

United States District Court,
D. Delaware.

DYSON TECHNOLOGY LIMITED and Dyson, Inc,
Plaintiffs.

v.

MAYTAG CORPORATION,
Defendant.

Civil Action No. 05-434(GMS)

Aug. 2, 2006.

ORDER CONSTRUING THE TERMS OF U.S. Patent Nos. 4,643,748, 4,826,515, 4,853,008, ***and***
4,858,038

GREGORY M. SLEET, District Judge.

After considering the submissions of the parties and hearing oral argument on the matter, IT IS HEREBY ORDERED, ADJUDGED, and DECREED that, as used in the asserted claims of U.S. Patent No. 4,643,748 (the "'748 patent"), U.S. Patent No. 4,826,515 (the "'515 patent"), U.S. Patent No. 4,853,008 (the "'008 patent"), and U.S. Patent No. 4,858,038 (the "'038 patent"),

1. The term "dirty air inlet [to outer container]" is construed as "a passage by which dirty air flows into the outer container of the cleaning apparatus."
2. The term "an upper portion of the outer container" is construed to have its plain and ordinary meaning.
3. The term "oriented for supplying dirt laden air into the container tangentially to the interior surface of the outer container" is construed as "oriented for supplying dirt laden air into the container generally in a direction perpendicular to the radius of the interior surface of the outer container."
4. The term "an air outlet from the container at an upper portion of the container" is construed to have its plain and ordinary meaning.
5. The term "a cyclone air inlet at an upper end ... of the cyclone in air communication with the air outlet of the container" is construed to have its plain and ordinary meaning.
6. The term "which has a circular cross section" is construed as "the outer container has a circular cross section."
7. The term "maintaining its velocity to a cone opening smaller in diameter than the diameter of the upper end of the cyclone" is construed as "the frusto-conical shape of the cyclone assists in keeping the air flow

moving as it makes its way from the air inlet at the top of the cyclone to the smaller cone opening at the bottom of the cyclone."

8. The term "the air inlet being oriented for supplying air tangentially to the surface" is construed as "the air inlet being oriented for supplying air generally in a direction perpendicular to the radius of the surface."

9. The term "a dirt receiving and collecting chamber extending from the cone opening" is construed to have its plain and ordinary meaning.

10. The term "means for generating airflow" is a means plus function term pursuant to 35 U.S.C. s. 112(6). The function of the term is "generating an airflow." The corresponding structure is "a motor driven fan unit positioned vertically above and immediately adjacent to the cyclone outlet port," and all equivalents thereof.

11. The term "a disc means provided on the outside of the cyclone intermediate the receiving chamber and the air outlet of the container and around to the longitudinal axis of the cyclone" is construed as "a disc on the outside of the cyclone intermediate the receiving chamber and air outlet of the container and around the longitudinal axis of the cyclone."

12. The term "a shroud means mounted on and around the outer surface of the cyclone and having opposed ends along the longitudinal axis and providing for outlet air from the container into the air inlet to the cyclone" is construed as "a shroud that provides for outlet air from the container into the air inlet to the cyclone, which is mounted on and around the outer surface of the cyclone and has opposed ends along the longitudinal axis."

13. The term "wherein the shroud means is mounted at one end below the air inlet to the cyclone and extends along the outer surface with the other end at a position intermediate to the cone opening and the air inlet to the cyclone" is construed to have its plain and ordinary meaning.

14. The term "wherein the shroud means has perforations adjacent to the position intermediate to the cone opening for the flow of air from the outer container to the cyclone inlet" is construed to have its plain and ordinary meaning.

15. The term "disc means provided on the shroud means at a lower longitudinal extent of the shroud means and the air inlet of the cyclone and around the axis of the cyclone" is construed to have its plain and ordinary meaning.

16. The term "having a tangential air inlet located at or adjacent the end of the cyclone having the larger diameter" is construed as "having an air inlet generally in a direction perpendicular to the radius of the cyclone located at or adjacent the end of the cyclone having the larger diameter."

D.Del.,2006.

Dyson Technology Ltd. v. Maytag Corp.

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