

United States District Court,
C.D. California, Western Division.

SEMICONDUCTOR ENERGY LABORATORY COMPANY, LTD,
Plaintiff.

v.

TOPPOLY OPTOELECTRONICS CORP., et al,
Defendants.

No. CV 04-4783 TJH (AJWx)

July 25, 2006.

Amy Thomas Brantly, Kalpana Srinivasan, Marc M. Seltzer, Susman Godfrey, Los Angeles, CA, Benjamin J. Bradford, Donald R. Harris, Joseph A. Saltiel, Kristopher R. Kiel, Patrick L. Patras, Reginald J. Hill, Stanley A. Schlitter, Terrence J. Truax, Jenner and Block, Chicago, IL, for Plaintiff.

Harold J. McElhinny, Morrison & Foerster, San Francisco, CA, Bitra Rahebi, A. Max Olson, Charles S. Barquist, Hector G. Gallegos, Morrison & Foerster, Los Angeles, CA, for Defendants.

Order

TERRY J. HATTER, JR., Senior District Judge.

The Court, having considered the parties' cross motions for claim construction, conducted a hearing pursuant to *Markman v. Westview Instruments*, 517 U.S. 370, 116 S.Ct. 1384, 134 L.Ed.2d 577 (1996) regarding the construction of disputed claims from Plaintiffs U.S. Patents numbered 6,177,302 ("302"); 6,566,175 ("175"); 5,313,075 ("075"); 6,607,947 ("947"); and 5,352,291 ("291").

It is Ordered that:

1. The phrase "forming an insulating film" in claims 8 and 9 of the '302 patent be, and hereby is, construed as "sputtering an insulating film;"
2. The phrase "forming a semiconductor film" in claims 8 and 9 of the '302 patent be, and hereby is, construed as "sputtering a semiconductor film;"
3. The phrase "forming a first insulating film" in claims 1,2,4,5,10, and 11 of the '175 patent be, and hereby is, construed as "sputtering a first insulating film;"
4. The phrase "forming a semiconductor film" in claims 1,2,4,5,10, and 11 of the '175 patent be, and hereby is, construed as "sputtering a semiconductor film;"

5. The phrase "Wherein a protective film is formed between said semiconductor film and said substrate for preventing said semiconductor film from being contaminated by an impurity from said substrate and wherein said protective film includes a halogen element" in claim 1 of the '075 patent be, and hereby is, construed as "a protective film, which includes a halogen element, is formed between a semiconductor film and a substrate to prevent the semiconductor film from being contaminated by an impurity from the substrate;"

6. The phrase "a halogen is added to said protective layer" in claim 6 of the '075 patent be, and hereby is, construed as "a halogen element is added to the protective layer;"

7. The phrase "wherein a halogen element is added to said gate insulator and said protective film" in claim 8 of the '075 patent be, and hereby is, construed as "a halogen element is added to the gate insulator and a halogen element is added to the protective film;"

8. The phrase "wherein a silicon oxide layer including a halogen element is interposed between said at least one semiconductor film and said substrate in order to prevent an impurity from diffusing from said substrate" in claim 13 of the '075 patent be, and hereby is, construed as "a silicon oxide layer containing a halogen element is interposed between at least one semiconductor film and a substrate in order to prevent an impurity from diffusing from the substrate;"

9. The phrase "a silicon oxide layer containing a halogen" in claim 15 of the '075 patent be, and hereby is, construed as "a silicon oxide layer containing a halogen element;"

10. The phrase "wherein said protective film includes a halogen element" in claim 19 of the '075 patent be, and hereby is, construed as "the protective film includes a halogen element;"

11. The phrase "wherein said underlying insulating film is doped with fluorine during the formation thereof" in claims 1, 9, and 23 of the '07 patent be and hereby is, construed as "fluorine is added to the underlying insulating film during its formation;"

12. The phrase "wherein each of said underlying insulating film and said gate insulating film is doped with fluorine during the formation thereof" in claims 3 and 11 of the '07 patent be, and hereby is, construed as "fluorine is added to the underlying insulating film during its formation, and fluorine is added to the gate insulating film during its formation;"

13. The phrase "wherein each of said first and second insulating film is doped with fluorine during the formation thereof" in claims 5, 13, and 16 of the '07 patent be, and hereby is, construed as "during the formation of the first and the second insulating film, fluorine is added to the first and to the second insulating films;"

14. The phrase "wherein said first insulating film is doped with fluorine during the formation thereof" in claim 7 of the '07 patent be, and hereby is, construed as "fluorine is added to the first insulating film during formation thereof;"

15. The phrase "in order to discharge hydrogen contained in said amorphous semiconductor film" in claims 1, 8, and 11 of the '291 patent be, and hereby is construed as "hydrogen is discharged from the semiconductor film;" and

16. The phrase "in order to form dangling bonds in said amorphous semiconductor film" in claim 12 of the '291 patent be, and hereby is, construed as "dangling bonds are formed in the semiconductor film."

C.D.Cal.,2006.

Semiconductor Energy Laboratory Co., Ltd. v. Toppoly Optoelectronics Corp.

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