

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

APPLE, INC., a California corporation,	)	Case No.: 12-CV-00630-LHK
	)	
Plaintiff and Counterdefendant,	)	ORDER REGARDING LIMITED
	)	ADDITIONAL CLAIM
v.	)	CONSTRUCTION
	)	
SAMSUNG ELECTRONICS CO., LTD., a	)	
Korean corporation; SAMSUNG	)	
ELECTRONICS AMERICA, INC., a New York	)	
corporation; and SAMSUNG	)	
TELECOMMUNICATIONS AMERICA, LLC,	)	
a Delaware limited liability company,	)	
	)	
Defendants and Counterclaimants.	)	
	)	

Late on March 13, 2014, Samsung moved for claim construction of the term “means for transmission of said captured video over a cellular frequency” in claim 15 of the ’239 patent. (ECF No. 1461.) On March 17, 2014, Apple responded that, should the Court agree to construe claim 15, Apple seeks to file a summary judgment motion as to noninfringement of claim 15, and argues that Samsung waived any infringement arguments regarding equivalents to claim 15. (ECF No. 1465).

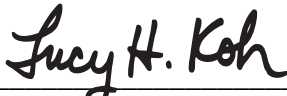
Upon consideration of the parties’ submissions, the impending March 31, 2014 trial date, and the late timing of Samsung’s motion, it is hereby ORDERED that:

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- Samsung may file a brief of no more than five pages regarding claim construction of “means for transmission of said captured video over a cellular frequency” in claim 15 of the ’239 patent, and the issue of whether it has waived infringement arguments based on equivalents as to claim 15. Samsung’s brief is due no later than March 19, 2014.
- Apple may file a response brief of no more than five pages regarding the same issues. Apple’s brief is due no later than March 21, 2014.
- Apple’s request to file a summary judgment motion on noninfringement of claim 15 is denied.
- No hearing on these issues is currently scheduled. In their briefing, the parties may not raise arguments regarding claim construction of any other claim terms.

**IT IS SO ORDERED.**

Dated: March 18, 2014

  
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LUCY H. KOH  
United States District Judge