

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

MAXELL, LTD.,

Plaintiff,

v.

CORETRONIC CORP. OPTOMA CORP.,

Defendants.

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No. 5:24-CV-00088-RWS-JBB

PRELIMINARY CONSTRUCTIONS

To focus oral argument, the Court provides the following preliminary constructions for the disputed terms. These constructions are not final. That is, any party is free to accept the construction, object to it for the reasons in the briefs without further argument, or offer oral argument explaining why the construction is incorrect.

#	Term	Maxell's Construction	Defendants' Construction	Preliminary Construction
1	"projection optical unit" / "a first projection optical unit" / "a second projection optical unit" ('988 Patent, Cls. 1, 7, 8)	Plain and ordinary meaning, for example, an assembly of lenses, mirrors, and/or other optical elements to form an enlarged image	Governed by pre-AIA 35 U.S.C. § 112, ¶ 6 <u>Function</u> : to form an enlarged image <u>Structure</u> : a lens group having a positive refractive power	plain and ordinary meaning
2	"light separation optic system" ('580 Patent, cls. 1, 10, 32)	Plain and ordinary meaning, for example, a collection of one or more optic units configured to separate light into different colors	Governed by pre-AIA 35 U.S.C. § 112, ¶ 6 <u>Function</u> : to separate white light from a light source configured to emit white lights including a light emitting from a fluorescent substance into blue-color light, green-color light, and red-color light <u>Structure</u> : two (2) dichroic mirrors and one (1) reflection mirror statically oriented and positioned relative to each other as shown in Fig. 1, wherein dichroic mirror 31 reflects the blue light and transmits the green light and the red light, dichroic mirror 32 receives the separated light from dichroic mirror 31 and reflects the green light and transmits the red light, and reflection mirror 33 reflects the blue light reflected by dichroic mirror 31	plain and ordinary meaning

3	“light modulation means” (’580 Patent, cls. 1, 9, 10, 18, 32)	Governed by pre-AIA 35 U.S.C. § 112, ¶ 6 <u>Function</u>: making light-modulation on a respective one of the lights of the R, G and B separated, depending on a video signal <u>Structure</u>: image display element such as a liquid crystal panel or a digital mirror device, and equivalents thereof	Governed by pre-AIA 35 U.S.C. § 112, ¶ 6 <u>Function</u>: to change the intensity of each of the separated blue-color light, green-color light, and red-color light <u>Structure</u>: a set of three panels, one for each separated color light, each of which is a transmission-type liquid crystal panel, a reflection-type liquid crystal panel, or a digital mirror device made by aligning plural number of micro-mirrors	<u>Function</u>: making light-modulation on a respective one of the lights of the R, G and B separated, depending on a video signal Argue structure.
4	“light flux capturing means” (’580 Patent, cls. 7, 37)	Governed by pre-AIA 35 U.S.C. § 112, ¶ 6 <u>Function</u>: capturing light flux <u>Structure</u>: a lens, a mirror, or a combination of lenses and/or mirrors that captures at least some portion of light, and equivalents thereof	Governed by pre-AIA 35 U.S.C. § 112, ¶ 6 <u>Function</u>: to direct white light emitted from the light source <u>Structure</u>: a reflection surface, such as a mirror, having a focus point	<u>Function</u>: directing light <u>Structure</u>: a reflection surface OR <u>Structure</u>: one or more mirrors
5	“an emission side of the excitation light relative to the fluorescent material” (’226 Patent, cl. 8)	Not indefinite. Plain and ordinary meaning, for example, an excitation light’s exit side of the fluorescent material that faces away from the excitation light source	If the Court determines that this term is amenable to construction, then Defendants propose: The surface of the fluorescent material on the side facing the excitation light source.	<i>Under Plaintiffs construction, which seems to be better supported by the plain language and the specification, won’t claim 10 be indefinite?</i>

6	“the optical member has a curvature that is set such that a light-condensing position of the excitation light is positioned on an emission side of the excitation light relative to the fluorescent material” (’226 Patent, cl. 8)	Plain and ordinary meaning, for example, the optical member has a curvature that causes a light-condensing position of the excitation light to be positioned on an excitation light’s exit side of the fluorescent material that faces away from the excitation light source	If the Court determines that this term is amenable to construction, then Defendants propose that “a light-condensing position” be construed to mean: An illumination region formed by converging light rays	plain and ordinary meaning OR “the optical member has a curvature that causes a light-condensing position of the excitation light to be positioned on an excitation light’s exit side of the fluorescent material that faces away from the excitation light source”
7	“Retinex processing unit” (’388 Patent, cls. 4, 6, 16, 18)	Not indefinite. Plain and ordinary meaning, for example, one or more processors that are capable of executing a Retinex process or one or more processors that are capable of executing a processing to control definition of a video and/or to control visibility of a video	Governed by 35 U.S.C. § 112(f) <u>Function</u>: perform a Retinex process <u>Structure</u>: None disclosed	plain and ordinary meaning
8	“video composing unit” (’388 Patent, cls. 4, 6, 10, 16, 18, 22)	Not indefinite. Plain and ordinary meaning, for example, a portion of one or more processors that composes a video	Governed by 35 U.S.C. § 112(f) <u>Function</u>: compose a video from a video processed by the first Retinex processing unit and a video processed by the second Retinex processing unit in accordance with a feature of the video input from the video input unit <u>Structure</u>: None disclosed	plain and ordinary meaning