

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SOLANNEX, INC.,)	Case No.: C 11-00171 PSG
)	
v.)	CLAIM CONSTRUCTION ORDER
)	(Re: Docket No. 94)
MIASOLE, INC.,)	
)	
Defendant.)	
)	

In this patent infringement suit, Plaintiff Solannex, Inc. (“Solannex”) alleges that Defendant MiaSole, Inc. (“MiaSole”) infringes U.S. Patent 7,635,810 and U.S. Patent 7,868,249. Consistent with Pat. L.R. 4-3(c), the parties seek construction of terms and phrases in claims in each of the patents-in-suit. Now that the parties and the court have resolved multiple issues regarding which lawyers will serve as counsel of record in this case, and a related stay of all proceedings has been lifted, the court may proceed to issue its construction of the terms and phrases in dispute.

With trial in this matter rapidly approaching, the court does not wish to add further delay to the constructions by its preparation of a complete opinion setting forth its reasoning and analysis. To that end, the court at this time will simply issue its constructions without any significant reasoning and analysis:

CLAIM TERM	CONSTRUCTION
“sheetlike substrate”	an underlying structure whose length and width are normally much greater than its thickness
“substrate surface”	Plain and ordinary meaning
“having overlapping first and second surfaces”	have surfaces such that a line perpendicular to one of the two surfaces also would intersect the other surface at least at one point
“holes extending through said substrate”	holes extending through the thickness of the sheetlike substrate
“a first substrate surface formed by a first material having adhesive affinity for said top light incident surface”	a first substrate surface formed by a material capable of forming a bond to said top light incident surface, such material excluding ethylene vinyl acetate, fluorocarbon polymers, polyurethane, polystyrene, and polyvinyl acetate
“a pattern”	a design or arrangement (excluding the use of a wire)
“multiple substantially parallel fingers extending in a first direction”	multiple long, thin strips of material that are side by side and have substantially the same distance continuously between them
“substantially parallel traces of electrically conductive material”	electrically conductive material arranged in paths that are side by side and have substantially the same distance continuously between them
“additionally electrically conductive material positioned over portions of said second substrate surface”	additionally electrically conductive material on the opposite surface of the sheetlike substrate from the pattern
“said photovoltaic cell structure is provided to said combining step as a continuous form”	the photovoltaic cell structure is in an extended form as it is being combined with the current collector structure
“a form where said substrate is characterized as continuous”	an extended form

The parties should rest assured that the court arrived at these constructions with a full appreciation of not only the relevant intrinsic and extrinsic evidence, but also the Federal Circuit's teaching in *Phillips v. AWH Corp.*,¹ and its progeny. So that the parties may pursue whatever recourse they believe is necessary, a complete opinion will issue before entry of any judgment.

¹ 415 F.3d 1303, 1312-15 (Fed. Cir. 2005).

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IT IS SO ORDERED.

Dated: 11/16/2012



PAUL S. GREWAL
United States Magistrate Judge