

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

PARKERVISION, INC.,

Plaintiff,

v.

TCL INDUSTRIES HOLDINGS CO.,
LTD., TCL ELECTRONICS HOLDINGS
LTD., SHENZHEN TCL NEW
TECHNOLOGY CO., LTD., TCL KING
ELECTRICAL APPLIANCES
(HUIZHOU) CO., LTD., TCL MOKA
INT'L LTD., and TCL MOKA
MANUFACTURING S.A. DE C.V.,

HISENSE CO., LTD. and HISENSE
VISUAL TECHNOLOGY CO., LTD. (F/K/A
QINGDAO HISENSE ELECTRONICS CO.),
LTD. and HISENSE ELECTRIC CO., LTD.

Defendants.

Case No. 6:20-cv-00945-ADA

Case No. 6:20-cv-00870-ADA

JURY TRIAL DEMANDED

**[CORRECTED] PARKERVISION, INC.'S RESPONSIVE
CLAIM CONSTRUCTION BRIEF**

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I. INTRODUCTION

For most of the terms at issue, Defendants propose constructions identical to the constructions Intel proposed in its two litigations with ParkerVision and, without saying so, just reiterate Intel's same arguments. There is nothing new. The Court already rejected Intel's arguments and constructions, and Defendants do not show how the Court supposedly got it wrong. The Court should stand behind its constructions and re-adopt them for this case. For those few terms where Defendants take a different approach and argue plain and ordinary meaning, Defendants have no support in the specification and do not explain what those meanings are. Instead, Defendants make bare statements and hope to create ambiguity to protect their invalidity or non-infringement defenses. But again, the Court's constructions are entirely consistent with the specification, the plain language in the claims, and the patented technology. Indeed, like Intel, Defendants obscure the differences between the patented *energy* sampling technology and sample and hold/*voltage* sampling. That is the case with Defendants' indefiniteness arguments, which they must prove with clear and convincing evidence. The claim terms that Defendants attack are not indefinite. Defendants ignore the disclosures in the specification regarding the claimed technology and the plain meaning to a person of ordinary skill in the art.

II. TECHNOLOGY BACKGROUND

Several concepts form the background for the technology in this case, which are described in the declaration of Dr. Steer, who has been working in the area of radio frequency design since 1983, when the first commercial cell phone became available. Steer Decl. ¶¶ 5-10. These concepts include wired communications, wireless communications, frequency, up-conversion, and down-conversion. Steer Decl. ¶¶ 21-30. Down-conversion is the subject of the patents-in-suit. Steer Decl. ¶ 30.

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