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' RESPONSIVE CLAIM CONSTRUCTION BRIEF ON THE DISPUTED TERMS OF THE TOUCH SENSOR PATENTS

(U.S. PATENT NOS. 8,946,574; 9,086,770; 9,823,784; 10,088,960; and 7,821,502)

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Defendants respectfully submit their responsive claim construction brief for the disputed terms of U.S. Patent Nos. 8,946,574; 9,086,770; 9,823,784; 10,088,960; and 7,821,502 (collectively the "touch sensor patents").

I. INTRODUCTION

Neodron's opening claim construction brief confirms that Neodron largely wants to sit out the claim construction process. For most terms, Neodron continues to argue that no construction is necessary and simply parrots the claim language while refusing to agree with Defendants' plain-meaning constructions, or Neodron plucks out dictionary definitions that are at odds with the intrinsic record. As Defendants predicted, Neodron's goal is flexibility and malleability, as Neodron is faced with stretching its patent claims to try to cover the accused products while simultaneously casting the claims narrowly to avoid spot-on prior art. But at the end of the day, Neodron cannot legitimately dispute that Defendants' constructions, with few exceptions, reflect the plain and ordinary meaning in light of the patent specification and file history. For those exceptions, Defendants have established there is no accepted plain and ordinary meaning, or the applicants acted as their own lexicographer in defining a term. In every instance, Defendants' constructions are the correct ones, while Neodron's reflect its desire to avoid certainty in the claim construction process.

II. THE DISPUTED TERM OF U.S. PATENT NO. 8,946,574 ("MESH")

The parties agree that the scope of the term "mesh" within the context of the '574 patent claims would not include electrodes made of indium tin oxide ("ITO"). *See* Flasck Decl. ¶ 67 ("[T]he intrinsic record does not support the notion that a metal mesh could be made of the widely used [ITO]. It is also my opinion that a POSITA would also not find that ITO electrodes would not be considered metal mesh electrodes."); *see also* Neodron Br. at 27 ("[A] POSITA would not consider the widely used [ITO] as a metal 'mesh.'"). Indeed, Neodron recognizes the

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