United States District Court,
D. Delaware.

In re ELONEX PATENT LITIGATION.

Civ. A. Nos. 98-689-GMS, 98-690-GMS, 98-691-GMS, 99-337-GMS, 99-338-GMS

Sept. 25, 2000.

ORDER

After considering the submissions of the parties and hearing oral argument on the matter, IT IS HEREBY ORDERED, ADJUDGED and DECREED that as used in the asserted claims of the patents in suit:

1. The term "full power" means "the power level of a monitor when in use, which may vary or fluctuate depending upon the nature of the image which is being displayed on the screen;"

2. The term "off" means "the lowest power state that can be achieved by the power management system where the monitor is still able to reactivate itself;"

3. The terms "reduced power state" and "alternative power using state" mean "a level of reduced power which is lower than the 'full power' state;"

4. The term "intermediate" means "a power level in which the amount of power consumed by the monitor is between that used in the 'full power' state and the 'off state;"

5. The term "power manager circuit" is not a means-plus-function limitation; instead, the term means "a circuit for managing power consumption;"

6. The term "power level control means" is a means-plus-function limitation which is defined as "a means for controlling the power level by turning off the high energy consuming circuits when the absence of one of the HSYNC or VSYNC signals is detected;" FN1

FN1. At this stage of the proceedings, the court will decline the defendants' invitation to pass on whether this definition renders the asserted claims invalid as indefinite. Even though "[a] determination of indefiniteness is a legal conclusion that is drawn from the court's performance of its duty as construer of patent claims," *see* Personalized Media Commun. LLC v. International Trade Comm'm, 161 F.3d 696, 705 (Fed.Cir.1988), the court believes that the issue of indefiniteness is better resolved through a motion for summary judgment or at trial instead of through a *Markman* ruling which is intended solely to construe the meaning of disputed terms within the asserted claims.

7. The term "one" means "at least one;"

8. The term "signals" means "one or more of the five video signals or commands to enter a power management state;"

9. The terms "power management commands" and "indications of inactivity" mean "a command to enter into a power management state or to change from one power management state to another;"

10. The term "interrupt" means "to temporarily stop, halt or interfere with the continuation or continuity of a sequence;"

11. The terms "signal interrupter" and "interrupter circuit" mean "an electrical circuit which is configured to temporarily stop, halt, or interfere with the continuation or continuity of one or more of the color HSYNC or VSYNC signals provided by the video adapter to a monitor;" and

12. The term "absence" means that "one of the color, HSYNC, or VSYNC signals from the computer is either not present at all or not present in the amount or to the degree that would normally be expected."

D.Del.,2000.
In re Elonex Patent Litigation

Produced by Sans Paper, LLC.