

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SIMO HOLDINGS INC.,

Plaintiff,

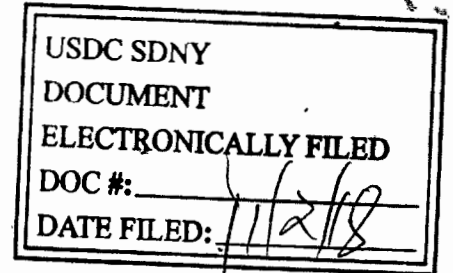
-against-

HONG KONG UCLOUDLINK NETWORK
TECHNOLOGY LIMITED and
UCLOUDLINK (AMERICA), LTD.,

Defendants.

18-cv-5427 (JSR)

ORDER



JED S. RAKOFF, U.S.D.J.

In this patent infringement suit, the parties dispute the meaning of several claim terms. This Court received briefing from the parties and, on October 19, 2018, held a hearing pursuant to Markman v. Westview Instruments, Inc., 52 F.3d 967 (Fed. Cir. 1995) (en banc), aff'd 517 U.S. 370 (1996). The Court hereby adopts the following constructions of the disputed terms:

"Enabling an initial setting" does not require further construction.

"Extension unit" means: "a computing device that is capable of communicating with both a foreign wireless client and a wireless communication network."

"Authentication bank" means: "a storage containing one or more physical identification modules (e.g. SIM cards), phones, and/or other authentication information."

"Data link" and "data communication link" both mean: "communication link capable of transmitting data."

"Data channel" means: "communication channel capable of transmitting data."

"The data channel is distinct from local wireless services of the local carrier" means: "the data channel is not using the local cellular communication network."

"The data communication link is distinct from the local cellular communication network" means: "the data communication link is not using the local cellular communication network."

"The data channel is not associated with a local wireless service provided to a subscriber of the local carrier" means: "the data channel is not using the local cellular communication network."

"Foreign wireless client" and "foreign wireless communication client" both mean: "a telephone or computing device that is capable of communicating wirelessly and is not subscribed to a local cellular network for the current location of the phone or device."

"Said extension unit wirelessly communicating directly with said foreign wireless client" means: "the extension unit communicates with the foreign wireless client via wireless connection, without going through a third device."

"Communication server" means: "a server facilitating the routing of a non-local call."

"Command link" and "signal link" both mean: "a communication link over which a wireless communication device requests service from a service provider of a cellular network, and over which authentication information and requests for authentication information are exchanged."

"Authentication information" and "local authentication information" both mean: "information for confirming whether a device is verified to receive a cellular communication service."

"Re-authenticate" and "re-authentication" both mean: "re-confirming that a device is verified to receive a cellular communication service."


"Storing the local authentication information" means: "placing the local authentication information on a SIM card or in memory of the wireless communication client or extension unit for preservation or later use."

"Voice link" means: "communication link capable of transmitting voice."

An Opinion explaining the reasons for these constructions shall issue in due course.

SO ORDERED.

Dated: New York, NY
November 1, 2018


JED S. RAKOFF, U.S.D.J.