

AMDOCS (ISRAEL) LTD. v. OPENET TELECOM, INC., Appeal No. 2013-1212 (Fed. Cir. August 1, 2014). Before Newman, Clevenger and Reyna. Appealed from E.D. Va. (Judge Brinkema).

Background:

Amdocs sued Openet for infringement of four patents directed to data mediation software. Amdocs' patents included disputed claim limitations (common to all asserted claims) regarding "enhancing" or "completing" the data mediation "in a distributed fashion" and to a "single record represent[ing] each of the plurality of services."

The District Court construed "enhance" to mean "to apply a number of field enhancements in a distributed fashion" and that "distributed" means that the network usage records are processed close to their sources before being transmitted to a centralized manager. The District Court construed "completing" to mean to "enhance a record until all required fields have been populated." The District Court additionally construed a "single record" to mean "one record that includes customer usage data for each of the plurality of services used by the customer on the network." The District Court held that there was no evidence Openet's software included the required enhancement, and granted summary judgment of no infringement of three of the four patents on this basis. The District Court also granted summary judgment of no infringement on the fourth patent because Openet's software did not meet the single record limitation. Amdocs appealed.

Issue/Holding:

Did the district court err in granting summary judgment of non-infringement? Yes, reversed and remanded.

Discussion:

Amdocs argued that including "in a distributed fashion" in the construction of "enhance" is an impermissible importation of limitations from the specification into the claims. However, the Federal Circuit pointed out that the specification "repeatedly recites the advantages of distributed enhancement." Thus, the Federal Circuit affirmed the claim construction of "enhance" to "apply to a number of field enhancements in a distributed fashion." Additionally, because Amdocs did not challenge the District Court's construction of "completing," the Federal Circuit also affirmed the claim construction of "completing."

With respect to "single record," because the specification shows that the separate record can represent a plurality of records by aggregation, the ordinary artisan would also understand that a separate record can represent a plurality of services by aggregation. A plain meaning interpretation is thus proper. Accordingly, the Federal Circuit vacated the District Court's claim construction of this term.

The Federal Circuit vacated the summary judgment on three of the four patents, finding that the documentary evidence raised a genuine issue of material fact as to whether Openet's software included the enhancement limitation. The Federal Circuit also vacated summary judgment on the fourth patent because the summary judgment was based on the erroneous construction of the single record limitation.