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 STAN CHIN, individually and dba PRIMOFITNESS

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

13 FITNESS ANYWHERE, INC.,
 14 Plaintiff,
 15 v.
 16 STANLEY YAN, individually and doing
 business as OCEAN-MOON-STAR, et al.,
 17 Defendants.

CASE NO. C09-04815 RS
**ORDER ON STIPULATION
 REGARDING CLAIM
 CONSTRUCTION**
Date: October 13, 2010
Time: 1:30 p.m.
Courtroom 3
Honorable Richard Seeborg

21 The Court, having considered the Stipulation Regarding Claim Construction of Plaintiff
 22 Fitness Anywhere, Inc. ("Plaintiff") and Defendant Stan Chin, individually and dba
 23 PRIMOFITNESS (hereinafter "Defendant"), and good cause appearing therefor,

24 IT IS HEREBY ORDERED that the only remaining disputed claim term, "flat strap"
 25 should be construed as "A strap that is flat, having a surface that is relatively broad in relation to
 26 depth or thickness."

27 IT IS FURTHER ORDERED that because Plaintiff and Defendant have agreed to the
 28 construction of all claim terms of the patent-in-suit, the *Markman* hearing set for 1:30 p.m. on

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ORDER RE: CLAIM CONSTRUCTION
CASE NO. C09-04815 RS.

1 October 13, 2010, is VACATED and taken off of the Court's calendar.

2 IT IS SO ORDERED.

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4 DATED: October 12, 2010



Honorable Richard Seeborg
U.S. DISTRICT COURT JUDGE

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