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15
16 **UNITED STATES DISTRICT COURT
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.
24

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

**ROKU'S RESPONSE TO
PLAINTIFF'S OPENING CLAIM
CONSTRUCTION BRIEF**



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1 **INTRODUCTION**

2 In its opening claim construction brief, Roku explained how each of its
3 constructions is supported by the intrinsic record of the asserted patents. By contrast,
4 UEI's brief demonstrates that UEI's constructions are contrary to the evidence and
5 disregard binding holdings from the Federal Circuit. Accordingly, as discussed in
6 further detail below, the Court should adopt Roku's constructions.

7 **I. Disputed Terms of the Mui Patents**

8 **A. "key code signal" ('642, '389, and '325 Patents)**

9

| Claim Term | UEI's Construction | Roku's Construction |
|--|-----------------------------------|--|
| 10 "key code signal" 11 642 Patent claims 12 1, 2, 5-6, 10, 12- 13 13, 15, 20 14 389 Patent claims 15 1-2, 4, 8 | a signal containing a key code | A signal which contains a modulated key code for controlling a specific type, brand, and model of consumer electronic device. Excludes signals containing key codes to be stored on the remote control for later use in generating IR signals. |

16
17 In its opening claim construction brief, Roku demonstrated that: (1) "key code
18 signal" lacks any established meaning in the technical field; (2) that the specification
19 makes clear that the "key code signal" contains a modulated key code for controlling
20 a specific type, brand and model of consumer electronic device; and (3) that UEI
21 disclaimed signals containing key codes to be stored on the remote control for later
22 use in generating IR signals. By contrast, UEI's proposed construction is
23 unsupported by evidence, improperly ignores clear disclaimers in the file history,
24 and fails to account for how the term is used in the specification.

25 **1. UEI's Construction is Unsupported by Evidence and**
26 **Improperly Ignores Contradictory Evidence**

27 UEI repeatedly argues that its construction is the "plain and ordinary
28

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