United States District Court,
N.D. California.

HOLZ LTD,
Plaintiff(s).
v.
Robert James KASHA, et al,
Defendant(s).

No. C05-0244 BZ

Jan. 18, 2006.

Darien Kenneth Wallace, T. Lester Wallace, Imperium Patent Works, Sunol, CA, for Plaintiff.

Kenneth Brian Wilson, Perkins Coie LLP, San Francisco, CA, KC Waldron, Morrison & Foerster LLP, Stefani Elise Shanberg, Wilson Sonsini Goodrich & Rosati P.C., Palo Alto, CA, for Defendants.

CLAIM CONSTRUCTION ORDER

BERNARD ZIMMERMAN**, United States Magistrate Judge.**

At the request of the parties (Joint Claim Construction and Prehearing Statement [docket document # 34]), the Court construes the following claims:

Claim Terminology Relating to U.S. Patent No. 4,742,753	**Constructions**
"adhesively secured"	secured by adhesive
"affixing"	attaching
"aperture"	hole or opening
"clamp"	a device that tightly or firmly holds or presses parts together (including, for example, holding the clamp to the sheet or multiple pieces of the clamp to one another)
"closed peripherally"	closed around the periphery of
"drumhead"	head of a drum
"comprises a peripheral frame member"	includes a supporting part around the periphery (of the hole or opening)
"marginally of"	at the edge of
"sheet"	a broad, thin, mass or piece of material that need not be flat
"substantially rigid relative to said sheet"	more rigid than the sheet
"tensioning ring"	a ring that tensions

Regarding the claim "substantially reestablishing the integrity", for the reasons discussed at the January 18, 2006, the Court chooses not to construe such claim because the ordinary and customary meaning of the terms is sufficiently clear to a person of skill in the art. *See* Phillips v. AWH Corp., 415 F.3d 1303, 1314 (Fed.Cir.2005)("In some cases, the ordinary meaning of claim language as understood by a person of skill in the art may be readily apparent even to lay judges, and claim construction in such cases involves little more than the application of the widely accepted meaning of commonly understood words.")

IT IS SO ORDERED.

N.D.Cal.,2006.
Holz Ltd. v. Kasha

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