

Brian A. Sun (CA SBN 89410)
NORTON ROSE FULBRIGHT US LLP
 555 South Flower Street
 Forty-First Floor
 Los Angeles, CA 90071
 Telephone: (213) 892-9200
 brian.sun@nortonrosefulbright.com

Brett C. Govett (*pro hac vice*)
 (TX SBN 08235900)
NORTON ROSE FULBRIGHT US LLP
 2200 Ross Avenue, Suite 3600
 Dallas, Texas 75201
 Telephone: (214) 855-8000
 brett.govett@nortonrosefulbright.com

Daniel S. Leventhal (*pro hac vice*)
 (TX SBN 24050923)
NORTON ROSE FULBRIGHT US LLP
 1301 McKinney, Suite 5100
 Houston, Texas 77010
 Telephone: (713) 651-5151
 daniel.leventhal@nortonrosefulbright.com

Counsel for Plaintiff Smith Interface Technologies, LLC

[Additional counsel listed on signature page]

Sean Cunningham (CA SBN 174931)
 sean.cunningham@us.dlapiper.com
 Richard Mulloy (CA SBN 199278)
 richard.mulloy@us.dlapiper.com
 Robert Williams (CA SBN 246990)
 robert.williams@us.dlapiper.com
 Peter Maggiore (CA SBN 292534)
 peter.maggiore@us.dlapiper.com
DLA PIPER LLP (US)
 4365 Executive Dr, Suite 1100
 San Diego, California 92121-2133
 Telephone: 858.677.1400
 Facsimile: 858.677.1401

Counsel for Defendant Apple Inc.

[Additional counsel listed on signature page]

**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA**

SMITH INTERFACE
 TECHNOLOGIES, LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. 3:23-cv-1187-TWR-BJC

**JOINT CLAIM CONSTRUCTION
 CHART, WORKSHEET, AND
 HEARING STATEMENT
 PURSUANT TO PATENT L.R. 4.2**

Apple Inc. v. Smith Interface Techs., LLC
 IPR2024-01091 | Smith EX2003 | Page 1 of 27

Case No. 3:23-cv-01187-TWR-BJC

Pursuant to this Court’s Case Management Order Regulating Discovery and Other Pretrial Proceedings in a Patent Case (ECF No. 102) and Patent L.R. 4.2, Plaintiff Smith Interface Technologies, LLC (“Smith Interface”) and Defendant Apple Inc. (“Apple”) hereby file this Joint Claim Construction Chart, Worksheet, and Hearing Statement regarding the constructions of identified claim terms in U.S. Patent Nos. 10,642,413 (the “’413 Patent”); 10,649,578 (the “’578 Patent”); 10,649,580 (the “’580 Patent”); 10,656,754 (the “’754 Patent”); 10,656,755 (the “’755 Patent”); 10,656,758 (the “’758 Patent”); 10,671,212 (the “’212 Patent”); 10,725,581 (the “’581 Patent”); 10,936,114 (the “’114 Patent”); and 11,740,727 (the “’727 Patent”) (collectively, the “Asserted Patents”).

I. PARTIES’ JOINT PRELIMINARY STATEMENT

The Parties would like to notify the Court that they have agreed to file an Amended Joint Claim Construction Chart, Worksheet, and Hearing Statement given that Smith Interface’s October 18, 2024 “claim election of no more than 20 claim per patent and no more than 64 total claims” and November 28, 2024 “claim election of no more than ten claims per Asserted Patent and no more than 32 claims in total two weeks prior to claim construction hearing” (ECF No. 91) is expected to streamline and decrease the number of claim terms.

II. IDENTIFICATION OF MOST SIGNIFICANT TERMS

Pursuant to Patent L.R. 4.2(a), Smith Interface and Apple identify the following 10 terms as most significant to the resolution of the case (in no particular order):

1. “a reduction in a size [that is/so as to be] inversely related to the duration of the gesture” (’114 Patent, claims 27, 30, and 32);
2. “performing a [first/second/third] operation” (’413 Patent, claims 1 and 101) / “performing an operation [in connection with / on] the first application icon” (’758 Patent, claims 1 and 124) / “perform an operation” (’212 Patent, claims 1 and 16);

3. “adjacent” (’413 Patent, claim 7; ’212 Patent, claim 57; ’754 Patent claims 29, 193, 205, 206, 208);
4. “substantially fills” (’413 Patent, claim 9);
5. “action-option- display criteria” (’758 Patent, claims 1 and 124);
6. “movement criteria” (’758 Patent, claims 1 and 124);
7. “action options” (’758 Patent, claims 1 and 124);
8. “evaluating the first single-finger touch input against at least one of a plurality of criteria, including evaluating a duration of the first single-finger touch input against at least one of: one or more application-launch criteria, one or more action-option-display criteria, or one or more operation criteria, and further including evaluating a movement of the first single-finger touch input against one or more movement criteria”(’758 Patent, claims 1, 27);
9. “when . . . the duration of the first contact is determined to be greater than the second user- configurable predefined duration . . . and the end of the first contact is not detected” (’581 Patent, claim 1);
10. “distance magnitude [of the gesture]” (’727 Patent, claims 1, 2; ’754 Patent, claims 27, 32, 38, 75, 76-79, 83, 85, 86, 186, 208, 211, 218, 221).

A. Smith Interface’s Statement

In agreeing to the above terms as the ten most significant, Smith Interface does not agree with Apple that eight of those terms, none of which Apple identified in its IPRs as indefinite, are indefinite. Rather, Smith Interface only agrees that a finding of indefiniteness would be dispositive of claims including those terms. Further, Smith Interface does not agree that the two remaining terms for which Apple apparently believes a construction would lead to noninfringement would, in fact, lead to noninfringement.

Smith Interface objects to Apple’s identification of “a reduction in a size [that is/so as to be] inversely related to the duration of the gesture” as limited to Claims

27, 30, and 32 of the '114 Patent. Apple failed to explain during the meet and confer process why the similar language of Claim 1 of the '114 Patent (“a reduction in a size such that the size is inversely related to the magnitude of the duration of the gesture”) would not be subject to the same construction.

B. Apple’s Statement

Apple’s position is that the four “criteria” terms in claims 1 and 124 of the '758 Patent (i.e., “application-launch criteria,” “action-option-display criteria,” “operation criteria,” and “movement criteria”) and the two “action option” terms in claims 1 and 124 of the '758 Patent (i.e., “action options” and “action option objects”) should each be treated and briefed, respectively, as a single term for each group. The claim construction issues to be briefed and decided amongst these terms in each respective grouping are virtually identical to each other. The parties met and conferred on this position, but could not reach agreement. Therefore, for purposes of the top 10 terms above, Apple has selected representative terms from both the “criteria” and “action option” groups, but intends to brief and seek a claim construction ruling on each of the “criteria” and “action option” group terms.

In response to Smith’s statement above with respect to the “a reduction in a size [that is/so as to be] inversely related to the duration of the gesture” term, Apple did explain during the meet and confer process why this construction is limited to Claims 27, 30, and 32 of the '114 Patent but, regardless, this Hearing Statement is not the proper filing for substantive arguments about the merits and applicability of proposed claim constructions.

III. JOINT CLAIM CONSTRUCTION CHART

Pursuant to Patent L.R. 4.2(b), Smith Interface’s and Apple’s proposed construction of each disputed claim term, along with each party’s identification of supporting evidence, is attached as Exhibit A. For each disputed claim term, phrase, or clause, Exhibit A further includes each party’s identification of the impact of the proposed constructions on the merits of the case.

IV. JOINT CLAIM CONSTRUCTION WORKSHEET

Pursuant to Patent L.R. 4.2(c), attached as Exhibit B is the Joint Claim Construction Worksheet, which includes Smith Interface's and Apple's disputed and agreed upon constructions.

V. ANTICIPATED LENGTH OF CLAIM CONSTRUCTION HEARING

Pursuant to Patent L.R. 4.2(d)(1), Smith Interface and Apple anticipate the length of time necessary for the Claim Construction hearing is approximately four (4) hours, and respectfully propose that each side be allocated approximately equal amounts of time to present their positions. If the Court requests a technology tutorial, the parties will meet and confer on the technology tutorial and its estimated length at that time.

VI. WITNESSES FOR CLAIM CONSTRUCTION HEARING

Pursuant to Patent L.R. 4.2(d)(2), Smith Interface and Apple do not expect to present live testimony of witnesses at the Claim Construction Hearing. The parties respectfully propose that expert testimony be submitted via declaration along with the claim construction briefing. Given that Smith Interface is expected to narrow its elected claims to no more than 20 per patent and 64 total claims by October 18, 2024, which Smith Interface believes will render moot the need for the parties to brief and the Court to construe certain disputed claim terms, the parties have agreed to the following schedule for exchange of expert declarations:

- October 22, 2024 – Apple serves Declaration of Dr. Bajaj
- October 29, 2024 – Smith Interface serves Responsive Declaration of Dr. Mahon

The parties will also jointly seek a ten day extension of the claim construction discovery deadline (from October 29, 2024 to November 8, 2024) in order to allow for depositions of Dr. Bajaj and Dr. Mahon, if necessary.

VII. ORDER OF PRESENTATION

Pursuant to Patent L.R. 4.2(d)(3), Smith Interface and Apple anticipate

1 presenting the claim-construction issues term by term.

2 Smith Interface and Apple propose that, on terms for which Apple contends
3 are indefinite and on which Apple bears the burden of persuasion, that Apple present
4 first followed by Smith Interface, or at the Court's discretion.

5 For all other terms, Apple proposes that the parties alternate who presents first,
6 or at the Court's discretion, and Smith Interface proposes that for these terms the
7 party to speak first will be at the Court's discretion.

1 Dated: October 1, 2024

2 Respectfully submitted,

3 /s/ Daniel Leventhal

4 /s/ Peter Maggiore

5 **NORTON ROSE FULBRIGHT US LLP**

6 Brian A. Sun
7 (CA SBN 89410)
8 555 South Flower Street
9 Forty-First Floor
10 Los Angeles, California 90071
11 Telephone: (213) 892-9222
12 brian.sun@nortonrosefulbright.com

13 Brett C. Govett (*pro hac vice*)
14 (TX SBN 08235900)
15 Vlada A. Wendel (*pro hac vice*)
16 (TX SBN 24131751)
17 2200 Ross Avenue, Suite 3600
18 Dallas, Texas 75201
19 Telephone: (214) 855-8000
20 brett.govett@nortonrosefulbright.com
21 vlada.wendel@nortonrosefulbright.com

22 Daniel S. Leventhal (*pro hac vice*)
23 (TX SBN 24050923)
24 1301 McKinney, Suite 5100
25 Houston, Texas 77010-3095
26 Telephone: (713) 651-5151
27 daniel.leventhal@nortonrosefulbright.com

28 John Poulos (*pro hac vice*)
(IL SBN 6324517)
1045 W. Fulton Market, Suite 1200
Chicago, Illinois 60607
Telephone: (312) 964-7766
john.poulos@nortonrosefulbright.com
Counsel for Plaintiff Smith
Interface Technologies, LLC

Sean C. Cunningham
Richard Mulloy
Robert Williams
Peter Maggiore
DLA Piper LLP (US)
4365 Executive Drive, Suite 1100
San Diego, CA 92121
Telephone: (858) 677-1400
Facsimile: (858) 677-1401

Brent K. Yamashita
Peiyao Zhang
DLA Piper LLP (US)
2000 University Avenue
East Palo Alto, CA 94303-2214
Telephone: (650) 833-2000
Facsimile: (650) 833-2001

Jessica Hannah
DLA Piper LLP (US)
555 Mission Street, Suite 2400
San Francisco, CA 94105
Telephone: (415) 836-2500
Facsimile: (415) 836-2501

Zachary Loney (*pro hac vice*)
DLA Piper LLP (US)
401 Congress Avenue, Suite 2500
Austin, TX 78701
Telephone: (512) 457-7000
Facsimile: (512) 457-7001

Counsel for Defendant Apple Inc.

EXHIBIT A

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
first user interface without changing an appearance of the one or more foreground objects in the first user interface, wherein the dynamic change in the appearance of the background of the first user interface is based at least in part on the magnitude of the first contact and wherein the dynamic change in the appearance of the background of the first user interface includes displaying in sequence at least some of a plurality of images based at least in part on the magnitude of the first contact .		plain meaning of the term to a person of ordinary skill in the art in view of the patent specification and other intrinsic evidence. Dr. Bajaj may further testify that the term viewed in light of the specification and other intrinsic evidence fails to inform those skilled in the art about the scope of the alleged invention with reasonable certainty.
<u>Term:</u> “a reduction in a size [that is/so as to be] inversely related to the [duration / magnitude of the duration] of the gesture”	<u>Proposed Construction:</u> Plain and ordinary meaning. <u>Impact Statement:</u> Apple has yet to articulate its reasoning for why this claim term needs to be	<u>Proposed Construction:</u> “a reduction in size, such that the amount that the size is reduced is inversely proportional to the duration of the gesture”

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
<u>'114 Patent:</u> Claims 27, 30, and 32 27. An apparatus, comprising: at least one non-transitory memory storing instructions and a plurality of applications; a touch screen; and one or more processors in communication with the at least one non-transitory memory and the touch screen, wherein the one or more processors execute the instructions to cause the apparatus to: display an object on at least a portion of an interface; detect a gesture via the touch screen on the object; perform a first function in a first touch state;	construed other than plain and ordinary meaning. Presumably, Apple believes that if the Court adopts its proposed construction, its invalidity or noninfringement positions will improve. <u>Intrinsic Evidence:</u> The specification of the '114 Patent generally, including but not limited to: '114 Patent at Abstract, 1:43–61, 14:58–16:29, 18:37–53, 18:58–65, 19:15–36, 20:1–11, 20:52–60, 22:35–41, 26:53–64, 51:54–54:2, 54:48–56:8, 57:65–58:66, 59:26–64, 60:61–61:29, 66:14–67:14, 68:54–69:21, 73:19–75:7, and FIGs. 3, 4, 6, 9, 10, 11, 14, 15, 16, 21, 23 (and text in specification describing those figures). The claims of the '114 Patent. '114 Prosecution History. IPR2024-01091 <u>Extrinsic Evidence:</u>	<u>Impact Statement:</u> Apple believes this term would fully dispose of all issues related to claims 27, 30 and 32 of the '114 patent. <u>Intrinsic Evidence:</u> '114 patent at: Abstract, 1:42-61, 21:22-48, 41:2-9 Claims 1, 22, 26, 54, 58, 59, 62 '114 file history at: Jan. 22, 2021 Notice of Allowance Jan. 22, 2021 Post-Allowance Communication <u>Extrinsic Evidence:</u> Apple reserves the right to rely on testimony from Dr. Chandrajit Bajaj. Dr. Bajaj may testify that the proposed construction is consistent with the plain meaning of the term as understood by a person of ordinary skill in the art when read in view of the patent specification and other intrinsic evidence.

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
perform a second function in a second touch state; and during detection of at least a portion of the gesture and based on a change in a duration of the gesture being detected via the touch screen on the object, perform a scale operation in connection with the at least portion of the interface, where the scale operation includes a reduction in a size that is inversely related to the duration of the gesture being detected via the touch screen on the object. 30. An apparatus, comprising: at least one non-transitory memory storing instructions and a plurality of applications;	Smith Interface reserves the right to rely on testimony from Dr. Mahon. Dr. Mahon may testify regarding the plain meaning of the term to a person of ordinary skill in the art in view of the patent specification and other intrinsic evidence. Smith Interface may also rely on Defendant's invalidity contentions and Smith Interface's infringement contentions, including any references or citations therein. Smith Interface reserves the right to rely upon any evidence cited or relied upon by Defendant.	

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
a touch screen; a vibrator; and one or more processors in communication with the at least one non-transitory memory, the touch screen, and the vibrator, wherein the one or more processors execute the instructions to cause the apparatus to: display a first object and at least one other object; detect a gesture on the touch screen on the first object; during detection of at least a portion of the gesture before a completion thereof is detected, perform a scale operation, based on a change in a duration of the gesture being detected on the touch screen on the first object, on at least the at least one other object, where the scale operation includes a reduction in a size that is		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
inversely related to the duration of the gesture being detected on the touch screen on the first object; and after at least a portion of the scale operation, vibrate the apparatus and perform an action. 32. An apparatus, comprising: at least one non-transitory memory storing instructions and a plurality of applications; a touch screen; and one or more processors in communication with the at least one non-transitory memory and the touch screen, wherein the one or more processors execute the instructions to: display, via the touch screen, a first object and at least one other object; detect at least one component of a gesture		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
on the touch screen on the first object; when a first component of the gesture is detected where a magnitude of a duration of the gesture being detected on the touch screen on the first object is less than a first magnitude threshold, perform a function upon a cessation of the gesture being detected; when a second component of the gesture is detected where the magnitude of the duration of the gesture being detected on the touch screen on the first object is greater than the first magnitude threshold, perform a scale operation for the at least one other object, where the scale operation includes a reduction in a size so as		

EXHIBIT A: JOINT CLAIM CONSTRUCTION CHART

Claim Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction
to be inversely related to the magnitude of the duration of the gesture being detected on the touch screen on the first object; and when a third component of the gesture is detected where the magnitude of the duration of the gesture being detected on the touch screen on the first object is greater than a second magnitude threshold, perform another function.		
<u>Term:</u> “performing a [first/second/third] operation” (’413 Patent, Claims 1 and 101) / “performing an operation [in connection with / on] the first application icon” (’758 Patent, Claims 1 and 124) / “perform an operation” (’212 Patent, claims 1 and 16) <u>’413 Patent:</u>	<u>Proposed Construction:</u> Plain and ordinary meaning. <u>Impact Statement:</u> Smith Interface does not believe that the construction of this term is either case or claim dispositive. Indeed, as evidenced by Apple’s invalidity contentions and petitions for <i>Inter Partes</i> Review, the parties do not dispute the meaning of this term.	<u>Proposed Construction:</u> Indefinite. <u>Impact Statement:</u> Apple believes this term would fully dispose of all issues related to the ’758 patent, ’212 patent, and ’413 patent. <u>Intrinsic Evidence:</u> ’758 Patent at

EXHIBIT B

EXHIBIT B: JOINT CLAIM CONSTRUCTION WORKSHEET

Patent Claim	Agreed Proposed Construction	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Construction
in part on the magnitude of the first contact.				
<u>Term:</u> “a reduction in a size [that is/so as to be] inversely related to the duration of the gesture” <u>'114 Patent:</u> Claims 27, 30, and 32 27. An apparatus, comprising: at least one non-transitory memory storing instructions and a plurality of applications; a touch screen; and one or more processors in communication with the at least one non-transitory memory and the touch screen, wherein the one or more processors		Plain and ordinary meaning.	“a reduction in size, such that the amount that the size is reduced is inversely proportional to the duration of the gesture”	

EXHIBIT B: JOINT CLAIM CONSTRUCTION WORKSHEET

Patent Claim	Agreed Proposed Construction	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Construction
execute the instructions to cause the apparatus to: display an object on at least a portion of an interface; detect a gesture via the touch screen on the object; perform a first function in a first touch state; perform a second function in a second touch state; and during detection of at least a portion of the gesture and based on a change in a duration of the gesture being detected via the touch screen on the object, perform a scale operation in				

EXHIBIT B: JOINT CLAIM CONSTRUCTION WORKSHEET

Patent Claim	Agreed Proposed Construction	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Construction
connection with the at least portion of the interface, where the scale operation includes a reduction in a size that is inversely related to the duration of the gesture being detected via the touch screen on the object. 30. An apparatus, comprising: at least one non-transitory memory storing instructions and a plurality of applications; a touch screen; a vibrator; and one or more processors in communication with				

EXHIBIT B: JOINT CLAIM CONSTRUCTION WORKSHEET

Patent Claim	Agreed Proposed Construction	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Construction
the at least one non-transitory memory, the touch screen, and the vibrator, wherein the one or more processors execute the instructions to cause the apparatus to: display a first object and at least one other object; detect a gesture on the touch screen on the first object; during detection of at least a portion of the gesture before a completion thereof is detected, perform a scale operation, based on a change in a duration of the gesture being detected on the touch screen on the first object, on at least				

EXHIBIT B: JOINT CLAIM CONSTRUCTION WORKSHEET

Patent Claim	Agreed Proposed Construction	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Construction
the at least one other object, where the scale operation includes a reduction in a size that is inversely related to the duration of the gesture being detected on the touch screen on the first object; and after at least a portion of the scale operation, vibrate the apparatus and perform an action. 32. An apparatus, comprising: at least one non-transitory memory storing instructions and a plurality of applications; a touch screen; and				

EXHIBIT B: JOINT CLAIM CONSTRUCTION WORKSHEET

Patent Claim	Agreed Proposed Construction	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Construction
one or more processors in communication with the at least one non-transitory memory and the touch screen, wherein the one or more processors execute the instructions to: display, via the touch screen, a first object and at least one other object; detect at least one component of a gesture on the touch screen on the first object; when a first component of the gesture is detected where a magnitude of a duration of the gesture being detected on the				

EXHIBIT B: JOINT CLAIM CONSTRUCTION WORKSHEET

Patent Claim	Agreed Proposed Construction	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Construction
touch screen on the first object is less than a first magnitude threshold, perform a function upon a cessation of the gesture being detected; when a second component of the gesture is detected where the magnitude of the duration of the gesture being detected on the touch screen on the first object is greater than the first magnitude threshold, perform a scale operation for the at least one other object, where the				

EXHIBIT B: JOINT CLAIM CONSTRUCTION WORKSHEET

Patent Claim	Agreed Proposed Construction	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Construction
scale operation includes a reduction in a size so as to be inversely related to the magnitude of the duration of the gesture being detected on the touch screen on the first object; and when a third component of the gesture is detected where the magnitude of the duration of the gesture being detected on the touch screen on the first object is greater than a second magnitude threshold, perform another function.				

EXHIBIT B: JOINT CLAIM CONSTRUCTION WORKSHEET

Patent Claim	Agreed Proposed Construction	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Construction
<u>Term:</u> “touch state” <u>'114 Patent:</u> Claim 27 27. An apparatus, comprising: at least one non-transitory memory storing instructions and a plurality of applications; a touch screen; and one or more processors in communication with the at least one non-transitory memory and the touch screen, wherein the one or more processors execute the instructions to cause the apparatus to:	“a predefined subset of the range of measurable contact pressures”			

EXHIBIT B: JOINT CLAIM CONSTRUCTION WORKSHEET

Patent Claim	Agreed Proposed Construction	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Construction
display an object on at least a portion of an interface; detect a gesture via the touch screen on the object; perform a first function in a first touch state ; perform a second function in a second touch state ; and during detection of at least a portion of the gesture and based on a change in a duration of the gesture being detected via the touch screen on the object, perform a scale operation in connection with the at least portion of the interface, where				

EXHIBIT B: JOINT CLAIM CONSTRUCTION WORKSHEET

Patent Claim	Agreed Proposed Construction	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Construction
the scale operation includes a reduction in a size that is inversely related to the duration of the gesture being detected via the touch screen on the object.				
<u>Term:</u> “performing a [first/second/third] operation” (’413 Patent, claims 1 and 101) / “performing an operation [in connection with / on] the first application icon” (’758 Patent, Claims 1 and 124) / “perform an operation” (’212 Patent, Claims 1 and 16) <u>’413 Patent:</u> Claims 1 and 101		Plain and ordinary meaning.	Indefinite.	