

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

DODOTS LICENSING SOLUTIONS LLC,

Plaintiff,

v.

APPLE INC., BEST BUY STORES, L.P.,
BESTBUY.COM, LLC, and BEST BUY
TEXAS.COM, LLC,

Defendants.

Case No.: 6:22-cv-00533-ADA

DODOTS LICENSING SOLUTIONS LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC.,
BESTBUY.COM, LLC, and BEST BUY
TEXAS.COM, LLC,

Defendants.

Case No.: 6:22-cv-00535-ADA

**PLAINTIFF DODOTS LICENSING SOLUTIONS LLC'S
RESPONSIVE CLAIM CONSTRUCTION BRIEF**

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I. Introduction.

The asserted patents – the '083, '545, and '407 patents – have already been the subject of litigation, and the Federal Circuit and PTAB have construed certain key terms. There should be little dispute about the scope of the asserted claims. Yet, Defendants seek to *redefine* the scope of the claims – injecting *ambiguous temporal* limitations where none exist, *disregarding* the patentees' own lexicography, *contorting* the prosecution history, and *ignoring* the straightforward language in the claims and specification. For the reasons discussed below, Defendants' proposed constructions should be rejected.

II. Technology background.

A. Overview.

In the late 1990s, over *seven years* before the first iPhone was released, the inventors, John and George Kembel (twin brothers and Stanford University alumnae) developed “dot” technology – which today is known as the mobile app. The asserted patents disclose the fundamental technology used in modern-day mobile apps and the stores used to download and install those apps onto mobile devices (e.g., Apple App Store and Samsung Galaxy Store).

At that time of the invention, accessing Internet content involved the use of downloaded web browsers running on a personal computer or mobile device. But web browsers were limiting and hindered the way in which web content was viewed on mobile devices. For example, users and application developers had limited control over the presentation of internet content; content was essentially trapped within the frame of the browser. *See* '083 patent, 2:5-23. The Kembels recognized early on that there was dissatisfaction with web browsers and there was a “growing desire for individual users to fully control the aggregation and presentation of content and web applications that appear on a client computer.” *See* '083 patent, 2:32-35.

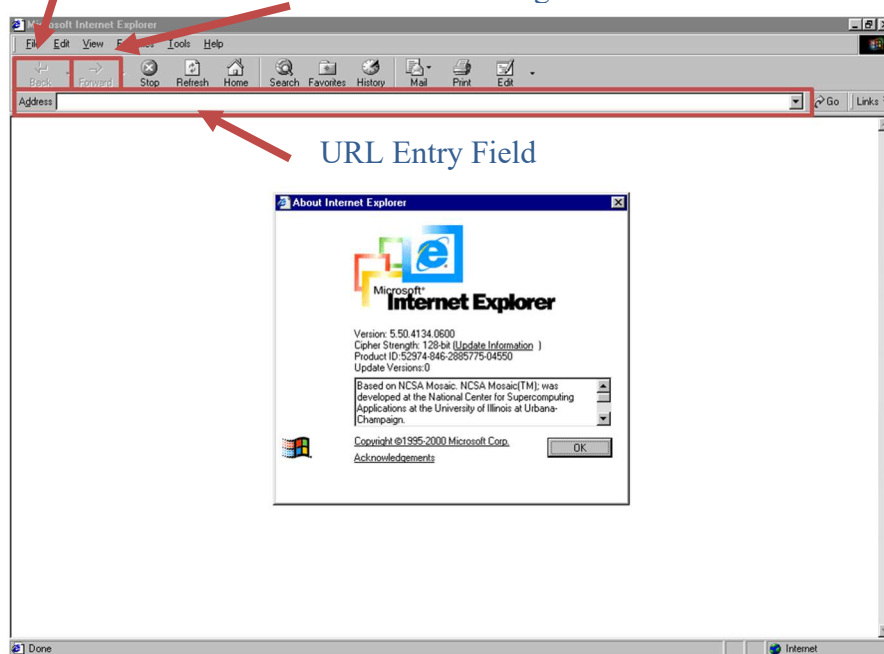
The Kembels sought to eliminate the need for web browsers. To do so, they developed an approach to delivering content over the Internet outside of a normal web browser. Notably, when the Kembels conceived of their patented technology, there was no word for mobile apps. So, the Kembels coined the terms “dot” or “Network Information Monitor (NIM)” – which today are colloquially referred to as an app. These “dots” are “fully configurable frame[s] with one or more controls” through which content is presented on the display of a device and viewed by the user. See '083 patent, 5:41-44.

B. Web browsers.

In the late 1990s, web browsers (e.g., Microsoft Internet Explorer, Netscape Navigator) were installed on computers and used to retrieve and display websites and their webpages. A person would manually navigate between the different webpages of a website by e.g., (1) entering a webpage in a URL entry field, or (2) using forward and backward *browsing* buttons to move between webpages.

Backward Browsing Button

Forward Browsing Button



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