United States District Court,
S.D. Florida.

HATLIGHT, L.L.C., a Florida Limited Liability Company,
Plaintiff.
v.
HEAD-LITE, L.L.C., an Arizona Limited Liability Company,
Defendant.

No. 03-60173-CIV-HUCK/TURNOFF

Aug. 26, 2003.

Barry L. Haley, Malin Haley Dimaggio Bowen & Lhota, PA, Jacquelyn Suzan Holden, Krupnick Campbell Malone Roselli et al., Fort Lauderdale, FL, for Plaintiff.

Scott Walter Rothstein, Shawn Logan Birken, Rothstein Rosenfeldt Adler, Fort Lauderdale, FL, for Defendant.

MARKMAN HEARING ORDER

HUCK**.**

THIS CAUSE came on before the Court for a *Markman* hearing. FN1 Having considered the pleadings, the contents of U.S. Design Patent No. 426,330 ("the '330 Design Patent"), and its related prosecution history, as well as the background to the invention and the legal memoranda and oral arguments of the parties, and having considered the plain and ordinary meaning of the terms of the patent at issue,

FN1. Markman v. Westview Instruments, Inc., 517 U.S. 370, 372 (1996) ("[T]he interpretation of a so-called patent claim ... is a matter of law reserved entirely for the court.")

IT IS HEREBY ORDERED AND ADJUDGED that the claim and terms of the claim of the '330 Design Patent are hereby construed by the Court as follows:

1. The term "cover-lite" in the claim is not ambiguous, meaning a light or illumination tool designed to be placed inside and used in conjunction with a cover, such as a hat or cap.

2. The '330 Design Patent claim is construed to be the ornamental design for a cover-lite illumination tool as shown and described in figures 1 through 7 of the patent.

Done and ORDERED.

S.D.Fla.,2003.
Hatlight, L.L.C. v. Head-Lite, L.L.C.

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