

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

IDENTITY SECURITY LLC,
Plaintiff,

v.

APPLE, INC.,
Defendant.

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1:22-CV-00058-ADA

ORDER GRANTING DEFENDANT APPLE INC.’S OPPOSED MOTION FOR FURTHER CLAIM CONSTRUCTION AND FINAL CLAIM CONSTRUCTION OF THE COURT

This Court, after considering Defendant Apple, Inc.’s Opposed Motion for Further Claim Construction and Stay Pending Markman (ECF No. 99), is of the opinion that the Motion should be **GRANTED-IN-PART**.

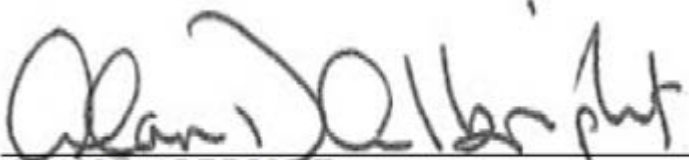
In its Motion, Apple explained that the parties disputed the proper scope and meaning of two terms recited in newly asserted claims in Identity Security’s March 17, 2023 Amended Complaint: (1) “an interface configured to enable the digital identity device to communicate with an external device”; and (2) “input/output port.” The Court heard oral argument on Apple’s Motion for further claim construction and orally granted-in-part Apple’s Motion on June 16, 2023. *See* ECF No. 125 at 11. The Court, however, denied Apple’s request to stay the case. *See id.* at 7. On July 6, 2023, the Court was informed that the parties had agreed to the constructions of these two terms as shown below.

After careful consideration of the parties’ briefs, the applicable law, and noting that it is agreed, the Court enters its final constructions as shown below.

Claim Term	Court's Final Construction
<p>“an interface configured to enable the microprocessor identity device to communicate with an external device” ('497 claim 3, '008 claim 2)</p>	<p>Plain and ordinary meaning, but the “external device” cannot be a component within the digital/microprocessor identity device</p>

Claim Term	Court's Final Construction
<p>“input/output port” ('497 patent, claim 4; '008 patent, claim 3)</p>	<p>“A physical port that enables input/output communications with a device that is not a component within the digital/microprocessor identity device.”</p>

SO ORDERED AND SIGNED this 6th day of July, 2023.



ALAN D ALBRIGHT
 UNITED STATES DISTRICT JUDGE