

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

INTEL CORPORATION,	)	
	)	Civil Action No. 14-377 (LPS)
Plaintiff and Counterclaim-Defendant,	)	
	)	<b>CONFIDENTIAL – FILED UNDER</b>
v.	)	<b>SEAL</b>
	)	
FUTURE LINK SYSTEMS, LLC,	)	CONTAINS MATERIAL DESIGNATED
	)	OUTSIDE COUNSEL EYES ONLY
Defendant and Counterclaimant.	)	

**FUTURE LINK'S OPENING CLAIM CONSTRUCTION BRIEF**

Dated: April 21, 2016

Benjamin Hattenbach (admitted *pro hac vice*)  
Ellisen S. Turner (admitted *pro hac vice*)  
Richard W. Krebs (admitted *pro hac vice*)  
Amy E. Proctor (admitted *pro hac vice*)  
Dominik Slusarczyk (admitted *pro hac vice*)  
IRELL & MANELLA LLP  
1800 Avenue of the Stars, Suite 900  
Los Angeles, California 90067-4276  
Telephone: (310) 277-1010  
Facsimile: (310) 203-7199  
bhattenbach@irell.com  
eturner@irell.com  
rkrebs@irell.com  
aproctor@irell.com  
dslusarczyk@irell.com

Brian E. Farnan (Bar No. 4089)  
Michael J. Farnan (Bar No. 5165)  
FARNAN LLP  
919 N. Market Street, 12th Street  
Wilmington, Delaware 19801  
Telephone: (302) 777-0300  
Facsimile: (302) 777-0301  
bfarnan@farnanlaw.com  
mfarnan@farnanlaw.com

*Attorneys for Defendant  
Future Link Systems, LLC*

**TABLE OF CONTENTS**

	<b><u>Page</u></b>
INTRODUCTION .....	1
ARGUMENT	
US Patent No. 5,608,357 ('357 Patent).....	2
1. “buffer memory . . . for removing jitter” (all asserted claims) .....	2
1. Future Link’s Construction Is Consistent with the Intrinsic Evidence .....	2
(a) “Removing” Does Not Require Construction.....	2
(b) “Jitter” Should Be Defined Using the Intrinsic Evidence.....	2
2. Intel Seeks to Narrow and Redraft the Claim Language by Adding Requirements that the Intrinsic Record Does Not Support.....	3
(a) Adding a <i>Mens Rea</i> Requirement Would Be Improper .....	3
(b) Changing “Removing” to “Eliminating” Could Improperly Narrow the Claims Without Clarifying Their Meaning.....	3
(c) Intel’s Proposed Definition of “Jitter” Is Confusing and Unhelpful .....	5
U.S. Patent No. 5,754,867 ('867 Patent).....	5
2. “means for selecting an external to internal clock frequency ratio” .....	5
1. Future Link’s Construction Tracks the Patent’s Disclosure Verbatim .....	6
2. Intel Improperly Seeks to Add Structure that It Admits Performs the Function of “Changing,” Not the Claimed Function of “Selecting” .....	6
U.S. Patent No. 5,870,570 ('570 Patent).....	8
3. “identification device select decoder” (claim 17).....	8
1. Future Link’s Construction Adds Clarity from the Specification.....	8
2. Intel’s Proposed Construction Only Adds an Improper Limitation.....	9
U.S. Patent No. 6,052,754 ('754 Patent).....	11
4. “external bus control circuit” (all asserted claims).....	12

	<u>Page</u>
1. Future Link’s Construction Is from the Intrinsic Evidence .....	12
2. Intel Seeks to Transform Goals and Benefits into Claim Elements.....	12
5. “slave port” (’754, all asserted claims).....	14
1. Future Link’s Construction Comes Straight from the Specification .....	14
2. Intel’s Construction Is Unclear and Contradicts Intrinsic Evidence.....	14
U.S. Patent No. 6,317,804 (’804 Patent).....	16
6. “serial port” (all asserted claims).....	16
1. Intrinsic and Extrinsic Evidence Support Future Link’s Construction.....	16
2. Intel’s Proposed Construction Directly Contradicts the Intrinsic Evidence and Its Own Use of the Term “Serial” .....	18
U.S. Patent No. 6,606,576 (’6576 Patent).....	18
7. “calibration path for data calibration” (all asserted claims).....	19
1. Future Link’s Construction Tracks the Claim Language.....	19
2. Intel Reverses Key Language and Contradicts the Intrinsic Evidence .....	20
8. “means for comparing a sequence of data over the calibration path relative to a matched sequence of data being passed on one of the multiple paths” .....	21
U.S. Patent No. 6,622,108 (’108 Patent).....	22
9. “testing the interconnects” (all asserted claims).....	22
U.S. Patent No. 7,478,302 (’302 Patent).....	24
10. “functional block” / “module(s)” (all asserted claims).....	24
U.S. Patent No. 7,743,257 (’257 Patent).....	26
11. “block” (all asserted claims) .....	27
U.S. Patent No. 7,917,680 (’680 Patent).....	28
12. “packet-based communications” / “communicating packet data” .....	28
13. “generating a performance-based communications order” / “performance arbiter configured and arranged to order the packet data” .....	29

**Page**

CONCLUSION.....30

**TABLE OF PATENTS**

<b><u>Patent</u></b>	<b><u>Exhibit</u></b>
U.S. Patent 5,608,357	A <sup>1,2</sup>
U.S. Patent 5,754,867	B
U.S. Patent 5,870,570	C
U.S. Patent 6,052,754	D
U.S. Patent 6,317,804	E
U.S. Patent 6,606,576	F
U.S. Patent 6,622,108	G
U.S. Patent 7,478,302	H
U.S. Patent 7,743,257	I
U.S. Patent 7,917,680	J

---

<sup>1</sup> The exhibit numbers in this table correspond to the exhibits filed with the parties' Joint Claim Construction Chart (D.I. 275 & 276).

<sup>2</sup> Unless otherwise noted, all emphasis in case or document quotations has been added and any internal quotations and subsequent history have been omitted from the citations.

# 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.