

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. 24, 2007.

Otis W Carroll, Jr, Collin Michael Maloney, Deborah J. Race, Ireland Carroll & Kelley, Charles Ainsworth, Robert Christopher Bunt, Robert M. Parker, Tyler, TX, Charles P. Kennedy, Jonathan A. David, Orville R. Cockings, Stephen F. Roth, Lerner David Littenberg Krumholz & Mentlik, Westfield, NJ, Ireland Carroll & Kelley, 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, Potter Minton PC, 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, Diane Devasto, Michael Edwin Jones, Potter Minton, Tyler, TX, Jeffrey Lance Johnson, Pillsbury Winthrop Shaw Pittman, Jeremy Jason Gaston, Sharon Audrey Israel, Mayer Brown Rowe & Maw, Houston, TX, Kent Ronald Hance, Sr, Terry Lane Scarborough, Hance Scarborough Wright Woodward & Weisbart, Austin, TX, for Defendants.

AMENDED ORDER CONSTRUING CLAIM TERMS OF UNITED STATES PATENT NO. 5,051,799

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 court issued a Memorandum Opinion and Order Construing Claim Terms of United States Patent No. 5,051,799 on August 7, 2007. In light of the parties' agreements to clarify the order, the court defines the following terms as follows:

"Said remote receiver" means: **the receiver.**

"Highly faithful digital representation ..." means: **the digital representation that is a virtually perfect reproduction of said acoustic signal, and there is no effect of any interference or noise in the transmission process.**

The jury shall be instructed in accordance with the court's interpretations of the disputed claim terms in the '799 patent.

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.

E.D.Tex.,2007.

Digital Technology Licensing, LLC v. Cingular Wireless, LLC

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