

CLARE v. CHRYSLER GROUP LLC, Appeal No. 2015-1199 (Fed. Cir. March 31, 2016).  
Before Prost, Moore, and Wallach. Appealed from E.D. Mich. (Judge Edmunds).

Background:

The plaintiffs own two patents, the '795 patent and the '583 patent, that are both directed to a hidden storage compartment in the bed of a pickup truck. The '795 and '583 patents have the same specification, which teaches that the hidden storage compartment adds storage without substantially altering the external appearance of the truck. Thus, the disclosed truck has an outward appearance that is substantially the same as a truck without such additional storage. The only visible modifications to the disclosed truck are two vertical lines in an external side panel. A hinge and latch on the disclosed hidden storage compartment are not visible from the exterior of the truck.

The '795 patent claims that the "hinged portion is constructed such that the truck has an external appearance of a conventional pickup truck," and the '583 patent includes a similar limitation. The court referred to these limitations as the "external appearance limitations."

The plaintiffs sued the defendant alleging that the defendant infringed the '795 and '583 patents. The district court construed the "external appearance limitations" to mean that "the hinge portion is constructed such that the storage box is not obvious from the outward appearance of the pickup truck."

The defendant moved for summary judgment of non-infringement. The district court granted the defendant's motion by finding that the defendant's accused truck includes a hinged panel that is clearly visible from the exterior of the truck. Thus, the defendant's hinged panel makes obvious the location of the storage box on the truck.

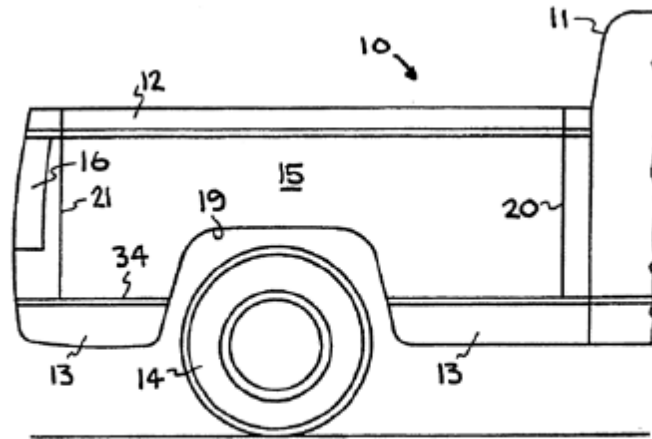
Issue/Holding:

Did the district court err by construing the claims properly and by granting the defendant's motion of summary judgment? No, affirmed.

Discussion:

On appeal, the plaintiffs argued that the district court erred in construing its claims. Specifically, the plaintiffs argued that the scope of the "external appearance limitations" should focus on the visibility of the storage box, and not on the visibility of a hinged panel. Thus, they argued that although the defendant's truck includes a visible hinged panel, the defendant's truck infringes the '795 and '583 patents. The plaintiffs also argued that in response to an indefiniteness rejection during the prosecution history, the plaintiffs expressly defined "external appearance" to include outwardly visible hinges and latches.

However, the court reasoned that the plaintiffs' specifications do not contemplate outwardly visible hinges or latches. Furthermore, the court determined that the plaintiffs' express definition of "external appearance" in the prosecution history incorrectly characterizes the specifications.



**FIG. 1**

The Plaintiffs' Figure



The Defendant's Accused Truck