

Subject: Preliminary Constructions Sonrai Memory Ltd. v. Micron; 6:22-cv-855
Date: Tuesday, November 14, 2023 at 9:52:03 AM Eastern Standard Time
From: Michael Saulnier
To: Brian Livedalen, Seth Hasenour
CC: Sonrai Counsel, FR Service-Micron/Sonrai, Kristie Davis

Counselors,

The Court provides the following preliminary constructions before the 3:30 PM Markman hearing today (the zoom link is provided below). Just to note, the opinion on the motion to transfer is forthcoming.

Although the parties may argue for their originally proposed construction, the Court will usually not adopt a party's originally proposed construction over the preliminary construction. Instead, the Court encourages arguments that fine-tune the preliminary constructions. The Court may change some preliminary constructions based on the arguments at the hearing.

Of the below terms, please let me know which terms each side would like to argue by 2 PM today.

To assist our wonderful court reporter (Kristie Davis), please email her a copy of your slides, even if only a draft. When you email the court reporter, no need to CC the other side or the Court.

If you plan to have any younger associates argue a claim term, please introduce them when you state your appearances.

Please let me know if you have any questions.

Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Preliminary Construction
"A charge pump circuit for generating a charge pump voltage having minimal voltage ripples" '241 Patent, Claim 1	The preamble is not limiting except for "charge pump circuit"	The entire preamble ("A charge pump circuit for generating a charge pump voltage having minimal voltage ripple") is limiting.	The preamble is not limiting except for "charge pump circuit"
"a load selector means for selectively coupling a load associated with a specific pump voltage to the output of said pumping circuit"	Means-plus-function limitation, subject to § 112 ¶ 6. Function: "selectively coupling a load associated with a	Means-plus-function, subject to § 112 ¶ 6. Function: "selectively coupling a load associated with a specific pump	Means-plus-function limitation, subject to § 112 ¶ 6. Function: "selectively coupling a load associated with a specific pump voltage to the output of said pumping circuit." Structure: (i) a plurality of switches

'241 Patent , Claim 1	specific pump voltage to the output of said pumping circuit.” Structure: (i) a plurality of switches (320, 324, and 328) as shown in Figure 3 and associated descriptions in the specification, or shown in Figure 7 (720, 724, 728) and associated descriptions in the specification; (ii) a plurality of transistors 504A as shown in Figure 5A and associated descriptions in the specification; or (iii) a plurality of elevator circuits 502B and transistors 504B as shown in Figure 5B and associated descriptions in the specification; and equivalents thereof.	voltage to the output of said pumping circuit” Structure: the three switches 320, 324, and 328, as shown in Figure 3, together with their respective control signals EN_A, EN_B, and EN_C and the controller that generates the signals and equivalents thereof.	(320, 324, and 328) as shown in Figure 3 and associated descriptions in the specification, or shown in Figure 7 (720, 724, 728) and associated descriptions in the specification; (ii) a plurality of transistors 504A as shown in Figure 5A and associated descriptions in the specification; or (iii) a plurality of elevator circuits 502B and transistors 504B as shown in Figure 5B and associated descriptions in the specification; and equivalents thereof.
“the output pump” '241 Patent, Claim 11	“the output of the pumping circuit”	Plain and ordinary meaning	“the output of the pumping circuit”
“volatile memory coupled to said memory controller comprised in the housing” '527 Patent, Claim 1	No construction necessary.	“volatile memory coupled to (and separate from) said memory controller comprised in the housing”	Plain and Ordinary meaning
“data” '527 Patent, Claims 1, 3, 6, 15, 16	No construction necessary.	“user data”	Plain and Ordinary meaning
“a housing,” '527 Patent, Claim 1	No construction necessary.	“a protective enclosure”	Plain and Ordinary meaning.

“wherein, when said connector couples said portable memory apparatus to said computer system, said memory controller chip copies data from said nonvolatile memory to said volatile memory, and said computer system accesses said data in said volatile memory through said connector” ’527 Patent Claim 1	Not indefinite. No construction necessary.	Indefinite.	Not indefinite, plain and ordinary meaning.
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Michael Saulnier

Law Clerk to the Honorable Alan D Albright
United States District Court, Western District of Texas

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