

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SOLAS OLED LTD.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD., et
al.,

Defendants.

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Case No. 2:21-CV-00105-JRG

P.R. 4-3 JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

Plaintiff Solas OLED Ltd. (“Solas” or “Plaintiff”) and Defendants Samsung Electronics Co., Ltd., and Samsung Electronics America, Inc. (collectively “Samsung” or “Defendants”) respectfully submit this Joint Claim Construction and Prehearing Statement.

The parties anticipate that two hours will be necessary for the Claim Construction Hearing.

There are no agreed constructions.

The disputed claim terms, and the parties’ respective proposed constructions and intrinsic and extrinsic evidence citations, are as follows:

Term	Plaintiff	Defendants
“plurality of gesture-interpretation-state modules” (Claim 2, Claim 3, Claim 6)	No construction necessary; plain and ordinary meaning. Specification at 3:11-5:46, 7:19-15:9, Figs. 1-7 Nov. 19, 2012 Applicant Arguments/Remarks July 19, 2012 Final Rejection April 26, 2012 Amendment and Applicant Arguments/Remarks January 26, 2021 Non-Final Rejection	“two or more state modules for interpreting touch position and timing data to determine gestures” ’767 Patent at Abstract, 1:10-3:7, 3:11-6:43, 6:47-7:15, 7:19-63, 7:64-8:35, 8:36-10:50, 10:51-11:60, 11:61-14:19, 14:20-24, 14:25-33, 14:34-56, 14:57-15:13, 15:14-17:3, 17:4-34, 17:35-18:9, 18:10-19:16, 19:17-

Term	Plaintiff	Defendants
	<p>Provisional patent application no. 61/049,453, specification at 4-18 and Figs. 1-3</p>	<p>20:3, 20:4-49, Figures 1-13, Claims 1-14.</p> <p>'767 Patent Prosecution History at October 20, 2008 Application, January 26, 2012 Non-Final Rejection, April 26, 2012 Amendment/Request for Reconsideration After Non-Final Rejection, July 19, 2012 Applicant Initiated Interview Summary, July 19, 2012 Final Rejection, November 19, 2012 Request for Continued Examination, December 24, 2012 Notice of Allowance, December 24, 2012 Examiner Initiated Interview Summary, December 24, 2012 Applicant Initiated Interview Summary, March 20, 2013 Request for Continued Examination, April 10, 2013 Notice of Allowance, July 10, 2013 Amendment After Notice of Allowance, August 1, 2013 Response to Amendment.</p> <p>Provisional Patent Application No. 61/049,453.</p> <p>A Dictionary of Computing (Sixth Edition) (2008): defining "gesture" as "A type of input to a computer where the meaning depends on the time-related positions input from the device. For example, using a *dataglove the user might beckon with a finger to indicate a zoom in on the display."</p>

Term	Plaintiff	Defendants
		<p>Wiley Electrical and Electronics Engineering Dictionary (2004): defining “gesture recognition” as “The ability of a computer system to detect and comprehend gestures such as hand and head movements. The term specifically excludes the use of haptic devices or interfaces. Used, for instance, for entering data using sign language.”</p> <p>Merriam-Webster’s Advanced Learner’s English Dictionary (2008): defining “gesture” as “a movement of your body (especially of your hands and arms) that shows or emphasizes an idea or a feeling ... something said or done to show a particular feeling or attitude ... to move your hands, arms, etc., to express an idea or feeling.”</p> <p>The American Heritage Dictionary of the English Language (Fourth Edition) (2006): defining “gesture” as “A motion of the limbs or body made to express or help express thought or to emphasize speech ... The act of moving the limbs or body as an expression of thought or emphasis ... An act or a remark made as a formality or as a sign of intention of attitude.”</p> <p>Testimony of Dr. Jacob Baker. Dr. Baker will explain the technology, the</p>

Term	Plaintiff	Defendants
		<p>state of the art at the time the patent application was filed, the meaning of claim terms or phrases as they would be understood by those of ordinary skill in the art at the time of the invention in the context of the patent specification and other intrinsic/extrinsic evidence, how those of ordinary skill in the art at the time of the invention would have understood statements made by the patentee during prosecution of the applications, and the level of ordinary skill in the relevant art. Dr. Baker may also offer a declaration, if necessary, to respond to Plaintiff's contentions, any expert testimony on behalf of Plaintiff, or for the Court's benefit.</p>
<p>"the position-processing logic being accommodated in, and running on, a first integrated circuit and the gesture-processing logic being accommodated in, and running on, one or more separate integrated circuits" (Claim 11)</p>	<p>No construction necessary; plain and ordinary meaning.</p> <p>Specification at 3:11-5:38, 18:38-19:16, Figs. 11-12</p> <p>Nov. 19, 2012 Applicant Arguments/Remarks July 19, 2012 Final Rejection January 26, 2021 Non-Final Rejection</p> <p>Provisional patent application no. 61/049,453, specification at 3-5</p>	<p>Indefinite.</p> <p>'767 Patent at Abstract, 1:10-3:7, 3:11-6:43, 6:47-7:15, 7:19-63, 7:64-8:35, 8:36-10:50, 10:51-11:60, 11:61-14:19, 14:20-24, 14:25-33, 14:34-56, 14:57-15:13, 15:14-17:3, 17:4-34, 17:35-18:9, 18:10-19:16, 19:17-20:3, 20:4-49, Figures 1-13, Claims 1-14.</p> <p>'767 Patent Prosecution History at October 20, 2008 Application, January 26, 2012 Non-Final Rejection, April 26, 2012</p>

Term	Plaintiff	Defendants
		<p>Amendment/Request for Reconsideration After Non-Final Rejection, July 19, 2012 Applicant Initiated Interview Summary, July 19, 2012 Final Rejection, November 19, 2012 Request for Continued Examination, December 24, 2012 Notice of Allowance, December 24, 2012 Examiner Initiated Interview Summary, December 24, 2012 Applicant Initiated Interview Summary, March 20, 2013 Request for Continued Examination, April 10, 2013 Notice of Allowance, July 10, 2013 Amendment After Notice of Allowance, August 1, 2013 Response to Amendment.</p> <p>Provisional Patent Application No. 61/049,453.</p> <p>Merriam-Webster's Advanced Learner's English Dictionary (2008): defining "accommodate" as "to provide room for (someone) : to provide a place to stay and sleep for (someone) ... to have room for (someone or something) ... to do something helpful for (someone) ... to get used to or become comfortable with something : to adapt or adjust to something."</p> <p>The American Heritage Dictionary of the English Language (Fourth Edition) (2006): defining "accommodate" as "To do a</p>

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