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

CPC PATENT TECHNOLOGIES PTY LTD,	§	
Plaintiff	§	**CASE NO. 6:21-CV-00166-ADA**
	§	
-v-	§	
	§	
HMD GLOBAL OY,	§	
Defendant	§	

CLAIM CONSTRUCTION ORDER

The Court provides the following claim constructions for U.S. Patent Nos. 9,269,208 ("'208 Patent) and 9,665,705 ("'705 Patent") after considering the parties' briefs and oral argument held January 25, 2022. Dkt. Nos. 32, 33, 34. The Court enters its final constructions for each term:

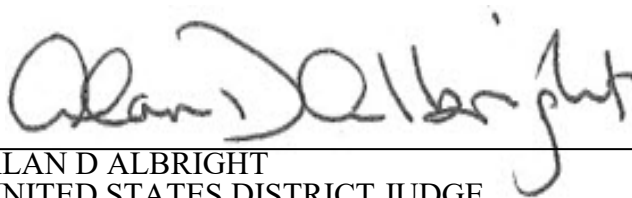| NO.	Claim Term	Court's Final Construction
1	"accessibility attribute" '208 Patent, Cls. 1, 9, 10; '705 Patent, Cls. 1, 10, 11, 14, 15, 16, 17	attribute that establishes whether and under which conditions access to the controlled item should be granted to a user.
2	"series" '208 Patent, Cls. 1, 2, 9, 10 '705 Patent, Cls. 1, 2, 10, 11, 14, 15, 16, 17	Plain and ordinary meaning.
3	"map[ping] said series into an instruction" '208 Patent, Cls. 1, 9, 10	Plain and ordinary meaning.

	'705 Patent, Cls. 1, 10, 11, 14, 15, 16, 17	
4	"means for matching the biometric signal against members of [a/the] database of biometric signatures to thereby output an accessibility attribute" '208 Patent, Cls. 1, 9	Function: matching the biometric signal against members of the database of biometric signatures to thereby output an accessibility attribute. Structure corresponding to the claimed means is a computer program product having a computer readable medium having a computer program recorded therein, with code for matching the biometric signal against members of the database of biometric signatures, to thereby output an accessibility attribute. '208 Patent, col. 4, lines 8-13, 15-17, 40-45 & 47-49; col. 5, lines 50-67; col. 6 line 56 – col. 7 line 2; col. 7 line 65 – col. 8 line 10; col. 8, line 67 – col. 9, line 5; col. 14 lines 10-42 see also Figure 2, items 103, 105; figure 3, item 202 Not indefinite.
5	"means for emitting a secure access signal conveying [said] information dependent upon said accessibility attribute" '208 Patent, Cls. 1, 9	Function: emitting a secure access signal conveying said information dependent upon said accessibility attribute. Structure corresponding to the claimed means is a computer program product having a computer readable medium having a computer program recorded therein, with code for emitting a secure access signal conveying said information dependent upon said accessibility attribute. '208 Patent, col. 4, lines 8-13, 18-22, 40-45 & 50-54; col. 5 line 65 – col. 6 line 6; col. 6 lines 28-55; col. 8 lines 19-35; col. 14 lines 16-20; Figure 2, item 107; Figure 3, item 205; and Figure 7, items 603-610 and the corresponding description of Figure 7 items 603-610. Not indefinite.
6	"means for providing conditional access to the controlled item dependent upon said information / means for providing conditional access to the controlled item dependent upon	Function: "providing conditional access to the controlled item dependent upon [said] information [in said secure access signal]." Structure corresponding to the claimed means is a computer program product having a computer readable medium having a computer program recorded therein, with code for providing conditional access to the controlled item

	information in said secure access signal" '208 Patent, Cls. 1, 10	dependent upon [said] information [in said secure access signal]. '208 Patent, col. 4, lines 8-13, 23-24, 55-60 & 62-63; col. 5 line 50 – col. 6 line 27, col. 8 lines 17-28; col. 8 line 56 – col. 9 line 20, col. 11 lines 27-56; col. 11 line 66 – col. 12 line 10; col. 12 lines 24-27; Figure 2, item 109; figure 4, item 304. Not indefinite.
7	"means for receiving a series of entries of the biometric signal, said series being characterised according to at least one of the number of said entries and a duration of each said entry" '208 Patent, Cls. 1, 9	Function: receiving a series of entries of the biometric signal. Structure corresponding to the claimed means is a computer program product having a computer readable medium having a computer program recorded therein, with code for receiving a series of entries of the biometric signal. '208 Patent, col. 4, lines 8-14, 25- 34 & 40-46; col. 5 lines 40-65; col. 7 line 66 – col. 8 line 6; col. 10 lines 45-63; col. 12 lines 55-59; Figure 2, items 107, 121; figure 6, item 701. Not indefinite.
8	"means for mapping said series into an instruction" '208 Patent, Cls. 1, 9	Function: mapping said series into an instruction. Structure corresponding to the claimed means is a computer program product having a computer readable medium having a computer program recorded therein, with code for mapping said series into an instruction. '208 Patent, col. 4, lines 25-31 & 37; col. 5 line 50 – col. 6 line 27, col. 10 line 45 – col. 11 line 2; col. 12 lines 55-59; col. 12 line 67 – col. 13 line 3; Figure 2, items 103 107, 121. Not indefinite.

SIGNED this 25th day of January, 2022.

ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE