

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

RJ TECHNOLOGY LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD. and  
SAMSUNG ELECTRONICS AMERICA,  
INC.,

Defendants.

Civil Action No. 2:22-cv-401-JRG-RSP

**JURY TRIAL DEMANDED**

**PLAINTIFF RJ TECHNOLOGY LLC'S AND DEFENDANTS SAMSUNG  
ELECTRONICS CO., LTD'S AND SAMSUNG ELECTRONICS AMERICA, INC'S  
P.R. 4-5(D) JOINT CLAIM CONSTRUCTION CHART**

Pursuant to P. R. 4-5(d), and the Court's Docket Control Order (Dkt. 39), Plaintiff RJ Technology LLC ("RJ Technology") and Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, "Samsung"), through their undersigned counsel of record, submit this P. R. 4-5(d) Joint Claim Construction Chart.

The claim construction hearing on February 5, 2024 is scheduled to address the construction of a number of claim terms from U.S. Patent No. 7,749,641 ("the '641 Patent"). The agreed upon terms and their constructions are listed in Exhibit A. The disputed terms and the parties' proposed constructions for those terms are listed in Exhibit B.

Dated January 25, 2024

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Respectfully Submitted

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic service are being served with a copy of this **PLAINTIFF RJ TECHNOLOGY LLC'S AND DEFENDANTS SAMSUNG ELECTRONICS CO., LTD AND SAMSUNG ELECTRONICS AMERICA, INC'S P.R. 4-5(D) JOINT CLAIM CONSTRUCTION CHART** via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the **25th** day of January, 2024.

/s/ Daniel Zaheer  
Daniel Zaheer

**EXHIBIT A: AGREED CONSTRUCTIONS**

| <b>Claims</b> | <b>Term</b>                                   | <b>Agreed Construction</b>                                                                                                               | <b>Court's Construction</b>                                                                                                              |
|---------------|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|
| Claims 5–14   | “charge cut-off voltage”                      | the maximum voltage to which the battery is configured to be charged                                                                     | the maximum voltage to which the battery is configured to be charged                                                                     |
| Claims 6, 7   | “within a range from”                         | the range is inclusive                                                                                                                   | the range is inclusive                                                                                                                   |
| Claims 9, 10  | “overcharging protection voltage”             | the voltage level at which the battery’s protection mechanism(s) engage(s) to prevent the battery from being charged to a higher voltage | the voltage level at which the battery’s protection mechanism(s) engage(s) to prevent the battery from being charged to a higher voltage |
| Claims 9,10   | “overcharg[ing/e] protection release voltage” | the voltage level at which the battery’s protection mechanism(s) disengage(s) or reset(s)                                                | the voltage level at which the battery’s protection mechanism(s) disengage(s) or reset(s)                                                |
| Claim 11      | “7500”                                        | 75%                                                                                                                                      | 75%                                                                                                                                      |

**EXHIBIT B: DISPUTED CONSTRUCTIONS**

| <b>Representative Claim Language</b>                                                                                                                                                                                                                                                                                                                                                                                                         | <b>RJ Technology's Proposal</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Samsung's Proposal</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Court's Construction</b> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|
| <p>Claims 5</p> <p>"A secondary lithium cell or battery, characterized in that the secondary lithium ion cell or battery has a charge cut-off voltage of greater than 4.2V but less than 5.8V, and <b>a ratio of positive electrode material to negative electrode material of the secondary lithium ion cell or battery is from 1:1.0 to 1:2.5, as calculated by a theoretical capacity with a charge cut-off voltage set at 4.2V.</b>"</p> | <p>"ratio of positive electrode material to negative electrode material . . . is from 1:1.0 to 1:2.5, as calculated by a theoretic capacity with a charge cut-off voltage set at 4.2V"</p> <p><b><u>Proposed Construction:</u></b><sup>1</sup></p> <p>"the ratio calculated as the product of the theoretical capacity of the cathode active material per unit measure (e.g., mass or volume) and the amount of the cathode active material in the same unit measure (e.g., mass or volume) divided by the product of the theoretical capacity of the anode active material per unit measure (e.g., mass or volume) and the amount of the anode active material in the</p> | <p>"ratio of positive electrode material to negative electrode material . . . is from 1:1.0 to 1:2.5, as calculated by a theoretic capacity with a charge cut-off voltage set at 4.2V"</p> <p><b><u>Proposed Construction:</u></b><sup>2</sup></p> <p>Indefinite.</p> <p>In the alternative, "the ratio calculated as the product of the theoretic capacity of the cathode active material per mass unit and the amount of the cathode active material in the same mass unit divided by the product of the theoretic capacity of the anode active material per mass unit and the amount of the anode active material in the same mass unit,</p> |                             |

<sup>1</sup> RJ Technology responds to Samsung's footnote below as follows: As explained in the briefing, RJ Technology only modified its construction to reach a compromise with Samsung that would eliminate disputed issues and thereby reduce burdens on the Court. *See* Dkt 93 at 8, n.2; Dkt. 102 at 1–3. The modifications in question are non-substantive, and could not form the basis for a finding of indefiniteness since the change only imported a word ("theoretic[al]") from the claim term into the construction. *Id.*

<sup>2</sup> RJ Technology changed its construction for this limitation from the one it convinced the Central District of California to adopt. While that construction may appear to be identical to Samsung's, it is Samsung's position that RJ Technology's interpretation of its revised construction still renders the limitation indefinite for the reasons provided in Samsung's Responsive Claim Construction Brief. *See* Dkt. 100 at 3-4, 10-22.

| Representative Claim Language                                                                                                                                                                                                                                                                                                                                                                                                                                | RJ Technology's Proposal                                                                                                                | Samsung's Proposal                                                                                                                                                                                                                                                                                                                                                     | Court's Construction |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
|                                                                                                                                                                                                                                                                                                                                                                                                                                                              | same unit measure (e.g., mass or volume), when the charge cutoff voltage is 4.2 V.”                                                     | when the charge cutoff voltage is 4.2 V.”                                                                                                                                                                                                                                                                                                                              |                      |
| <p>Claim 5–14</p> <p>“A <b>secondary lithium cell or battery</b>, characterized in that the <b>secondary lithium ion cell or battery</b> has a charge cut-off voltage of greater than 4.2V but less than 5.8V, and a ratio of positive electrode material to negative electrode material of the <b>secondary lithium ion cell or battery</b> is from 1:1.0 to 1:2.5, as calculated by a theoretical capacity with a charge cut-off voltage set at 4.2V.”</p> | <p>“secondary lithium ion cell or battery”</p> <p><b><u>Proposed Construction:</u></b><br/>No construction is needed.</p>               | <p>“secondary lithium ion cell or battery”</p> <p><b><u>Proposed Construction:</u></b> Plain and ordinary meaning.</p> <p>Alternatively, “lithium ion cell or battery that can be recharged to capacities relatively close to the original capacity, wherein the battery electrode materials must not be substantially changed from what was available in the art”</p> |                      |
| <p>Claims 11–14</p> <p>“11. A secondary lithium ion cell or battery according to claim 5, wherein the secondary lithium ion cell or battery <b>maintains at least 7500 of capacity after 400 cycles</b>.</p> <p>12. A secondary lithium ion cell or battery according to claim 5, wherein the secondary lithium</p>                                                                                                                                          | <p>“maintains at least []% of capacity after 400 cycles”</p> <p><b><u>Proposed Construction:</u></b><br/>No construction is needed.</p> | <p>“maintains at least []% of capacity after 400 cycles”</p> <p><b><u>Proposed Construction:</u></b><br/>Indefinite.</p> <p>In the alternative, “maintains at least [a percentage] of capacity after 400 complete charge and discharge cycles of the battery”</p>                                                                                                      |                      |

| Representative Claim Language                                                                                                                                                                                                                                                                                                                                                                                                                                               | RJ Technology's Proposal | Samsung's Proposal | Court's Construction |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|--------------------|----------------------|
| <p>ion cell or battery <b>maintains at least 75.83% of capacity after 400 cycles.</b></p> <p>13. A secondary lithium ion cell or battery according to claim 5, wherein the secondary lithium ion cell or battery <b>maintains at least 80% of capacity after 400 cycles.</b></p> <p>14. A secondary lithium ion cell or battery according to claim 5, wherein the secondary lithium ion cell or battery <b>maintains at least 80.72% of capacity after 400 cycles."</b></p> |                          |                    |                      |