

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

ACQIS, LLC,
Plaintiff,

-v-

HON HAI PRECISION INDUSTRY
COMPANY LTD.,
Defendant.


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6:23-CV-00264-ADA

CLAIM CONSTRUCTION ORDER

Before the Court are the Parties’ claim construction briefs: Defendant Hon Hai Precision Industry Company Ltd.’s Opening and Reply briefs (ECF Nos. 35 and 39, respectively) and Plaintiff ACQIS LLC’s Response and Sur-Reply briefs (ECF Nos. 38 and 43, respectively). The Court provided preliminary constructions for the disputed terms one day before the hearing. The Court held the *Markman* hearing on May 30, 2024. ECF No. 45. During that hearing, the Court informed the Parties of the final constructions for the disputed terms. *Id.* 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 plans to issue a more-detailed Order explaining its analysis in due course.

SIGNED this 30th day of May, 2024.


ALAN D ALBRIGHT
UNITED STATES DISTRICT JUDGE

Term	Plaintiff’s Proposed Construction	Defendant’s Proposed Construction	Court’s Final Construction
<p>I. “Peripheral Component Interconnect (PCI) bus transaction”/ “PCI bus transaction”</p> <p>U.S. Patent No. 8,977,797, Claim 36; U.S. Patent No. RE45,140, Claims 16, 30; U.S. Patent No. RE44,654, Claim 21</p> <p>Proposed by Plaintiff and Defendant</p>	<p>“a transaction, in accordance or backwards compatible with the industry standard PCI Local Bus Specification, for communication with an interconnected peripheral component,” as construed in the Court’s Sep. 6, 2023 Order in <i>ACQIS LLC v. Sony Group Corp., et al.</i>, No. 1-23-cv-00822-ADA (W.D. Tex.) and the Court’s Nov. 17, 2021 Order in <i>ACQIS LLC v. MiTAC Computing Tech. Corp.</i>, No. 6:20-cv-00962-ADA (W.D. Tex.) and consolidated cases.</p>	<p>“a transaction, in accordance with the industry standard PCI Local Bus Specification, for communication with an interconnected peripheral component”</p>	<p>“a transaction, in accordance or backwards compatible with the industry standard PCI Local Bus Specification, for communication with an interconnected peripheral component”</p>

Term	Plaintiff's Proposed Construction	Defendant's Proposed Construction	Court's Final Construction
<p>2. "USB" or "Universal Serial Bus"</p> <p>U.S. Patent No. 8,977,797 claims 30, 33; U.S. Patent No. 9,703,750, Claim 50; U.S. Patent No. 9,529,769, Claim 19; U.S. Patent No. RE45,140, Claims 15, 18, 20, 22, 23, 26, 29, 34, 36, 37; U.S. Patent No. RE44,654, Claims 20, 23;</p> <p>Proposed by Defendant</p>	<p>No construction necessary. These phrases should be given their plain and ordinary meaning as construed in the Court's Sep. 6, 2023 Order in <i>ACQIS LLC v. Sony Group Corp., et al.</i>, No. 1-23-cv-00822-ADA (W.D. Tex.) and the Court's Nov. 17, 2021 Order in <i>ACQIS LLC v. MiTAC Computing Tech. Corp.</i>, No. 6:20-cv-00962-ADA (W.D. Tex.) and consolidated cases.</p>	<p>"In accordance with the protocols defined in the Universal Serial Bus Specification Revision 2.0 and the prior versions of this standard"</p>	<p>Plain-and-ordinary meaning.</p>