

ADVANCED STEEL RECOVERY, LLC v. X-BODY EQUIPMENT, INC., Appeal No. 2014-1829 (Fed. Cir. November 12, 2015). Before Prost, Moore and Stoll. Appealed from E.D. Cal. (Judge Burrell).

Background:

Advanced Steel sued X-Body, alleging infringement of Advanced Steel's patent. Advanced Steel's patent recites various components that are on the "proximate end" of the container packer. The district court granted X-Body's motion for summary judgment of non-infringement, holding that X-Body's components were not connected "at the proximate end." In so doing, the district court rejected Advanced Steel's broad construction of "proximate end" being the last half, and relied on a dictionary definition of "end" as the "extreme or last part length-wise." The district court also held that 35% to the end is not close enough to be equivalent to the end. Advanced Steel appealed.

Issue/Holding:

Did the district court err in its interpretation of "proximate end?" No, affirmed.

Discussion:

The Federal Circuit agreed with the claim construction of the district court. Thus, the Federal Circuit rejected Advanced Steel's argument that "proximate end" should be understood to mean any portion or region opposite the other end. The Federal Circuit reasoned that, because X-Body's piston-and-cylinder unit was located 35% down the length of the container packer, it was not on the "proximate end."

The Federal Circuit also agreed that the 35% position was not equivalent to the proximate end.