

United States District Court,
D. New Hampshire.

KWENCH SYSTEMS INTERNATIONAL LLC,
Plaintiff.

v.

UPONOR WIRSBO COMPANY,
Defendant.

No. 1:07-CV-221-JM

Sept. 16, 2008.

Alexander J. Walker, Jonathan M. Shirley, Devine Millimet & Branch PA, Manchester, NH, for Plaintiff.

David D. Christensen, Jackson Ho, Michael E. Zeliger, K & L Gates LLP, Boston, MA, for Defendant.

CLAIM CONSTRUCTION ORDER

JAMES R. MUIRHEAD, United States Magistrate Judge.

Whereas Kwench Systems International LLC and Uponor Wirsbo Company have agreed on certain claim constructions, it is hereby ORDERED that the following claim terms in U.S. Patent No. 6,044,911 ("the '911 patent"); U.S. Patent No. 6,241,024 ("the '024 patent"); and U.S. Patent No. 6,422,319 ("the '319 patent") shall have the following meanings:

(a) "plurality"

Construction: two or more

(b) "multiport fitting"

Construction: a structure having a body with an interior cavity and a plurality of ports

(c) "port"

Construction: an opening or aperture to the interior cavity

(d) "conduit"

Construction: pipe or tube

(e) "fluidly coupled",

"fluid communication",

"fluidly connected", or

"fluidly interconnecting"

Construction: a connection through which fluid may pass directly or indirectly

(f) "interconnecting" or

"coupling"

Construction: connecting with each other or others, but not necessarily in direct connection

(g) "fire sprinkler assembly"

Construction: a fire sprinkler

(h) "water network" or

"network"

Construction: two or more conduits interconnecting two or more multiport fittings

(i) "fixture conduit"

Construction: a conduit for connecting to a plumbing fixture

(j) "water supply line",

"water supply conduit", or

"water-supplying conduit"

Construction: a conduit that supplies water

(k) "water supply manifold"

or "water manifold"

Construction: a device having a chamber whereby water enters into the chamber through a single port and exits the chamber through two or more ports

(l) "attachment device"

Construction: a mechanism for securing to the structure

(m) "offset flange having an aperture"

Construction: a projection or protrusion having a surface with a hole

(n) "disposed upon the structure"

or "disposing ... upon a structure"

Construction: attached or attaching to the structure

(o) "water loop"

Construction: two or more conduits joined together to form a loop

(p) "at a predetermined point"

Construction: a point at which a plumbing fixture or a fire sprinkler assembly is connected and in fluid communication with a water loop

(q) "wherein in the fire condition the amount of water is supplied to the fire sprinkler assembly through at least a pair of neighboring water-carrying conduits"

Construction: the water to extinguish a fire is supplied to the fire sprinkler by at least two conduits

(r) "said water-carrying conduits defining a first water path and a second water path away from the water supply conduit ... and a fire sprinkler in fluid communication with the water supply conduit through both the first and second water paths, said fire sprinkler requiring an amount of water during a use thereof, and wherein upon the use of the fire sprinkler, a water flow is established in both of the first and second water paths"

Construction: conduits are arranged so that when a fire sprinkler is activated, water flows from the water supply line to the fire sprinkler through two different routes

(s) "boost pump"

Construction: a pump to increase pressure or to smooth pressure variations

(t) "water release device"

Construction: a sprinkler head, water mist or fog nozzle or other such device used to extinguish fire.

(u) "operatively controlled via an electronic controller"

Construction: an electrically powered device which detects a fire event and thereby controls the functioning of the boost pump

(v) "system"

Construction: the totality of the components that distribute water within the structure. Examples of such components include plumbing fixtures and sprinkler heads, and other components used to distribute water within a structure.

SO ORDERED.

D.N.H.,2008.

Kwench Systems Intern. LLC v. Uponor Wirsbo Co.

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