

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

BLACKBIRD TECH LLC d/b/a
BLACKBIRD TECHNOLOGIES,

Plaintiff,

v.

ELB ELECTRONICS, INC.,

Defendant.

C.A. No. 15-cv-056-RGA

BLACKBIRD TECH LLC d/b/a
BLACKBIRD TECHNOLOGIES,

Plaintiff,

v.

ETI SOLID STATE LIGHTING, INC.,

Defendant.

C.A. No. 15-cv-057-RGA

BLACKBIRD TECH LLC d/b/a
BLACKBIRD TECHNOLOGIES,

Plaintiff,

v.

FEIT ELECTRIC COMPANY, INC.,

Defendant.

C.A. No. 15-cv-058-RGA

BLACKBIRD TECH LLC d/b/a
BLACKBIRD TECHNOLOGIES,

Plaintiff,

v.

PLUSRITE USA, CORP.,

Defendant.

C.A. No. 15-cv-062-RGA

PROPOSED CLAIM CONSTRUCTION ORDER

The Court, having considered the parties' Joint Claim Construction Brief (15-cv-056-RGA, D.I. 62) and heard oral argument at the claim construction hearing on December 9, 2016 (15-cv-056-RGA, D.I. 68), and in accordance with the reasoning set forth in the Court's Memorandum Opinion (15-cv-056-RGA, D.I. 69), **IT IS HEREBY ORDERED** that the terms of U.S. Patent No. 7,086,747 set forth below are construed as follows:

Term	Construction
An energy efficient lighting apparatus for retrofit with an existing light fixture having a ballast cover	The preamble is limiting and is construed as: "An LED lighting apparatus for installation in an existing light fixture having a ballast cover"
housing	"structure that encloses other components"
attachment surface	"layer of the housing that is secured to the ballast cover"
illumination surface	No construction needed.
the circuit board is positioned adjacent the housing	"the circuit board is positioned close to or near the housing"
protrude through	"are at least partially beneath the surface of and jut out of"
fastening mechanism for securing the attachment surface of the lighting apparatus to the illumination surface	The term is not a means-plus-function clause under Section 112, ¶ 6. "Fastening mechanism" is construed as "fastener."
coupled	"electrically connected, directly or indirectly"

IT IS SO ORDERED, this 4 day of Jan, 2017.


United States District Judge