

WORLD CLASS TECH. CORP. v. ORMCO CORP., Appeal Nos. 2013-1679, 2014-1692 (Fed. Cir. October 20, 2014). Before Prost, Taranto, and Hughes. Appealed from D. Or. (Judge Acosta).

Background:

World Class Tech. (WCT) sued Ormco as a declaratory judgment plaintiff seeking a declaration of noninfringement of a patent relating to a bracket for orthodontic braces. The district court construed the claim term "support surface" to mean a surface that at least partially supports and guides a slide during movement between open and closed positions. Based on this construction, the parties stipulated to non-infringement and Ormco appealed.

Issue/Holding:

Is the district court's construction of the term "support surface" wrong? No, affirmed.

Discussion:

Ormco challenged the district court's construction arguing that the patent claim does not require the support surface to play any role during sliding until the point where the slide moves into the closed position. Ormco further argued that the claimed "ledge" and "support surface" can serve the same roles and that the ledge can support the slide during sliding. The Federal Circuit acknowledged that the patent claim language does not clearly define whether the slide must be supported by the support surface at the beginning of the sliding movement or only at the end of the sliding movement. The Court turned to the specification to resolve the ambiguity.

The patent specification states that purpose of the support surface configuration is to avoid contact with the patient's gums. The Court reasoned that under Ormco's broad interpretation of the claim language, there would be no issue of interfering with the patient's gums and thus Ormco's proposed broad construction of "support surface" is unmoored from the description of the invention. The Court also noted that the patent specification states that the support surface defines a "translation plane" along which the slide moves, and does not describe any configurations where the slide does not slide along the support surface.

The Federal Circuit further stated that the use of different claim terms for "support surface" and "ledge" suggest that the structures serve different roles. The Court noted that the specification sharpens this distinction because it links the support surface with slide movement, whereas the ledge is not linked to movement of the slide. The Court found that the specification thus clarifies the ambiguities in the claim language and that the district court's claim construction is aligned with the description of the invention. The Federal Circuit therefore affirmed the district court's decision.

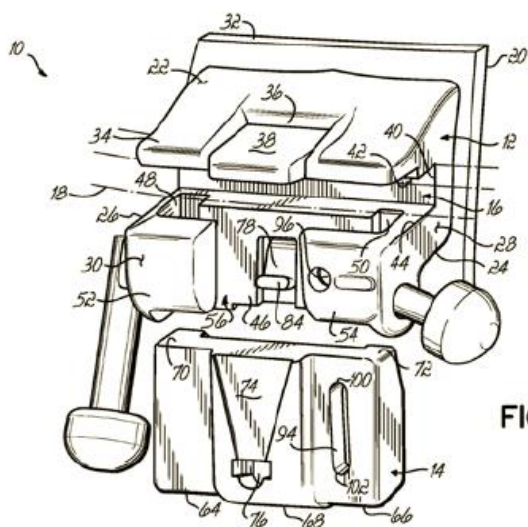


FIG. 1

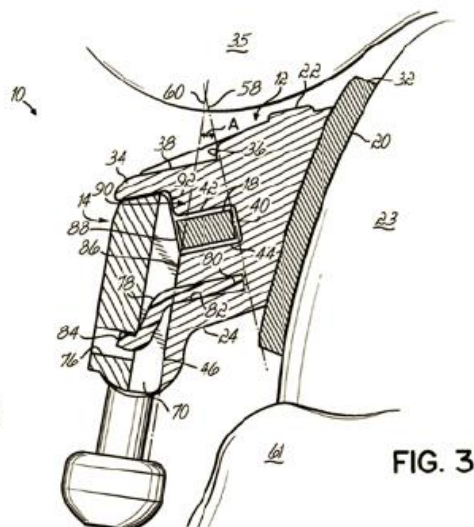


FIG. 3