IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

SAMSUNG ELECTRONICS CO., LTD,
et al,

Plaintiffs,

v. Civil Case No. 3:14-cv-757

NVIDIA CORPORATION,
et al,

Defendants.

MEMORANDUM OPINION

This matter is before the Court for claim construction of U.S. Patent Nos. 5,860,158 (the "'158 Patent"), 6,262,938 (the "'938 Patent"), 6,287,902 (the "'902 Patent"), 6,819,602 (the "'602 Patent"), 8,252,675 (the "'675 Patent"), and 6,804,724 (the "'724 Patent'").

BACKGROUND

The Plaintiffs, Samsung Electronics Co., LTD and Samsung Electronics America ("Samsung") assert claims for infringement of the '158 Patent, the '938 Patent, the '902 Patent, the '602 Patent, the '675 Patent, and the '724 Patent (collectively the "Patents-in-Suit") against the Defendants, NVIDIA Corporation ("NVIDIA"), Old Micro Inc. ("Old Micro"), and Velocity Holdings LLC

("Velocity") (collectively, "Defendants"). The Patents-in-Suit relate to a method of building computer chips, systems which control a computer's operations, and a display adaptor linking a computer with an analog display. The parties have offered thirteen claims and one preamble for construction.

DISCUSSION

I. Legal Standard

The purpose of claim construction is to "determin[e] the meaning and scope of the patent claims asserted to be infringed." Markman v. Westview Instruments, Inc., 52 F.3d 967, 976 (Fed. Cir. 1995) (en banc), *aff'd*, 517 U.S. 370 (1996). The construction of a claim is a question of law. Id.

A term should be construed by the Court whenever there is an actual, legitimate dispute as to the proper scope of the claims. O2 Micro Int'l Ltd. v. Beyond Innovation Tech. Co., 521 F.3d 1351, 1360 (Fed. Cir. 2008). However, "a district court is not obligated to construe terms with ordinary meanings, lest trial courts be inundated with requests to parse the meaning of every word in the asserted claims." Id.

Furthermore, some claim terms will be so simple that "the ordinary meaning of claim language as understood by a person of skill in the art may be readily apparent even to lay judges, and claim construction in such cases involves little more than the application

of the widely accepted meaning of commonly understood words." Phillips v. AWH Corp., 415 F.3d 1303, 1314 (Fed. Cir. 2005). And, "a sound claim construction need not always purge every shred of ambiguity. The resolution of some line-drawing problems -- especially easy ones . . . -- is properly left to the trier of fact." Acumed LLC v. Stryker Corp., 483 F.3d 800, 806 (Fed. Cir. 2007). As recognized in O2 Micro, "district courts are not (and should not be) required to construe *every* limitation present in a patent's asserted claims . . . . Claim construction 'is not an obligatory exercise in redundancy.'" 521 F.3d at 1362 (quoting U.S. Surgical Corp. v. Ethicon, Inc., 103 F.3d 1554, 1568 (Fed. Cir. 1997)).

"Claim terms are generally given their plain and ordinary meanings to one of skill in the art when read in the context of the specification and prosecution history." Hill-Rom Servs, Inc. v. Stryker Corp, 755 F.3d 1367, 1371 (Fed. Cir. 2014). "There are only two exceptions to this general rule: 1) when a patentee sets out a definition and acts as his own lexicographer, or 2) when the patentee disavows the full scope of the claim term either in the specification or during prosecution." Thorner v. Sony Computer Entm't Am LLC, 669 F.3d 1362, 1365 (Fed. Cir. 2012). "[I]n interpreting an asserted claim, the court should look first to the intrinsic evidence of record, *i.e.*, the patent itself, including the claims, the specification, and, if in evidence, the prosecution history...Such

intrinsic evidence is the most significant source of the legally operative meaning of disputed claim language." Vitronics Corp. v. Conceptronic, Inc., 90 F.3d 1576, 1582 (Fed. Cir. 1996). Of these sources, the words of the claim should be the Court's controlling focus. See Phillips, 415 F.3d at 1314; see also Digital Biometrics, Inc. v. Identix, Inc., 149 F.3d 1335, 1344 (Fed. Cir. 1998).

"Where the intrinsic record is ambiguous, and when necessary, [the Court may] rely on extrinsic evidence, which consists of all evidence external to the patent and prosecution history, including expert and inventor testimony, dictionaries, and learned treatises." Power Integrations, Inc. v. Fairchild Semiconductor, Intern., Inc., 711 F.3d 1348, 1360 (Fed. Cir. 2013). Extrinsic evidence, however, may not be used to contract or expand the claim language or the meanings established in the specification. Phillips, 415 F.3d at 1318-19; Vitronics, 90 F.3d at 1584. As explained in Nystrom v. Trex Co.,

> [I]n the absence of something in the written description and/or prosecution history to provide explicit or implicit notice to the public -- i.e., those of ordinary skill in the art -- that the inventor intended a disputed term to cover more than the ordinary and customary meaning revealed by the context of the intrinsic record, it is improper to read the term to encompass a broader definition simply because it may be found in a dictionary, treatise, or other extrinsic source.

424 F.3d 1136, 1145 (Fed. Cir. 2005).

II. Claim Construction

The terms tendered for construction are:

(1) "Depositing a second metal gate electrode layer onto inner sidewalls of the spacers and onto an upper surface of the patterned first metal gate electrode layer," which appears in the '675 patent;

(2) "Depositing a third metal gate electrode layer onto the second metal gate electrode layer," which appears in the '675 patent;

(3) "A gate insulating layer," which appears in the '675 patent;

(4) "Insulating spacer along a sidewall of the [second] patterned conductive layer," which appears in the '902 patent;

(5) "An insulating layer," which appears in the '902 patent;

(6) "Forming a trench in said substrate, and wherein said field isolation layer fills said trench," which appears in the '902 patent;

(7) "Request ID [value]," which appears in the '158 patent;

(8) "Controlling propagation delay time," which appears in the '602 patent;

(9) "Reference voltage," which appears in the '602 patent;

(10) "Determined/Determining," which appears in the '938 patent;

(11) "Shift register for delaying," which appears in the '938 patent;

(12) "Sending parallel digital video data," which appears in the '724 patent;

(13) "Means for generating a cable sensing signal to be sent to said first external video port over the digital cable, thereby informing the video controller of the digital cable connection state of said first external port," which appears in the '724 patent.

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