

METALCRAFT OF MAYVILLE, INC. v. THE TORO COMPANY ET AL, Appeal Nos. 2016-2433, 2514 (Fed. Cir. February 16, 2017). Before Moore, Hughes, and Stoll. On appeal from E.D. Wis. (Chief Judge Randa).

Background:

Metalcraft d/b/a Scag sued Toro for infringement of a patent for a riding lawnmower having an operator-platform-suspension-system. The invention is disclosed as an improvement over more traditional seat-suspension systems because it supports the "entire body" of the operator and helps reduce harmful shock and vibrations on users. Scag moved for a preliminary injunction precluding Toro from infringing the patent.

The district judge found for Scag on all the traditional elements of likely success on the merits (on both infringement and validity), irreparable harm, balance of equities and the public interest, and granted the preliminary injunction, enjoining Toro from making, using, selling, and offering to sell lawnmowers equipped with platform suspension systems that infringe the patent.

Toro appealed to the Federal Circuit, asserting that Scag had satisfied none of the elements necessary for a preliminary injunction, and challenged the scope of the injunction as overbroad.

Issue/Holding:

Did the district court err in granting the preliminary injunction? No, affirmed.

Discussion:

Toro presented evidence on both non-infringement and invalidity.

The Federal Circuit found that the district court did not abuse its discretion in rejecting Toro's non-infringement argument that users of its mowers must keep their hands on hand-controls, which were not part of the operator platform of their mowers; since hands are part of the body, their platform does not support the "entire body" and thus, there was no infringement.

The Federal Circuit found as not clearly erroneous the district court's findings on validity that there would have been no motivation and thus, it would not have been obvious, to combine elements from one prior art reference, drawn to shock absorption in a truck cab, and a second prior art reference, drawn to adjusting a damper spring in a rear-wheel motorcycle suspension.

On the issue of irreparable harm, the Federal Circuit found that the district court did not abuse its discretion in finding that damage to Scag is irreparable because "it is impossible to quantify the damages caused by the loss of a potentially lifelong customer." Evidence showed lifelong brand loyalty of lawnmower consumers.

On the issue of balance of equities and the public interest the Federal Circuit found that the district court did not abuse its discretion in finding that the balance favored Scag.

Finally, the Federal Circuit found that the scope of the injunction was not overbroad.