United States District Court,
M.D. Florida, Orlando Division.

TRIZEN SYSTEMS, INC., a Florida Corporation,
Plaintiff.
v.
SOFTWARE AG, INC., a Foreign Corporation,
Defendant.

No. 6:02-CV-920-ORL-28-JGG

Feb. 12, 2004.

Charles W. Sell, Shuffield Lowman, Jeffrey D. Keiner, Mickey Barkett, Gray Robinson, P.A., Nicolette Corso Vilmos, Broad & Cassel-Orlando, Orlando, FL, Frank A. Hamner, Frank A. Hamner, P.A., Winter Park, FL, for Plaintiff.

Joseph R. Bankoff, Natasha Horne Moffitt, King & Spalding LLP, Atlanta, GA, Richard Lee Barrett, Barrett, Chapman & Ruta, P.A., Orlando, FL, for Defendant.

MARKMAN ORDER

JOHN ANTOON II**, District Judge.**

This cause came on for consideration on Defendant's motion for the construction of various patent claim terms in U.S. Patent No. 6,216,164 B1 ("the '164 Patent"). (Doc. 89). The issues have been fully briefed and an evidentiary hearing was held on January 8, 2004. The following terms are in dispute and require the Court's interpretation:

-> "open socket command"

-> "enabling CICS sockets"

-> "client-server communications protocol."

After considering the written submissions of the parties and hearing oral argument on the matter, it is hereby **ORDERED, ADJUDGED, and DECREED** that the Court construes the disputed claims of the '164 Patent as explained below:

Open Socket Command

The Court finds that "open socket command" as utilized in the '164 Patent is construed as follows:

"**a command from a remote computer via the web server that opens the CICS socket on the mainframe permitting the remote computer to communicate with the mainframe.**" (January 8, 2003 Hearing Transcript, P. 166, L. 20-23).

Enabling CICS sockets

The Court finds that "enabling CICS sockets" as utilized in the '164 Patent is construed as follows:

"**To activate the CICS socket on the mainframe by receipt of an open socket command from a remote computer via the web server so that the CICS transaction can be virtually connected using TCP/IP without necessity for translation.**" (January 8, 2004 Hearing Transcript, P. 160, L. 1-6).

Client-Server Communications Protocol

The Court finds that "client-server communications protocol" as utilized in the '164 Patent is construed as follows:

"**using TCP/IP communications protocol in which the client communicates with the server where the client initiates the communication and the server either accepts or denies the request.**" (January 8, 2004 Hearing transcript at p. 74, L. 17-20).

DONE AND ORDERED this *12* day of Feb., 2004.

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