

**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

**PLAINTIFF NEODRON LTD.'S ("NEODRON'S") RESPONSIVE CLAIM
CONSTRUCTION BRIEF**

GROUP 3 – TOUCH PROCESSING PATENTS

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TABLE OF EXHIBITS AND ABBREVIATIONS¹

Ex	Description	Abbreviation
-	Defendants' Opening Claim Construction Brief on the Disputed Terms of the Touch Processing Patents, Dkt. 62.	Defs.' Opening Br.
33	<i>Markman</i> Ruling in <i>Realtime Adaptive Streaming LLC v. Google LLC, et al.</i> dated July 25, 2019	

¹ Additional document abbreviations and the numbering of corresponding exhibits can be found on pages 4–5 of Docket No. 61, Neodron's Opening Claim Construction Brief for the Group 1 – Touch Sensor Patents. All relevant exhibits, with the exception of Exhibit 33, can be found as exhibits to Docket No. 64, Omnibus Declaration of Reza Mirzaie. Exhibit 33 is attached to this brief.

I. DISPUTED TERM FOR THE '286 PATENT

A. "sensor value(s)" ('286 Patent, claims 1, 3–5, 8–10, 12–13, 15–17, 20–21, 23–24)

Neodron's Proposed Construction	Defendants' Proposed Construction
Plain and ordinary meaning, which is "sensor signal value(s)."	Plain and ordinary meaning, i.e. "value indicating the strength of the sensor signal."

"Sensor value" is a plain term, and both sides agree that it has a plain and ordinary meaning. Nevertheless, Defendants assert that the Court must limit the scope of this term. Setting aside the logical fallacy in arguing that a term should be construed to have its plain and ordinary meaning, and at the same time arguing that the Court should limit the scope of the term, Defendants' arguments for limiting the scope of this term lacks sound legal basis. For instance, Defendants argue that "the stated purpose of the invention" limits claim scope. Defs.' Opening Claim Construction Br. on the Disputed Terms of the Touch Processing Patents, Dkt. 62 ("Def. Opening Br.") at 3 But "limit[ing] claim scope based on the purpose of the invention ... is impermissible." *Storage Tech. Corp. v. Cisco Sys., Inc.*, 329 F.3d 823, 832 (Fed. Cir. 2003).² Defendants also argue that the '286 patent specification's "consistent[] and repeated[]" (Def. Opening Br. at 3) use of the word "strength" limits the scope of this plain term. That is also impermissible. Courts, without clear and unambiguous disclaimer, "do not import limitations into claims from examples or embodiments appearing only in a patent's written description, even when a specification describes very specific embodiments of the invention or even describes only a single embodiment." *JWW Enters. v. Interact Accessories, Inc.*, 424 F.3d 1324, 1335 (Fed. Cir. 2005). Defendants also argue

² *GoLight, Inc. v. Wal-Mart Stores*, 355 F.3d 1327, 1331 (Fed. Cir. 2004) ("The patentees were not required to include within each of their claims all of the[] advantages or features described as significant or important in the written description."); *E-Pass Technologies, Inc. v. 3Com Corp.*, 343 F.3d 1364, 1370 (Fed. Cir. 2003) ("An invention may possess a number of advantages or purposes, and there is no requirement that every claim directed to that invention be limited to encompass all of them.").

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