

United States District Court,
C.D. California, Western Division.

ANDAMIRO U.S.A. CORP,
Plaintiff.

v.
KONAMI AMUSEMENT OF AMERICA, INC., et al,
Defendants.

No. CV 00-08561 TJH (AIJx)

April 18, 2002.

Howard L. Hoffenberg, John K. Park, Mark L. Sutton, Park & Sutton, Los Angeles, CA, for Plaintiff.

Anthony Murray, Loeb & Loeb, Los Angeles, CA, Charles H. Dick, Baker & McKenzie, Thomas D. Bunton, Wells Fargo PLZ, San Diego, CA, Daniel J. O'Connor, David I. Roche, Shima S. Roy, Baker & McKenzie, Chicago, IL, for Defendants.

Order

TERRY J. HATTER, JR., District Judge.

The Court conducted a hearing pursuant to *Markman v. Westview*, 517 U.S. 370, 116 S.Ct. 1384, 134 L.Ed.2d 577 (1996), regarding the construction of disputed claims from Plaintiffs U.S. Patent number 4,729,789. The Court, also, considered the briefs filed by the parties.

It is Ordered that "processor means for controlling said video display" be, and hereby is, construed as a computer, microprocessor, or a central processing unit that generates what is shown on the 'video display' (a device for presenting video information to an operator).

It is further Ordered that "a plurality of weight sensitive pads" be, and hereby is, construed as more than one thin, flat mat that responds to the weight of an operator by activating a switch.

It is further Ordered that "input interface" be, and hereby is, construed as electronic circuitry that receives and communicates information.

It is further Ordered that "operatively connected" be, and hereby is, construed as effectively linked and able to communicate.

It is further Ordered that "wherein said processor means responds to said location signals to control said video game" be, and hereby is, construed as the 'processor means' uses the information communicated by the 'location signals' (electric transmissions indicating whether an operator has stepped on a pad) to direct

the operation of the video game apparatus.

It is further Ordered that "wherein said processor means generates displays on said video display in response to said location signals and said instructions effective to designate on said display positions for the operators feet in order to affect an exercise program for the operator" be, and hereby is, construed as the 'processor means' executes software instructions and uses the information communicated by the 'location signals' to create images on the video display, and some of these images communicate to the operator where to place the operator's feet.

C.D.Cal.,2002.

Andamiro U.S.A. Corp. v. Konami Amusement of America, Inc.

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