

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

GODO KAISHA IP BRIDGE 1,

Plaintiff,

v.

INTEL CORPORATION,

Defendant.

Case No. 2:17-cv-00676-RWS-RSP

JURY TRIAL DEMANDED

**PLAINTIFF GODO KAISHA IP BRIDGE 1'S
REPLY CLAIM CONSTRUCTION BRIEF**

TABLE OF CONTENTS

	Page
I. US Patent No. 6,346,736.....	1
A. “Dielectric Film” (Claims 6, 7, and 8).....	1
II. U.S. Patent Nos. 6,387,824 and 6,602,802	4
A. “Form . . . a Porous Film” (’824 Patent, claim 3) / “Forming a Porous Film” (’802 Patent, claim 1).....	4
B. Step Order (’824 Patent, claim 3)	9
C. Step Order (’802 Patent, claim 1)	11
III. Conclusion	11

TABLE OF AUTHORITIES

	Page(s)
Cases	
<i>Absolute Software, Inv. v. Stealth Signal, Inc.</i> , 659 F.3d 1121 (Fed. Cir. 2011).....	1, 7
<i>Altiris, Inc. v. Symantec Corp.</i> , 318 F.3d 1363 (Fed. Cir. 2003).....	10, 11
<i>Apple, Inc. v. Ameranth, Inc.</i> , 842 F.3d 1229 (Fed. Cir. 2016).....	10
<i>Baldwin Graphic Sys., Inc. v. Siebert, Inc.</i> , 512 F.3d 1338 (Fed. Cir. 2008).....	1
<i>C-Cation Techs., LLC v. Time Warner Cable, Inc.</i> , No. 2:14-cv-0059-JRG-RSP, 2015 WL 1849014 (E.D. Tex. Apr. 20, 2015).....	11
<i>DataTreasury Corp. v. Wells Fargo & Co.</i> , No. 2:05-cv-291, 2009 WL 1393068 (E.D. Tex. May 11, 2009)	10
<i>E-Pass Techs. Inc. v. 3Com Corp.</i> , 473 F.3d 1213 (Fed. Cir. 2007).....	9
<i>E-Watch Inc. v. Apple, Inc.</i> , No. 2:13-cv-1061-JRG-RSP, 2015 WL 1387947 (E.D. Tex. March 25, 2015)	9
<i>Honeywell Int’l, Inc. v. ITT Indus., Inc.</i> , 452 F.3d 1312 (Fed. Cir. 2006).....	1, 7
<i>Indacon, Inc. v. Facebook, Inc.</i> , 824 F.3d 1352 (Fed. Cir. 2016).....	10
<i>Net MoneyIN, Inc. v. VeriSign, Inc.</i> , 545 F. 3d 1359 (Fed. Cir. 2008).....	3
<i>Network-1 Sec. Solutions, Inc. v. Cisco Sys., Inc.</i> , 692 F. Supp. 2d 632 (E.D. Tex. 2010).....	5
<i>Phillips v. AWH Corp.</i> , 415 F. 3d 1303 (Fed. Cir. 2005) (en banc).....	1, 8
<i>Qcue, Inc. v. Digonex Techs., Inc.</i> , No. A-12-CA-484-SS, 2013 WL 4784120 (W.D. Tex. Sept. 5, 2013).....	1

Teva Pharm. USA, Inc. v. Sandoz, Inc.,
135 S. Ct. 831 (2015).....2

I. US PATENT NO. 6,346,736

A. “Dielectric Film” (Claims 6, 7, and 8)

Intel does not dispute that “dielectric film” is a commonly understood term to which a POSITA would attribute plain meaning. Nor does Intel contend that there has been any disavowal of claim scope or lexicography, which would be necessary to limit that plain meaning of “dielectric film.” *See* Br. 9-10. Moreover, Intel does not dispute that, instead of clarifying what a “dielectric film” is, its construction just adds an additional limitation to the claims—thereby “commit[ing] ‘one of the cardinal sins of patent law—reading a claim limitation from the written description into the claims.’” *Qcue, Inc. v. Digonex Techs., Inc.*, No. A-12-CA-484-SS, 2013 WL 4784120, at *5 (W.D. Tex. Sept. 5, 2013) (quoting *Phillips v. AWH Corp.*, 415 F. 3d 1303, 1320 (Fed. Cir. 2005) (en banc)).

Intel’s reliance on the introductory sentence of the ’736 patent to add a limitation is misplaced. Resp. 25-26. There, the patent states that the “present invention relates to a semiconductor device having a trench-isolated structure and, more particularly, to a *method* of reducing capacitance” Ex. A (’736) at 1:6-9. Because the claims at issue here are apparatus claims, the reference to a method is inapplicable. *See Baldwin Graphic Sys., Inc. v. Siebert, Inc.*, 512 F.3d 1338, 1344 (Fed. Cir. 2008) (“Despite their similarities, these [apparatus and method] claims are directed toward different classes of patentable subject material under 35 U.S.C. § 101.”). Regardless, this single statement is not limiting because the ’736 patent repeatedly refers to the “present invention” to describe numerous different embodiments of the invention, making clear that the patent is not limited to reducing capacitance.¹ *See Absolute Software, Inc. v. Stealth*

¹ Ex. A (’736) at 3:49-59, 4:16-27, 4:60-5:3, 5:7-18, 6:10-27, 7:1-15, 7:37-51, 8:1-15, 8:46-63, 9:16-30, 9:31-52, 9:53-10:9. Intel’s reliance on *Honeywell* is therefore misplaced. In that case, the patent stated on four separate occasions that “the present invention” or “this invention” requires a fuel filter, and the “fuel filter” was the “only component” in the written description disclosed as

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