

United States District Court,  
S.D. New York.

**MACROVISION CORPORATION,**  
Plaintiff.

v.

**SIMA PRODUCTS CORPORATION, and Interburn Enterprises, Inc,**  
Defendants.

No. 05 Civ.5587 RO

**Oct. 13, 2006.**

***MEMORANDUM & ORDER***

**OWEN, J.**

Before the Court is a dispute regarding construction of certain claim terms in plaintiff's United States Patents Nos. 4,695,901 ("the '901 patent") and 6,516,132 ("the '132 patent"). The Court conducted a *Markman* hearing to assist in interpreting the meaning of the claim terms in dispute.

Determining a patent's meaning may be done by examining the claims, the specification, and the prosecution history. *Markman v. Westview Instruments, Inc.*, 52 F.3d 967 (Fed.Cir.1995) (en banc), *aff'd*, 517 U.S. 370 (1996). Expert testimony, including evidence of how those skilled in the art would interpret the claims, may also be used. *Id.* Words in a claim will be given their ordinary and accustomed meaning, unless it appears that the inventor used them differently. *Jonsson v. Stanley Works*, 903 F.2d 812 (Fed.Cir.1990).

Having carefully considered the patent, the parties' briefs, and the arguments of counsel, the court now construes the disputed claim terms as follows:

(1) In Claim 25 of the '901 patent, "removing added pulses occurring after normal sync pulses" means "removing one or more added pulses such as added AGC pulses and/or added pseudo-sync pulses."

(2) In Claim 25 of the '901 patent, "passing the video signal unchanged at other times" means "passing at least some portions of the video signal without changes or modifications. This step does not exclude replacing normal sync pulses with normal sync pulses."

(3) In the part of Claim 4 of the '901 patent that says "regenerating the video signal for a given period of time after sensing the sync pulses in a manner attenuating at least some of the AGC pulses,"

(a) "Regenerating" means "forming, constructing or creating anew," and

(b) "Attenuating" means "reducing in force, value or amount,"

(4) In Claim 4 of the '901 patent, "passing the video signal unchanged at other times" means "passing at least some portions of the video signal without changes or modifications. This step does not exclude replacing normal sync pulses with normal sync pulses."

(5) In Claim 1 of the '132 patent, "determining the duration of the color stripe burst" means "determining the duration of the color stripe burst, which may include obtaining an average phase signal from the color burst."

(6) In Claim 1 of the '132 patent, "modifying a phase of a selected portion or portions of said duration of the color stripe burst in chosen lines of the selected lines to be the phase of the normal color burst" means "modifying the phase of the abnormal color stripe bursts to match normal color bursts."

So Ordered.

S.D.N.Y., 2006.

Macrovision Corp. v. Sima Products Corp.

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