United States District Court,
S.D. California.

QUALCOMM INCORPORATED,
Plaintiff.
v.
CONEXANT SYSTEMS, INC And Skyworks Solutions, Inc,
Defendants.

No. 02CV2002-B(JFS)

Dec. 2, 2004.

James R. Batchelder, Day Casebeer Madrid and Batchelder, Cupertino, CA, for Plaintiff.

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ORDER CONSTRUING CLAIMS FOR UNITED STATES PATENT NUMBER 5,665,220

RUDI M. BREWSTER**, Senior District Judge.**

Plaintiff, Qualcomm, Inc. has brought suit against Defendants, Conexant Systems, Inc. and Skyworks Solutions, Inc., for infringement of United States Patent number 5,665,220 (the "'220 Patent"). Pursuant to Markman v. Westview Instruments, 52 F.3d 967 (Fed.Cir.1995), the Court conducted a hearing on August 16-19 and October 4-7 and 13-14, 2004 to construe the disputed claim terms of the '220 Patent. FN1 At the hearing, Qualcomm was represented by the law firm of Day, Casebeer, Madrid & Batchelder, and Conexant and Skyworks were represented by the firm of Wilmer, Cutler, Pickering and Dorr.

FN1. The disputed claims of the '220 Patent are claims 1 and 2.

The Court, with the assistance of the parties, interpreted the pertinent terms for all claim terms at issue in the '220 Patent. Additionally, a "Glossary" was prepared for terms found in the '220 Patent, that were considered to be technical in nature and which a jury of laypersons might not understand without a specific definition. As the case advances, the parties may request additional terms to be added to the glossary as may seem helpful to the jury.

After careful consideration of the parties' arguments and the applicable law, the Court **HEREBY**

CONSTRUES all disputed claim terms in the '220 Patent, attached as Exhibit A, Further, the Court **HEREBY DEFINES** all pertinent technical terms as written in Exhibit B, attached hereto.

IT IS SO ORDERED.

EXHIBIT A-UNITED STATES PATENT NUMBER 5,665,220-CLAIM CHART

VERBATIM CLAIM LANGUAGE	**COURT'S CLAIM CONSTRUCTION**
Claim 1	**Claim 1**
A method for limiting transmit power of a radio operating in a cellular environment, the cellular environment comprising a plurality of cells that transmit power control commands to the radio, the radio comprising a variable gain amplifier and a power limiting accumulator, the method comprising the steps of:	A method for limiting **transmit power of a radio [level of power transmitted by the radio]** operating in a cellular environment, the cellular environment comprising a **plurality [two or more] of cells [cell means a base station (in a wireless communications system, any fixed station that communicates with mobile stations) and the geographic area defined by its transmission range]** that transmit **power control commands [commands from the base station instructing the radio to turn up or turn down power]** to the radio, the radio comprising a variable gain amplifier and a **power limiting accumulator [a device that accumulates a sum that can be used for limiting the transmit power of a radio],** the method **comprising [including but not limited to]** the steps of:
receiving a signal from at least one of the plurality of cells;	receiving a signal from at least one of the **plurality [two or more] of cells [cell means a base station (in a wireless communications system, any fixed station that communicates with mobile stations) and the geographic area defined by its transmission range];**
determining a power level of the received signal;	determining a power level of the **received signal [the signal received from the base station];**
determining a closed loop power control value in response to the received signal;	determining a closed loop **power control value [a value quantity representing one or more power control commands (commands from the base station instructing the radio to turn up or turn down power)]** in response to the received signal;
generating a limiting gain control setting in response to the closed loop power control value and the power level, the limiting gain control setting being within a predetermined range;	generating a **limiting gain control setting [a setting indicating a gain control limit]** in response to the closed loop **power control value [a value quantity representing one or more power control commands (commands from the base station instructing the radio to turn up or turn down power)]** and the **power level [power level of the received signal],** the limiting gain control setting being within a predetermined range;
combining the closed loop power control value, the power level, and the limiting gain control setting to generate a gain control signal and	combining the closed loop power control value, the power level, and the limiting gain control setting to **generate a gain control signal [produce a signal used to change the gain of an amplifier]** and
adjusting the variable gain	**adjusting [changing]** the **variable gain amplifier [a unidirectional device**

amplifier in response to the gain control signal.	**that is capable of enlarging the waveform supplied to it, where the enlargement can be changed over a range, either continuously or in incremental steps]** in response to the gain control signal.
Claim 2	**Claim 2**
A method for limiting transmit power of a radio operating in a radio communications system, the radio communications system comprising a plurality of base stations that transmit power control commands to the radio, the radio comprising a variable gain amplifier and a maximum gain setting, the method comprising the steps of:	A method for limiting **transmit power of a radio [level of power transmitted by the radio]** operating in a **radio communications system [a system of wireless communications by means of radio waves],** the radio communications system comprising a **plurality [two or more] of base stations [in a wireless communications system, any fixed station that communicates with mobile stations]** that transmit power control commands to the radio, the radio comprising a **variable gain amplifier [a unidirectional device that is capable of enlarging the waveform supplied to it, where the enlargement can be changed over a range, either continuously or in incremental steps]** and a **maximum gain setting [maximum gain setting [upper limit on the gain setting],** the method **comprising [including but not limited to]** the steps of:
receiving a signal from at least one of the plurality of base stations;	receiving a signal from at least one of the **plurality [two or more]** of **base stations [in a wireless communications system, any fixed station that communicates with mobile stations];**
generating a received power level signal in response to the received signal;	**generating a received power level signal [producing a value indicating a power level]** in response to the **received signal [the signal received from the base station];**
generating a closed loop power control signal in response to the received signal;	generating a closed loop **power control signal [a value quantity representing one or more power control commands (commands from the base station instructing the radio to turn up or turn down power)]** in response to the **received signal [the signal received from the base station];**
combining the received power level signal and the closed loop power control signal to produce a summation signal;	combining the received power level signal and the closed loop **power control signal [a value quantity representing one or more power control commands (commands from the base station instructing the radio to turn up or turn down power)]** to produce a **summation signal [a signal that represents the sum of two or more other signals];**
comparing the summation signal to the maximum gain setting;	comparing the summation signal to the **maximum gain setting [upper limit on the gain setting];**
adjusting the variable gain amplifier in response to the maximum gain setting if the summation signal is greater than or equal to the maximum gain setting; and	adjusting the **variable gain amplifier [a unidirectional device that is capable of enlarging the waveform supplied to it, where the enlargement can be changed over a range, either continuously or in incremental steps]** in response to the maximum gain setting if the summation signal is greater than or equal to the maximum gain setting; and
adjusting the variable gain amplifier in response to the summation signal if the summation signal is less than the maximum gain setting .	adjusting the variable gain amplifier in response to the summation signal if the summation signal is less than the maximum gain setting.

EXHIBIT B-GLOSSARY RE: UNITED STATES PATENT NUMBER 5,655,220

Term	**Definition**
Adjusting	Changing
Base station	In a wireless communications system, any fixed station that communicates with mobile stations
Cells	Cell means a base station (in a wireless communications system, any fixed station that communicates with mobile stations) and the geographic area defined by its transmission range
Closed loop power control value	A value quantity representing one or more power control commands (commands from the base station instructing the radio to turn up or turn down power)
Comprising	Including but not limited to
Generate a gain control signal	Produce a signal used to change the gain of an amplifier
Generating a received power level signal	Producing a value indicating a power level
Limiting gain control setting	A setting indicating a gain control setting
Maximum gain setting	Upper limit on the gain setting
Plurality	Two or more
Power control commands	Commands from the base station instructing the radio to turn up or turn down power
Power control signal	A value quantity representing one or more power control commands (commands from the base station instructing the radio to turn up or turn down power)
Power control value	A value quantity representing one or more power control commands (commands from the base station instructing the radio to turn up or turn down power)
Power limiting accumulator	A device that accumulates a sum that can be used for limiting the transmit power of a radio
Predetermined	Determined in advance
Radio communications system	A system of wireless communications by means of radio waves
Received signal	The signal received from the base station
Summation signal	A signal that represents the sum of two or more other signals
Transmit power of a radio	Level of power transmitted by the radio
Variable gain amplifier	A unidirectional device that is capable of enlarging the waveform supplied to it, where the enlargement can be changed over a range, either continuously or in incremental steps

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