

United States District Court,
W.D. Texas, San Antonio Division.

KINETIC CONCEPTS, INC., KCI Licensing, Inc., KCI USA, Inc., and Wake Forest University Health Sciences,
Plaintiffs.

v.

BLUESKY MEDICAL CORPORATION, Medelaag, Medela, Inc., and Patient Care Systems, Inc,
Defendants.

Civil Action No. SA-03-CA-0832-RF

Oct. 20, 2005.

Alan Michael Ferrill, Cox Smith Matthews Incorporated, Kirt S. O'Neill, R. Laurence Macon, Akin Gump Strauss Hauer & Feld LLP, San Antonio, TX, for Plaintiffs.

Randy McClanahan, McClanahan Myers Espey, LLP, Trang Quoc Tran, Tran Law Firm, LLP, David M. Rodi, Lisa Kelly, Mitchell D. Lukin, R. William Beard, Jr., Elizabeth L. Durham, Scott F. Partridge, Baker Botts LLP, James R. Robinson, King & Spalding, LLP, Houston, TX, Kevin M. Sadler, Scott D. Powers, Baker Botts, LLP, Austin, TX, Thad Harkins, Harkins, Latimer & Dahl PC, San Antonio, TX, for Defendants.

ORDER ADOPTING THE PARTIES' STIPULATED CLAIM TERM CONSTRUCTIONS

ROYAL FURGESON, District Judge.

Before the Court is the Joint Motion for Entry of Order Adopting the Parties' Stipulated Claim Term Constructions filed October 5, 2005. Based on the evidence and the arguments of counsel, the Court is of the opinion that the Parties' Stipulated Claim Term Constructions should be adopted.

It is therefore ORDERED that the Court adopts the following claim term constructions as stipulated to by the Parties:

643 Patent Claim Term	Agreed Construction
treatment to a wound	medical care given to an injury
sheet	a piece of material that is thin in comparison to its length and breadth
porous	having sufficient porosity to allow gas to pass through
seal	a generally fluid-tight or gas-tight closure between the cover and the tissue surrounding the wound
081 Patent Claim Term	Agreed Construction

sheet	a piece of material that is thin in comparison to its length and breadth
negative pressure	pressure that is below ambient atmospheric pressure
suction	pressure that is below ambient atmospheric pressure

W.D.Tex.,2005.

Kinetic Concepts, Inc. v. Bluesky Medical Corp.

Produced by Sans Paper, LLC.