

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: ELONEX PHASE II	:	
POWER MANAGEMENT LITIGATION	:	C.A. Nos.:
	:	01-082 GMS; 01-083 GMS
	:	01-084 GMS; 01-085 GMS
	:	01-086 GMS; 01-087 GMS
	:	01-088 GMS; 01-089 GMS
	:	01-090 GMS; 01-091 GMS
	:	01-092 GMS; 01-093 GMS
	:	01-095 GMS; 01-096 GMS
	:	01-097 GMS; 01-098 GMS
	:	01-099 GMS; 01-100 GMS
	:	01-101 GMS; 01-102 GMS
	:	01-103 GMS; 01-104 GMS

ORDER

After considering the submissions of the parties, IT IS HEREBY ORDERED, ADJUDGED and DECREED that the court construes the disputed claims of the patents-in-suit as follows:

U.S. Patent No. 5,389,952

1. The term “in response” in claims 3, 8, 9, 19, 20, and 25 is construed to mean “as a consequence of.”¹
2. The term “off” in claims 3 and 20 is construed to mean “the lowest power state of the monitor or circuit that can be achieved by the power management system where the monitor is still able to reactivate itself.”
3. The terms “general purpose computer” or “computer” in claims 9, 14, and 24 are construed to mean “a programmable electronic device that can store, retrieve, and process data.”

¹With regard to each of the “in response” claim terms presently at issue, the court was particularly persuaded by Elonex’s argument that certain of the claims explicitly require the delay the defendants now seek to read out of the patent. Thus, to adopt the defendants’ proposed construction would be irreconcilable with the reality of the patent claims.

U.S. Patent No. 5,648,799

1. The term “in response” in claims 1, 36, 85, 98, 103, 107, 139, and 150 is construed to mean “as a consequence of.”
2. The terms “general purpose computer” or “computer” in claims 1, 36, 73, 80, and 136 is construed to mean “a programmable electronic device that can store, retrieve, and process data.”

U.S. Patent No. 5,880,719

1. The term “in response” in claims 1, 2, 3, and 4 is construed to mean “as a consequence of.”

Dated: October 3, 2002

Gregory M. Sleet
UNITED STATES DISTRICT JUDGE