

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

GREENTHREAD, LLC,
Plaintiff,

-v-

CIRRUS LOGIC, INC.,
Defendant.

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1-23-cv-00369-DC-DTG

CLAIM CONSTRUCTION ORDER

Before the Court are the Parties' claim construction briefs: Defendant Cirrus Logic's Opening Claim Construction Brief (ECF No. 35), Plaintiff's Greenthread, LLC's Responsive Claim Construction Brief (ECF No. 37), Defendant's Reply Claim Construction Brief (ECF No. 38), Plaintiff's Sur-Reply Claim Construction Brief (ECF No. 39), and the parties' Joint Claim Construction Statement (ECF No. 40).

The Court provided preliminary constructions for the disputed terms one day before the hearing. The Court held the *Markman* hearing on January 26, 2024. ECF No. 43. During that hearing, the Court informed the Parties of the final constructions for the disputed terms. *Id.* The Court issues this Order to memorialize the Court's final claim construction rulings for the parties, and to inform the parties that the Court will issue a more-detailed Order explaining its analysis in due course. The deadline to file any objections to the undersigned's claim construction rulings (pursuant to Federal Rules of Civil Procedure 59 and 72) does not begin to run until the more-detailed Order is entered on the docket.

SIGNED this 29th day of January, 2024.

A handwritten signature in black ink, appearing to read "Derek T. Gilliland", written over a horizontal line.

DEREK T. GILLILAND
UNITED STATES MAGISTRATE JUDGE

Term	Greenthread's Proposed Construction	Cirrus's Proposed Construction	Court's Final Construction
#1: "surface layer" U.S. Patent No. 8,421,195, Claim 1; U.S. Patent No. 9,190,502, Claim 7; U.S. Patent No. 11,121,222, Claim 44 Proposed by Cirrus	Not indefinite. Plain and ordinary meaning, where the plain and ordinary meaning is "a layer at the surface"	Indefinite	Not indefinite. Plain-and-ordinary meaning, wherein the plain-and-ordinary meaning is a layer at the surface
#2: "substrate" U.S. Patent No. 8,421,195, Claim 1; U.S. Patent No. 9,190,502, Claim 7; U.S. Patent No. 10,510,842, Claims 1-2, 4, 9-10, 12, 17; U.S. Patent No. 10,734,481, Claims 1-3, 8, 15, 20, 22-23, 32; U.S. Patent No. 11,121,222, Claims 1-3, 8, 15, 21, 23-24, 33, 39-42, 44; U.S. Patent No. 11,316,014, Claims 1-3, 8, 15, 21, 23-24 Proposed by Cirrus	Not indefinite. Plain and ordinary meaning, where the plain and ordinary meaning is an "underlying layer"	Indefinite	Not indefinite. Plain-and-ordinary meaning.

Term	Greenthread's Proposed Construction	Cirrus's Proposed Construction	Court's Final Construction
#3: "active region" U.S. Patent No. 8,421,195, Claim 1; U.S. Patent No. 9,190,502, Claims 7, 8; U.S. Patent No. 10,510,842, Claims 1, 5-7, 9, 13-15, 17, 18; U.S. Patent No. 10,734,481, Claims 1, 4-6, 8, 9, 13, 20, 24-27; U.S. Patent No. 11,121,222, Claims 1, 4-6, 8, 9, 13, 20, 21, 25-28, 35, 39, 40, 41, 42, 44; U.S. Patent No. 11,316,014, Claims 1, 4-6, 8, 9, 13, 20, 21, 25-28 Proposed by Cirrus	Plain and ordinary meaning	"region that forms current path of a device"	Plain-and-ordinary meaning

Term	Greenthread's Proposed Construction	Cirrus's Proposed Construction	Court's Final Construction
#4: “graded dopant concentration” / “graded dopant region” / “graded dopant acceptor concentration” / “graded donor dopant concentration” / “graded concentration of dopants” / “graded dopant” / “graded concentration” U.S. Patent No. 8,421,195, Claims 1, 5, 6; U.S. Patent No. 9,190,502, Claim 7; U.S. Patent No. 10,510,842, Claims 1, 6, 8-9, 14, 16; U.S. Patent No. 10,734,481, Claims 1, 5, 7, 9, 20, 25, 27, 31; U.S. Patent No. 11,121,222, Claims 1, 5, 7, 9, 21, 26, 28, 32, 39-42, 44 Proposed by Cirrus	Not indefinite. Plain and ordinary meaning, where the plain and ordinary meaning is a graded (or varying) concentration of dopants.	Indefinite	Not indefinite. Plain-and-ordinary meaning, which includes a graded concentration of dopants.

Term	Greenthread's Proposed Construction	Cirrus's Proposed Construction	Court's Final Construction
#5: “said [drift layer further/well region...] having a [first/second] static unidirectional electric drift field” “said [drift layer further/well region] having a graded concentration of dopants generating a [first/second] static unidirectional electric drift field” U.S. Patent No. 8,421,195, Claim 1; U.S. Patent No. 9,190,502, Claim 7; U.S. Patent No. 11,121,222, Claim 44 Proposed by Cirrus	Plain and ordinary meaning	“said [drift layer further/well region...] having a [first/second] static electric drift field that is unidirectional over the extent of the [drift layer/well region]” “said [drift layer/well region] having a graded concentration of dopants generating a [first/second] static electric drift field that is unidirectional over the extent of the [drift layer/well region]”	Plain-and-ordinary meaning

Term	Greenthread's Proposed Construction	Cirrus's Proposed Construction	Court's Final Construction
#6: "to aid the movement of minority carriers from...to..."	Plain and ordinary meaning	"to aid the movement of minority carriers starting from...and reaching..."	Plain-and-ordinary meaning
"to aid the movement of carriers from... to..."		"to aid the movement of carriers starting from...and reaching..."	
"to aid carrier movement from... to ..."		"to aid carrier movement starting from...and reaching..."	
"to aid carrier movement from...towards..."		"to aid carrier movement starting from...towards..."	
"to aid carrier thereof movement from...to..."		"to aid carrier thereof movement starting from...and reaching..."	
U.S. Patent No. 8,421,195, Claim 1; U.S. Patent No. 9,190,502, Claim 7; U.S. Patent No. 10,510,842, Claims 1, 9; U.S. Patent No. 10,734,481, Claims 1, 20; U.S. Patent No. 11,121,222, Claims 1, 21, 39, 41-42, 44; U.S. Patent No. 11,316,014, Claims 1, 21			
Proposed by Cirrus			

Term	Greenthread's Proposed Construction	Cirrus's Proposed Construction	Court's Final Construction
#7: "well region" U.S. Patent No. 8,421,195, Claim 1; U.S. Patent No. 9,190,502, Claim 7; U.S. Patent No. 10,510,842, Claims 1, 9; U.S. Patent No. 10,734,481, Claims 1, 20; U.S. Patent No. 11,121,222, Claims 1, 21, 39, 41-42, 44; U.S. Patent No. 11,316,014, Claims 1, 21 Proposed by Cirrus	Plain and ordinary meaning. Note not for jury: portions of a well are not well regions	"A well, whether formed by single or multiple implants. Portions of a well are not well regions."	Plain and ordinary meaning, for which portions of a well are not well regions
#8: "said graded concentration" / "the graded dopant" U.S. Patent No. 8,421,195, Claims 5, 6; U.S. Patent No. 10,734,481, Claims 7, 31; U.S. Patent No. 11,121,222, Claims 7, 32; U.S. Patent No. 11,316,014, Claim 7 Proposed by Cirrus	Not indefinite. Plain and ordinary meaning.	Indefinite	Indefinite.

Term	Greenthread's Proposed Construction	Cirrus's Proposed Construction	Court's Final Construction
#9: "respective active regions" U.S. Patent No. 9,190,502, Claim 8 Proposed by Cirrus	Not indefinite. Plain and ordinary meaning.	Indefinite	Plain and ordinary meaning
#10: "active region...within which transistors can be formed" U.S. Patent No. 10,510,842, Claims 1, 9; U.S. Patent No. 10,734,481, Claims 1, 20; U.S. Patent No. 11,121,222, Claims 1, 21, 39, 41-42; U.S. Patent No. 11,316,014, Claims 1, 21 Proposed by Cirrus	Not indefinite. Plain and ordinary meaning.	Indefinite	Not indefinite. Plain-and-ordinary meaning.

Term	Greenthread's Proposed Construction	Cirrus's Proposed Construction	Court's Final Construction
#11: "the surface thereof" / "the surface" U.S. Patent No. 10,510,842, Claim 9; U.S. Patent No. 10,734,481, Claim 20; U.S. Patent No. 11,121,222, Claim 21; U.S. Patent No. 11,316,014, Claim 21 Proposed by Cirrus	Not indefinite. Plain and ordinary meaning.	Indefinite	Not indefinite. Plain-and-ordinary meaning.
#12: "aid carrier movement from the surface to the substrate" U.S. Patent No. 10,510,842, Claim 9; U.S. Patent No. 10,734,481, Claim 20 Proposed by Cirrus	Not indefinite. Plain and ordinary meaning.	Indefinite	Not indefinite. Plain-and-ordinary meaning.