

United States District Court,
D. Delaware.

WATERS TECHNOLOGIES CORPORATION, et al,
Plaintiffs.

v.

APPLERA CORPORATION,
Defendant.

No. Civ.A. 02-1285 GMS

June 5, 2003.

ORDER

SLEET, J.

Having considered the submissions of the parties and following oral argument on the matter, IT IS HEREBY ORDERED, ADJUDGED and DECREED that the court construes the disputed claims of U.S. Patent No. 5,304,798 as follows:

1. Claim 1: "a first passageway having an orifice for passing said solution therethrough"

"Passageway" is construed to mean "a structure that permits passage between two places or points."

2. Claim 1: "a first passageway having an orifice for passing said solution therethrough"

"Orifice" is construed to mean "a mouth or opening of the first passageway."

3. Claim 1: "said first passageway having an exit to discharge said solution from said first passageway in the form of an electro spray"

"Electro spray" is construed to mean "a spray of small, electrically charged droplets, which may also include ions, clusters, and/or vapor."

4. Claim 1: "said first passageway having an exit to discharge said solution from said first passageway in the form of an electro spray"

"An exit to discharge said solution" requires no construction.

5. Claim 1: "a voltage source connected to said first passageway orifice"

"Connected" is construed to mean "electrically connected."

6. Claim 1: "an analytical apparatus for measuring charge and mass of ionized molecules"

"An analytical apparatus for measuring charge and mass of ionized molecules" is construed to mean "a mass analyzer which distinguishes ions by nature of their mass-to-charge ratios."

7. Claim 1: "An electrically and thermally conductive housing interposed between said first passageway orifice and said analytical apparatus"

"Housing" is construed to mean "a structure that serves as a wall of the vacuum chamber."

8. Claim 1: "so that said electrospray passes directly from said exit into a heated second passageway in said housing"

"Directly" is construed to mean "without undergoing adiabatic expansion in a vacuum chamber." Otherwise, this phrase requires no construction.

9. Claim 1: "Said housing including said heated second passageway extending through the thickness of said housing to effect conversion of said electrospray to a desol[v]ated ion stream"

"Conversion of said electrospray to a desol[v]ated ion stream" is construed to mean "vaporization of solvent from the electrospray to form an ion stream containing air, droplets, ions, gas, clusters, and/or vapor."

10. Claim 3: "The apparatus of claim 2 wherein said capillary tube is formed of an electrically nonconducting material."

"Said capillary tube is formed of an electrically nonconducting material" requires no construction.

D.Del.,2003.

Waters Technologies Corp. v. Applera Corp.

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