

POWER INTEGRATIONS, INC. v. LEE, Appeal No. 2014-1123 (Fed. Cir. August 12, 2015). Before Moore, Mayer, and Linn. Appealed from the BPAI, upon transfer by the D.D.C. (Judge Rothstein).

Background:

Power Integrations sued Fairchild Semiconductor International ("FSI") for patent infringement. At trial, the district court construed the term "coupled" in the claim recitation of "the digital to analog converter coupled to the counter" to mean electrically connecting at least *two* circuits, instead of construing "coupled" to mean merely joining the circuit elements (e.g., the converter and the counter) within a *single* circuit. Based on such claim construction, a jury found that FSI had infringed Power Integrations' patent.

However, while the district court proceedings were pending, the USPTO granted FSI's request for *ex parte* reexamination of Power Integrations' patent. During reexamination, the BPAI failed to acknowledge the district court's claim construction of the term "coupled." Instead, the BPAI interpreted the term "coupled" to mean "join[ing] devices into a *single* circuit" using the "plain and customary meaning" of the term "couple." With this claim construction, the BPAI held that the applied art anticipated Power Integrations' patent claims because the applied art disclosed joining a counter and a digital to analog converter in a single circuit.

Power Integrations then appealed to the Federal Circuit, challenging the BPAI's decision.

Issue/Holding:

Did the BPAI err in its claim construction of the term "coupled" and subsequent decision of anticipation based thereon? Yes, vacated and remanded.

Discussion:

The Federal Circuit disagreed with the BPAI's decision of anticipation finding that the BPAI fundamentally misconstrued the term "coupled."

Specifically, the Federal Circuit opined that the BPAI incorrectly relied on a general dictionary definition of the term "couple" to arrive at its conclusion that the counter and the converter should be a single circuit. Rather, the Federal Circuit expounded that, when the term "coupled" is read in light of the specification and surrounding claim language, the term "coupled" would result in two circuits being coupled together because the specification does not require a direct connection between the two circuit elements and further, does not preclude the presence of intervening components. The Federal Circuit stated that the BPAI improperly ignored this standard.

In view of the above, the Federal Circuit held that the BPAI failed to properly establish anticipation of the claims of Power Integrations' patent and thus, vacated and remanded the BPAI's claim construction determination.