

United States District Court,
E.D. Texas, Marshall Division.

DIGITAL TECHNOLOGY LICENSING, LLC,
Plaintiffs.

v.

CINGULAR WIRELESS, LLC,
Defendant.

Civil Action No. 2:06-CV-156

Aug. 7, 2007.

Otis W. Carroll, Jr., Collin Michael Maloney, Deborah J. Race, Ireland Carroll & Kelley, Charles Ainsworth, Parker Bunt & Ainsworth, Robert M. Parker, Robert Christopher Bunt, Tyler, TX, Charles P. Kennedy, Jonathan A. David, Orville R. Cockings, Stephen F. Roth, Lerner David Littenberg Krumholz & Mentlik, Westfield, NJ, Elizabeth L. Derieux, Sidney Calvin Capshaw, III, Capshaw Derieux, LLP, Longview, TX, Franklin Jones, Jr., Jones & Jones, Marshall, TX, Neil Cohen, General Patent Corporation International, Suffern, NY, for Plaintiffs.

Allen Franklin Gardner, Diane Devasto, Michael Edwin Jones, Potter Minton P.C., Tyler, TX, Brandon D. Baum, Mayer Brown Rowe & Maw, Palo Alto, CA, Charles W. Goehringer, Jr., Lawrence Louis Germer, Germer Gertz, L.L.P., Beaumont, TX, Jeffrey Lance Johnson, Pillsbury Winthrop Shaw Pittman, Jeremy Jason Gaston, Sharon Audrey Israel, Mayer Brown Rowe & Maw, Houston, TX, Kent Ronald Hance, Sr., Hance Scarborough Wright Woodward & Weisbart, Terry Lane Scarborough, Hance Scarborough Wright Ginsberg & Brusilow, Austin, TX, for Defendant.

ORDER ON AGREED CLAIM TERMS

KEITH F. GIBLIN, United States Magistrate Judge.

Plaintiff Digital Technology Licensing, LLC ("DTL") filed suit against Defendant Cingular Wireless, LLC ("Cingular") claiming infringement of United States Patent No. 5,051,799 ("the '799 patent"). FN1 The definitions agreed upon comport with the meaning of the terms as they are used in the claims, the specification, the prosecution history, and any applicable extrinsic evidence. Therefore, these terms will be defined as follows:

FN1. For a background of the patents, a description of the technology involved, and the standard of review, see this court's prior order construing claim terms of these patents.

I. Claim Terms

1. "Transducer means."

"Transducer means" means **"a transducer, e.g., a microphone."**

2. "Means for storing."

The function is **"storing a program for controlling the digital signal processing means."**

The structure is **"a memory."**

3. "Reception means."

"Reception means" means **"a receiver."**

4. "Digital system."

"Digital system" means **"a system that can process digital signals or digital data."**

II. Conclusion

The jury shall be instructed in accordance with these agreed interpretations of the claim terms in the '799 patent.

E.D.Tex.,2007.

Digital Technology Licensing, LLC v. Cingular Wireless, LLC

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