

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MOBILEMEDIA IDEAS LLC,

Plaintiff,

v.

RESEARCH IN MOTION LTD, *et al.*,

Defendants.

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Civil Action No. 3:11-CV-2353-N

ORDER

This Order addresses the construction of numerous disputed claim terms of ten United States Patents pursuant to *Markman v. Westview Instruments, Inc.*, 52 F.3d 967 (Fed. Cir. 1995) (en banc), *aff'd*, 517 U.S. 370 (1996). Having reviewed the relevant intrinsic and extrinsic evidence in the record, the Court construes the disputed terms and phrases as provided below.

I. CLAIM CONSTRUCTION STANDARDS

Claim construction is a question of law for the Court. *See Markman*, 517 U.S. at 391. In construing the claims of a patent, the words comprising the claims “are generally given their ordinary and customary meaning” as understood by “a person of ordinary skill in the art in question at the time of the invention.” *Phillips v. AWH Corp.*, 415 F.3d 1303, 1312-13 (Fed. Cir. 2005) (en banc) (citations and internal quotation marks omitted). Accordingly, courts must determine the meaning of claim terms in light of the resources that a person with such skill would review to understand the patented technology. *See id.* at 1313 (quoting

Multiform Desiccants, Inc. v. Medzam, Ltd., 133 F.3d 1473, 1477 (Fed. Cir. 1998)). First, “the person of ordinary skill in the art is deemed to read the claim term . . . in the context of the entire patent, including the specification.” *Id.* If the specification “reveal[s] a special definition given to a claim term by the patentee that differs from the meaning it would otherwise possess, the inventor’s lexicography governs.” *Id.* at 1316. Likewise, if “the specification . . . reveal[s] an intentional disclaimer, or disavowal, of claim scope by the inventor[,] the inventor’s intention, as expressed in the specification, is regarded as dispositive.” *Id.* (citations omitted).

In addition to the specification, courts must examine the patent’s prosecution history – that is, the “complete record of the proceedings before the PTO and includ[ing] the prior art cited during the examination of the patent.” *Id.* at 1317 (citations omitted). “Like the specification, the prosecution history provides evidence of how the PTO and the inventor understood the patent.” *Id.* (citations omitted). In particular, courts must look to the prosecution history to determine “whether the inventor limited the invention in the course of prosecution, making the claim scope narrower than it would otherwise be.” *Id.* (citations omitted). “[W]here the patentee has unequivocally disavowed a certain meaning to obtain his patent, the doctrine of prosecution disclaimer attaches and narrows the ordinary meaning of the claim congruent with the scope of the surrender.” *Omega Eng’g, Inc. v. Raytek Corp.*, 334 F.3d 1314, 1324 (Fed. Cir. 2003).

Finally, in addition to evidence intrinsic to the patent at issue and its prosecution history, courts may look to “extrinsic evidence, which ‘consists of all evidence external to

the patent and prosecution history, including expert and inventor testimony, dictionaries, and learned treatises.” *Phillips*, 415 F.3d at 1317 (quoting *Markman*, 52 F.3d at 980). In general, extrinsic evidence is “less reliable than the patent and its prosecution history in determining how to read claim terms.” *Id.* at 1318.

II. U.S. PATENT NO. 7,349,012

A. *Resolution Converter (Claims 1, 4)*

Claim Term:

first resolution converter for decreasing a resolution of image data generated by the imaging unit

MobileMedia Construction:

an element able to perform decimation and/or interpolation of image data input thereto in both horizontal and vertical directions across the image area so as to preserve the content of the image data

RIM Construction:

a circuit, separate from the second resolution converter, dedicated to decreasing the resolution of image data in both horizontal and vertical directions across the image area so as to preserve the content of the image data

Claim Term:

second resolution converter for increasing a resolution of image data that is to be outputted to the display via the output unit

MobileMedia Construction:

an element able to perform interpolation of image data input thereto in both horizontal and vertical directions across the image area so as to preserve the content of the image data

RIM Construction:

a circuit, separate from the first resolution converter, dedicated to increasing the resolution of image data in both horizontal and vertical directions across the image area so as to preserve the content of the image data

The primary point of disagreement between MobileMedia and RIM is whether these terms require two separate physical embodiments, or whether a single element can perform both functions. MobileMedia argues that in an embodiment in the specification, a single resolution conversion circuit (28) performs both increasing and decreasing resolution. RIM correctly responds that while circuit 28 is a general purpose resolution converter, that is not the element that performs the functions described in the claim; those functions, rather, are performed by elements 21d and 23a. By calling out a first and second resolution converter, the claim language facially contemplates two elements. The Court construes the two claim terms as follows:

first resolution converter:

an element able to decrease the resolution of image data in both horizontal and vertical directions across the image area so as to preserve the content of the image data

second resolution converter:

an element, separate from the first resolution converter, able to increase the resolution of image data in both horizontal and vertical directions across the image area so as to preserve the content of the image data

B. Outputting Image Data (Claim 3)

Claim Term:

outputting to outside the image data compressed by the compression unit

MobileMedia Construction:

outputting the compressed image data to be remote from the imaging apparatus, *i.e.*, no longer subject to processing by the imaging apparatus

RIM Construction:

plain meaning

The Court agrees with RIM that no construction is needed. MobileMedia's construction adds two additional limitations not found in the claim: "remote from the imaging apparatus" and "no longer subject to processing by the imaging apparatus."

C. Resolution Standard (Claim 4)

Claim Term:

resolution standard

MobileMedia Construction:

the resolution of the display

RIM Construction:

a protocol, such as NTSC or PAL, defining the resolution of a display

The specification states "the resolution will be increased at an output stage to the extent that is necessary for display." A74, 13:1-3. The specification nowhere refers to a "protocol," although it does refer extensively to NTSC and PAL. Limiting the resolution of the display to an industry standard, such as NTSC or PAL, would unduly limit the claim language. In context, MobileMedia's construction appears more in keeping with the specification. The Court, therefore, adopts the construction, "the resolution of the display."

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