

## Alexandria Reid

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**From:** ecf-notice@mnd.uscourts.gov  
**Sent:** Friday, August 27, 2021 12:28 PM  
**To:** mndecfnotifications@mnd.uscourts.gov  
**Subject:** Activity in Case 0:20-cv-00358-ECT-HB Oxygenator Water Technologies, Inc. v. Tennant Company Order in Response to Letter/Request/E-mail

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U.S. District Court

U.S. District of Minnesota

### Notice of Electronic Filing

The following transaction was entered on 8/27/2021 at 12:28 PM CDT and filed on 8/27/2021

**Case Name:** Oxygenator Water Technologies, Inc. v. Tennant Company

**Case Number:** [0:20-cv-00358-ECT-HB](#)

**Filer:**

**Document Number:** 250(No document attached)

#### Docket Text:

**(Text-Only) ORDER in Response to [247] Letter to District Judge. Plaintiff Oxygenator Water Technologies, Inc. has filed a letter [247] seeking permission to file a motion to reconsider the construction of the term "tubular housing." Oxygenator's request is DENIED. Oxygenator's request is grounded on an interpretation of the opinion and order on claim construction [162] that is not correct. As Oxygenator describes it, the opinion and order reflects the Court's understanding that only circles have radii." Letter at 1. The opinion and order does not conclude that a "radius" may only exist in a circle, as opposed to other geometric shapes. Rather, "radius" is one word among other "words that are associated with circles." Op. and Order at 36. Further, several considerations beyond the word "radius" supported the construction of "tubular housing." It also merits observing that accepting the submission of additional evidence and argument that could have been presented earlier risks inviting the re-litigation of claim-construction issues in a way that would undermine the judicial process. For all these reasons, compelling circumstances do not support Oxygenator's request. Ordered by Judge Eric C. Tostrud on 8/27/2021.(RMM)**

**0:20-cv-00358-ECT-HB Notice has been electronically mailed to:**

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