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

NEODRON LTD., Plaintiff, v. DELL TECHNOLOGIES INC., Defendant.	Case No. 1:19-cv-00819-ADA
NEODRON LTD., Plaintiff, v. HP, INC., Defendant.	Case No. 1:19-cv-00873-ADA
NEODRON LTD., Plaintiff, v. MICROSOFT CORPORATION, Defendant.	Case No. 1:19-cv-00874-ADA
NEODRON LTD., Plaintiff, v. AMAZON.COM, INC., Defendant.	Case No. 1:19-cv-00898-ADA

NEODRON LTD., Plaintiff, v. SAMSUNG ELECTRONICS CO., LTD. and SAMSUNG ELECTRONICS AMERICA, INC., Defendant.	Case No. 1:19-cv-00903-ADA

DEFENDANTS' OPENING CLAIM CONSTRUCTION BRIEF ON THE DISPUTED TERMS OF THE TOUCH PROCESSING PATENTS

(U.S. PATENT NOS. 8,102,286 and 10,365,747)

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Defendants respectfully submit their opening claim construction brief for the disputed terms of U.S. Patent Nos. 8,102,286 and 10,365,747 (collectively the "touch processing patents").[1] The agreed constructions for these patents are set out in the Joint Claim Construction Statement.

I. INTRODUCTION

In this series of cases, Neodron asserts more than 150 claims of 13 patents against seven groups of defendants. Despite the obvious need to narrow the scope and breadth of these cases before fact and expert discovery and trial, Defendants have identified below only the key claim terms requiring construction. For most terms, Defendants' constructions reflect the plain and ordinary meaning to one of ordinary skill in the art, as informed by the patent specification and file history. Where Defendants' constructions depart from the plain and ordinary meaning, it is only because (a) the claim term in dispute has no accepted plain and ordinary meaning, (b) the applicants acted as their own lexicographer in defining a term, or (c) the claim term is indefinite. For the reasons demonstrated below, the Court should adopt Defendants' correct constructions.

Neodron's proposed constructions—and its positions during the meet-and-confer process leading up to claim construction briefing—are a different story. Neodron frequently claims that no construction is necessary and merely parrots the claim language in its "constructions," while refusing to agree with Defendants' constructions or, worse yet, refusing to confirm why and how it disagrees with Defendants' positions. In the rare instance where Neodron provides an actual construction, its proposals contradict the intrinsic evidence, inject ambiguity, and consist primarily or solely of attorney argument. Neodron's goal is obvious—it wants to keep the

[1] The "touch processing patents" also include U.S. Patent No. 8,451,237, for which there are no disputed terms. Defendants are filing a separate opening claim construction brief to cover the disputed terms of the touch sensor patents, which include U.S. Patent Nos. 8,946,574; 9,086,770; 9,823,784; 10,088,960; and 7,821,502.)

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