

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

Vitronics Corporation v. Conceptronic, Inc.

90 F.3d 1576 (Fed. Cir. 1996) · No. 96-1058 · Decided July 25, 1996

SUMMARY

The United States Court of Appeals for the Federal Circuit reviewed the construction of the patent claim term "solder reflow temperature" in a patent-infringement action involving reflow soldering ovens. The court held that the intrinsic evidence required construing the term to mean peak reflow temperature rather than liquidus temperature, reversed the judgment of no infringement as a matter of law, and remanded for further proceedings.

CASE DETAILS

COURT	United States Court of Appeals for the Federal Circuit
WRITING FOR THE COURT	Michel, Circuit Judge; Lourie, Circuit Judge; Friedman, Senior Circuit Judge
JURISDICTION	Federal
DECIDED	July 25, 1996
DOCKET	96-1058
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Vitronics appealed from the district court's judgment as a matter of law that Vitronics failed to prove infringement of claim 1 of U.S. Patent No. 4,654,502.
STANDARD OF REVIEW	Claim construction is a question of law reviewed de novo. The appellate court may not weigh substantial but conflicting evidence in determining infringement when the district court has not decided the issue.
PRECEDENTIAL VALUE	Published precedential Federal Circuit opinion.
PARTIES	Vitronics Corporation v. Conceptronic, Inc.

TOPICS

- patent law
- patent infringement
- evidence
- appellate procedure
- standard of review

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether claim 1 of the '502 patent uses "solder reflow temperature" to mean peak reflow temperature rather than liquidus temperature.
2. Whether the district court improperly relied on extrinsic evidence to construe the claim term despite the claim and specification providing a clear meaning.
3. Whether the Federal Circuit could affirm the judgment of non-infringement on an alternative evidentiary ground that had not been decided by the district court.

HOLDINGS

1. In claim 1 of the '502 patent, "solder reflow temperature" means the peak reflow temperature, not the liquidus temperature.
2. Courts should first examine intrinsic evidence, including the claims, specification, and prosecution history, to determine claim meaning; when that evidence unambiguously resolves the meaning, reliance on extrinsic evidence to alter or contradict it is improper.
3. The judgment of non-infringement as a matter of law must be reversed because, under the proper construction, the '502 patent may have been infringed.

KEY QUOTATIONS

"The specification acts as a dictionary when it expressly defines terms used in the claims or when it defines terms by implication." (paragraph 32)

"The prosecution history limits the interpretation of claim terms so as to exclude any interpretation that was disclaimed during prosecution." (paragraph 33)

"In those cases where the public record unambiguously describes the scope of the patented invention, reliance on any extrinsic evidence is improper." (paragraph 34)

"However, as we have recently re-emphasized, extrinsic evidence in general, and expert testimony in particular, may be used only to help the court come to the proper understanding of the claims; it may not be used to vary or contradict the claim language." (paragraph 39)

FACTUAL BACKGROUND

Vitronics and Conceptronic manufactured ovens for reflow soldering surface-mounted devices to printed circuit boards. Vitronics's '502 patent claimed a multizone oven process requiring the devices to remain below the solder reflow temperature while the solder reached that temperature. The parties stipulated that Conceptronic's HVC ovens met all claim 1 limitations except the nonfocused infrared panel-emitter limitation and the requirement that device temperatures remain below the solder reflow temperature. The dispute centered on whether "solder reflow temperature" meant the peak reflow temperature or the lower liquidus temperature.

PROCEDURAL HISTORY

Vitronics sued Conceptronic for infringement of the '502 and '301 patents. A jury returned a verdict of non-infringement as to the '301 patent, which Vitronics did not appeal. Regarding claim 1 of the '502 patent, the district court construed "solder reflow temperature" to mean 183 degrees C, granted judgment as a matter of law for Conceptronic after Vitronics conceded that it had not proved infringement under that construction, and entered judgment of non-infringement. The Federal Circuit reversed the claim construction and judgment and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The district court must conduct further proceedings consistent with the Federal Circuit's construction of "solder reflow temperature" as peak reflow temperature and address the unresolved infringement issues without the appellate court weighing the conflicting evidence in the first instance.

CASES CITED

- Markman v. Westview Instruments, Inc., 52 F.3d 967, 976, 979-83 (Fed. Cir. 1995), aff'd, 517 U.S. 370 (1996)
- Hormone Research Found., Inc. v. Genentech, Inc., 904 F.2d 1558, 1562-63 (Fed. Cir. 1990), cert. dismissed, 499 U.S. 955 (1991)
- Bell Communications Research, Inc. v. Vitalink Communications Corp., 55 F.3d 615, 620 (Fed. Cir. 1995)
- Hoechst Celanese Corp. v. BP Chems. Ltd., 78 F.3d 1575, 1578, 1581 (Fed. Cir. 1996)
- Graham v. John Deere Co., 383 U.S. 1, 33 (1966)
- Southwall Tech., Inc. v. Cardinal IG Co., 54 F.3d 1570, 1576-78 (Fed. Cir. 1995)
- Autogiro Co. of America v. United States, 181 Ct. Cl. 55, 384 F.2d 391, 399 (1967)
- Pall Corp. v. Micron Separations, Inc., 66 F.3d 1211, 1216 (Fed. Cir. 1995)
- Senmed, Inc. v. Richard-Allan Medical Industries, Inc., 888 F.2d 815, 819 n.8 (Fed. Cir. 1989)
- Kearns v. Chrysler Corp., 32 F.3d 1541, 1547 (Fed. Cir. 1994)
- Modine Manufacturing Co. v. United States International Trade Commission, 75 F.3d 1545, 1550 (Fed. Cir. 1996)