

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

REMBRANDT DATA STORAGE, LP,

Plaintiff,

v.

SEAGATE TECHNOLOGY LLC,

Defendant.

ORDER

10-cv-693-bbc

REMBRANDT DATA STORAGE, LP,

Plaintiff,

v.

WESTERN DIGITAL CORPORATION,

Defendant.

ORDER

10-cv-694-bbc

The parties in these two cases have filed motions for the construction of several terms in U.S. Patent No. 5,995,342 and U.S. Patent No. 6,195,232. Because some of the terms are disputed in both cases, I have consolidated the briefing schedules for claim construction.

Having reviewed the parties' opening briefs, I am persuaded that it may help resolve

a disputed issue of infringement or invalidity to resolve the following claim construction disputes:

- whether “elongated” means “has more length than width” or “made longer than any other portion of the magnetic pole”;
- whether “a back-closure region” and “a back-closure contact area” involve contact between the magnetic poles through a structure called a “via”;
- whether “contact pads” have enlarged ends;
- whether “top/bottom magnetic pole” simply defines the relationship between the two poles (one is higher than the other) or means that there are no other poles above the “top” pole or below the “bottom” pole;
- whether “a thin film head (TGH) device” and “a thin film head (TFH) magnetic transducing device” must be toroidal;
- whether “transitioning” means “narrows in width”;
- whether “a predetermined length and width” means that the length and width are constant;
- whether “substantially” in the context of the phrase “extending along substantially an entire width” means “at least 90%.”

However, the parties have failed to show that construing the term “along the sides” would be beneficial. Although plaintiff says that the construction is necessary to resolve a dispute of infringement, the construction it proposes, “laterally displaced from the center axis,” seems to complicate the claim rather than simplify it. If any party believes that this term

needs construction, it must present a more developed argument at summary judgment or trial.

A claim construction hearing on the other terms will be held from 9:00 a.m - 12:00 p.m. and from 1:30 p.m. - 3:00 p.m. on Friday, August 26, 2011. Each party will have 90 minutes to present its arguments.

ORDER

IT IS ORDERED that the parties' cross motions for claim construction are GRANTED with respect to the disputes identified in this order. A claim construction hearing will be held on Friday, August 26, 2011, beginning at 9:00 a.m.

Entered this 19th day of July, 2011.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge