

lululemon athletica inc. et al. v. Nike, Inc.
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From the second edition (1989):

continuous, *a.*

(kən'tɪnju:əs) [f. L. *continu-us* hanging together, uninterrupted (f. *contin-ēre* in intr. sense 'to hang together,' etc.) + -OUS.]

1. a. Characterized by continuity; extending in space without interruption of substance; having no interstices or breaks; having its parts in immediate connexion; connected, unbroken.

1673 GREW *Anat. Plants* ii. iii. §3 It is Compounded of two Bodies. The one Parenchymous; Continuous throughout; yet somewhat Pliable without a solution of its Continuity. **1704** NEWTON *Optics* ii. ii. (1782) IV. 148 The dark intervals must be diminished, until the neighbouring rings become continuous, and are blended. **1795** SOUTHEY *Joan of Arc* vii. 6 Round the city stretch'd Their line continuous, massy as the wall Erst by the fearful Roman..raised. **1859** DARWIN *Orig. Spec.* xii. (1873) 320 In most cases the area inhabited by a species is continuous. **1879** LOCKYER *Elem. Astron.* vi. 228 If we light a match and observe its spectrum, we find that it is continuous—that is, from red through the whole gamut of colour to the visible limit of the violet. **1881** MAXWELL *Electr. & Magn.* I. 6 Without describing a continuous line in space.

b. In unbroken connexion *with*; joined continuously *to*; forming one mass *with*.

1692 RAY *Dissol. World* xi. v. (1732) 207 Anciently continuous with Malacca. **1700** S. PARKER *Six Philos. Ess.* 95 The Superficies whereto it was continuous, etc. **1879** G. C. HARLAN *Eyesight* ii. 25 The mucous membrane of the eye is continuous with the skin.

†**c.** *fig. Obs.*

1642 FULLER *Holy & Prof. St.* iv. iii. 252 They were so contiguous and near in kinred, they might not be made continuous (one flesh) in marriage.

2. a. Of immaterial things, actions, etc.: Uninterrupted in time, sequence, or

essence; going on without interruption; connected, unbroken.

1751 HARRIS *Hermes* ii. (1841) 187 Continuatives...consolidate sentences into one continuous whole. **1832** Nat. Philos., *Electro-Magnet*. xi. §176. 60 (Useful Knowl. Soc.) The currents transmitted by perfect conductors are continuous; that is, their intensity is either constant, or varies insensibly during two consecutive instants. **1867** SMYTH *Sailor's Word-bk.*, *Continuous service men*, those seamen who, having entered for a period, on being paid off, are permitted to have leave, and return to the flag-ship at the port for general service. **1867** FREEMAN *Norm. Conq.* I. App. (1876) 700 A continuous siege of six months. **1875** JOWETT *Plato* (ed. 2) V. 131 The power of abstract study or continuous thought is very rare. **1878** TAIT & STEWART *Unseen Univ.* vii. §215 Which will explain the continuous life of the universe as well as its continuous energy.

b. Gram. Of verb tense-forms or aspect: denoting continuous action (see quotes.). Cf. EXPANDED *ppl.* *a.* 2b and PROGRESSIVE *a.* 3h.

1887 N.E.D. s.v. *be* v., B 15 With the present participle, forming continuous varieties of the tenses. **1892** H. SWEET *New Eng. Gram.* I. 102 Long tenses may be either *continuous* or *recurrent*, denoting repetition, habit, etc. Thus we have a continuous present in *he lives in the country*, a recurrent present in *he goes to Germany twice a year*. **1898** J. C. NESFIELD *Eng. Gram.* v. 58 Continuous [tense]...denotes that the event (in Present, Past, or Future time) is still *continuing*, and is not yet completed; as, 'I am loving', 'I was loving', 'I shall be loving'. **1904** C. T. ONIONS *Advanced Eng. Syntax* 112 When a Continuous Tense refers to a period of action, it often implies habit, e.g. 'I shall be dining alone all week'. **1947** W. S. ALLEN *Living Eng. Struct.* 79 It might...be shown that as a continuous tense describes an action as it is taking place, the Present Continuous is the only real present tense we have in English. **1965** F. R. PALMER *Linguistic Study Eng. Verb* iv. 59 Every second pair in the paradigm...is progressive. There is no obvious name for the category... The terms 'continuous' and 'non-continuous' are sometimes used. **1985** R. QUIRK et al. *Comprehensive Gram. Eng. Lang.* 197 The *progressive aspect* (sometimes called the *durative* or *continuous aspect*) indicates a happening *in progress*.

3. technically. continuous assessment (Educ.), the evaluation of a pupil's progress throughout the course of study, based on course-work as well as, or instead of, examinations; see also ASSESSMENT 5b; *continuous brake*, a continuous series of carriage brakes controlled from one point, acting upon every carriage or wheel in a train; *continuous consonants*, those which are capable of prolonged enunciation (opposed to *explosive*); *continuous creation*, creation viewed as being a continuous process and not a single act at a particular time; *spec.* the view that the universe is in a steady state, new systems being formed continually to replace those that disappear; *continuous-flow*, used *attrib.* designating a system, device, etc., in which a fluid or other material flows continuously; *continuous function* (Math.), a function that varies continuously, and whose differential coefficient therefore never becomes infinite; *continuous impost*: see IMPOST; *continuous kiln* (see quot. 1910); *continuous miner* (see quot. 1967); *continuous process*, an industrial process which operates without interruption (opp. *batch process*); *continuous spectrum*, 'a spectrum not broken by bands or lines, but having the colors shaded into each other continuously, as that from an incandescent solid or liquid, or a gas under high pressure' (Webster 1890) (cf. quot. 1879 for sense 1a above); *continuous stationery* (see quot. 1942); *continuous stem* (Bot.), one without articulations; *continuous style*, in Gothic Architecture, a style in which the mullions of a window are continued in the tracery, as distinguished from the geometrical style of earlier Gothic; *continuous tone* (see quot. 1968); *continuous*

variation, in *Biol.* (see quot. 1961); *continuous voyage*, a voyage which, though interrupted by stops at ports or otherwise, is regarded as a single voyage in reference to the purpose for which it was undertaken (e.g. the consignment of goods or materials); *continuous wave*, an electromagnetic (esp. radio) wave having constant amplitude and intensity; also *attrib.*

1959 *15 to 18: Rep. Cent. Advisory Council for Educ. (Eng.)* (Ministry of Educ.) I. xxv. 281 Some Institutes of Education are using analogous methods of *continuous assessment instead of examinations. **1973** *Scotsman* 13 Feb. 9/3 Continuous assessment makes up 55 per cent of gradings, exams 45 per cent. **1984** FRITH & MACINTOSH *Teacher's Guide to Assessment* i. 28 Continuous assessment—a continuous updating of judgements about a pupil's performance. **1883** *Stubbs' Mercantile Circ.* 26 Sept. 862/2 The use of *continuous brakes on their several lines [of railway]. [**1850** LATHAM *Eng. Lang.* (ed. 3) 144 Now *b, p, t*, etc. are explosive, *f, v*, etc. continuous.] [**1895** G. MACDONALD *Lilith* vi. 35 The still face might be a primeval perfection; the live eyes were a continuous creation.] **1941** C. SINGER *Short Hist. Sci.* v. 140 Averroes believed, not in a single act of creation, but in a *continuous creation. **1950** F. HOYLE *Nature of Universe* v. 107 With continuous creation the apparent contradiction between the expansion of the Universe and the requirement that the background material shall...condense into galaxies is completely overcome. **1956** *Ann. Reg. 1955* 397 The distribution of radio-stars favoured evolutionary theories of cosmology rather than more recent theories of continuous creation. **1958** *New Biol.* XXV. 93 The oxidation tanks were run on the *continuous-flow principle, with recirculation of a portion of the effluent to inoculate the influent. **1965** *Gloss. Aeronaut. Terms (B.S.I.)* §17 p. 3 *Continuous flow oxygen system*, an oxygen system in which the oxygen flows during both inspiration and expiration. **1890** *Sci. Amer.* 11 Jan. 21/3 (heading) A *continuous brick kiln. **1901** *Notes on Building Construction* (ed. 5) III. iii. 193 Tunnel kilns, called also Continuous, 'Running', 'Perpetual', or 'Draw-Kilns'. **1910** *Encycl. Brit.* IV. 520/1 Brick-kilns...can all be grouped under two main types—Intermittent kilns and Continuous kilns. *Ibid.* 520/2 The 'continuous' kiln...is really made up of a number of separate kilns or firing-chambers, built in series and connected...in such a manner that the products of combustion from one kiln may be made to pass through a number of other kilns before entering the flue. **1958** A. NELSON *Methods of Working* v. 61 Further studies by mining engineers...led to the design and development of machines which combined the operations of cutting, breaking and loading the coal... These combined machines are popularly known as '*continuous miners'. **1967** *Gloss. Mining Terms (B.S.I.)* viii. 9 *Continuous miner*, a machine used mainly for the cutting and loading of coal or other mineral in mine entries or narrow places. **1909** *Daily Chron.* 11 June 7/2 Everything being on the automatic and *continuous-process principle. **1922** *Encycl. Brit.* XXXI. 389/1 The case which appears to have presented most difficulty in national legislation is the *continuous process*. **1954** [see BATCH n.¹ 7]. **1961** *Times* 22 Nov. 21/6 Many chemical plants, especially the continuous-process type, need very precise adjustment. **1902** *Encycl. Brit.* XXXII. 124/2 Fluorescent radiation, showing a *continuous or banded spectrum, can be excited in many gases and vapours. **1942** H. A. MADDOX *Dict. Stationery* (ed. 2) 26 **Continuous Stationery*, a modern form of mechanical accounting stationery in which the sheets are of continuous length, sometimes folded concertina fashion. **1959** *B.S.I. News* Dec. 15 The sizes do not necessarily apply to continuous stationery. **1970** *Brit. Printer* June 76 Continuous stationery for computers is one of the fastest-growing specialisations in printing. [**1866** *Treas. Bot.* 325 A stem is said to be continuous which has no joints.] **1849** FREEMAN *Archit.* 379 There is also a tendency...throughout the *Continuous style, to extend the ornamental stonework. **1933** C. W. GAMBLE *Mod. Illustration Processes* vii. 125 We may take...an artist's drawing of a landscape of washes of black pigment upon white paper...as representing a drawing in '*continuous' tone. **1967** E. CHAMBERS *Photolitho-offset* iv. 43 With the indirect method the first negatives are made as formerly and they may be in continuous-tone or in dot formation. **1968** *Gloss. Terms Offset Lithogr. Printing (B.S.I.)* 10 *Continuous tone*, an image in which tonal gradation is

produced by changes in density. **1894** W. BATESON *Study of Variation* 18 The fact that *Continuous Variations exist is also none the less a fact. **1961** WEBSTER, *Continuous variation*, variation in which a series of intermediate types connects the extremes. **1806** C. ROBINSON *Rep. Cases Crt. Admir. V.* 365 *marg.*, *Continuous voyage in the colonial trade of the enemy. **1808** *Ibid.* VI. App. note ii, That branch of the colonial principle which relates to continuous voyages. **1902** *Encycl. Brit.* XXXI. 130/2 If the ultimate destination of goods, though shipped first to a neutral port, is enemy's territory, then, according to the 'doctrine of continuous voyages', the goods may be treated as if they had been shipped to the enemy's territory direct. **1911** A. B. SMITH *Mod. Amer. Telephony* xxv. 663 If it were possible to produce *continuous waves for wireless telegraphy. **1920** H. M. DOWSETT *Wireless Telegr.* iv. 70 Continuous wave transmitters. *Ibid.* 92 Any other long-distance continuous wave system. **1933** J. H. MORECROFT *Princ. Radio Communication* (ed. 3) vii. 775 Tube *B* acts as oscillator and detector (self-heterodyne) for reception of continuous-wave signals. **1951** [see *automatic direction finder*].

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