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

THETA IP, LLC,	§	
Plaintiff	§	
	§	**W-20-CV-00160-ADA**
-v-	§	
	§	
SAMSUNG ELECTRONICS CO.,	§	
LTD., SAMSUNG ELECTRONICS	§	
AMERICA, INC.,	§	
Defendants	§	

CLAIM CONSTRUCTION ORDER

The Court held a *Markman* hearing on January 7, 2021. During that hearing, the Court provided its final constructions. The Court now enters those claim constructions.

SIGNED this 7th day of January, 2020.

ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE

Petitioners Lenovo (United States) Inc. and Motorola Mobility LLC - Ex. 1009

Term	Plaintiff's Proposed Construction	Defendants' Proposed Construction	Court's Final Construction
"dynamically adjusting" ('202 Patent, Claims 1, 7, 19, 21)	"adjusting during operation [*but not by selecting between two predetermined modes in reliance on signal strength thresholds*]" Or: Plain-and-ordinary meaning	"adjusting during operation without reliance upon a signal strength threshold"	Plain-and-ordinary-meaning, wherein the plain-and-ordinary meaning is "adjusting during operation based—at least in part—on information gained during operation"
<u>Group C terms:</u> "dynamically decreasing" ('202 Patent, Claims 2, 5) "dynamically reducing" ('202 Patent, Claims 9, 20) "dynamically increased" ('202 Patent, Claim 13)	"[decreasing / reducing / increased] during operation [*but not by selecting between two predetermined modes in reliance on signal strength thresholds*]" Or: Plain and ordinary meaning.	"[decreasing / reducing / increased] during operation without reliance upon a signal strength threshold"	Plain-and-ordinary-meaning, wherein the plain-and-ordinary meaning is "[decreasing / reducing / increased] during operation based—at least in part—on information gained during operation"

Term	Plaintiff's Proposed Construction	Defendants' Proposed Construction	Court's Final Construction
"dynamically decreased" ('202 Patent, Claim 11)	"decreased during operation [*but not by selecting between two predetermined modes in reliance on signal strength thresholds*]" Or: Plain and ordinary meaning.	Indefinite as part of the phrase "dynamically decreased relative to the worst-case condition," as discussed below with respect to Group E. Alternatively: "decreased during operation without reliance upon a signal strength threshold"	Plain-and-ordinary-meaning, wherein the plain-and-ordinary meaning is "decreased during operation based—at least in part—on information gained during operation"
<u>Group B terms:</u> "varying an impedance and a bias current…as the signal strength of the interferer signal and the signal strength of the desired signal vary" ('962 Patent, Claim 1) "causing a bias current to vary…as the signal strength of the interferer signal and the signal strength of the desired signal vary" ('825 Patent, Claims 1, 3) "causing a bias current and an impedance to vary…as the signal strength of the interferer signal and the signal strength of the desired signal vary" ('825 Patent, Claim 8)	Plain-and-ordinary meaning	"adjusting without reliance on any signal strength crossing a threshold [an impedance and a bias current / a bias current] … as the signal strength of the interferer signal and the signal strength of the desired signal vary"	Plain-and-ordinary meaning

<u>Group D terms:</u> "[signal / signal strength / strength of [[the/a]] … signal] is high" ('962 Patent claim 1) ('202 Patent, Claims 1, 7, 11, 13, 19) "[signal / signal strength / strength of [[the/a]] … signal] is low" ('962 Patent claim 1) ('202 Patent, Claims 1, 2, 5, 7, 9, 11, 13, 19, 20) "wherein a worst-case power dissipation condition [from the battery] results when the signal strength of the desired signal is low and the signal strength of the interferer signal is high" ('825 Patent, Claims 1, 3, 8) "when the signal strength of the interferer signal is high and the signal strength of the desired signal is low, and the desired signal [has a signal strength that] is larger than in the worst-case power dissipation condition[s]" ('825 Patent, Claims 1, 3, 8) "[signal / signal strength] is weak" ('825 Patent, Claim 1) ('202 Patent, Claim 5)	Not indefinite. Plain-and-ordinary meaning.	Indefinite.	Not indefinite. Plain-and-ordinary meaning.

Term	Plaintiff's Proposed Construction	Defendants' Proposed Construction	Court's Final Construction
<u>Group E terms:</u> "the bias current…is increased and the impedance…is reduced, resulting in a first current drain" ('962 Patent, Claim 1) "causing the bias current…to be reduced compared to the worst-case power dissipation condition" ('825 Patent, Claim 1) "causing the bias current…to be [reduced/decreased] compared to the worst-case power dissipation condition" ('825 Patent, Claims 1, 3) "causing a bias current to be dynamically decreased relative to the worst-case condition" ('202 Patent, Claim 11)	Not indefinite. Plain-and-ordinary meaning.	Indefinite.	Not indefinite. Plain-and-ordinary meaning.
"impedance" ('962 Patent, Claims 1, 6) ('825 Patent, Claim 8) ('202 Patent, Claims 1, 7, 19)	"opposition to the flow of alternating current"	"the total opposition (i.e., resistance and reactance) a circuit offers to the flow of alternating current at a given frequency	Plain-and-ordinary meaning