

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

SOLAS OLED LTD.,

Plaintiff,

v.

LG DISPLAY CO., LTD.,
LG ELECTRONICS, INC., and
SONY CORPORATION,

Defendants.

Case No. 6:19-cv-00236-ADA

SOLAS'S OPENING CLAIM CONSTRUCTION BRIEF

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TABLE OF EXHIBITS AND ABBREVIATIONS

Ex ¹	Document Description	Abbreviation
1	Declaration of Richard A. Flasck in support of Solas's opening claim construction brief	Flasck. Decl.
2	U.S. Patent No. 7,907,137	'137 patent
3	U.S. Patent No. 7,432,891	'891 patent
4	U.S. Patent No. 7,573,068	'068 patent
5	Parties' joint revised list of terms/constructions dated March 6, 2020	Joint Chart
6	Microsoft Computer Dictionary (3rd ed., 1997), definition of "signal"	MS Dict.
7	McGraw-Hill Dictionary of Scientific and Technical Terms (4th ed., 1989), definition of "data transmission line"	McGraw-Hill
8	Merriam-Webster Dictionary (avail. at www.merriam-webster.com , accessed Feb 2020), definitions of "along" and "together"	Merriam-Webster
9	Dictionary.com (avail. at www.dictionary.com , accessed Feb. 2020), definitions of "along" and "together"	Dictionary.com
10	Defendant LG Display's petition for <i>inter partes</i> review in IPR2020-00177 on the '891 patent	'891 IPR Pet.
11	Defendant LG Display's expert declaration by Dr. Hatalis in <i>inter partes review</i> in IPR2020-00177 on the '891 patent	'891 IPR Decl.
12	U.S. Patent No. 5,106,652	'652 patent
13	U.S. Patent No. 5,981,317	'317 patent
14	U.S. Patent Appl. Pub. No. 2002/0101172	'173 app. pub.
15	U.S. Patent No. 7,250,722	'722 patent

¹ All exhibits attached to the concurrently filed declaration of Neil A. Rubin.

I. INTRODUCTION

Plaintiff Solas OLED Ltd. (“Solas”) and Defendants LG Display Co., LTD., LG Electronics, Inc., and Sony Corporation (collectively, “Defendants”) offer not just competing claim-construction proposals but completely different approaches to claim construction.

In each case, Solas’s claim term proposals stay faithful to the plain meaning and narrow from that plain meaning only when necessary under controlling Federal Circuit law or when helpful to narrow the disputes for the Court. Solas’s proposals are also the only ones that are faithful to the full scope of the intrinsic record—and the only ones that are supported by expert opinion on what a person of skill in the art would understand the terms to mean in light of the intrinsic and extrinsic record.

Defendants’ proposals, on the other hand, ask this Court to recharacterize and burden clear terms by importing artificial and extraneous baggage, but Defendants cannot point to any clear or unmistakable disclaimer or lexicography to support those importations, which invites reversible error. *E.g., JVV Enters. v. Interact Accessories, Inc.*, 424 F.3d 1324, 1335 (Fed. Cir. 2005). Indeed, in many cases, Defendants actually import negative limitations, but those are only appropriate where the limitation is expressly disclaimed or where independent lexicography in the written description” justifies adding it. *Omega Eng’g, Inc. v. Raytek Corp.*, 334 F.3d 1314, 1322-23 (Fed. Cir. 2003). And that is not the case here. To the contrary, many of Defendants’ proposals are inconsistent with—and even exclude—embodiments taught in the specification. Such constructions are “rarely, if ever, correct.” *SanDisk Corp. v. Memorex Prods.*, 415 F.3d 1278, 1285-86 (Fed. Cir. 2005). For other proposals, Defendants’ proposed constructions are inconsistent with the claim language itself. These are also improper under controlling law—and do nothing to help any fact-finder, but rather only make that job more difficult. They should be rejected.

II. BACKGROUND OF ASSERTED PATENTS²

A. U.S. Patent No. 7,907,137 (“’137 Patent”)

The ’137 patent concerns driving circuitry for self-luminous displays that emit light due to the current flowing through pixel elements, such as displays utilizing organic electroluminescent or LED elements. ’137 patent at 1:17–26, 36–43. The current flowing through such devices is commonly controlled by a gate voltage on a drive transistor. *Id.* at 3:15–30. But the relationship between the gate voltage and the current may change “depending on the usage time, the drive history and the like,” and in particular the minimum “threshold voltage” on the gate necessary to permit current flow may shift. *Id.* The ’137 patent provides structures and methods for driving the pixel circuits that solve problems in the prior art, including by detecting the threshold voltage for each pixel and applying a “compensation voltage” that compensates for such differences in such threshold voltages. *Id.* at 3:59–65, Fig. 1.

B. U.S. Patent No. 7,432,891 (“’891 patent”)

The ’891 patent concerns an active matrix drive circuit with current feedback for an organic light-emitting diode (OLED) image seen.’891 patent at Abstract, 1:5–61. The patent addresses a well-known problem with such circuits: “manufacturing-dependent fluctuations of the parameters of the thin film transistors” affect the amount of current provided to each OLED. *Id.* These differences may cause OLEDs to emit different amounts of light. *Id.*

Prior-art solutions used feedback to compensate for differences in drive transistors but used at least four transistors in the drive circuit, and/or drive circuit elements on both sides of the diode, making manufacturing difficult. *Id.* at 2:22–31, 2:45–53. The ’891 patent solves the problem by disclosing a novel drive circuit that requires “only three thin film transistors” and a “current

² For further technology background *see* Flasck Decl. ¶¶ 21–47.

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