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

STRATOSAUDIO INC.,) Cara Na. 6:20 av. 01125 ADA
Plaintiff, v.) Case No. 6:20-cv-01125-ADA)
HYUNDAI MOTOR AMERICA,)
Defendant.)
STRATOSAUDIO INC.,	—))
Plaintiff, v.) Case No. 6:20-cv-1126-ADA
MAZDA MOTOR OF AMERICA, INC.,	
Defendant.	
STRATOSAUDIO INC.,	—))
Plaintiff, v.) Case No. 6:20-cv-1128-ADA
SUBARU OF AMERICA, INC.,)
Defendant.)
STRATOSAUDIO INC.,	—))
Plaintiff, v.) Case No. 6:20-cv-1129-ADA
VOLVO CARS USA, LLC,)
Defendant.)
STRATOSAUDIO INC.,	—))
Plaintiff, v.) Case No. 6:20-cv-01131-ADA
VOLKSWAGEN GROUP OF AMERICA, INC.,)))
Defendant.)



CLAIM CONSTRUCTION ORDER

The parties in thee above-titled five cases requested the Court to construe claim terms of of the following patents:

- U.S. Patent No. 8,166,081 ("'081 patent"), claims 9-11, and 23
- U.S. Patent No. 8,688,028 ("'028 patent"), claims 11, 14, 16, and 18
- U.S. Patent No. 8,903,307 ("'307 patent"), claims 11, 16, and 18
- U.S. Patent No. 9,584,843 ("843 patent"), claims 10, 11, and 13
- U.S. Patent No. 9,143,833 ("'833 patent"), claims 1, 3, 5-7, and 9
- U.S. Patent No. 9,294,806 ("'806 patent"), claims 5-8, and 10
- U.S. Patent No. 9,355,405 ("'405 patent"), claims 12-16

The Court provided preliminary constructions on September 27, 2021 and held a claim construction hearing on September 28, 2021. After careful consideration of the parties' briefs, oral arguments, and the applicable law, the Court enters its final constructions for each term as shown below:

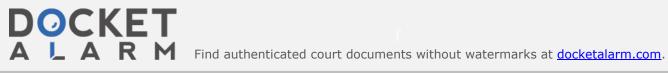
Term	Plaintiff's Proposal	Defendants' Proposal	Court's Final
		_	Construction
associated/associating/	Plain and ordinary	Indefinite under 35	Plain and
association terms	meaning	U.S.C. § 112, ¶ 2	ordinary meaning
('307 patent claims 11, 16,			
and 18; '028 patent claims			
11, 14, 16, and 18; '806			
patent claims 5-8 and 10;			
'843 patent claims 10-11 and			
13; '833 patent claims 1, 3,			
5-7, and 9)			
"associating each media	Plain and ordinary	Invalid under 35 U.S.C.	Plain and
content identifying data	meaning	§§ 101 and 112, ¶ 2	ordinary meaning
element with at least one of a			
plurality of media content"			
('028 patent claims 11, 14,			



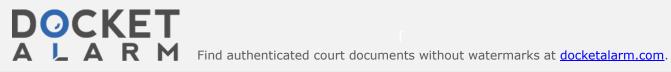
Term	Plaintiff's Proposal	Defendants' Proposal	Court's Final
16, and 18; '307 patent			Construction
claims 11, 16, and 18)			
"The method of claim 11,	Plain and ordinary	Indefinite under 35	Plain and
wherein at least one of the	meaning	U.S.C. § 112, ¶ 2	ordinary meaning
receiving, storing,	meaning	0.5.C. § 112, 2	ordinary incaming
aggregating, correlating			
operations are accessible by			
at least one of the following:			
a response authentication			
system, a broadcaster, an			
advertiser, a content provider,			
a wireless carrier, a web			
portal, a third party			
database."			
('028 patent, claim 14)			
"interactive media receiver"	Plain and ordinary	Indefinite under 35	Plain and
('833 patent, claims 1, 3, 5-7,	meaning	U.S.C. § 112, ¶ 2	ordinary meaning
and 9)	-	- "	
"responder identifier" ('833	Plain and ordinary	Indefinite under 35	Plain and
patent, claims 1, 3, 5-7, and	meaning	U.S.C. § 112, ¶ 2	ordinary meaning
9)			
"third party" ('843 patent,	The Court should	Indefinite under 35	See "third party"
claims 10, 11, and 13; '806	construe "third party	U.S.C. § 112, ¶ 2	terms below
patent, claims 5-8 and 10)	encoded data" and		
	"encoded third party		
	data" as below		
"third party encoded data"	"third party encoded	"third party encoded	Plain and
('806 patent, claims 5-8, and	data": "encoded data	data" and "encoded third	ordinary meaning
10); "encoded third party	obtained from a party	party data" should each	
data" ('843 patent, claims 10,	that is neither the source	be given their distinct	
11, and 13)	nor the recipient of the	plain and ordinary	
	electronic transmission"	meanings.	
	"an ac dod thind nanty		
	"encoded third party data": "an encoding of		
	data obtained from a		
	party that is neither the		
	source nor the recipient		
	of the electronic		
	transmission"		
"stream scanner module"	Plain and ordinary	Means-plus-function	Plain and
('806 patent, claims 5-8 and	meaning.	under 35 U.S.C. § 112 ¶	ordinary
10)	5	6 (pre-AIA)	meaning; § 112 ¶
'	If 35 U.S.C. § 112 ¶ 6	/	6 does not apply
	(pre-AIA) applies, the	Function for claim 5:	
	function is obtaining a	Scan a stream to obtain a	
	data stream associated	data stream associated	
	with the electronic	with the electronic	



Term	Plaintiff's Proposal	Defendants' Proposal	Court's Final
Term	Tiamum s Troposar	Detenuants 110posai	Construction
	transmission of the	transmission of the	Constituction
	media segment.	media segment	
	The corresponding	Function for claim 6:	
	structure is computer	Scan a stream to obtain a	
	software and hardware	data stream associated	
	that (1) obtains broadcast	with the electronic	
	data in a known format	transmission of the	
	such as AM, FM,	media segment over a	
	Internet, satellite, WiFi,	public broadcast.	
	Analog Television,		
	Digital Television,	Structure: Indefinite	
	wireless, peer to peer,		
	cable, or their		
	equivalents, and (2)		
	obtains from the		
	transmission a data		
	stream accompanying the		
	broadcast stream in any of a number of known		
	formats such as Radio		
	Data System (RDS),		
	Radio Broadcast Data		
	System (RDBS), Data		
	Radio Channel (DARC),		
	Digital Audio		
	Broadcasting (DAB),		
	Digital Multimedia		
	Broadcasting (DMB),		
	Digital Video Broadcast-		
	Handhelds (DVB-H), In		
	Band on Channel		
	(IBOC), Digital Radio		
	Mondiale (DRM), or		
44 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	their equivalents.)	D1 ' 1
"stream analysis module"	Plain and ordinary	Means-plus-function	Plain and
('806 patent, claims 5-8 and	meaning.	under 35 U.S.C. § 112 ¶	ordinary
10)	1f25 H C C 8 112 ¶ 6	6 (pre-AIA)	meaning; § 112 ¶
	If 35 U.S.C. § 112 ¶ 6 (pre-AIA) applies, the	Function: Analyze a	6 does not apply
	function is analyzing the	stream to analyze the	
	third party encoded data	third party encoded data	
	extracted from the data	extracted from the data	
	stream, whereby the	stream, whereby the	
	analysis generates	analysis generates	
	analysis data that	analysis data that	
	includes at least an	includes at least an	
	identifying data that	identifying data that	
	initiates identification of	initiates identification of	



Term	Plaintiff's Proposal	Defendants' Proposal	Court's Final
Term	Tiamum STroposai	Detenuants Troposat	Construction
	the media segment.	the media segment.	Constituction
	the media segment.	the media segment.	
	The corresponding	Structure: Indefinite	
	structure is software and		
	hardware that decodes		
	data in the Radio Data		
	System (RDS), Radio		
	Broadcast Data System		
	(RBDS), Data Radio		
	Channel (DARC),		
	Digital Audio		
	Broadcasting (DAB),		
	Digital		
	Multimedia Broadcasting		
	(DMB), Digital Video		
	Broadcast-Handhelds		
	(DVB-H), In Band on		
	Channel (IBOC), or		
	Digital Radio Mondiale		
	(DBM) formats, or their		
	equivalents.		
"correlating" ('806 patent,	Plain and ordinary	Indefinite under 35	Plain and
claims 5-8 and 10)	meaning	U.S.C. § 112, ¶ 2	ordinary meaning
"broadcast scanning module"	Plain and ordinary	Means-plus-function	Plain and
('843 patent, claims 10, 11,	meaning	under 35 U.S.C. § 112 ¶	ordinary
and 13)		6 (pre-AIA)	meaning; § 112 ¶
	If 35 U.S.C. § 112 ¶ 6		6 does not apply
	(pre-AIA) applies, the	Function: Scan a	
	function is receiving the	broadcast to receive the	
	specific instance of the	specific instance of the	
	media segment in the	media segment in the	
	electronic transmission	electronic transmission	
	The corresponding	Structure: Indefinite	
	structure is computer		
	software and hardware		
	that (1) obtains broadcast		
	data in a known format		
	such as AM, FM,		
	Internet, satellite, WiFi,		
	Analog Television,		
	Digital Television,		
	wireless, peer to peer,		
	cable, or their		
	equivalents, and (2)		
	obtains from the		
	transmission a data		
	stream accompanying the		
	broadcast stream in any		



DOCKET

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.

