

United States District Court,
D. South Carolina, Columbia Division.

SUBAIR SYSTEMS, LLC,
Plaintiff.

v.

UNIQUE DESIGNS/TURF, LLC d/b/a/ "Turf Air," and Walter W. Fishburne, an individual,
Defendants.

C/A No. 0:04-2272-CMC

Aug. 22, 2006.

Cort R. Flint, Jr., McNair Law Firm, Greenville, SC, for Plaintiff.

Walter W. Fishburne, Augusta, GA, pro se.

John B. Hardaway, III, Nexsen Pruet Jacobs and Pollard, Greenville, SC, for Defendants.

ORDER (PATENT CONSTRUCTION)

CAMERON McGOWAN CURRIE, District Judge.

This order memorializes the court's oral rulings construing disputed patent terms.

1. The phrase "means for coupling and decoupling the inlet portion of the blower to the duct network" is construed to require: a supply line with a quick disconnect coupling on one end and a coupling on the other end or equivalent structure(s). FN1

FN1. The parties agree that this limitation in claim 1 is a "means plus function" claim. The reference to "equivalents" is intended by the court to refer both to equivalents of the three individual components set forth in the text or to any collective equivalent.

2. As to the phrase

valve means operable for selectively connecting and disconnecting the drain line to said duct network, said valve means including a first valve for coupling the duct network to the drain line and a second valve for coupling the blower to the duct network, wherein said drain line can be isolated from said duct network when the blower is coupled to the duct network

the court applies the construction set out below.

a. "[V]alve means operable for selectively connecting and disconnecting the drain line to said duct network" refers to any device for halting or controlling flow that selectively connects and disconnects the drain line to the duct network.

b. "[S]aid valve means including a first valve for coupling the duct network to the drain line" refers to any device for halting or controlling the flow that couples the duct network to the drain line.

c. "[A] second valve for coupling the blower to the duct network, wherein said drain line can be isolated from said duct network when the blower is coupled to the duct network" refers to any device for halting or controlling flow that couples the blower to the duct network.

The valve or valve means (device for halting or controlling flow) addressed in paragraphs 2.a. through c. above are not required to include a moving part. Neither do they exclude gravity based systems.

IT IS SO ORDERED.

D.S.C.,2006.

SubAir Systems, LLC v. Unique Designs/Turf, LLC

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