United States District Court,
N.D. California.

SIMPSON MANUFACTURING CO., INC., and Simpson Strong-Tie Company Inc,
Plaintiffs.
v.
Alfred D. COMMINS, et al,
Defendants.
And Related Counter-Claim,
And Related Counter-Claims.

No. C 03 0115(SBA)

May 26, 2004.

Arthur J. Shartsis, Erick Charles Howard, James P. Martin, Tracy L. Salisbury, Donna Herzing, Tracy A. Donsky, Shartsis Friese & Ginsburg LLP, San Francisco, CA, for Plaintiffs.

Gordon K. Hill, Pate Pierce & Baird, Salt Lake City, UT, Paul Thomas Meiklejohn, Peter Ehrlichman, Dorsey & Whitney LLP, Seattle, WA, T. Scott Tate, Schnader Harrison Segal & Lewis LLP, San Francisco, CA, for Defendants.

ORDER REGARDING CLAIM CONSTRUCTION

SAUNDRA BROWN ARMSTRONG**, District Judge.**

On May 18, 2004, the Court held a *Markman* hearing for the purpose of construing the language of the claims of the two patents-in-suit, U.S. Patent No. 6,390,747 ("the '747 Patent") and U.S. Patent No. 6,585,469 ("the '469 Patent"). Having considered the patents-in-suit, their file history, the pleadings and submissions filed by the parties in advance of the *Markman* hearing, and having heard the arguments presented by the parties at the *Markman* hearing, the Court rules that the claim language shall be construed as follows:

1. "Axially independent" means "free from any engagement that would prevent movement in an axial direction."

2. "Axially restrained" means "limited or restricted from movement in an axial direction."

3. "Sliding motion" means "movement over a surface while maintaining close continuous contact with such surface."

4. "Sliding relation" means "continuous contact between two surfaces."

IT IS SO ORDERED.

N.D.Cal.,2004.
Simpson Mfg. Co., Inc. v. Commins

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