

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
TRENTON DIVISION

INTERNATIONAL DEVELOPMENT, LLC,) Case No. 3:09-cv-02495-GEB-DEA
a Delaware Limited Liability Company,)
)
Plaintiff,) Courtroom No. 4E
) Clarkson S. Fisher Building
versus) & U.S. Courthouse
) 402 East State Street
SIMON NICHOLAS RICHMOND) Trenton, New Jersey 08608
and ADVENTIVE IDEAS, LLC,)
) November 4, 2010
Defendants.) 10:03 A.M.

TRANSCRIPT OF MARKMAN HEARING
BEFORE HONORABLE GARRETT E. BROWN, JR.
UNITED STATES CHIEF DISTRICT JUDGE

APPEARANCES:

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1 THE COURT: Over time, as opposed to --

2 MR. SHIELLS: Yes.

3 THE COURT: -- instantaneously, i.e. --

4 MR. SHIELLS: Yes, Your Honor.

5 THE COURT: -- turning a switch.

6 MR. SHIELLS: Yes, Your Honor --

7 MR. HILTON: Well, Your Honor, there's nothing --

8 MR. SHIELLS: -- we agree.

9 MR. HILTON: If I may.

10 THE COURT: Yes.

11 MR. HILTON: There's nothing in the claim language
12 that refers to the time in which, what that time period is.

13 THE COURT: Varying means varying. It doesn't
14 instantaneously on, off, or binary.

15 MR. HILTON: That's right.

16 THE COURT: So, I will include --

17 MR. HILTON: But any time you --

18 THE COURT: -- over time or varying.

19 Now, so as to be exposed to light, the real dispute
20 here is what is light? Light, in the context of a solar
21 powered light is obviously sunlight. I don't think the parties
22 disagree with that, do they?

23 MR. HILTON: No, Your Honor.

24 THE COURT: Okay.

25 MR. SHIELLS: Correct, Your Honor.