

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

SOLAS OLED LTD.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 6:19-cv-00515-ADA
)	
GOOGLE LLC,)	
)	
Defendant.)	
)	
<hr/>		
SOLAS OLED LTD.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 6:19-cv-00537-ADA
)	
APPLE INC.,)	
)	
Defendant.)	
)	
<hr/>		
SOLAS OLED LTD.,)	
)	
Plaintiff,)	
)	
v.)	Case No. 6:19-cv-00631-ADA
)	
HP INC.,)	
)	
Defendant.)	
)	
<hr/>		

DEFENDANTS' AND INTERVENTOR'S RESPONSIVE CLAIM CONSTRUCTION
BRIEF

TABLE OF CONTENTS

	Page
I. U.S. PATENT NO. 7,446,338 (“338 PATENT”)	1
A. “transistor array substrate” (claim 1)	1
B. “project from a surface of the transistor array substrate” (claim 1).....	5
II. U.S. PATENT NO. 7,499,042 (“042 PATENT”)	8
A. “selection period” (Claim 1)	8
B. “sequentially selects said plurality of selection scan lines in each selection period” (Claim 1)	10
C. “designating current” (Claim 1).....	12
D. “current lines” (Claim 1).....	15
III. U.S. PATENT NO. 7,663,615 (“615 PATENT”)	17
A. “the operation” (Claim 11).....	17
B. “precharge voltage” (Claim 11)	20
C. “writing control section” (Claim 11)	22
D. “data lines” (Claim 11)	24
IV. U.S. PATENT NO. 7,573,068 (“068 PATENT”)	26
A. “formed on said plurality of supply lines along said plurality of supply lines” (Claim 1) / “connected to said plurality of supply lines along said plurality of supply lines” (Claim 13)	26
B. “signal lines” / “supply lines” (Claims 1, 13)	30
C. “source” / “drain” (Claims 1, 13).....	32

TABLE OF AUTHORITIES**Page(s)****Cases**

<i>Helmsderfer v. Bobrick Washroom Equip., Inc.</i> , 527 F.3d 1379 (Fed. Cir. 2008)	30, 32
<i>ICU Medical, Inc. v. Alaris Medical Systems, Inc.</i> , 558 F.3d 1368 (Fed. Cir. 2009)	12, 16, 25, 32
<i>In re Downing</i> , 754 F. App'x 988 (Fed. Cir. 2018)	20
<i>Iridescent Networks, Inc. v. AT&T Mobility, LLC</i> , 933 F.3d 1345 (Fed. Cir. 2019)	22
<i>Phillips v. AWH Corp.</i> , 415 F.3d 1303 (Fed. Cir. 2005)	1, 3, 7, 22
<i>Praxair, Inc. v. ATMI, Inc.</i> , 543 F.3d 1306 (Fed. Cir. 2008)	28
<i>Regents of University of Minnesota v. AGA Medical Corp.</i> , 717 F.3d 929 (Fed. Cir. 2013)	12, 16, 25, 32
<i>SimpleAir, Inc. v. Sony Ericsson Mobile Commc'ns AB</i> , 820 F.3d 419 (Fed. Cir. 2016)	17
<i>Smartflash LLC v. Apple Inc.</i> , 77 F. Supp. 3d 535 (E.D. Tex. 2014)	20
<i>Smith v. ORBCOMM, Inc.</i> , No. 2:14-CV-666, 2015 WL 5302815 (E.D. Tex. Sept. 10, 2015)	20
<i>Solas OLED Ltd. v. Samsung Display Co.</i> , 2:19-cv-00152-JRG (E.D. Tex., April 15, 2020)	1, 2

TABLE OF EXHIBITS

Ex. No.	Publication
AA06	Solas Notice Of Agreement On Previously Disputed Claim Construction Terms, <i>Solas OLED Ltd. v. Samsung Display Co.</i> , 2:19-cv-00152-JRG, Dkt. 98 (E.D. Tex., April 15, 2020)
DD07	Steven M. Kaplan, Wiley Electrical and Electronics Engineering Dictionary 237 (John Wiley & Sons, Inc., 2004)
DD08	Collins Dictionary Electronics 139 (HarperCollins, 2007)
DD09	Erin McKean, The New Oxford American Dictionary 545 (Oxford University Press, 2nd ed. 2005)

Solas’s opening brief (“Solas Open. Br.”) takes a flawed approach to claim construction. For many terms, instead of addressing the intrinsic evidence, Solas’s argument consists solely of repeated refrains that its construction reflects the plain and ordinary meaning and that Solas is not aware of any redefinition or disclaimer. But many of the disputed terms are phrases specially coined in the patents and have no ordinary meaning outside of the patents. Worse, to support its understanding of the ordinary meaning, Solas cites dictionary definitions rather than the intrinsic evidence, taking the very approach that the Federal Circuit rejected en banc in *Phillips*. *E.g.*, *Phillips v. AWH Corp.*, 415 F.3d 1303, 1320-21 (Fed. Cir. 2005) (en banc). Precedent is clear that the ordinary meaning “of a claim term is its meaning to the ordinary artisan after reading the entire patent” and not “in a vacuum. Rather, we must look at the ordinary meaning in the context of the written description and the prosecution history.” *Id.* at 1313, 1321.

Rather than address the intrinsic record, Solas spends most of its opening brief attacking Defendants’ constructions. But Solas’s attacks ignore the true, substantive differences between the parties’ proposals, favoring instead superficial objections that apply to many of Solas’s own proposals. And for several terms, Solas’s cursory arguments are undermined by the declaration of its own expert, Mr. Richard Flasck (“Flasck Decl.”).

I. U.S. Patent No. 7,446,338 (“338 Patent”)

A. “transistor array substrate” (claim 1)

Plaintiff’s Proposal	Defendants’ Proposal
“layered structure upon which or within which a transistor array is fabricated”	“a layered structure composed of a bottom insulating layer through a topmost layer on whose upper surface pixel electrodes are formed, which contains an array of transistors”

Solas’s arguments against Defendants’ proposal mirror the arguments Solas originally made in its briefing and oral argument at the *Markman* hearing in *Solas OLED Ltd. v. Samsung Display Co.*, 2:19-cv-00152-JRG (E.D. Tex). Yet unmentioned by Solas is that shortly after it

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.