

THE HONORABLE JAMES L. ROBERT

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

SRC LABS, LLC & SAINT REGIS  
MOHAWK TRIBE,

*Plaintiffs,*

v.

AMAZON WEB SERVICES, INC.,  
AMAZON.COM, INC.,  
& VADATA INC.,

*Defendant.*

CASE NO. 2:18-cv-00317-JLR

**PLAINTIFFS' OPENING CLAIM  
CONSTRUCTION BRIEF**

ORAL ARGUMENT REQUESTED

JURY TRIAL DEMANDED

DUE DATE:  
November 16, 2018

PLAINTIFFS' OPENING  
CLAIM CONSTRUCTION BRIEF  
CASE NO. 2:18-CV-317-JLR

BREMER LAW GROUP PLLC  
1700 SEVENTH AVENUE, SUITE 2100  
SEATTLE, WA 98101  
TELEPHONE: 206.357.8442

**TABLE OF CONTENTS**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

TABLE OF AUTHORITIES ..... iii

I. INTRODUCTION ..... 1

II. TECHNICAL BACKGROUND ..... 1

    A. Conventional Computer Architecture..... 1

    B. Field Programmable Gate Arrays. .... 2

    C. The Patents-in-Suit. .... 2

III. LEGAL STANDARD FOR CLAIM CONSTRUCTION ..... 3

IV. DISPUTED TERMS FROM THE '324 AND '800 PATENTS ..... 3

    A. “systolic”/systolically..... 4

    B. “pass computed data seamlessly” ..... 6

    C. “instantiated” / “instantiating”/ “instantiation” ..... 7

V. DISPUTED TERM FOR THE '311 PATENT .....10

    A. “a data maintenance block” – claim 1 .....10

VI. DISPUTED TERMS IN THE '867 PATENT .....13

    A. “a data prefetch unit” – claims 1, 3, 4 .....13

    B. “a data prefetch unit coupled to the memory, wherein the data prefetch unit retrieves only computational data required by the algorithm from a second memory of second characteristic memory bandwidth and/or memory utilization and places the retrieved computational data in the first memory” – claim 1 .....14

    C. “at least the first memory and data prefetch unit are configured to conform to needs of the algorithm” – claims 1, 3, 4 .....18

VII. CONCLUSION .....21

PLAINTIFFS’ OPENING  
CLAIM CONSTRUCTION BRIEF  
CASE NO. 2:18-CV-317-JLR

BREMER LAW GROUP PLLC  
1700 SEVENTH AVENUE, SUITE 2100  
SEATTLE, WA 98101  
TELEPHONE: 206.357.8442

**TABLE OF AUTHORITIES**

**CASES**

1

2

3

4 *Abbott Labs. v. Sandoz, Inc.*,

5     566 F.3d 1282 (Fed. Cir. 2009) ..... 10, 11, 12

6 *Amgen Inc. v. Hoechst Marion Rousell, Inc.*,

7     314 F.3d 1313 (Fed. Cir. 2003) ..... 13

8 *Ancora Techs., Inc. v. Apple, Inc.*,

9     744 F.3d 732 (Fed. Cir. 2014) ..... 5, 7

10 *Apex Inc. v. Raritan Computer, Inc.*,

11     325 F.3d 1364 (Fed. Cir. 2003) ..... 15

12 *Comark Commc’ns, Inc. v. Harris Corp.*,

13     156 F.3d 1182 (Fed. Cir. 1998) ..... 3

14 *Linear Tech. Corp. v. Impala Linear Corp.*,

15     379 F.3d 1311 (Fed. Cir. 2004) ..... 17

16 *Massachusetts Inst. of Tech. & Elecs. For Imaging, Inc. v. Abacus Software*,

17     462 F.3d 1344 (Fed. Cir. 2006) ..... 15, 17

18 *Nautilus, Inc. v. Biosig Instruments, Inc.*,

19     572 U.S. 898 (2014) ..... 18, 19, 20

20 *Pacing Techs., LLC v. Garmin Int’l, Inc.*,

21     778 F.3d 1021 (Fed. Cir. 2015) ..... 4, 5, 8

22 *Phillips v. AWH Corp.*,

23     415 F.3d 1303 (Fed. Cir. 2005) ..... 3, 12, 13, 14

24 *Power Integrations, Inc., v. Fairchild Semiconductor Int’l, Inc.*,

25     711 F.3d 1348 (Fed. Cir. 2013) ..... 16, 17

26 *Teva Pharm. USA, Inc. v. Sandoz, Inc.*,

      789 F.3d 1335 (Fed. Cir. 2015) ..... 18

*Vitronics Corp. v. Conceptoronic, Inc.*,

      90 F.3d 1576 (Fed. Cir. 1996) ..... 3, 12

PLAINTIFFS’ OPENING  
CLAIM CONSTRUCTION BRIEF  
CASE NO. 2:18-CV-317-JLR

BREMER LAW GROUP PLLC  
1700 SEVENTH AVENUE, SUITE 2100  
SEATTLE, WA 98101  
TELEPHONE: 206.357.8442

1 *Watts v. XL Sys., Inc.*,  
232 F.3d 877 (Fed. Cir. 2000) ..... 15

2

3 *Williamson v. Citrix Online, LLC*,  
792 F.3d 1339 (Fed. Cir. 2015) ..... 15

4

5 *Zeroclick, LLC v. Apple Inc.*,  
891 F.3d 1003 (Fed. Cir. 2018) ..... 14

6 **STATUTES:**

7 35 U.S.C. § 112 .....*passim*

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

PLAINTIFFS' OPENING  
CLAIM CONSTRUCTION BRIEF  
CASE No. 2:18-cv-317-JLR

BREMER LAW GROUP PLLC  
1700 SEVENTH AVENUE, SUITE 2100  
SEATTLE, WA 98101  
TELEPHONE: 206.357.8442



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

## I. INTRODUCTION

Plaintiffs have proposed claim constructions for the disputed terms of U.S. Patent Nos. 7,225,324 (the “’324 Patent”), 7,620,800 (the “’800 Patent”), 9,153,311 (the “’311 Patent”), and 7,149,867 (the “’867 Patent”) and, collectively with the ‘324 Patent, the ‘800 Patent, and the ‘311 Patent, the “patents-in-suit”) that are fully supported by the intrinsic and extrinsic evidence. By contrast, Amazon has proposed constructions that do not comport with either the intrinsic or extrinsic record and are, in some cases, contradicted by positions Amazon has advanced in its petition for *inter partes* review of the ’867 patent.

## II. TECHNICAL BACKGROUND

### A. Conventional Computer Architecture.

Conventional computers utilize general-purpose processors from Intel or AMD and employ a Von Neumann architecture. In a conventional computer, “hardware is fixed and cannot be changed after manufacturing.”<sup>1</sup> In Von Neumann machines both the “software program and the data to operate on reside in the main memory and therefore the processor is connected to the main memory through bus lines that include [a] data bus and address bus.”<sup>2</sup> To execute a software program, the processor “goes through a fixed routine of steps”:<sup>3</sup>

1. **Instruction Fetch** - read the instruction whose address is specified by the program counter into the designated processor internal register, and advance the program counter to point to the next instruction

2. **Instruction Decode** - Decipher the work needed by the instruction

---

<sup>1</sup> Declaration of Christopher L. Evans in support of Plaintiffs’ Opening Claim Construction Brief (hereinafter “Evans Decl.”), Ex. 18: Decl. of Dr. El-Ghazawi at ¶ 9.

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.