United States District Court,
D. Maryland.

Henry S. KERNIUS, et al,
Plaintiffs.
v.
INTERNATIONAL ELECTRONICS, INC., et al,
Defendants.

March 30, 2007.

Joseph J. Zito, Zito TLP, Washington, DC, for Plaintiffs.

David L. Nocilly, Bond Schoeneck and King PLLC, Syracuse, NY, Jason M. St. John, Saul Ewing LLP, Baltimore, MD, for Defendants.

CLAIM CONSTRUCTION ORDER

RICHARD D. BENNETT**, District Judge.**

For the reasons stated in the foregoing Memorandum Opinion, IT IS this 30th day of March 2007, HEREBY ORDERED that:

1. No further construction of the claim language "call progress detector circuitry for detecting a call waiting signal" is necessary;

2. The claim language "microcontroller set of instructions signals received from the call progress detector circuitry" means "the call progress detector circuitry outputs a signal corresponding to the call waiting signal to recognition circuitry";

3. The claim language "circuitry to recognize a first signal with a duty cycle or cadence coupled with frequency and level indication of a call waiting SAS signal or a distinctive call waiting SAS signal" means "circuitry specifically adapted for 'recognizing' the call waiting tone based on its duty cycle or cadence, frequency, and level."

4. No further construction of the claim language "configured to operate in either the presence or absence of a bandwidth encompassing modem signal" is necessary;

5. No further construction of the claim language "circuitry for performing a mute ... and transferring" is necessary;

6. The claim language "alerting the subscriber for a set period visually or until an acknowledge button is depressed before the set period expires" means "alerting for a specific period of time unless interrupted by

manual intervention"; and

7. The Clerk of the Court shall transmit copies of this Order and the foregoing Memorandum Opinion to counsel of record.

D.Md.,2007.
Kernius v. International Electronics, Inc.

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