

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

PARKERVISION, INC.,
Plaintiff

-v-

INTEL CORPORATION,
Defendant

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W-20-CV-00562-ADA

CLAIM CONSTRUCTION ORDER

The Court held a *Markman* hearing on June 24, 2021 and July 22, 2021 . During those hearings, the Court provided its final constructions. The Court now enters those claim constructions.

SIGNED this 22nd day of July, 2021.



ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE

Intel v. ParkerVision

Term	Plaintiff's Proposed Construction	Defendants' Proposed Construction	Court's Final Construction
<p>“under-sample” / “undersamples” / “under-sampling”</p> <p>’706 patent, claims 1, 6, 7, 28, 34</p>	<p>“sampling at an aliasing rate” or “sampling at less than or equal to twice the frequency of the input signal”</p>	<p>“sample[s/ing] at less than or equal to twice the frequency of the input signal using negligible apertures (i.e., pulse widths) that tend towards zero time in duration”</p>	<p>“sampling at an aliasing rate” or “sampling at less than or equal to twice the frequency of the input signal”</p>
<p>“storage module”</p> <p>’706 patent, claims 105, 114, 164, 175, 179, 186, 190</p>	<p>“a module of an energy transfer system that stores non-negligible amounts of energy from an input electromagnetic signal for driving a low impedance load”</p>	<p>“a module that stores a non-negligible amount of energy from an input electromagnetic (EM) signal”</p>	<p>“a module of an energy transfer system that stores non-negligible amounts of energy from an input electromagnetic signal for driving a low impedance load”</p>
<p>“switch”</p> <p>’706 patent, claims 105, 164, 175, 186; ’108 patent, claim 1</p>	<p>“an electronic device for opening and closing a circuit as dictated by an independent control input”</p>	<p>“an electronic device for opening and closing a circuit”</p>	<p>Plain-and-ordinary meaning wherein the plain-and-ordinary meaning is “an electronic device for opening and closing a circuit as dictated by an independent control input”</p>

Term	Plaintiff's Proposed Construction	Defendants' Proposed Construction	Court's Final Construction
<p>“a down-convert and delay module to under-sample an input signal to produce an input sample of a down-converted image of said input signal, and to delay said input sample”</p> <p>’706 patent, claims 1, 7</p>	<p>Plain and ordinary meaning</p>	<p>Function: under-sample an input signal according to a control signal to produce an input sample of a down-converted image of said input signal, and to delay said input sample</p> <p>Structure: the down convert and delay module 2624 in Fig. 26 and described at 26:1-27:21 and 28:2041, that includes the switches 2650 and 2654, and the capacitors 2652 and 2656; and equivalents thereof</p>	<p>Not subject to § 112, ¶ 6. Plain-and-ordinary meaning.</p>
<p>“a frequency translator to produce a sample of a down-converted image of an input signal, and to delay said sample”</p> <p>’706 patent, claim 34</p>	<p>Plain and ordinary meaning</p>	<p>Function: produce a sample of a down-converted image of an input signal according to a control signal, and to delay said sample</p> <p>Structure: the down convert and delay module 2624 in Fig. 26 and described at 26:1-27:21 and 28:2041, that includes the switches 2650 and 2654, and the capacitors 2652 and 2656; and equivalents thereof.</p>	<p>Not subject to § 112, ¶ 6. Plain-and-ordinary meaning.</p>

Term	Plaintiff's Proposed Construction	Defendants' Proposed Construction	Court's Final Construction
<p>“said input sample”, “said sample”</p> <p>'706 patent, claims 1, 6, 7, 34</p>	<p>Plain and ordinary meaning</p>	<p>“the sample of the image that has been down-converted”</p>	<p>Plain-and-ordinary meaning</p>
<p>“delay module to delay instances of an output signal”, “delay modules to further delay one or more of said delayed and down-converted input samples”</p> <p>'706 patent, claims 1, 7, 34, 140</p>	<p>Plain and ordinary meaning</p>	<p>Function: delay instances of an output signal / further delay one or more of said delayed and downconverted input samples</p> <p>Structure: structure including “first delay module 2628,” “second delay module 2630” shown in Fig 26, “delay module 3204” shown in Fig. 32 and described at 35:1-18; the sample and hold circuit 4501 and 4503 in Fig. 45 and described at 32:44-33:19; or an analog delay line having a combination of capacitors, inductors and/or resistors described at 35:19-27; or equivalents thereof.</p>	<p>Not subject to § 112, ¶ 6. Plain-and-ordinary meaning.</p>

Term	Plaintiff's Proposed Construction	Defendants' Proposed Construction	Court's Final Construction
<p>"harmonic", "harmonics"</p> <p>'706 patent, claims 1, 6, 7, 28, 34; '508 patent, claim 1</p>	<p>Harmonic: "A sinusoidal component of a periodic wave that has a frequency that is an integer multiple of the fundamental frequency of the periodic waveform and including the fundamental frequency as the first harmonic"</p> <p>Harmonics: "A frequency or tone that, when compared to its fundamental or reference frequency or tone, is an integer multiple of it and including the fundamental frequency as the first harmonic"</p>	<p>Harmonic: "A sinusoidal component of a periodic wave that has a frequency that is an integer multiple of the fundamental frequency of the periodic wave"</p> <p>Harmonics: "Sinusoidal components of a periodic wave each of which have a frequency that is an integer multiple of the fundamental frequency of the periodic wave"</p>	<p>Plain-and-ordinary meanings:</p> <ul style="list-style-type: none"> Harmonic: "A sinusoidal component of a periodic wave that has a frequency that is an integer multiple of the fundamental frequency of the periodic waveform and including the fundamental frequency as the first harmonic" Harmonics: "A frequency or tone that, when compared to its fundamental or reference frequency or tone, is an integer multiple of it and including the fundamental frequency as the first harmonic"
<p>"pulse widths that are established to improve energy transfer"</p> <p>'706 patent, claim 2</p>	<p>Plain and ordinary meaning, or Pulse widths that use non-negligible apertures for energy transfer</p>	<p>Indefinite</p>	<p>Not indefinite. Plain-and-ordinary meaning.</p>

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