United States District Court,
W.D. Washington, at Tacoma.

ATLANTIC CONSTRUCTION FABRICS, INC., a Virginia corporation; and George E. Logue, Jr., an individual,
Plaintiff.
v.
METROCHEM, INC., a Washington state corporation; Spider Environmental, Inc., a Washington corporation; Roni R. Sasaki; and Derek A. Sasaki,
Defendants.

No. C03-5645FDB

Sept. 21, 2004.

Horace Van Smith, Matthew R. Osenga, Patrick R. Hanes, Williams Mullen, Richmond, VA, John C. Guadnola, Dianne K. Conway, Gordon Thomas Honeywell Malanca Peterson & Daheim, Tacoma, WA, for Plaintiffs.

Matthew C. Phillips, Steven T. Lovett, Stoel Rives LLP, Susan S. Ford, Sussman Shank Wapnick Caplan & Stiles, Portland, OR, Kenneth M. Odza, Vanessa Soriano Power, Stoel Rives, Seattle, WA, for Defendants.

ORDER RE INTERPRETATION OF U.S. PATENT NO. 5,575,925

FRANKLIN D. BURGESS**, District Judge.**

This matter is before the Court for interpretation of certain disputed terms in claims 10 and 11 of U.S. Patent No. 5,575,925 ("the '925 Patent"). After considering the evidence submitted by the parties and hearing oral argument on September 16, 2004, the Court hereby construes the disputed terms in claims 10 and 11 of the '925 Patent as follows:

(1) "Flap(s)"-Material that is an extension of a filter bag sidewall beginning at the top of a filter bag that is located at the internal recess edge of a catch basin sidewall which is used to hold the filter bag in a catch basin and to remove the filter bag from the catch basin.

(2) "The bag sidewalls are adjacent to the catch basin sidewalls"-There is no supporting structure in the interval separating the filter bag material from the catch basin sidewalls.

(3) "Sandwiching ... between"-The bag is held in place by the weight of the grate resting on the flaps.

(4) "Removing the grate"-Moving the grate from its position in the recess of the catch basin.

(5) "Removing the filter bag"-Moving the bag from its position inside the catch basin.

IT IS SO ORDERED.

W.D.Wash.,2004.
Atlantic Const. Fabrics, Inc. v. Metrochem, Inc.

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