

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, Medela Ag, Medela, Inc., and Patient Care Systems, Inc,**  
Defendants.

**Jan. 25, 2006.**

### **AMENDED ORDER CONSTRUING PATENT '643 CLAIM TERMS**

**ROYAL FUKGESON, District Judge.**

On June 29, 2005 the Court entered an Order Construing Patent '643 Claim Terms (Docket No. 258). The parties have since appeared for a second Markman hearing, and a second claims construction order construing '643 claim terms as well as '081 claim terms was entered (Docket No. 408) on January 25, 2006. Upon consideration of the briefs and arguments in support of the second claims construction order, the Court decided it was necessary to amend the construction of one of the terms in the first Order (Docket No. 258).

In the Order Construing Patent '643 Claim Terms (Docket No. 258) the Court construed the claim term "securing an appliance for applying pressure." The Court found that "appliance" should be construed as "a wound cover that is generally fluid-tight or gas-tight." In light of the claims constructions in the second Order, and after due consideration of the briefing submitted at the request of the Court, the Court is of the opinion that the construction of "appliance" should be modified.

Therefore, the Court hereby ORDERS that its construction of "appliance" be amended to mean "a wound cover that is sealed over a wound and that creates a generally liquid-tight or gas-tight enclosure."

It is SO ORDERED.

W.D.Tex.,2006.

Kinetic Concepts, Inc. v. Bluesky Medical Corp.

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