

**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

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NEODRON LTD.,

Plaintiff,

v.

HP, INC.,

Defendant.

Case No. 1:19-cv-00873-ADA

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NEODRON LTD.,

Plaintiff,

v.

MICROSOFT CORPORATION,

Defendant.

Case No. 1:19-cv-00874-ADA

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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' REPLY 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 reply claim construction brief for the remaining disputed terms of U.S. Patent Nos. 9,823,784 and 7,821,502 (collectively the “touch sensor patents”).<sup>1</sup>

### I. THE DISPUTED TERMS OF U.S. PATENT NO. 9,823,784

Neodron does nothing to address the fundamental problem of its indefinite claims: it is impossible to know what infringes the ’784 patent based upon the claim language, the specification, or the file history. This is why the law requiring definiteness exists. *Nautilus, Inc. v. Biosig Instruments, Inc.*, 572 U.S. 898, 909-11 (2014). The ’784 patent claims are invalid, because they are indefinite.

#### A. “wherein the plurality of drive electrodes are substantially area filling within the sensing region relative to the plurality of sense electrodes” (claims 1-3).

Defendants’ Construction	Neodron’s Construction
Indefinite	Plain and ordinary meaning; no construction necessary

Neodron’s responsive brief obfuscates the issue. The issue is not whether “substantial” or “substantially area filling” is indefinite. Neodron Resp. Br. at 28-29. Nor is the issue whether “relative to” is indefinite. *Id.* at 29. The issue is whether the actual requirement stated in the claims—that the drive electrodes be “substantially area filling within the sensing region *relative to* the plurality of sense electrodes”—is indefinite. Defendants’ Op. Br. at 11. That full language is indefinite because it is subject to several different possible meanings, with no resolution possible from the specification or prosecution history. Does the limitation (1) *raise* the threshold (*e.g.*, “drive electrodes” must be both substantially area filling *and* more area

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<sup>1</sup> The parties have reached agreement on the previously disputed terms in the 8,946,574 and 10,088,960 patents and, therefore, those patents are not addressed in this reply brief.

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