

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

_____)	
NICHIA CORPORATION,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	
)	Civil. Action No. 16-681-RGA
TCL MULTIMEDIA TECHNOLOGY)	
HOLDINGS LIMITED and TTE)	
TECHNOLOGY, INC.,)	
)	
<i>Defendant.</i>)	
_____)	

~~PROPOSED~~ CLAIM CONSTRUCTION ORDER

As set forth in the Memorandum Opinion entered by the Court on November 28, 2017 (D.I. 67), after having considered the submissions of the parties and hearing oral argument on the matter, IT IS HEREBY ORDERED, ADJUDGED, and DECREED:

1. As used in the '631 patent (claim 1), the '959 patent (claims 1 and 9), the '375 patent (claim 1), and the '092 patent (claim 1) the term "absorbing a part of" is construed to mean "absorbing only a part of."

2. ~~Nichia's Proposal:~~ As used in the asserted claims of U.S. Patent No. 7,915,631 (the "'631 patent'"), claims 1 and 11; and U.S. Patent No. 7,901,959 (the "'959 patent'"), claims 1 and 9, the term "transparent material" requires no claim construction. However, a transparent material can be made of multiple layers of different materials, and is not limited to a "transparent material" that is "unitary."

~~[Nichia's proposal:] The Court determined that no construction was necessary. Nichia believes that this term should not be included in the Claim Construction Order.~~

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3. As used in the '631 patent, claim 1, the term “main emission peak” is construed to mean “peak emission wavelength.”

4. As used in the '631 patent, claim 1; and the '959 patent, claims 5 and 13, the term “diffuses” is construed to mean “scatters.”

5. As used in the '631 patent, claim 3; and the '959 patent, claims 1 and 9, the term “overlap with each other to make a continuous combined spectrum” is construed to mean “partly extend over each other to make a continuous combined spectrum.”

6. As used in U.S. Patent No. 8,309,375 (the "'375 patent"), claim 1, the term “the blue color light from said light emitting component and the yellow color light from said phosphor are mixed to make a white color light” is construed to mean “the part of the blue color light from said light emitting component that is transmitted without being absorbed by said phosphor and the yellow color light from said phosphor are combined to create a white color light.”

7. As used in U.S. Patent No. 7,855,092 (the "'092 patent"), claim 1, the term “the blue color light and the light from said phosphor being mixed to make the white-color” is construed to mean “the part of the blue color light from said LED chip that is transmitted without being absorbed by said phosphor and the light from said phosphor are combined to create the white-color.”

8. As used in the '092 patent, claim 8, the term “dispersive member for . . .”; and as used in the '092 patent, claim 9, the term “reflective member for . . .” are construed as means-plus function limitations as follows:

Term	Function	Corresponding Structure
"dispersive member for dispersing light from said light emitting diode"	"dispersing light from said light emitting diode"	"dispersive sheet 706, as described in Figures 7-9, and lines 7:20-26, 20:7-60 (and equivalents)"
"reflective member for reflecting light from said light emitting diode"	"reflecting light from said light emitting diode"	"reflector 705, reflector film 707, or barium titanate dispersed in an acrylic binder as white color reflector, as described in Figures 7-9, 5:13-32, 7:20-26, 20:7-60, 27:36-44, and 30:3-11 (and equivalents)"

SO ORDERED this 5 day of December, 2017



United States District Judge