

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

VIDEOLABS, INC.,
Plaintiff,

v.

HP INC.,
Defendant.

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W-23-CV-00641-DTG

CLAIM CONSTRUCTION ORDER

Before the Court are the Parties' claim construction briefs: Defendant HP Inc.'s Opening Claim Construction Brief (ECF No. 67), Plaintiff VideoLabs, Inc.'s Responsive Claim Construction Brief (ECF No. 68), Defendant's Reply Claim Construction Brief (ECF No. 70), Plaintiff's Sur-Reply (ECF No. 74), and the Joint Claim Construction Statement (ECF No. 75). On August 14, 2024 the Court provided the parties with its Preliminary Claim Constructions, and on August 15, 2024 the Court held a *Markman* hearing. 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.

I. AGREED CONSTRUCTIONS:

Term No.	Term	Plaintiff's Agreed Construction	Defendant's Agreed Construction	Court's Final Construction
1	'059 Patent, Claim 3: "probability table"	Plain and ordinary meaning, which is "table of at least one probability that is not merely data from which probabilities can be derived."	Plain and ordinary meaning, which is "table of at least one probability that is not merely data from which probabilities can be derived."	Plain and ordinary meaning, which is "table of at least one probability that is not merely data from which probabilities can be derived."

II. DISPUTED CONSTRUCTIONS:

1	'059 Patent, Claim 3: “wherein the coded picture data and the audio data are coded by an arithmetic coding apparatus” (Proposed by Defendant)		
	Plaintiff’s Construction	Defendant’s Construction	Court’s Final Construction
	No construction necessary. Plain and ordinary meaning.	Indefinite.	No construction necessary. Plain and ordinary meaning.
2	'059 Patent, Claim 3: “scan coefficients of frequency components [...] in a predetermined scanning order starting at a high frequency component toward a low frequency component” (Proposed by Defendant)		
	Plaintiff’s Construction	Defendant’s Construction	Court’s Final Construction
	No construction necessary. Plain and ordinary meaning.	“construct a one dimensional list of transform coefficients from a two-dimensional array of coefficients of frequency components [...] in a predetermined scanning order starting at a high frequency component toward a low frequency component”	No construction necessary. Plain and ordinary meaning.

3	'236 Patent, Claim 100: “means for receiving, at a conditional access server, security messages of a primary security system in a first security domain” (Jointly Proposed)		
	Plaintiff’s Construction	Defendant’s Construction	Court’s Final Construction
	This term is subject to 35 U.S.C. § 112, ¶ 6. <u>Function:</u> “receiving at a conditional access server, security messages of a primary security system in a first security domain” <u>Structure:</u> Secondary CA servers, including media player, personal computer, PDA, cable TV secondary CA server, satellite TV secondary CA server or devices of the user, as illustrated in Figs. 2A (255), 2B (281), 3 (225, 227, 231, 233, 243), 5 (431), 6 (461), 7 (501), 8 (531), 9 (561), 10A, 10C (772), 11-14 (609), 15 (701); and their descriptions in the specification, and also described at 10:25-11:25 (secondary CA server of Fig. 4); 14:47-50 and 14:66-15:1 (device of the user of Fig. 10A); and 21:28-26 (secondary CA server of Fig. 15); Bridge or the physical interface of a bridge, including satellite TV bridges, cable TV bridges, and as illustrated in Figs. 2A (259), 2B (283, 285), 3 (207, 209, 217, 219), 11-14 (603); and their descriptions in the specification;	Subject to 35 U.S.C § 112 ¶ 6 <u>Function:</u> receiving at a conditional access server, security messages of a primary security system in a first security domain <u>Structure:</u> conditional access server having one or more communication interfaces to receive security messages in a first security domain; primary CA clients including satellite TV bridges (207, 209), cable TV bridges (217, 219), set top boxes (257); cable and satellite servers (227, 225).	This term is subject to 35 U.S.C. § 112, ¶ 6. <u>Function:</u> “receiving at a conditional access server, security messages of a primary security system in a first security domain” <u>Structure:</u> receiving devices (e.g., set-top boxes with a smart card), and their description in the specification, e.g., at 2:6-7, 14-19; set top box (STB), including the tuner portion, and their description in the specification, e.g., at 2:20-24; I/O Device(s) (110) (e.g., modem, or network interface) in FIG. 1, and their description in the specification; secondary CA server (255), set top box (257), or bridge (259) in FIG. 2A, and their description in the specification; secondary CA server (281), bridge (283), or physical interface (285) in FIG. 2B, and their description in the specification; satellite TV bridges (207, 209), cable TV bridges (217, 219), cable TV secondary CA server (225), satellite TV secondary CA server (227) in FIG. 3, and their description in the specification; receiving at a secondary CA server, as described in FIG. 4, e.g., at 10:25-11:25; secondary

Receiving devices, including set-top box with a smart card or tuner portion, or satellite dishes; and their descriptions in the specification, as described at 2:6-7, 2:14-19, 2:20-24, and in Fig. 2A (257) and 3 (203, 205); I/O device(s), including modem or network interface, as illustrated in Fig. 1 (110) and their description in the specification; Access point, as illustrated in Fig. 3 (241) and its description in the specification; or Equivalents thereof.		CA servers in FIG. 5 (431), FIG. 6 (461), FIG. 7 (501), FIG. 8 (531), or FIG. 9 (561), and their descriptions in the specification; the device of the user of FIG. 10A, and its description in the specification, e.g., at 14:47-50, 14:66-15:1; secondary CA server (772) in FIG. 10C, and its description in the specification; bridges (603) or secondary CA servers (609) in FIGS. 11-14, and their description in the specification; secondary CA server of FIG. 15 (701), and its description in the specification, e.g., at 21:28-36; or equivalents thereof.
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4	'236 Patent, Claim 100: “means for processing the security messages on the conditional access server” (Jointly Proposed)		
	Plaintiff’s Construction	Defendant’s Construction	Court’s Final Construction
	This term is subject to 35 U.S.C. § 112, ¶ 6. <u>Function</u>: “processing the security messages on the conditional access server” <u>Structure</u>: Secondary CA servers, including hardware and software of digital data processing system (e.g., computer system), media player, personal computer, or PDA, cable TV secondary CA server, satellite TV secondary CA server, as illustrated in Figs. 1 (101), 2A (255), 2B (281), 3 (225), 227, 231, 233, 243), 5 (431), 6 (461), 7 (501), 8 (531), 8 (531), 9 (561), 10A, 10C (772), 11-14 (609), 15 (703); and their description in the specification, and also described at 8:6-38 (secondary CA server of Fig. 2B), 10:25-41, 10:53-11:25 (secondary CA server of Fig. 4), 14:45-50, 14:58-15:39 (secondary CA server of Fig. 10A), 21:55-23:20 (secondary CA server of Fig. 16); 23:21-24:48 (secondary CA server of Fig. 1); Secondary CA servers’ description of processing security messages, e.g., at	Subject to 35 U.S.C § 112 ¶ 6 <u>Function</u>: processing the security messages on the conditional access server <u>Structure</u>: conditional access server having a processor to process the security messages and generate access controlled data; satellite TV bridges (207, 209), cable TV bridges (217, 219); set top boxes (257); cable and satellite servers (227, 225).	This term is subject to 35 U.S.C. § 112, ¶ 6. <u>Function</u>: “processing the security messages on the conditional access server” <u>Structure</u>: Structure: hardware and software of digital data processing system, e.g., microprocessor (103), of FIG. 1, and their description in the specification, e.g., at 23:21-24:48; the processor in secondary CA server, and its description of processing security messages in the specification, e.g., at 3:20-32; 3:55-58, 4:4-16, 4:20-24, 4:28-43, 4:47-54, 5:1-11, 5:19-33, 5:48-59; secondary CA server (255) in FIG. 2A, and its description in the specification; processor in secondary CA server (281) in FIG. 2B, and its description in the specification, e.g., at 8:6-38; satellite TV bridges (207, 209), cable TV bridges (217, 219), cable TV secondary CA server (225), satellite TV secondary CA server (227) in FIG. 3, and their description in the specification; processor in conditional access server for processing of security messages on the conditional access server, as described in FIG. 4 (10:25-41, 10:53-11:25), FIG. 5

	3:20-32; 3:55-58, 4:4-16, 4:20-24, 4:28-43, 4:47-54, 5:1-11, 5:19-33, 5:48-59; Bridges , including satellite TV bridges, cable TV bridges in Fig. 3 (207, 209, 217, 219); and their description in the specification; or Equivalents thereof.		(431), FIG. 6 (461), FIG. 7 (501), FIG. 8 (531), FIG. 9 (561), FIG. 10A (14:45-50, 14:58-15:39), FIG. 10C (772), FIG. 11 (609), FIG. 12 (609), FIG. 13 (609), FIG. 14 (609), FIG. 15 (703), or FIG. 16 (21:55-23:20), and their description in the specification; or equivalents thereof.
5	'236 Patent, Claim 100: “means for transmitting, from the conditional access server to a secondary conditional access client through a network connection in a second security domain, access controlled data that is in an access controlled format and that is at least partially derived from the security messages” (Jointly Proposed)		
	Plaintiff’s Construction	Defendant’s Construction	Court’s Final Construction
	This term is subject to 35 U.S.C. § 112, ¶ 6. <u>Function:</u> “transmitting, from the conditional access server to a secondary conditional access client through a network connection in a second security domain, access controlled data that is in an access controlled format and that is at least partially derived from the security messages” <u>Structure:</u> Secondary CA servers including, media player, personal computer, PDA, cable TV secondary CA server, satellite TV secondary CA server, as illustrated in Figs. 2A (255), 2B (281), 3 (225, 227, 231, 233, 243), 5 (431), 6 (461), 7 (501), 8 (531), 9 (561), 10C (772), 11-14 (609), 15 (705); and their	Subject to 35 U.S.C § 112 ¶ 6 <u>Function:</u> transmitting, from the conditional access server to a secondary conditional access client through a network connection in a second security domain, access controlled data that is in an access controlled format and that is at least partially derived from the security messages <u>Structure:</u> devices having one or more communication interfaces to transmit access controlled data through a network connection in a second security domain (claim 130); primary CA clients including satellite TV bridges (207, 209), cable TV bridges (217, 219), set top boxes (257); cable and satellite servers (227, 225); network 201, i.e., a	This term is subject to 35 U.S.C. § 112, ¶ 6. <u>Function:</u> “transmitting, from the conditional access server to a secondary conditional access client through a network connection in a second security domain, access controlled data that is in an access controlled format and that is at least partially derived from the security messages” <u>Structure:</u> I/O device(s) (110) (e.g., modem, or network interface) in FIG. 1, and their description in the specification; network interface within secondary CA server (255), or bridge (259) in FIG. 2A, and their description in the specification; network interface within secondary CA server (281), bridge (283), or physical

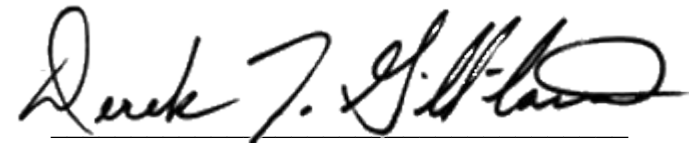
description in the specification, and also at, <i>e.g.</i>, 3:55-58, 8:6-16, 15:13-17, and 21:40-44; Bridge or the physical interface of a bridge, including satellite TV bridges, cable TV bridges, as illustrated in Figs. 2A (259), 2B (283, 289), 3 (207, 209, 217, 219), 11-14 (603); and their description in the specification, <i>e.g.</i>, at 8:46-49; Display controller, or I/O device(s) including modem or network interface, as illustrated in Fig. 1 (108, 110); and their description in the specification; Access point, wireless connection, and network, as illustrated in Figs. 3 (201, 241, 245), 5 (439), 6 (465), 7 (505), 8 (537), 9 (565); and their description in the specification; or Equivalents thereof.	Local Area Network (LAN) or Wireless LAN, as described in Fig. 3 (8:62-9:59), modem or network interface 110 in FIG. 1; FIG. 4 (10:25-46).	interface (289) in FIG. 2B, and their description in the specification, <i>e.g.</i>, at 8:46-49; network (201), satellite TV bridges (207, 209), cable TV bridges (217, 219), cable TV secondary CA server (225), satellite TV secondary CA server (227), or wireless connection (245) in FIG. 3, and their description in the specification; transmitted access controlled data, and their descriptions in the specification, <i>e.g.</i>, 3:55-58, 8:6-16, 15:13-17; network interface within secondary CA servers in FIG. 5 (431, 439), FIG. 6 (461, 465), FIG. 7 (501, 505), FIG. 8 (531, 537), or FIG. 9 (561, 565), and their description in the specification; network interface within secondary CA server in FIG. 10C (772), and its description in the specification; bridges (603) or network interface within secondary CA servers (609) in FIGS. 11-14, and their description in the specification; network interface within secondary CA server of FIG. 15 (705), and its description in the specification, <i>e.g.</i>, at 21:40-44; or equivalents thereof.
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6	'236 Patent, Claim 116: “means for receiving, at a secondary conditional access client from a conditional access server through a network connection, access controlled data that is in an access controlled format and that is at least partially derived from a security message of the primary security system in a first security domain, the secondary conditional access client being in a second security domain” (Jointly Proposed)		
	Plaintiff’s Construction	Defendant’s Construction	Court’s Final Construction
	This term is subject to 35 U.S.C. § 112, ¶ 6. <u>Function:</u> “receiving, at a secondary conditional access client from a conditional access server through a network connection, access controlled data that is in an access controlled format and that is at least partially derived from a security message of the primary security system in a first security domain, the secondary conditional access client being in a second security domain” <u>Structure:</u> Secondary CA clients, including storage, media player, personal computer, TV, display device, PDA, renderer or devices of the user as illustrated in Figs. 2A (271, 273, or 279), 3 (221, 223, 229, 235, 231, 233, 237, 247, 239, 243), 5-9, 10A, 10C (775), 11-14 (607), 15 (707); and their descriptions in the specification; I/O device(s), including modem or network interface, as illustrated in Fig. 1 (110) and their description in the specification;	Subject to 35 U.S.C § 112 ¶ 6 <u>Function:</u> receiving, at a secondary conditional access client from a conditional access server through a network connection, access controlled data that is in an access controlled format and that is at least partially derived from a security message of the primary security system in a first security domain, the secondary conditional access client being in a second security domain <u>Structure:</u> conditional access client having a communication interface to receive access controlled data through a network connection in a second security domain; modem or network interface devices 110 in FIG. 1; secondary CA clients (271, 273, or 279) in FIG. 2A, and their description in the specification; media player (231), personal computer (233), access point (241), or PDA (243) in FIG. 3, and their description in the specification; secondary CA clients of FIGS. 5, 6, 7, 8, or 9 and their description in the specification; FIG. 10C and its description in the specification; secondary	This term is subject to 35 U.S.C. § 112, ¶ 6. <u>Function:</u> “receiving, at a secondary conditional access client from a conditional access server through a network connection, access controlled data that is in an access controlled format and that is at least partially derived from a security message of the primary security system in a first security domain, the secondary conditional access client being in a second security domain” <u>Structure:</u> I/O Device(s) (110) (e.g., modem, or network interface) in FIG. 1, and their description in the specification; secondary CA clients (271, 273, or 279) in FIG. 2A, and their description in the specification; network (201), storage (221, 223, 229, 235), media player (231), personal computer (233), TV (237, 247), display device (239), or PDA (243) in FIG. 3, and their description in the specification; secondary CA clients of FIGS. 5-9, or 10A, and their description in the specification; media player (775) in FIG. 10C, and its description in the

	Access point and network as illustrated in Fig. 3 (201, 241) and their description in the specification; or Equivalents thereof.	CA client (707) of FIG. 15, and its description in the specification; or equivalents thereof; network 201, i.e., a Local Area Network (LAN) or Wireless LAN as described in Fig. 3 and 9:2-14	specification; secondary CA client (707) of FIG. 15, and its description in the specification; or equivalents thereof.
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SO ORDERED.

SIGNED this 26th day of August, 2024.



DEREK T. GILLILAND
UNITED STATES MAGISTRATE JUDGE