

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

United States District Court
Central District of California

JOHNSON SAFETY, INC.,
Plaintiff,

v.

VOXX INTERNATIONAL
CORPORATION; VOXX
ELECTRONICS CORPORATION; and
INVISION AUTOMOTIVE SYSTEMS
INC.,
Defendants.

Case No 5:14-cv-02591-ODW(DTB)

CLAIM CONSTRUCTION ORDER
U.S. PATENT NO. 6,871,356
U.S. PATENT NO. 7,267,402
U.S. PATENT NO. 7,448,679
U.S. PATENT NO. 7,379,125
U.S. PATENT NO. 5,775,762
U.S. PATENT NO. 7,050,124
U.S. PATENT NO. 7,245,274
U.S. PATENT NO. 6,678,892
U.S. PATENT NO. 7,839,355

I. INTRODUCTION

This case involves several patents, owned and/or licensed by either Plaintiff Johnson Safety, Inc. (“Johnson”) or Defendants Voxx International Corporation, Voxx Electronics Corporation, and Invision Automotive Systems, Inc. (collectively, “Voxx”). (Compl. ¶¶ 7—23, ECF No. 1; Countercompl. ¶¶ 17—36, ECF No. 42.)

1 Both Johnson and Voxx are in the consumer vehicle electronics market. (*See* Compl.
2 ¶¶ 1, 17—23; Countercompl. ¶¶ 1, 17—36.) The patents at issue cover video systems
3 for vehicles, which are embedded in the front seat headrests or hang from the ceiling.
4 (*See id.*) The parties dispute fifteen terms (five within Johnson’s patents, and ten
5 within Voxx’s patents) that they have agreed are “significant,” and they list an
6 additional eight “less significant” disputed terms. (Joint Claim Chart (“JCC”), ECF
7 No. 74). For purposes of claim construction, and in accord with this Court’s Patent
8 Standing Order (ECF No. 54), the Court will construct only the terms labeled
9 “significant” in the JCC.

10 All of the patents at issue cover vehicle electronics, specifically video systems
11 and monitors affixed to a car ceiling or headrest. (*See* Compl. ¶¶ 7—23;
12 Countercompl. ¶¶ 17—36.) The types of electronics products that the patents cover
13 can be broken down into three categories: Headrest Patents, Overhead Patents, and
14 Portable/Non-Specified System Patents.

- 15 • The Headrest Patents include: Johnson’s Patent Nos. 6,871,356
16 (“the ’356 patent”), 7,267,402 (“the ’402 patent”), and
17 7,448,679 (“the ’679 patent”), and Voxx’s Patent Nos.
18 7,245,274 (“the ’274 patent”) and 7,839,355 (“the ’355
19 patent”);
- 20 • The Overhead Patents include: Johnson’s Patent No. 7,379,125
21 (“the ’125 patent”) and Voxx’s Patent No. 5,775,762 (“the ’762
22 patent”); and
- 23 • The Portable/Non-Specified System Patents include: Voxx’s
24 Patent Nos. 7,050,124 (“the ’124 patent”) and 6,678,892 (“the
25 ’892 patent”).

26 In the interest of brevity, and due to the number of claims to be constructed, each
27 patent’s background is detailed within the analysis section below.

28 In short, both parties (Defendants, collectively, and Johnson) allege that the

1 other is selling products that infringe on its patents. (See Compl. ¶¶ 30—125;
2 Countercompl. ¶¶ 38—196.) On October 28, 2016, the Court held a claim
3 construction hearing on the disputed terms that the parties have deemed significant.
4 For the reasons discussed below, the Court adopts the described constructions outlined
5 herein.

6 II. LEGAL STANDARD

7 Claim construction is an interpretive issue “exclusively within the province of
8 the court,” and it begins with an analysis of the claim language itself. *Markman v.*
9 *Westview Instruments, Inc.*, 517 U.S. 370, 372 (1996).

10 A. Claim Construction Generally

11 Claims are to be interpreted from the perspective of a person of ordinary skill in
12 the art. *Phillips v. AWH Corp.*, 415 F.3d 1303, 1313 (Fed. Cir. 2005). That “person
13 of ordinary skill” is deemed to read the claim term in two contexts: the context of the
14 claim in which the term appears and the context of the entire patent. *Id.* Accordingly,
15 claims must be read in light of the specification, which is “always highly relevant to
16 the claim construction analysis.” *Id.* at 1315 (internal quotations omitted).

17 However, the general rule is that limitations from the specification must not be
18 imported into the claims. *Comark Commc’ns, Inc. v. Harris Corp.*, 156 F.3d 1182,
19 1186-87 (Fed. Cir. 1998). “[T]he line between construing terms and importing
20 limitations can be discerned with reasonable certainty and predictability if the court’s
21 focus remains on understanding how a person of ordinary skill in the art would
22 understand the claim terms.” *Phillips*, 415 F.3d at 1323.

23 The “ordinary and customary meaning” of the words of a disputed claim is at
24 the heart of claim construction. *Phillips*, 415 F.3d at 1312-13 (internal quotations and
25 citations omitted). But in two situations, the “ordinary and customary” meaning of the
26 terms is superseded: 1) when a patentee sets out a definition and acts as its own
27 lexicographer; or 2) when the patentee disavows the full scope of a claim term either
28

1 in the specification or during prosecution. *Thorner v. Sony Computer Entm't Am.*
2 *LLC*, 669 F.3d 1362, 1365 (Fed. Cir. 2012).

3 “To act as its own lexicographer, a patentee must ‘clearly set forth a definition
4 of the disputed claim term’ other than its plain and ordinary meaning.” *Id.* Disavowal
5 occurs “[w]here the specification makes clear that the invention does not include a
6 particular feature.” *Id.* at 1366. “[T]hat feature is [then] deemed to be outside the
7 reach of the claims of the patent, even though the language of the claims, read without
8 reference to the specification, might be considered broad enough to encompass the
9 feature in question.” *Id.*

10 **B. Special Rules Regarding 35 U.S.C. § 112¶6**

11 Means-plus-function claims are a particular class of claims, and they are
12 governed by 35 U.S.C. § 112¶6. Section 112¶6 provides that the scope of a claim
13 expressing a means or step for accomplishing something covers the structure,
14 material, or acts (and equivalents thereof) in the claim language that correspond with
15 the means in the patent’s specification. If § 112¶6 does apply, then the claim is
16 limited to the embodiments in the specification and equivalents thereof. *See Philips*,
17 415 F.3d at 1303.

18 The first step in the analysis is to determine whether § 112¶6 actually applies to
19 the claim at issue; it applies only to claims that describe a function without defining
20 the structure with which to carry out the function. *DePuy Spine, Inc. v. Medtronic*
21 *Sofamor Danek, Inc.*, 469 F.3d 1005, 1023 (Fed. Cir. 2006). If the word “means”
22 appears in a claim element in association with a function, a rebuttable presumption
23 arises that §112¶6 applies. *Callicrate v. Wadsworth Mfg., Inc.*, 427 F.3d 1361, 1368
24 (Fed. Cir. 2005). If the claim term lacks the word “means,” the term will be construed
25 under § 112¶6 only if the “challenger demonstrates that the claim fails to recite
26 sufficiently definite structure or else recites function without reciting sufficient
27 structure for performing that function.” *Williamson v. Citrix Online LLC*, 792 F.3d
28 1339, 1349 (Fed. Cir. 2015). In other words, if the claim does not include the word

1 “means,” then the challenger wishing to construe under § 112¶6 must show that the
2 structure described in the claim is too indefinite. *See id.* The overall inquiry is
3 whether the claim term, in the context of the broader claim language, suggests a class
4 of *specific* structures. *Id.* If it does, then the term should *not* be construed under §
5 112¶6. *Id.*

6 The second step, once it is determined that § 112¶6 applies, is interpretation.
7 *See JW Enters., Inc. v. Interact Accessories, Inc.*, 424 F.3d 1324, 1330 (Fed. Cir.
8 2005). The first facet of interpretation is that the court must identify the function of
9 the claim term. *Id.* After identifying the claimed function, the court must then
10 identify the corresponding structure by looking at the specification. *Callicrate*, 427
11 F.3d at 1369. All structures in the specification corresponding to the claimed function
12 are relevant; it is an error to limit the structure to just the preferred embodiment. *Id.*
13 If the specification does not provide corresponding structure for the claimed function,
14 then the claim is invalid as indefinite. *Williamson*, 792 F.3d at 1352.

15 In addition to the structures, materials, or acts of the embodiments described in
16 the patent’s specification, the patentee is also entitled to “equivalents thereof” as of the
17 time the patent was issued. *See Palumbo v. Don-Joy Co.*, 762 F.2d 969 (Fed. Cir.
18 1985). However, the “equivalents” issue arises in the context of the infringement
19 determination; thus, whether something constitutes an equivalent is a question of fact
20 for the jury. *Id.*

21 III. DISCUSSION

22 Below, the Court constructs each of the “significant” terms in the order they appear
23 in the JCC.

24 A. The ’356 Patent

25 The ’356 Patent discloses headrest mounted video systems with two major
26 components: a housing and a display that folds into and out of the housing. (*See*
27 *generally* the ’356 Patent, Pl. Opening Br., Ex. A, ECF No. 73). The folding function
28 of the screen allows the viewer to adjust the tilt of the screen. (*Id.*) The location of

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.