

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION

HITACHI MAXELL, LTD.,

*Plaintiff,*

v.

HUAWEI DEVICE USA INC. and HUAWEI  
DEVICE CO., LTD.,

*Defendants.*

Case No. 5:16-cv-00178-RWS

LEAD CASE

**JURY TRIAL DEMANDED**

HITACHI MAXELL, LTD.,

*Plaintiff,*

v.

ZTE CORPORATION and ZTE USA INC.,

*Defendants.*

Case No. 5:16-cv-00179-RWS

**JURY TRIAL DEMANDED**

**DEFENDANTS HUAWEI DEVICE USA INC., HUAWEI DEVICE CO., LTD., AND  
ZTE USA INC.'S CLAIM CONSTRUCTION BRIEF IN RESPONSE**

ZTE v. Maxell

**TABLE OF CONTENTS**

Table of Authorities.....v

Table of Exhibits & Abbreviations .....ix

I. Huawei’s Introduction.....1

II. ZTE’s Introduction.....1

III. Legal Standard .....1

    A. General principles of claim construction .....1

    B. Means-plus-function limitations .....2

    C. Indefiniteness .....3

IV. Persons of ordinary skill in the art.....3

V. The ’443 Patent.....3

    A. “a detecting means for detecting whether a user associated medium at least approaches at least part of a housing of said apparatus” .....4

VI. The ’139 Patent.....5

    A. “characterizing quantities of the communication quality for each of the groups” (Claims 1 & 11).....5

    B. Indefinite: “a storage unit in which group information generated by classifying the plurality of base stations into groups” (Claim 11).....8

VII. The ’440 Patent.....10

    A. “still pictures encoded by a second encoding method, and second pictures corresponding to the still pictures and having a smaller number of pixels than the still pictures are recorded” (Claims 1, 3, 5, and 7).....11

VIII. The ’760 Patent.....15

    A. “first encoding method” (Claims 1, 3-4, 6-7, 9-10, 12-13, and 15) .....15

IX. The ’292 Patent.....17

    A. “combining” / “combined” (Claims 1 & 2) .....17

    B. Means-plus-function limitations (Claim 1).....19

(1) Indefinite: “GPS reliability calculation means for calculating GPS positioning reliability based on the GPS-based position result” / “cellular reliability calculation means for calculating cellular positioning reliability based on the cellular-based position result” (Claim 1) .....19

(2) Indefinite: “cellular position calculation means for calculating the mobile handset’s position from the received cellular signals and outputting a cellular-based position result” (Claim 1) .....22

(3) “GPS position calculation means for calculating the mobile handset’s position from the received GPS signals and outputting a GPS-based position result” (Claim 1).....23

(4) “GPS/cellular positioning results combining means for combining the GPS-based position result and the cellular-based position result with the GPS positioning reliability and the cellular positioning reliability” (Claim 1).....23

(5) “GPS receiver means for receiving GPS-oriented signals and generating received GPS signals” / “cellular receiver means for receiving cellular oriented signals and generating received cellular signals” (Claim 1) .....23

X. The ’517 Patent.....24

A. “waits a longer time until switching” .....24

B. Indefinite: “selection switching determination unit for selecting one from said first and second physical interfaces to switch to a selected physical interface .... waits a longer time until switching of said physical interface when said movement determination unit determines the moving speed being faster” (Claim 1).....26

XI. The ’901 Patent.....28

A. “when any change occurs in the video signal inputted to the input portion” / “when the change of the video signal does not occur and when the illumination detected by the illumination sensor is above a predetermined value” (Claim 1) .....28

XII. The ’438 Patent.....30

A. “input entered by a user” (Claim 1) .....30

XIII. The ’491 Patent.....32

A. “controller means for detecting change in said method of compression and encoding, and for transferring the decoding program code corresponding to

the method of the compression and encoding after being changed, from said read-only memory to said first memory” .....32

B. “a demultiplexer for inputting one audio data sequence which is compressed and encoded, being selected from a plurality of audio data sequences which are multiplexed” .....34

XIV. The ’317 Patent.....34

A. “walking navigation” .....35

B. “a relation of said direction and a direction from said present place to said destination” .....35

C. [a device connected to a server,] “said device connected to said server outputting said location information and said direction information and receiving retrieved information based on said outputted information at said server” .....36

XV. The ’493 and ’729 Patents.....36

A. “an image sensing device having an array of pixels arranged vertically and horizontally in a grid pattern” .....37

(1) This Is a Means-Plus-Function Claim Element.....37

(2) The Appropriate Structure to perform the function of image sensing includes color filters arranged in vertical lines .....38

B. “an image instability detector” .....39

(1) This Is a Means-Plus-Function Claim Element.....39

C. “an amount of image-instability of the camera” .....40

D. “to change a position of the second effective set of pixels according to the amount of image-instability detected by the image-instability detector, in order to correct the image-instability” .....40

E. “a display unit configured to display an image corresponding to the image signals formed by the signal processing unit” .....41

(2) This Is a Means-Plus-Function Claim Element.....41

(3) The Appropriate Structure to perform the function of displaying an image must include a display screen of a television system or other screen compatible with NTSC or PAL formats .....42

XVI. The ’193 Patent.....43

A. “A cellular telephone adapted to be used in a CDMA system, comprising” .....44

B. “variable amplitude amplifier” .....45

XVII. The ’794 Patent.....47

A. “function device(s)” / “component device” / “component devices for performing different functions in the device” .....47

(1) These are Means-Plus-Function Claim Elements .....47

(2) The ’794 Patent Specification Does Not Disclose Any Structure .....51

XVIII. The ’695 Patent.....51

A. “a controller for receiving a method of compression and encoding from said demultiplexer, for detecting whether said method of compression and encoding changes to another method of compression and encoding or not, and if said method of compression and encoding changes, for downloading the decoding program code corresponding to said another method of compression and encoding, to said memory from outside of said memory” .....52

XIX. Conclusion.....53

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.