

UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.

Before the Honorable Charles E. Bullock
Chief Administrative Law Judge

In the Matter of:

CERTAIN MOBILE AND PORTABLE
ELECTRONIC
DEVICES INCORPORATING HAPTICS
(INCLUDING SMARTPHONES AND
LAPTOPS) AND
COMPONENTS THEREOF

Inv. No. 337-TA-1004
Inv. No. 337-TA-990
(Consolidated)

Immersion's Preliminary Proposed Claim Constructions (-1004 Investigation Patents)

Pursuant to the Joint Discovery Statement and the procedural schedule in this investigation, Immersion hereby provides the following list of its preliminary proposed claim constructions for the terms identified by the parties on August 15, 2016 with respect to the four patents asserted in the Complaint filed in -1004 Investigation. Terms and proposed constructions with respect to the three patents asserted in the -990 Investigation were identified in a previous disclosure served June 3, 2016.

Immersion reserves the right to modify this list, including by adding or dropping terms or by modifying its proposed claim construction of any term. Further, at present, Immersion intends to present expert testimony for claim construction and/or tutorial, including as may be appropriate to respond to expert testimony presented by other parties.

Term	Patent/Asserted Claims	Immersion's Preliminary Proposed Construction
<p>“pressure”¹</p> <p>This is a term Respondents proposed for construction. Immersion disputes that this is a single term. The word “pressure” appears in different phrases from four different patents and cannot be construed in isolation from the surrounding claim language:</p> <p>’260: “first/second/third/fourth pressure”;</p> <p>’488: “first/second pressure threshold” (claims 1, 9, and 17); “first/second pressure” (claims 25 and 29); and “pressure-sensitive touchpad” (claim 25);</p> <p>’356: “pressure data” (claims 11, 21, and 26);</p> <p>’507: “pressure,” “change in pressure,” “pressure threshold,” “change in pressure threshold” (claims 1, 9, and 14); “actual pressure” and “pseudo pressure” (claims 2, 10, and 15).</p>	<p>’260 patent: claims 1, 2</p> <p>’488 patent: claims 1, 9, 17, 25-27, 29</p> <p>’507 patent: all claims</p> <p>’356 patent: claims 11, 21, 26</p>	<p>Plain meaning.</p> <p>The word “pressure” appears in different phrases from four different patents and cannot be construed in isolation from the surrounding claim language. Immersion preliminarily construes the word “pressure” to mean “application of force from a contact.”</p>
<p>“pseudo pressure”</p>	<p>’507 patent: claims 2, 3, 10, 11, 15, 16</p>	<p>“A measure of the area of the screen contacted by an object.”</p>
<p>“first / second / third / fourth tactile sensation”</p>	<p>’260 patent: claims 1, 2</p>	<p>“The first/second/third/fourth tactile sensation can be the same as or</p>

¹ Immersion also objects to Respondents’ proposal of additional terms from the ’356 patent. Immersion also reserves the right to propose additional or different phrases or terms for construction containing “pressure” during the meet and confer process.

Term	Patent/Asserted Claims	Immersion's Preliminary Proposed Construction
		different from the other tactile sensations.”
“first/second haptic effect”	'488 patent: claims 1, 9, 17	“The first haptic effect can be the same as or different from the second haptic effect.”
“first/second tactile sensation”	'488 patent: claims 25, 29	“The first tactile sensation can be the same as or different from the second tactile sensation.”
“first haptic effect / second haptic effect”	'710 patent: claims 1, 8, 12	“The first haptic effect is different from the second haptic effect.”
“threshold”	'488 patent: claims 1, 9, 17	Plain meaning. If construed: “level.”
“output a second tactile sensation associated with the second position”	'488 patent: claims 25, 29	Plain meaning.
“determine a press if . . . the change in pressure is greater than a change in pressure threshold”	'507 patent: claims 1, 9, 14	Plain meaning. If construed: “determine a press if . . . the change in pressure is greater than a static or adaptive threshold for the change in pressure.”
“otherwise”	'710 patent: claim 1	Plain meaning. If construed: “alternatively.”
“determine a command associated with the user input”	'710 patent: claim 1	“determine whether the command associated with the user input is supported”

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Respectfully submitted,

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