

1 Ryan E. Hatch (SBN 235577)
rhatch@linerlaw.com
2 Jason L. Haas (SBN 217290)
jhaas@linerlaw.com
3 LINER LLP
1100 Glendon Avenue, 14th Floor
4 Los Angeles, California 90024.3518
Telephone: (310) 500-3500
5 Facsimile: (310) 500-3501

6 Attorneys for Plaintiff SIGNAL IP, INC.

7
8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 SIGNAL IP, INC., a California
11 corporation,

12 Plaintiff,

13 vs.

14 AMERICAN HONDA MOTOR CO.,
INC., a California corporation;
15 HONDA OF AMERICA MRG, INC.,
an Ohio corporation,

16 Defendant.

Case No. 2:14-cv-02454-JAK (JEMx)
(Related to 2:14-cv-02962-JAK
(JEMx); SA CV14-00497-JAK (JEMx);
8:14-cv-00491-JAK (JEMx); 2:14-cv-
02963 JAK (JEMx); 2:14-cv-02457-
JAK (JEMx); 2:14-cv-03106-JAK
(JEMx); 2:14-cv-03111-JAK (JEMx);
LA CV14-03109 JAK (JEMx); 2:14-cv-
03105-JAK (JEMx); 2:14-cv-03107-
JAK (JEMx); 2:14-cv-03113-JAK
(JEMx); 2:14-cv-03108-JAK (JEMx);
2:14-cv-03114-JAK (JEMx))

**JOINT CLAIM CONSTRUCTION
AND PREHEARING STATEMENT**

Markman Hearing: March 16, 2015
Time: 10:00 a.m.
Crtrm.: 750

The Hon. John A. Kronstadt

Trial Date: TBD

17
18 AND RELATED CASES
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Case No. 2:14-cv-02454-JAK (JEMx)

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

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1100 Glendon Avenue | 14th Floor
Los Angeles, CA 90024.3518

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LINER^{L.P.}
1100 Glendon Avenue | 14th Floor
Los Angeles, CA 90024-3518

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1100 Glendon Avenue | 14th Floor
Los Angeles, CA 90024-3518

1 Pursuant to Standing Patent Rule (“S.P.R.”) 3.4 and the Court’s Minute Order
2 of September 15, 2014 (Dkt. 38 in Case No. 2:14-cv-02454) (“Minute Order”)
3 Plaintiff Signal IP, Inc. (“Signal”) and Defendants American Honda Motor Co. and
4 Honda of America Mfg., Inc. (collectively “Honda”), Nissan North America, Inc.
5 (“Nissan”), Mitsubishi Motors North America, Inc. (“Mitsubishi”), Mazda Motor of
6 America, Inc. (“Mazda”), Subaru of America, Inc. (“Subaru”), Kia Motors America,
7 Inc. (“KMA”), BMW of North America, LLC (“BMWNA”), Volvo Cars of North
8 America, LLC (“Volvo”), Mercedes-Benz USA LLC (“MBUSA”), Volkswagen
9 Group of America (“VWGoA”) and Bentley Motors, Inc. (“Bentley”), Jaguar Land
10 Rover North America, LLC (“JLRNA”), and Porsche Cars North America, Inc.
11 (“PCNA”) (collectively, “Defendants”) hereby submit their Joint Claim
12 Construction and Prehearing Statement for U.S. Pat. Nos. 5,714,927 (“the ‘927
13 Patent”), 5,732,375 (“the ‘375 Patent”), 6,434,486 (“the ‘486 Patent”), 6,775,601
14 (“the ‘601 Patent”), 6,012,007 (“the ‘007 Patent”), 5,463,374 (“the ‘374 Patent”),
15 and 5,954,775 (“the ‘775 Patent”) (Collectively “Patents-in-Suit” or “Asserted
16 Patents”).

17 **I. CONSTRUCTION OF TERMS UPON WHICH PARTIES AGREE¹**

18 The below chart reflects the constructions agreed to between Signal and the
19 Defendants accused of infringing the patents and claims noted in the first column of
20 the chart. Defendants take no position on (and do not agree to any construction for)
21 claims that are not asserted in their particular cases.
22

23 _____
24 ¹ Defendants VWGoA and Bentley take no position on the constructions offered in
25 this Section I. VWGoA and Bentley contend only that certain terms in the asserted
26 patents are indefinite, as set forth in Section II below. VWGoA and Bentley further
27 contend that the other terms in the patents asserted against them require no
28 construction other than “plain and ordinary meaning.” Rather than repeat the phrase
“plain and ordinary meaning” in each section below, VWGoA and Bentley simply
note their position here. VWGoA and Bentley reserve the right to contend that any
specific construction proposed below by any party is incorrect.

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1	Terms (& Claims)	Agreed Construction
2	“blind spot”	An area on a side or on a side and to the rear
3	(‘927 Patent, Claim 1)	of the host vehicle not visible to the driver
4		through the mirrors
5	“relative vehicle speed”	Speed in relation to another vehicle.
6	(‘927 Patent, Claim 1)	
7	“alert signal”	A signal for alerting the driver
8	(‘927 Patent, Claim 1)	
9	“detecting target vehicle	Detecting that the target vehicle is present at
10	presence and producing an alert	least partially in the blind spot and producing
11	command”	an alert command
12	(‘927 Patent, Claim 1)	
13	“total threshold force”	A minimum force that allows airbag
14	(‘375 Patent, Claim 1)	deployment based on the total force sensed by
15		the entire sensor array
16	“providing an alarm”	Providing a warning for the driver
17	(‘486 Patent, Claims 21 & 28)	
18	“traction motor”	An electric motor used to propel a vehicle²
19	(‘601 Patent, Claims 8, 10-11,	
20	15, 17)	
21	“force”	Pressure that is indicative of weight
22	(‘375 Patent, claim 1)	
23	“vehicle torque demand”	Torque requested by the driver
24	(‘601 Patent, claim 8)	
25	“means for storing	<u>Function:</u>
26	identification codes from the	

27 ² BMWNA agrees to the construction of “traction motor,” but takes no position on
 28 the constructions of the terms agreed upon by Signal and the other defendants.



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1	Terms (& Claims)	Agreed Construction
2	transmitted sign up messages	“storing identification codes from the transmitted sign-up messages for comparison with subsequently transmitted data messages to differentiate data transmitted from various tire locations” <u>Structure:</u> the processor 24 and its associated non-volatile memory.
3	for comparison with	
4	subsequently transmitted data messages to differentiate data transmitted from various tire locations”	
5		
6	(‘374 Patent, Claim 3)	
7		
8		
9	“yaw rate sensor”	Sensor that measures a vehicle’s deviation from a straight course
10	(‘486 Patent, Claims 27, 34)	

II. PROPOSED CONSTRUCTION OF EACH DISPUTED CLAIM TERM AND IDENTIFICATION OF SUPPORTING EVIDENCE

A. ‘927 Patent

The ‘927 Patent is asserted in these actions against defendants Honda, KMA, Mazda, Nissan, Volvo, JLRNA, MBUSA, BMWNA, VWGoA, and PCNA.

	Terms & Claims	Plaintiff’s Position	Defendants’ Position
18	1. “In a radar system wherein a host vehicle uses radar to detect a target vehicle in a blind spot of the host vehicle driver, a method of improving the perceived zone of coverage response of automotive radar comprising the steps of”	Signal is of the view that this term does not require a construction by the Court, and should be given its plain and ordinary meaning. However, if the Court determines that a construction is necessary, Signal proposes the following: The preamble is limiting. <u>Evidence:</u> ‘927 Patent, Abstract; Figs. 1 and 3-7;	<u>KMA, Mazda, Nissan, Volvo, JLRNA, MBUSA, PCNA, BMWNA:</u> The preamble is limiting.
19			<u>Honda:</u> Preamble does not limit claim to radar.
20			Field of the Invention; Abstract; Figs. 3d, 4, cols. 2:28-32; 2:62-65; 3:52 – 4:21; 4:35:44; claim 1.
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