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15 **UNITED STATES DISTRICT COURT**
16 **CENTRAL DISTRICT OF CALIFORNIA**

17 UNIVERSAL ELECTRONICS INC.,
18 a Delaware Company,

19 Plaintiff,

20 v.

21 ROKU, INC.,
22 a Delaware Company,

23 Defendant.

Case No. 8:18-cv-01580-JVS-ADS

**ROKU'S OPENING CLAIM
CONSTRUCTION BRIEF**



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 I. THE TEN DISPUTED TERMS FOR CONSTRUCTION AT
 THE CLAIM CONSTRUCTION HEARING 4

 A. “key code signal” (Mui ’642, ’389 and ’325 Patents) 4

 1. The “key code signal” contains a *modulated* key
 code 4

 2. The “key code signal” controls a specific type,
 brand, and model of consumer electronic device 6

 3. UEI has disclaimed signals containing key codes to
 be stored on the remote control for later use in
 generating IR signals from the scope of “key code
 signal” 8

 B. “key code generator device” (Mui ’642, ’389 and ’325
 Patents) 9

 1. “key code generator device” should be construed as
 a means-plus-function limitation because “device”
 is a nonce word and “key code generator” is purely
 functional 9

 2. The specification does not contain adequate
 corresponding structure for generating key codes 11

 C. “by using an identity associated with the intended target
 appliance to create a listing comprised of at least a first
 communication method and a second communication
 method different than the first communication method for
 use in controlling each of at least a first functional
 operation and a second functional operation of the
 intended target appliance” (Arling ’853 Patent) 13



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1. The “by using an identity” phrase modifies the “to create a listing” phrase.....13

2. The listing must contain at least two different communication methods, each of which can control and is associated with the same two or more functional operations of the same, single target appliance14

3. UEI has disclaimed selecting a communication protocol and thereafter using the selected communication protocol for all commands sent to the target appliance16

D. “universal controlling device” (Janik ’309, ’504, and ’505 Patents).....17

E. “second data representative of the motion made across the touch-sensitive surface” (Janik ’309 Patent)18

F. “second input type indicative of a motion made across the touch-sensitive surface” / “second input type indicative of a moving touch made across the touch-sensitive surface” (Janik ’309, ’504, and ’505 Patents)19

G. “automatically created” (Scott ’532 Patent)20

H. “sequence of instructions” (Scott ’532 Patent).....20

I. “causing the automatically created sequence of instructions to be executed by the controlling device in response to a selection of a user input element of the controlling device” (Scott ’532 Patent)22

J. “event journal” (Scott ’446 Patent).....24

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