

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

INVENSYS SYSTEMS, INC.,	§	
	§	
Plaintiff,	§	C.A. No. 6:12-cv-799-LED
v.	§	
	§	JURY TRIAL DEMANDED
EMERSON ELECTRIC CO. and	§	
MICRO MOTION INC., USA,	§	
	§	
Defendants.	§	
and	§	
	§	
MICRO MOTION INC., USA,	§	
	§	
Counterclaim-Plaintiff,	§	
v.	§	
	§	
INVENSYS SYSTEMS, INC.,	§	
	§	
Counterclaim-Defendant.	§	

**PLAINTIFF'S RESPONSE TO OPENING CLAIM
CONSTRUCTION BRIEF OF MICRO MOTION, INC.**

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The parties essentially agree on the proper construction of many of the terms in U.S. Patent No. 6,505,131 B1 (the “ ’131 patent”) and only dispute whether technical terms of art should be explained to the jury, although Defendant Micro Motion U.S.A., Inc. (“Micro Motion”) does seek to rewrite, not construe, at least one important claim limitation. As to U.S. Patent No. 5,555,190 (the “ ’190 patent”), Micro Motion consistently seeks to expand means-plus-function limitations beyond the structures disclosed in the specification, contrary to well-established precedent. In contrast, the constructions put forward by Plaintiff Invensys Systems, Inc. (“Invensys”) will assist the jury and are consistent with settled principles of claim construction. Accordingly, the Court should adopt Invensys’s constructions and hold that many of the claims in Micro Motion’s patents are indefinite under § 112(b).

I. Response to Micro Motion’s Proposed Constructions for the ’131 Patent

A. Terms for Which Plain and Ordinary Meaning Is Insufficient

1. “Calculating dot products”

Claim Term	Claims Nos.		Invensys’ Proposed Construction	Micro Motion’s Proposed Construction
	’131	’190		
“calculating dot products”	1, 13, 26		calculating a single number from two equal-length sequences of numbers by multiplying the corresponding components in each sequence and adding together the results	no need to separately construe; plain and ordinary meaning

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