

## Federal Circuit Patent Bulletin: *Imaginal Systematic, LLC v. Leggett & Platt, Inc.*

November 12, 2015

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On November 10, 2015, in *Imaginal Systematic, LLC v. Leggett & Platt, Inc.*, the U.S. Court of Appeals for the Federal Circuit (Moore Schall, O'Malley\*) affirmed the district court's summary judgment that Leggett & Platt, Inc. did not infringe U.S. Patent No. 7,222,402, which related to a process for building box springs. Imaginal had previously sued L&P and Simmons for infringing the '402 patent and U.S. Patents No. 6,935,546 and No. 7,467,454. The Federal Circuit stated:

After the First Lawsuit, L&P redesigned the TopOff Machines by removing the positioning software and mechanical devices—called "gripper feet"—that were used in the Original TopOff Machines to control alignment. In their place, the Redesigned TopOff Machines use the Cognex System, which the district court explained "is a computer system that uses an optical sensor to control the movement of both a gripper carriage on which a wood frame and one grid of modules are placed, and the stapling device." . . . Imaginal filed suit in this case alleging infringement based on L&P and Simmons' use of the Original TopOff Machines during the redesign period, and later asserted infringement based on their use of the Redesigned TopOff Machines. [T]he district court determined that the Redesigned TopOff Machines do not infringe the '402 Patent. [T]he district court concluded that "vision guidance system" is a "system that uses a vision or sight based method to control or direct the movement or direction of something." . . . The "undisputed evidence" of record showed that the Cognex system used in the Redesigned TopOff Machines is a "vision guidance system." Because Claim 1 expressly limits the method to one that moves the fastening tool without the use of a vision guidance system, the court found that the Redesigned TopOff Machines do not satisfy element 7 of Claim 1. . . .

Claim construction begins with the language of the claims themselves. The words of a claim are generally given their ordinary and customary meaning, which is the meaning that the term would have to a person of ordinary skill in the art at the time of the invention. The claims "must be read in view of the specification, of which they are a part." We have said that the specification "is always highly relevant to the claim construction analysis. Usually, it is dispositive; it is the single best guide to the meaning of a disputed term." Although the claims must be read in light of the specification, we have emphasized that it is important to "avoid importing

limitations from the specification into the claims.” . . .

Nothing in the claim language purports to restrict the term “vision guidance system” to one particular system. Indeed, the claim uses the term generically, referring to “a” vision guidance system—meaning one or more—rather than a specific system. . . . This court has repeatedly “cautioned against limiting the claimed invention to preferred embodiments or specific examples in the specification.” . . . There is simply no support for Imaginal’s attempts to narrow the negative claim limitation so that it disclaims only one particular vision guidance system. The fact remains that the patentee could have specifically disclaimed a particular vision guidance system disclosed in the ’789 Patent, but did not do so.

“[W]hen construing claim terms, courts can rely on dictionaries “so long as the dictionary definition does not contradict any definition found in or ascertained by a reading of the patent documents.” The ’402 Patent does not expressly define “vision guidance system.” To determine the ordinary meaning of the words, the district court looked to the dictionary definitions of “vision” and “guidance.” Citing the same dictionary Imaginal relied upon in its briefing, the district court explained that “vision” means “the ability to see: sight or eyesight” and “guidance” means “the act of directing or controlling the path or course of something.” The court then looked at definitions of the words “path” and “course”: a “course” is a “path or direction that something or someone moves along,” and a “path” is a “continuous series of positions or configurations that can be assumed in any motion.” Taking these terms together, the court construed “vision guidance system” to mean a “system that uses a vision or sight based method to control or direct the movement or direction of something.” . . . Imaginal’s objection to the court’s use of the term movement is unfounded.