

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

SOLAS OLED LTD., an Irish corporation,

Plaintiff,

v.

LG DISPLAY CO., LTD., a Korean corporation; LG ELECTRONICS, INC., a Korean corporation; and SONY CORPORATION, a Japanese corporation,

Defendants.

**CASE NO. 6:19-CV-00236-ADA**

**JURY TRIAL DEMANDED**

**DEFENDANTS' OPENING CLAIM CONSTRUCTION BRIEF**

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## I. INTRODUCTION

“As the Supreme Court has stated, ‘[i]t seems to us that nothing can be more just or fair, both to the patentee and the public, than that the former should understand, and correctly describe, just what he has invented, and for what he claims a patent.’” *Phillips v. AWH Corp.*, 415 F.3d 1303, 1321 (Fed. Cir. 2005) (en banc) (quoting *Merrill v. Yeomans*, 94 U.S. 568, 573-74 (1876)). Defendants LG Display Co., Ltd., LG Electronics, Inc., and Sony Corporation (collectively, “Defendants”) respectfully ask the Court to apply this fundamental principle of patent law and hold Plaintiff Solas OLED, Ltd. to the words the original patentees used to claim their inventions and to convince the Patent Office to issue the patents-in-suit.

As shown below, Solas turns this core tenet on its ear and refuses to be bound by the unambiguous text of its patents, or even by conventional principles of physics or electrical engineering. It eschews well-established meanings of fundamental terms like “current” and “voltage” and conflates them in an effort to broaden its claims. Similarly, Solas refuses to be bound by conventional uses of the English language. Solas proposes labored meanings of simple words like “before,” “after,” “together,” and “along,” often relying on the trope that some so-called plain and ordinary meaning applies, to try to expand these terms to suit its infringement theories. By contrast, in discerning the meanings of the claim terms, Defendants have looked to the claims, the specifications, and the file histories for guidance as the law requires, and have provided the Court with context in the declaration of Douglas R. Holberg, Ph.D., a seasoned industry veteran, professor, inventor, and author. As a result, Defendants’ proposed constructions “stay[] true to the claim language and most naturally align[] with the patent’s description of the invention,” and so are “in the end, the correct construction[s].” *Phillips*, 415 F.3d at 1316.

## II. TECHNOLOGY BACKGROUND

Solas did not invent the technologies described in its patents, which pertain to flat panel

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