

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.	)	<b>CLAIM CONSTRUCTION ORDER</b>
	)	<b>(Re: Docket No. 71)</b>
MIASOLE, INC.,	)	
	)	
Defendant.	)	

In this patent infringement suit, Plaintiff Solannex, Inc. (“Solannex”) alleges that Defendant MiaSole, Inc. (“MiaSole”) infringes four patents. The court previously construed terms in U.S. Patent 7,635,810 and U.S. Patent 7,868,249.<sup>1</sup> Earlier today, after a hearing on the matter and consistent with Pat. L.R. 4-3(c), the court construed nine terms regarding the two patents added later in this case, U.S. Patent 8,110,737 (“the ‘737 patent”) and U.S. Patent 8,076,568 (“the ‘568 patent”). These constructions are as follows:

<b>CLAIM TERM</b>	<b>CONSTRUCTION</b>
“Pattern”	A design or arrangement
“Adhesive affinity”	Capable of forming a bond
“Polymeric adhesive”	A polymer that can bond to a surface or object
“Flexible”	Plain and ordinary meaning
“Multiple transparent polymeric layers”	More than one polymer layer, each

<sup>1</sup> Docket No. 163.

	layer capable of passing light without scattering
“Transparent”	Passing light without scattering
“Structural polymer”	A polymer that can provide structural support
“Transparent conductive metal oxide”	A compound comprising metal combined with oxygen which can conduct electricity and pass light without scattering
“Ohmic electrical communication”	Electrical communication such that the proportion of voltage to current is linear

The above construction of the term “pattern” is unique to the ‘737 patent and the ‘568 patent. The above construction of “adhesive affinity” applies to all four patents in this case, the court’s earlier construction notwithstanding. 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.<sup>2</sup> 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.

**IT IS SO ORDERED.**

Dated: April 10, 2013



PAUL S. GREWAL  
United States Magistrate Judge

<sup>2</sup> 415 F.3d 1303, 1312-15 (Fed. Cir. 2005).