

THE HONORABLE JAMES L. ROBERT

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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SRC LABS, LLC & SAINT REGIS
MOHAWK TRIBE,

Plaintiffs,

v.

AMAZON WEB SERVICES, INC., AMA-
ZON.COM, INC., & VADATA INC.,

Defendants.

Case No.: 2:18-cv-00317-JLR

**OPENING CLAIM CONSTRUCTION
BRIEF OF DEFENDANTS
AMAZON WEB SERVICES, INC.,
AMAZON.COM, INC., AND
VADATA, INC.**

JURY TRIAL DEMANDED

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1 Plaintiffs SRC Labs, LLC and Saint Regis Mohawk Tribe (collectively, “SRC”) assert 11
 2 claims from four patents.¹ The parties dispute constructions of seven terms in those claims. The
 3 constructions proposed by Amazon Web Services, Inc., Amazon.com, Inc., and VADATA, Inc. (col-
 4 lectively “Amazon”) are rooted in the intrinsic evidence and reflect what one of skill in the art would
 5 conclude after reading that evidence. The Court should therefore adopt Amazon’s constructions.

6 I. APPLICABLE LAW GOVERNING CLAIM CONSTRUCTION

7 A patent can be conceived of as a “contract” between the inventor and the public where, “[i]n
 8 return for full disclosure of the invention the government gives a monopoly of sorts for a time.” *Mark-*
 9 *man v. Westview Instruments, Inc.*, 52 F.3d 967, 997 (Fed. Cir. 1995), *aff’d*, 517 U.S. 370 (1996). To
 10 obtain the benefit of this bargain, the inventor must fully disclose and define the invention in a way
 11 that “sets out the metes and bounds of the property the inventor owns for the term.” *Id.* The primary
 12 way for a patentee to do so is through the words of the claims, which “function to delineate the precise
 13 scope of a claimed invention and to give notice to the public, including potential competitors, of the
 14 patentee’s right to exclude.” *Haemonetics Corp. v. Baxter Healthcare Corp.*, 607 F.3d 776, 781 (Fed.
 15 Cir. 2010). Accordingly, the claim construction analysis begins “by considering the language of the
 16 claims themselves.” *Trs. of Columbia Univ. v. Symantec Corp.*, 811 F.3d 1359, 1362 (Fed. Cir. 2016).

17 But the analysis does not end there. Because “[a]n inventor is entitled to claim in a patent what
 18 he has invented, but no more,” *MySpace, Inc. v. GraphOn Corp.*, 672 F.3d 1250, 1256 (Fed. Cir.
 19 2012), the inquiry must then turn to the patentee’s description of the invention in the patent specifica-
 20 tion. *Carnegie Mellon Univ. v. Hoffmann-La Roche Inc.*, 541 F.3d 1115, 1122 (Fed. Cir. 2008). As
 21 the specification must describe what was actually invented, it is the “single best guide to the meaning
 22 of a disputed term,” and “thus, the primary basis for construing the claims.” *Phillips v. AWH Corp.*,
 23 415 F.3d 1303, 1315 (Fed. Cir. 2005) (en banc). For example, a patentee may set out the limits of the

24 _____
 25 ¹ SRC asserts claims 1, 3, and 4 of U.S. Patent No. 7,149,867 (the “’867 patent”) (Dkt. 113-08),
 26 claims 1 and 17 of U.S. Patent No. 7,225,324 (the “’324 patent”) (Dkt. 113-04), claims 1 and 17 of
 27 U.S. Patent No. 7,620,800 (the “’800 patent”) (Dkt. 113-07), and claims 1, 3, 9 and 10 of U.S. Patent
 28 No. 9,153,311 (the “’311 patent”) (Dkt. 113-03). SRC also asserts two of these four patents, the ’324
 and ’800 patents, in its co-pending case against Microsoft. *See SRC Labs, LLC v. Microsoft Corp.*,
 Case No. C18-0321JLR.

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