

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ELEMENT CAPITAL COMMERCIAL
COMPANY PTE. LTD,

Plaintiff,

v.

BOE TECHNOLOGY GROUP CO., LTD;
BEIJING BOE DISPLAY
TECHNOLOGY CO., LTD; AND
MOTOROLA (WUHAN) MOBILITY
TECHNOLOGIES COMMUNICATION
CO., LTD..

Defendant

Civil Action No. 2:22-cv-00118-JRG

JURY TRIAL DEMANDED

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT PER P.R. 4-3

Pursuant to the Docket Control Order (Dkt. 42) and Patent Rule 4-3, Plaintiff Element Capital Commercial Company PTE. LTD. (“Plaintiff”) and Defendants, BOE Technology Group Co., Ltd., Beijing BOE Display Technology Co., Ltd. and Motorola (Wuhan) Mobility Technologies Communication Co., Ltd. (“Defendants”), jointly submit the following Joint Claim Construction and Prehearing Statement for the terms identified by the parties in U.S. Patent No. 7,259,736 B2, U.S. Patent No. 8,164,267 B2, and U.S. Patent No. 8,525,760 B2 (“the ‘736 Patent,” “the ‘267 Patent,” and “the ‘760 Patent” or collectively “the Asserted Patents”). In accordance with Patent Rule 4-2(c), the parties met and conferred for the purposes of narrowing the issues and finalizing preparation of this Joint Claim Construction and Prehearing Statement.

A. Agreed-Upon Constructions

The parties have reached agreement on the following claim terms.

Asserted Claim(s) of U.S. Patent No. 7,259,736	Claim Term	Agreed Construction
claims 3, 33	“first electro-optical elements”	“electro-optical elements that emit light of a first color”
claim 18	“first light-emitting films”	“films that emit light of a first color”
claims 3, 33	“second electro-optical elements”	“electro-optical elements that emit light of a second color”
claim 18	“second light-emitting films”	“films that emit light of a second color”

Asserted Claim(s) of U.S. Patent No. 8,525,760	Claim Term	Agreed Construction
claim 1	“a holding element”	“An element which holds electrical signals such as a capacitor or memory.”

B. Disputed Constructions

The parties have resolved all initially-disputed constructions and reached agreement on the terms listed above. Accordingly, there are no disputed claim terms remaining.

C. Anticipated Length of Time for the Claim Construction Hearing

The parties do not believe that a Claim Construction Hearing is necessary, given the lack of disputed terms.

D. Other Issues

At present, the parties are unaware of any additional issues that would require the scheduling of a pre-hearing conference.

Dated: August 15, 2023

Respectfully submitted,

/s/ J. Thad Heartfield

J Thad Heartfield

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CERTIFICATE OF CONFERENCE

The undersigned certifies that all counsel for Plaintiff and counsel for Defendant have conferred regarding the foregoing Joint Claim Construction and Prehearing Statement.

/s/ J. Thad Heartfield
J. Thad Heartfield

CERTIFICATE OF SERVICE

Pursuant to the Federal Rules of Civil Procedure and Local Rule CV-5, I hereby certify that, on August 15, 2023, counsel of record who have appeared in this case are being served with a copy of the foregoing via the Court's CM/ECF system which will provide notice to all counsel of record.

/s/ J. Thad Heartfield
J. Thad Heartfield