United States District Court,
S.D. California.

SANYO ENERGY (USA) CORPORATION,
Plaintiff.
v.
BYD COMPANY LIMITED and BYD America Corporation,
Defendants.

Civ. No. 02CV1900B (JMA)

Aug. 17, 2004.

Laurence H. Pretty, Stuart Lubitz, Hogan and Hartson, Los Angeles, CA, for Plaintiff.

Edward C. Kwok, MacPherson Kwok Chen and Heid, San Jose, CA, for Defendants.

SUPERCEDING CLAIM CONSTRUCTION ORDER FOR UNITED STATES PATENT NUMBER 5,686,138

BREWSTER**, Senior District Judge.**

Before the Court is the matter of claims construction for United States Patent Number 5,686,138 ("the '138 patent") in the above titled cases for patent infringement. Pursuant to Markman v. Westview Instruments, Inc., 517 U.S. 370 (1996), the Court conducted a supplemental Markman hearing regarding construction of the disputed claim terms for the '138 patent on August 4, 2004. Plaintiff Sanyo Energy (USA) Corporation ("Sanyo") was represented by the law firm of Hogan & Hartson, LLP, and Defendant BYD Company Limited and BYD America Corporation (collectively "BYD") were represented by the law firm of MacPherson, Kwok, Chen & Heid, LLP.

The purpose of the Markman hearing was for the Court, with the assistance of the parties, to prepare jury instructions interpreting the pertinent claims at issue in the '138 patent. Additionally, the Court and the parties prepared a "case glossary" for terms found in the claims and the specification for the ' 138 patent, considered to be technical in nature and which a jury of laypersons would not understand clearly without specific definition. As the case advances, the parties may request additional terms to be added to the glossary as to further facilitate the jury's understanding of the disputed claims.

After careful consideration of the parties' arguments and the applicable statues and case law, the Court **HEREBY CONSTRUES** the claims in dispute in the ' 138 patent and **ISSUES** the relevant jury instructions as written in Exhibit A, attached hereto. Further, the Court **HEREBY DEFINES** all pertinent technical terms as written in Exhibit B, attached hereto. This claim construction order supercedes all previously issued claim construction orders for the '138 patent entered in the above-titled action.

IT IS SO ORDERED.

EXHIBIT A-UNITED STATES PATENT NUMBER 5,686,138-CLAIM CHART

VERBATIM CLAIM LANGUAGE	*COURT'S CLAIM CONSTRUCTION*
Claim 1	
A lithium secondary battery comprising:	A lithium secondary battery comprising:
a negative electrode composed mainly of a carbon material consisting essentially of a graphite having	a negative electrode composed mainly of a carbon material consisting essentially of a graphite *which excludes the presence of ingredients that would materially affect the basic characteristics contributed to the electrode by the graphite and* having
(a) a d-value of the lattice plane (002) obtained by X-ray diffraction thereof of 3,354 to 3,370 and	(a) a d-value of the lattice plane (002) *measured on the raw material* obtained by X-ray diffraction thereof of 3.354 to 3.370 and
(b) a crystallite size in the c-axis direction obtained by X-ray diffraction thereof of at least 200 A	(b) a crystallite size in the c-axis direction *measured on the raw material* obtained by X-ray diffraction thereof of at least 200 A
a positive electrode composed mainly of a compound capable of occluding and discharging lithium and which is different from the graphite of the negative electrode;	a positive electrode composed mainly of a compound capable of occluding and discharging lithium and which is different from the graphite of the negative electrode;
a separator between said positive electrode and said negative electrode; and	a separator between said positive electrode and said negative electrode; and
an electrolyte solution of an electrolyte solute dissolved in a solvent, said solvent comprising ethylene carbonate in an amount of 20% to 80% by volume based on the volume of the solvent.	an electrolyte solution of an electrolyte solute dissolved in a solvent, said solvent comprising ethylene carbonate in an amount of 20% to 80% by volume based on the volume of the solvent.
Claim 6	
A lithium secondary battery comprising:	A lithium secondary battery comprising:
a negative electrode composed mainly of a carbon material consisting essentially of a graphite having	a negative electrode composed mainly of a carbon material consisting essentially of a graphite *which excludes the presence of ingredients that would materially affect the basic characteristics contributed to the electrode by the graphite and* having
(a) a d-value of the lattice plane (002) obtained by X-ray diffraction thereof of 3,354 to 3,370,	(a) a d-value of the lattice plane (002) *measured on the raw material* obtained by X-ray diffraction thereof of 3.354 to 3.370,
(b) a crystallite size in the c-axis direction obtained by X-ray diffraction thereof of at least 200 A and	(b) a crystallite size in the c-axis direction *measured on the raw material* obtained by X-ray diffraction thereof of at least 200 A and
(c) an average particle diameter of 1 (mu) to 30 (mu);	(c) an average particle diameter *value measured on the raw material graphite to be between 1 and 30 millionths of a meter;*
a positive electrode composed mainly of a compound capable of occluding and	a positive electrode composed mainly of a compound capable of occluding and discharging lithium and which is different

discharging lithium and which is different from the graphite of the negative electrode;	from the graphite of the negative electrode;
a separator between said positive electrode and said negative electrode; and	a separator between said positive electrode and said negative electrode; and
an electrolyte solution of an electrolyte solute dissolved in a solvent, said solvent comprising ethylene carbonate in an amount of 20% to 80% by volume based on the volume of the solvent.	an electrolyte solution of an electrolyte solute dissolved in a solvent, said solvent comprising ethylene carbonate in an amount of 20% to 80% by volume based on the volume of the solvent.
Claims 11	
A lithium secondary battery comprising:	A lithium secondary battery comprising:
a negative electrode composed mainly of a carbon material consisting essentially of a graphite having	a negative electrode composed mainly of a carbon material consisting essentially of a graphite having
(a) a d-value of the lattice plane (002) obtained by X-ray diffraction thereof of 3.354 to 3.370,	(a) a d-value of the lattice plane (002) obtained by X-ray diffraction thereof of 3.354 to 3.370,
b) a crystallite size in the c-axis direction obtained by X-ray diffraction thereof of at least 200 A and	b) a crystallite size in the c-axis direction obtained by X-ray diffraction thereof of at least 200 A and
(c) a specific surface area of 0.5 m^2/g to 50m^2/g;	(c) as specific surface area *determined using any recognized method, including BET, for determining the surface area of powders to be between* 0.5 m^2/g to 50 m^2/g
a positive electrode composed mainly of a compound capable of occluding and discharging lithium and which is different from the graphite of the negative electrode;	a positive electrode composed mainly of a compound capable of occluding and discharging lithium and which is different from the graphite of the negative electrode;
a separator between said positive electrode and said negative electrode; and	a separator between said positive electrode and said negative electrode; and
an electrolyte solution of an electrolyte solute dissolved in a solvent, said solvent comprising ethylene carbonate in an amount of 20% to 80% by volume based on the volume of the solvent.	an electrolyte solution of an electrolyte solute dissolved in a solvent, said solvent comprising ethylene carbonate in an amount of 20% to 80% by volume based on the volume of the solvent.
Claim 12	
The lithium secondary battery according to claim 11, wherein said compound capable of occluding and discharging lithium is represented by the formula Li_xMO_2 or $Li_yM_2O_4$, wherein M is a transition element, and 0 <= x <= 1 and 0 <= y <= 2.	The lithium secondary battery according to claim 11, wherein said compound capable of occluding and discharging lithium is represented by the formula Li_xMO_2 or $Li_yM_2O_4$, wherein M is a transition element, and 0 <= x <= 1 and 0 <= y <= 2.
Claim 13	
The lithium secondary battery according to claim 11, wherein said electrolyte solute is selected from the group consisting of $LiPF_6$, $LiBF_4$, $LiClO_4$, $LiCF_3SO_3$, $LiC_4F_9SO_3$, $LiN(CF_3SO_2)_2$ and $LiAsF_6$.	The lithium secondary battery according to claim 11, wherein said electrolyte solute is selected from the group consisting of $LiPF_6$, $LiBF_4$, $LiClO_4$, $LiCF_3SO_3$, $LiC_4F_9SO_3$, $LiN(CF_3SO_2)_2$ and $LiAsF_6$.
Claim 14	
The lithium secondary battery according to claim 11, wherein said solvent further comprises	The lithium secondary battery according to claim 11, wherein said solvent further comprises

at least one cyclic compound selected from the group consisting of ethylene thiocarbonate, (gamma)-thiobutyrolactone, (alpha)-pyrrolidone, (gamma)-butyrolactone, propylene carbonate, 1,2-butylene carbonate, 2,3-butylene carbonate, (gamma)-valerolactone, (gamma)-ethyl-(gamma)-butyrolactone, (beta)-methyl-(gamma)-butyrolactone, thiolane, pyrazolidine, pyrrolidine, tetrahydrofuran, 3-methyltetrahydrofuran, sulfolane, 3-methylsulfolane, 2-methylsulfolane, 3-ethylsulfolane and 2-ethylsulfolane.	at least one cyclic compound selected from the group consisting of ethylene thiocarbonate, (gamma)-thiobutyrolactone, (alpha)-pyrrolidone, (gamma)-butyrolactone, propylene carbonate, 1,2-butylene carbonate, 2,3-butylene carbonate, (gamma)-valerolactone, (gamma)-ethyl-(gamma)-butyrolactone, (beta)-methyl-(gamma)-butyrolactone, thiolane, pyrazolidine, pyrrolidine, tetrahydrofuran, 3-methyltetrahydrofuran, sulfolane, 3-methylsulfolane, 2-methylsulfolane, 3-ethylsulfolane and 2-ethylsulfolane.
Claim 15	
The lithium secondary battery according to claim 11, wherein said solvent further comprises at least one low-boiling point solvent selected from the group consisting of dimethyl carbonate, diethyl carbonate, 1,2-dimethoxyethane, 1,2-diethoxyethane and 1,2-diethoxymethoxyethane.	The lithium secondary battery according to claim 11, wherein said solvent further comprises *a solvent having a boiling point less than 150 (deg.)C* selected from the group consisting of dimethyl carbonate, diethyl carbonate, 1,2-dimethoxyethane, 1,2-diethoxyethane and 1,2-diethoxymethoxyethane.
Claim 16	
A lithium secondary battery comprising:	A lithium secondary battery comprising:
a negative electrode composed mainly of a carbon material consisting essentially of a graphite having	a negative electrode composed mainly of a carbon material consisting essentially of a graphite having
(a) a d-value of the lattice plane (002) obtained by X-ray diffraction thereof of 3.354 to 3,370,	(a) a d-value of the lattice plane (002) obtained by X-ray diffraction thereof of 3.354 to 3.370,
(b) a crystallite size in the c-axis direction obtained by X-ray diffraction thereof of at least 200 A,	b) a crystallite size in the c-axis direction obtained by X-ray diffraction thereof of at least 200 A,
(c) an average particle diameter of 1 (mu)m to 30 (mu)m and	(c) an average particle diameter of 1 (mu)m to 30 (mu)m and
(d) a specific surface area of 0.5 m ^{2}/g to 50m ^{2}/g;	(d) a specific surface area *determined using any recognized method, including BET, for determining the surface area of powders to be between* 0.5 m ^{2}/g to 50m ^{2}/g
a positive electrode composed mainly of a compound capable of occluding and discharging lithium and which is different from the graphite of the negative electrode;	a positive electrode composed mainly of a compound capable of occluding and discharging lithium and which is different from the graphite of the negative electrode;
a separator between said positive electrode and said negative electrode; and	a separator between said positive electrode and said negative electrode; and
an electrolyte solution of an electrolyte solute dissolved in a solvent, said solvent comprising ethylene carbonate in an amount of 20% to 80% by volume based on the volume of the solvent.	an electrolyte solution of an electrolyte solute dissolved in a solvent, said solvent comprising ethylene carbonate in an amount of 20% to 80% by volume based on the volume of the solvent.
Claim 17	
The lithium secondary battery according to claim 16, wherein said compound capable of occluding and discharging lithium is represented by the formula	The lithium secondary battery according to claim 16, wherein said compound capable of occluding and discharging lithium is represented by the formula

Li_xMO_2 or $Li_yM_2O_4$, wherein M is a transition element, and 0 <= x <= 1 and 0 <= y <= 2.	Li_xMO_2 or $Li_yM_2O_4$, wherein M is a transition element, and 0 <= x <= 1 and 0 <= y <= 2.
Claim 18	
The lithium secondary battery according to claim 16, wherein said electrolyte solute is selected from the group consisting of $LiPF_6$, $LiBF_4$, $LiClO_4$, $LiCF_3SO_3$, $LiC_4F_9SO_3$, $LiN(CF_3SO_2)_2$ and $LiAsF_6$.	The lithium secondary battery according to claim 16, wherein said electrolyte solute is selected from the group consisting of $LiPF_6$, $LiBF_4$, $LiClO_4$, $LiCF_3SO_3$, $LiC_4F_9SO_3$, $LiN(CF_3SO_2)_2$ and $LiAsF_6$.
Claim 19	
The lithium secondary battery according to claim 16, wherein said solvent further comprises at least one cyclic compound selected from the group consisting of ethylene thiocarbonate, (gamma)-thiobutyrolactone, (alpha)-pyrrolidone, (gamma) butyrolactone, propylene carbonate, 1,2-butylene carbonate, 2,3-butylene carbonate, (gamma)-valerolactone, (gamma)-ethyl-(gamma)butyrolactone, (beta)-methyl-(gamma)-butyrolactone, thiolane, pyrazolidine, pyrrolidine, tetrahydrofuran, 3-methyltetrahydrofuran, sulfolane, 3-methylsulfolane, 2-methyl sulfolane, 3-ethylsulfolane and 2-ethylsulfolane.	The lithium secondary battery according to claim 16, wherein said solvent further comprises at least one cyclic compound selected from the group consisting of ethylene thiocarbonate, (gamma)-thiobutyrolactone, (alpha)-pyrrolidone, (gamma)butyrolactone, propylene carbonate, 1,2-butylene carbonate, 2,3-butylene carbonate, (gamma)-valerolactone, (gamma)-ethyl-(gamma)butyrolactone, (beta)-methyl-(gamma)-butyrolactone, thiolane, pyrazolidine, pyrrolidine, tetrahydrofuran, 3-methyltetrahydrofuran, sulfolane, 3-methylsulfolane, 2-methylsulfolane, 3-ethylsulfolane and 2-ethylsulfolane.
Claim 20	
The lithium secondary battery according to claim 16, wherein said solvent further comprises at least one low-boiling point solvent selected from the group consisting of dimethyl carbonate, diethyl carbonate, 1,2-dimethoxyethane, 1,2-diethoxyethane and 1,2-diethoxymethoxyethane.	The lithium secondary battery according to claim 16, wherein said solvent further comprises *a solvent having a boiling point less than 150 (deg.)C* selected from the group consisting of dimethyl carbonate, diethyl carbonate, 1,2-dimethoxyethane, 1,2-diethoxyethane and 1,2-diethoxymethoxyethane.
Claim 21	
A lithium secondary battery comprising:	A lithium secondary battery comprising:
a negative electrode composed mainly of a carbon material consisting essentially of a graphite having	a negative electrode composed mainly of a carbon material consisting essentially of a graphite having
(a) a d-value of the lattice plane (002) obtained by X-ray diffraction thereof of 3.354 to 3.370,	(a) a d-value of the lattice plane (002) obtained by X-ray diffraction thereof of 3.354 to 3.370,
(b) a crystallite size in the c-axis direction obtained by X-ray diffraction thereof of at least 200 A,	(b) a crystallite size in the c-axis direction obtained by X-ray diffraction thereof of at least 200 A,
(c) an average particle diameter of 1 (mu)m to 30 (mu)m,	(c) an average particle diameter of 1 (mu)m to 30 (mu)m,
(d) a specific surface area of 0.5 m^2/g to 50 m^2/g and	(d) a specific surface area *determined using any recognized method, including BET, for determining the surface area of powders to be between* 0.5 m^2/g to 50 m^2/g
(e) a true density of 1.9 g/cm^3 to 2.25 g/cm^3.	(e) *the true density is defined as the ratio of the mass of the sample to the volume occupied by that mass. Contribution to*

,	*the volume by pores or void spaces must be excluded when measuring true density. The true density claimed is from 1.9 g/cm ^{3} to 2.25 g/cm ^{3};*
a positive electrode composed mainly of a compound capable of occluding and discharging lithium and which is different from the graphite of the negative electrode;	a positive electrode composed mainly of a compound capable of occluding and discharging lithium and which is different from the graphite of the negative electrode;
a separator between said positive electrode and said negative electrode; and	a separator between said positive electrode and said negative electrode; and
an electrolyte solution of an electrolyte solute dissolved in a solvent, said solvent comprising ethylene carbonate in an amount of 20% to 80% by volume based on the volume of the solvent.	an electrolyte solution of an electrolyte solute dissolved in a solvent, said solvent comprising ethylene carbonate in an amount of 20% to 80% by volume based on the volume of the solvent.
Claim 22	
The lithium secondary battery according to claim 21, wherein said compound capable of occluding and discharging lithium is represented by the formula Li_xMO_2 or $Li_yM_2O_4$, wherein M is a transition element, and 0 <= x <= 1 and 0 <= y <= 2.	The lithium secondary battery according to claim 21, wherein said compound capable of occluding and discharging lithium is represented by the formula Li_xMO_2 or $Li_yM_2O_4$, wherein M is a transition element, and 0 <= x <= 1 and 0 <= y <= 2.
Claim 23	
The lithium secondary battery according to claim 21, wherein said electrolyte solute is selected from the group consisting of $LiPF_6$, $LiBF_4$, $LiClO_4$, $LiCF_3SO_3$, $LiC_4F_9SO_3$, $LiN(CF_3SO_2)_2$ and $LiAsF_6$.	The lithium secondary battery according to claim 21, wherein said electrolyte solute is selected from the group consisting of $LiPF_6$, $LiBF_4$, $LiClO_4$, $LiCF_3SO_3$, $LiC_4F_9SO_3$, $LiN(CF_3SO_2)_2$ and $LiAsF_6$.
Claim 24	
The lithium secondary battery according to claim 21, wherein said solvent further comprises at least one cyclic compound selected from the group consisting of ethylene thiocarbonate, (gamma)-thiobutyrolactone, (alpha)-pyrrolidone, (gamma)-butyrolactone, propylene carbonate, 1,2-butylene carbonate, 2,3-butylene carbonate, (gamma)-valerolactone, (gamma)-ethyl-(gamma)-butyrolactone, (beta)-methyl-(gamma)-butyrolactone, thiolane, pyrazolidine, pyrrolidine, tetrahydrofuran, 3 -methyltetrahydrofuran, sulfolane, 3-methylsulfolane, 2-methylsulfolane, 3-ethylsulfolane and 2-ethylsulfolane.	The lithium secondary battery according to claim 21, wherein said solvent further comprises at least one cyclic compound selected from the group consisting of ethylene thiocarbonate, (gamma)-thiobutyrolactone, (alpha)-pyrrolidone, (gamma)-butyrolactone, propylene carbonate, 1,2-butylene carbonate, 2,3-butylene carbonate, (gamma)-valerolactone, (gamma)-ethyl-(gamma)-butyrolactone, (beta)-methyl-(gamma)-butyrolactone, thiolane, pyrazolidine, pyrrolidine, tetrahydrofuran, 3-methyltetrahydrofuran, sulfolane, 3-methylsulfolane, 2-methylsulfolane, 3-ethylsulfolane and 2-ethylsulfolane.
Claim 25	
The lithium secondary battery according to claim 21, wherein said solvent further comprises at least one low-boiling point solvent selected from the group consisting of dimethyl carbonate, diethyl carbonate, 1,2-dimethoxyethane, 1,2-diethoxyethane and 1,2-diethoxymethoxyethane.	The lithium secondary battery according to claim 21, wherein said solvent further comprises *a solvent having a boiling point less than 150 (deg.)C* selected from the group consisting of dimethyl carbonate, diethyl carbonate, 1,2-dimethoxyethane, 1,2-diethoxyethane and 1,2-diethoxymethoxyethane.

Claim 26	
A lithium secondary battery comprising:	A lithium secondary battery comprising:
a negative electrode composed mainly of, a carbon material consisting essentially of a graphite having	a negative electrode composed mainly of, a carbon material consisting essentially of a graphite having
(a) a d-value of the lattice plane (002) obtained by X-ray diffraction thereof of 3.354 to 3.370,	(a) a d-value of the lattice plane (002) obtained by X-ray diffraction thereof of 3.354 to 3.370,
(b) a crystallite size in the c-axis direction obtained by X-ray diffraction thereof of at least 200 A,	(b) a crystallite size in the c-axis direction obtained by X-ray diffraction thereof of at least 200 A,
(c) an average particle diameter of 1(mu)m to 30(mu)m,	(c) an average particle diameter of 1(mu)m to 30(mu)m,
(d) a specific surface area of 0.5 m^2/g to 50 m^2/g and	(d) as specific surface area *determined using any recognized method, including BET, for determining the surface area of powders to be between* 0.5 m^2/g to 50 m^2/g
(e) a true density of 1.9 g/cm^3 to 2.25 g/cm^3;	(e) *the true density claimed is defined as the ratio of the mass of the sample to the volume occupied by that mass. Contribution to the volume by pores or void spaces must be excluded when measuring true density. The true density claimed is from 1.9 g/cm^3 to 2.25 g/cm^3;*
a positive electrode composed mainly of a compound capable of occluding and discharging lithium and which is different from the graphite of the negative electrode;	a positive electrode composed mainly of a compound capable of occluding and discharging lithium and which is different from the graphite of the negative electrode;
a separator between said positive electrode and said negative electrode; and	a separator between said positive electrode and said negative electrode; and
an electrolyte solution of an electrolyte solute dissolved in a solvent, said solvent consisting essentially of 20% to 80% by volume of ethylene carbonate and 80% to 20% by volume of an least one of dimethyl carbonate and diethyl carbonate.	an electrolyte solution of an electrolyte solute dissolved in a solvent, said solvent consisting essentially of 20% to 80% by volume of ethylene carbonate and 80% to 20% by volume of an least one of dimethyl carbonate and diethyl carbonate.

Claim 27	
The lithium secondary battery according to claim 26, wherein said compound capable of occluding and discharging lithium is represented by the formula Li_xMO_2 or $Li_yM_2O_4$, wherein M is a transition element, and 0 <= x <= 1 and 0 <= y <= 2.	The lithium secondary battery according to claim 26, wherein said compound capable of occluding and discharging lithium is represented by the formula Li_xMO_2 or $Li_yM_2O_4$, wherein M is a transition element, and 0 <= x <= 1 and 0 <= y <= 2.

Claim 28
The lithium secondary battery according to claim 26, wherein said electrolyte solute is selected from the group consisting of $LiPF_6$, $LiBF_4$, $LiClO_4$, $LiCF_3SO_3$, $LiC_4F_9SO_3$, $LiN(CF_3SO_2)_2$ and $LiAsF_6$.

Claim 29	
The lithium secondary battery according to claim 26, wherein said electrolyte solute is selected from the group consisting of $LiPF_6$, $LiBF_4$,	The lithium secondary battery according to claim 22 or 27, wherein said compound capable of occluding and discharging lithium is selected from the group

$LiClO_4$, $LiCF_3SO_3$, $LiC_4F_9SO_3$, $LiN(CF_3SO_2)_2$ and $LiAsF_6$.

consisting of $LiCoO_2$, $LiMnO_2$, $LiNiO_2$, $LiCrO_2$ and $LiMn_2O_4$.

EXHIBIT B-GLOSSARY OF TERMS

TERM	*DEFINITION*
Angstrom (A)	A unit of measure equivalent to one ten billionth of a meter, useful for distances on the scale of atoms. There are 10,000 A in 1 (mu)m.
Anion	A negatively charged ion.
Anode	The negative electrode of a battery.
Bottom	The portion of the outer can that is opposite from a lid.
Can	The outer container or housing of the battery.
Cathode	The positive electrode of a battery.
Cation	A positively charged ion.
Crystallite Size	A value which measures the numbers of layers of carbon atoms in a crystal of graphite.
d-value	A value which measures the distance between layers of carbon atoms in a sample of graphite.
Electrode	A portion of a battery through which electrical current flows, used to connect a battery to an electronic device. Batteries contain two electrodes the positive electrode, or cathode, and the negative electrode, or anode. Negative ions flow towards the anode while positive ions flow towards the cathode.
Electrolyte	A material which allows electrical current to flow between electrodes in a battery.
Graphite	A form of pure carbon with a very uniform molecular structure. The carbon atoms in graphite form flat planes, or layers. Multiple parallel layers are combined to form a single graphite crystal, each layer being separated from the others by a specific distance. Samples of graphite are generally described with two values, the d-value and the crystallite size. The c-axis of a graphite crystal refers to an axis perpendicular to the parallel layers of the carbon atoms.
Micron ((mu)m)	A unit of measure equivalent to one millionth of a meter.
Solute	A material which is dissolved in another material (called the solvent); e.g., the sugar in sugar water.
Solvent	A material in which another material (the solute) dissolves; e.g., the water in sugar water.
X-ray Diffraction	A method for using x-rays to measure distances between atoms.

S.D.Cal.,2004.
Sanyo Energy (USA) Corp. v. BYD Co. Ltd.