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

REALTIME DATA, LLC,	§	
	§	
Plaintiff,	§	
	§	**CIVIL ACTION NO. 6:15-CV-463**
	§	**RWS-JDL**
V.	§	
	§	**LEAD CASE**
	§	
ACTIAN CORPORATION ET AL.,	§	**JURY TRIAL DEMANDED**
	§	
Defendants.	§	

REALTIME DATA, LLC,	§	
	§	
Plaintiff,	§	
	§	**CIVIL ACTION NO. 6:16-CV-88**
	§	**RWS-JDL**
	§	
	§	**LEAD CASE**
V.	§	
	§	**JURY TRIAL DEMANDED**
ORACLE AMERICA, INC., HEWLETT PACKARD ENTERPRISE COMPANY, and HP ENTERPRISE SERVICES, LLC,	§	
	§	
Defendants.	§	

MEMORANDUM OPINION AND ORDER

This claim construction opinion construes the disputed claim terms in U.S. Patent No. 6,597,812 ("the '812 Patent"), U.S. Patent No. 7,378,992 ("the '992 Patent"), U.S. Patent No. 7,415,530 ("the '530 Patent"), U.S. Patent No. 8,643,513 ("the '513 Patent"), and U.S. Patent No. 9,116,908 ("the '908 Patent"). Plaintiff Realtime Data, LLC alleges that Defendants

infringe the asserted patents.[1] Plaintiff filed an opening claim construction brief (Doc. No. 305), to which Defendants filed a Response (Doc. No. 317), and Plaintiff filed a Reply (Doc. No. 331). The parties additionally submitted a Joint Claim Construction Chart pursuant to P.R. 4-5(d). Doc. No. 336. On July 7, 2016, the Court held a claim construction hearing. Upon consideration of the parties' arguments, and for the reasons stated herein, the Court adopts the constructions set forth below.

OVERVIEW OF THE PATENTS

Plaintiff contends that Defendants literally infringe the asserted patents. The '992 and '513 patents relate "generally to data compression and decompression and, more particularly, to systems and methods for data compression using content independent and content dependent data compression and decompression." '992 Patent at 1:22–26; '513 Patent at 1:30–33. The '992 Patent is entitled "Content Independent Data Compression Method and System." None of the disputed terms are found in the '992 Patent. The '513 Patent is entitled "Data Compression Systems and Methods." Claims 1 and 15 of the '513 patent are representative and recite as follows:

> 1. A method of compressing a plurality of data blocks, comprising:
> analyzing the plurality of data blocks to recognize when an appropriate content independent compression algorithm is to be applied to the plurality of data blocks;
> applying the appropriate content independent data compression algorithm to a portion of the plurality of data blocks to provide a compressed data portion;
> analyzing a data block from another portion of the plurality of data blocks for recognition of any characteristic, attribute, or parameter that is indicative of an appropriate content dependent algorithm to apply to the data block; and
> applying the appropriate content dependent data compression algorithm to the data block to provide a compressed data

[1] Defendants include: EchoStar Corporation, Hughes Network Systems, LLC, Hewlett Packard Enterprise Co., HP Enterprise Services, LLC, Riverbed Technology, Inc., Dell Inc., Oracle America, Inc., SAP America, Inc., and Sybase, Inc.

block when the characteristic, attribute, or parameter is identified,

wherein the analyzing the plurality of data blocks to recognize when the appropriate content independent compression algorithm is to be applied excludes analyzing based only on a descriptor indicative of the any characteristic, attribute, or parameter, and

wherein the analyzing the data block to recognize the any characteristic, attribute, or parameter excludes analyzing based only on the descriptor.

15. A device for compressing data comprising:

a first circuit configured to analyze a plurality of data blocks to recognize when an appropriate content independent compression algorithm is to be applied to the plurality of data blocks;

a second circuit configured to apply the appropriate content independent data compression algorithm to a portion of the plurality of data blocks to provide a compressed data portion;

a third circuit configured to analyze a data block from another portion of the plurality of data blocks for recognition of any characteristic, attribute, or parameter that is indicative of an appropriate content dependent algorithm to apply to the data block; and

a fourth circuit configured to apply the appropriate content dependent data compression algorithm to the data block to provide a compressed data block when the any characteristic, attribute, or parameter is identified,

wherein the first circuit is further configured to analyze the plurality of data blocks to recognize when the appropriate content independent compression algorithm is to be applied by excluding analyzing based only on a descriptor indicative of the any characteristic, attribute, or parameter, and

wherein the third circuit is further configured to analyze the data block to recognize the any characteristic, attribute, or parameter by excluding analyzing based only on the descriptor.

The ’812 Patent is entitled “System and Method for Lossless Data Compression and Decompression” and relates “generally to data compression and decompression and, more particularly to systems and methods for providing lossless data compression and decompression

using a combination of dictionary and run length encoding." '812 Patent at 1:13–17. Claim 1 of the '812 patent is representative and recites as follows:

> 1. A method for compressing input data comprising a plurality of data blocks, the method comprising the steps of:
> detecting if the input data comprises a run-length sequence of data blocks;
> outputting an encoded run-length sequence, if a run-length sequence of data blocks is detected;
> maintaining a dictionary comprising a plurality of code words, wherein each code word in the dictionary is associated with a unique data block string;
> building a data block string from at least one data block in the input data that is not part of a run-length sequence;
> searching for a code word in the dictionary having a unique data block string associated therewith that matches the built data block string; and
> outputting the code word representing the built data block string.

The '530 and '908 Patents are both entitled "System and Methods for Accelerated Data Storage and Retrieval" and relate "generally to data storage and retrieval and, more particularly to systems and methods for improving data storage and retrieval bandwidth utilizing lossless data compression and decompression." '530 Patent at 1:15–18; '908 Patent at 1:15–18. Claim 1 of the '530 patent is representative and recites as follows:

> 1. A system comprising:
> a memory device; and
> a data accelerator, wherein said data accelerator is coupled to said memory device, a data stream is received by said data accelerator in received form, said data stream includes a first data block and a second data block, said data stream is compressed by said data accelerator to provide a compressed data stream by compressing said first data block with a first compression technique and said second data block with a second compression technique, said first and second compression techniques are different, said compressed data stream is stored on said memory device, said compression and storage occurs faster than said data stream is able to be stored on said memory device in said received form, a first data descriptor is stored on said

> memory device indicative of said first compression technique, and said first descriptor is utilized to decompress the portion of said compressed data stream associated with said first data block.

Claim 1 of the '908 patent is representative and recites as follows:

> 1. A system comprising:
> a memory device; and
> a data accelerator, configured to compress: (i) a first data block with a first compression technique to provide a first compressed data block; and (ii) a second data block with a second compression technique, different from the first compression technique, to provide a second compressed data block;
> wherein the compressed first and second data blocks are stored on the memory device, and the compression and storage occurs faster than the first and second data blocks are able to be stored on the memory device in uncompressed form.

CLAIM CONSTRUCTION PRINCIPLES

"It is a 'bedrock principle' of patent law that 'the claims of a patent define the invention to which the patentee is entitled the right to exclude." *Phillips v. AWH Corp.*, 415 F.3d 1303, 1312 (Fed. Cir. 2005) (quoting *Innova/Pure Water, Inc. v. Safari Water Filtration Sys., Inc.*, 381 F.3d 1111, 1115 (Fed. Cir. 2004)). The Court examines a patent's intrinsic evidence to define the patented invention's scope. *Id.* at 1313-1314; *Bell Atl. Network Servs., Inc. v. Covad Commc'ns Group, Inc.*, 262 F.3d 1258, 1267 (Fed. Cir. 2001). Intrinsic evidence includes the claims, the rest of the specification and the prosecution history. *Phillips*, 415 F.3d at 1312-13; *Bell Atl. Network Servs.*, 262 F.3d at 1267. The Court gives claim terms their ordinary and customary meaning as understood by one of ordinary skill in the art at the time of the invention. *Phillips*, 415 F.3d at 1312-13; *Alloc, Inc. v. Int'l Trade Comm'n*, 342 F.3d 1361, 1368 (Fed. Cir. 2003). Claim language guides the Court's construction of claim terms. *Phillips*, 415 F.3d at 1314. "[T]he context in which a term is used in the asserted claim can be

DOCKET ALARM

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.