

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

INTELLECTUAL VENTURES I LLC,	)	
et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Civ. No. 11-792-SLR
	)	
CANON INC., et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

At Wilmington this <sup>5<sup>th</sup></sup> day of May, 2014, having reviewed the papers submitted in connection with the parties' proposed claim construction;

IT IS ORDERED that the disputed claim language – “digital image magnification in a graphical user interface”<sup>1</sup> – of United States Patent No. 5,754,348 (“the ‘348 patent”) shall be construed consistent with the tenets of claim construction set forth by the United States Court of Appeals for the Federal Circuit in *Phillips v. AWH Corp.*, 415 F.3d 1303 (Fed. Cir. 2005), as follows:

The court agrees that a claim construction dispute exists as the parties' experts dispute the meaning of “digital image magnification,” the proper scope of which must be determined before presentation to a jury. See *O2 Micro Int'l Ltd. v. Beyond Innovation Tech. Co., Ltd.*, 521 F.3d 1351, 1360-63 (Fed. Cir. 2008). Because claim 1 recites “[a] method of digital image magnification in a graphical user interface,” the court declines to construe the limitation “digital image magnification” in isolation. The limitation “digital

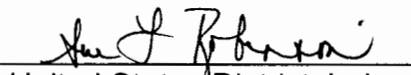
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<sup>1</sup>Claim 1.

image magnification in a graphical user interface” is construed as “expanding image data – which may be represented in the form of pixels, a page description language, or any other form – on the screen of a digital device.”

This construction is consistent with the specification, which discloses that “image data [acquired within the selected region] may be represented in the form of pixels, a page description language, or any [other form.” (‘348 patent, col. 4:25-29)

Additionally, the court’s construction of “magnification” as “the expansion of an image” is consistent with its ordinary meaning and the definition given by the inventor of the ‘348 patent, Kenneth Soohoo. (See D.I. 265, ex. D at 59:25-60:4) The device on which the present method is implemented is a digital device, e.g., “a device including a microprocessor connected to a display.” (See ‘348 patent, 4:16-18) A “graphical user interface” is the screen of the digital device where the image data is displayed.

  
United States District Judge