herein are to CA. No. 12-030-RGA.

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