

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

ASETEK DANMARK A/S,

Plaintiff,

v.

SHENZHEN APALTEK CO., LTD., A/K/A  
SHENZHEN ANG PAI TECHNOLOGY CO.,  
LTD., and GUANGDONG APALTEK LIQUID  
COOLING TECHNOLOGY CO., LTD., A/K/A  
GUANGDONG ANG PAI LIQUID COOLING  
TECHNOLOGY CO., LTD., OR DONGGUAN  
APALCOOL,

Defendants.

Civil Action No. 6:21-cv-00501-ADA

**JURY TRIAL DEMAND**

**DEFENDANTS' OPENING CLAIM CONSTRUCTION BRIEF**

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## I. INTRODUCTION

As the Court is aware, the patents-in-suit, U.S. Patent Nos. 8,240,362 (the “’362 patent”) and 8,245,764 (the “’764 patent”), have been extensively litigated—including through trial and appeal—by plaintiff Asetek Danmark A/S in the Northern District of California and before the Federal Circuit. Yet Asetek here seeks to relitigate against defendants Shenzhen Apaltek Co., Ltd. and Guangdong Apaltek Liquid Cooling Technology Co., Ltd. (collectively “Apaltek”) seven claim terms whose meanings have been conclusively established by other federal courts.

Among the seven disputed terms, six were raised by Asetek and one by Apaltek. All of them were previously litigated and construed in California. Apaltek’s interpretations of the disputed terms strictly rely on intrinsic evidence and follow the claim construction orders in other cases, and therefore should be adopted by this Court.

## II. OVERVIEW OF THE PATENTS-IN-SUIT

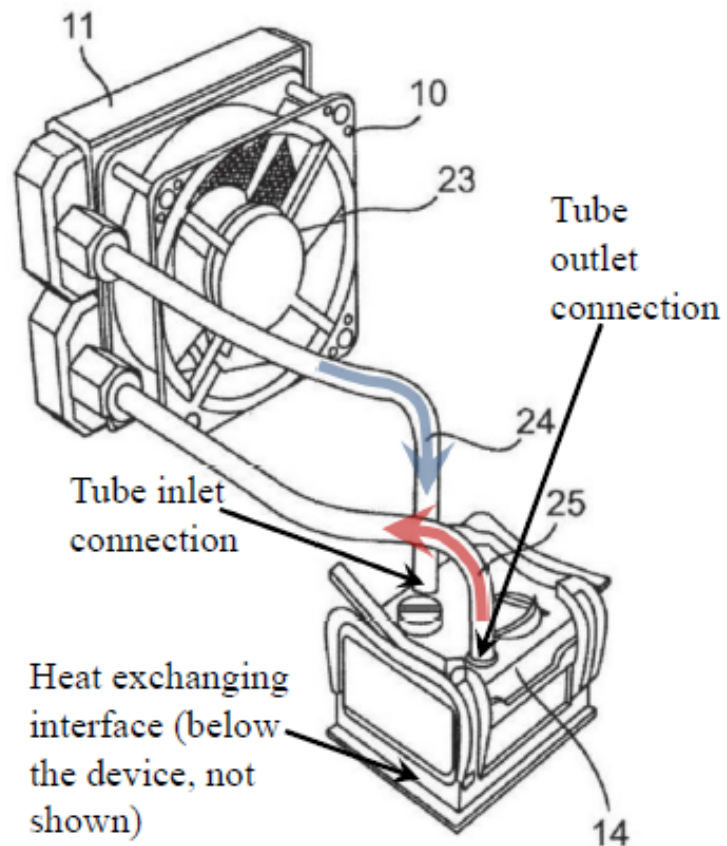
The patents-in-suit relate to computer cooling using circulating liquid and fans. The specifications purport to disclose embodiments that are more efficient, easier to use, and fit more compactly with other integrated components when compared to prior art cooling systems. *See, e.g.*, Declaration of Kyle Chen in Support of Defendants’ Claim Construction Briefs (“Chen Dec.”), Ex. 1<sup>1</sup> (’362 patent), 1:12-2:35; Ex. 2 (’764 patent), 1:11-2:31. For example, the ’764 patent explains that it provides an “integrate[d] element” to limit the number of separate components and an “entire pump [that] is placed inside the reservoir” or placed “outside the reservoir in the immediate vicinity of the reservoir.” ’764 patent at 2:13-14, 2:20-26. The ’764 patent further states (and subsequently claims) that these purported improvements may be achieved

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<sup>1</sup> All references to “Ex.” refer to exhibits to the Chen Dec.

by having an integrated element comprising the heat exchange interface, the reservoir of cooling liquid, and the pump for pumping the cooling liquid. *Id.*, 1:51-2:36; claims 1-30.

The figures discussed below capture the main characteristics of the purported invention covered by the asserted claims. For example, “FIG. 8 [of the ’362 patent] is a perspective view of the cooling system showing the reservoir housing 14 with the heat exchanging surface (not shown) and the pump (not shown) inside the reservoir. The tube inlet connection and the tube outlet connection are connected to a heat radiator by means of connecting tubes 24 and 25 through



**FIG. 8**

which the cooling liquid flows into and out of the reservoir and the heat radiator, respectively. Within the heat radiator 11, the cooling liquid passes a number of channels for radiating the heat, which has been dissipated into the cooling liquid inside the reservoir, and to the surroundings of the heat exchanger. The air fan 10 blows air past the channels of the heat radiator in order to cool the radiator and thereby cooling the cooling liquid flowing inside the channels through the heat radiator and back into the reservoir.” ’362 patent, 13:28-41.

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