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

IMMERSION CORPORATION, *Plaintiff,*	§	
	§	**1-23-CV-00623-ADA**
v.	§	
META PLATFORMS, INC. f/k/a FACEBOOK, INC., *Defendant.*	§	

CLAIM CONSTRUCTION ORDER

Before the Court are the Parties' claim construction briefs in W-22-CV-00541: Defendant Meta Platforms, Inc.'s ("Meta") Opening Claim Construction Brief (ECF No. 33), Plaintiff Immersion Corporation's ("Immersion") Responsive Claim Construction Brief (ECF No. 48), Defendant's Reply Claim Construction Brief (ECF No. 56), Plaintiff's Sur-Reply Claim Construction Brief (ECF No. 62), and the Joint Claim Construction Statement (ECF No. 67). The Court provided the parties with its Preliminary Claim Constructions on May 29th, 2023, and on May 30th, 2023, the Court held a *Markman* hearing.

The Court issues this Order to memorialize the Court's final claim construction rulings for the parties in both cases, and to inform the parties that the Court plans to issue a more-detailed Order explaining its analysis in due course.

SIGNED this 7th day of July, 2023.

ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE

I. AGREED CONSTRUCTIONS

Term No.	Term	Agreed Construction
1	"chain" '222 Patent: 15	"claim"

II. DISPUTED CONSTRUCTIONS

Term No.	Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Final Construction
1	"control gesture"" '806 Patent: 11, 12, 15	Plain and ordinary meaning To the extent the Court believes that any further construction is necessary, the term may include "a user manipulation having separate portions that must be performed in a specific order and/or with a specific timing"	"a gesture made by a user that is a single and discrete control input having separate portions. The separate portions must be performed in specific order and/or with a specific timing to effectively achieve the control input associated with the 'control gesture.' Performance of the separate portions, on their own, will not result in the control input associated with the 'control gesture' as a whole (e.g., a 'control gesture' is not merely a combination of other gestures, each associated with its own control input)"	"a gesture made by a user that is a single and discrete control input having separate portions. The separate portions must be performed in specific order and/or with a specific timing to effectively achieve the control input associated with the 'control gesture.' Performance of the separate portions, on their own, will not result in the control input associated with the 'control gesture' as a whole (e.g., a 'control gesture' is not merely a combination of other gestures, each associated with its own control input)"

2	confirmation haptic effect" '524 Patent: 1, 11	"Plain and ordinary meaning" To the extent the Court believes that any further construction is necessary, the plain and ordinary meaning includes "one of multiple possible tactile feedback events for a single user interface element, customized based on context metadata, to confirm the interaction with the user interface element"	"a haptic effect used to confirm the interaction with the user interface element"	Plain and ordinary meaning
3	"context metadata" '524 Patent: 1, 6, 11, 13	Plain and ordinary meaning	"any data associated with an interaction with the user interface element"	Plain and ordinary meaning

4	"haptic parameter" '524 Patent: 1, 2, 3, 7, 11, 12, 14	Plain and ordinary meaning	"a quantity of a haptic effect quality, such as magnitude, frequency, duration, amplitude (i.e., strength), waveform, or any other kind of quantifiable haptic parameter"	Plain and ordinary meaning
5	"real space" '217 Patent, claim 1; '143 Patent, claims 1, 8, 15	Plain and ordinary meaning To the extent the Court believes that any further construction is necessary, the plain and ordinary meaning includes "the three dimensional real world user surroundings"	"a three-dimensional area in the real world"	Plain and ordinary meaning
6	"free space" '298 Patent, claims 1, 9, 17	Plain and ordinary meaning To the extent the Court believes that any further construction is necessary, the plain and ordinary meaning includes "the three dimensional real world user surroundings"	"a three-dimensional area in the real world"	Plain and ordinary meaning
7	"augmented reality" '222 Patent: 10	Plain and ordinary meaning To the extent the Court believes that any further construction is necessary, the plain and ordinary meaning includes "an environment comprising a physical space of one or more physical objects and a virtual space of one or more virtual	"one or more physical objects in a real-world, physical space are concurrently displayed with one or more virtual objects in a virtual space"	Plain and ordinary meaning

		objects that are displayed coincident with or in association with one or more physical objects in the physical space”		