IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ROBOTICVISIONTECH, INC., Plaintiff, v. ABB INC., Defendant.	C. A. No. 22-cv-1257-GBW

John W. Shaw, Karen E. Keller, Nathan R. Hoeschen, Emily S. DiBenedetto, SHAW KELLER LLP, Wilmington DE; J.C. Rozendaal, Micheal E. Joffre, William H. Milliken, Kristian Caggiano Kelly, Anna G. Phillips, STERNE KESSLER GOLDSTEIN & FOX P.L.L.C., Washington D.C.

Counsel for Plaintiff

Benjamin J. Schladweiler, GREENBERG TRAURIG LLP, Wilmington, DE; Gregory S. Bombard, GREENBERG TRAURIG LLP, Boston, MA; Andrew Sommer, GREENBERG TRAURIG LLP, McLean, VA

Counsel for Defendant

MEMORANDUM OPINION

Date: June 26, 2024

GREGORY B. WILLIAMS
UNITED STATES DISTRICT JUDGE

Before the Court is RoboticVisionTech, Inc. ("RVT") and ABB Inc's. ("ABB") joint request for construction of United States Patent Nos. 8,095,237 (the "'237 patent"), 6,816,755 (the "'755 patent"), and the 7,336,814 (the "'814 patent") (collectively, the "Asserted Patents"). *See* D.I. 98. The Asserted Patents generally relate to systems and methods for 3D vision guided robotics using a single camera. *See generally*, *e.g.*, '755 patent 1:7-30. The Court has reviewed the parties' briefing, D.I. 98, and construes the claims at-issue as set forth below.

I. LEGAL STANDARDS

"'[T]he claims of a patent define the invention to which the patentee is entitled the right to exclude.'" *Phillips v. AWH Corp.*, 415 F.3d 1303, 1312 (Fed. Cir. 2005) (en banc) (citation omitted); *Aventis Pharms. Inc. v. Amino Chemicals Ltd.*, 715 F.3d 1363, 1373 (Fed. Cir. 2013) (same). "[T]here is no magic formula or catechism for conducting claim construction." *Phillips*, 415 F.3d at 1324. The Court is free to attach the appropriate weight to appropriate sources "in light of the statutes and policies that inform patent law." *Id.* The ultimate question of the proper construction of a patent is a question of law, although "subsidiary factfinding is sometimes necessary." *Teva Pharm. USA, Inc. v. Sandoz, Inc.*, 574 U.S. 318, 326–27 (2015); *see Markman v. Westview Instruments, Inc.*, 517 U.S. 370, 372 (1996) ("the construction of a patent . . . is exclusively within the province of the court.").

"The words of a claim are generally given their ordinary and customary meaning as understood by a person of ordinary skill in the art when read in the context of the specification and

prosecution history." *Thorner v. Sony Comput. Entm't Am. LLC*, 669 F.3d 1362, 1365 (Fed. Cir. 2012) (citing *Phillips*, 415 F.3d at 1313); *Unwired Planet, LLC v. Apple Inc.*, 829 F.3d 1353, 1358 (Fed. Cir. 2016) (similar). The "'only two exceptions to this general rule'" are (1) when a patentee defines a term or (2) disavowal of "'the full scope of a claim term either in the specification or during prosecution.'" *Thorner*, 669 F.3d at 1365 (citation omitted).

The Court "'first look[s] to, and primarily rel[ies] on, the intrinsic evidence,'" which includes the claims, written description, and prosecution history and "'is usually dispositive.'" *Personalized Media Commc'ns, LLC v. Apple Inc.*, 952 F.3d 1336, 1340 (Fed. Cir. 2020) (citation omitted). "[T]he specification ' . . . is the single best guide to the meaning of a disputed term.'" *Akzo Nobel Coatings, Inc. v. Dow Chem. Co.*, 811 F.3d 1334, 1340 (Fed. Cir. 2016) (citation omitted). "'[T]he specification may reveal a special definition given to a claim term by the patentee that differs from the meaning it would otherwise possess.' When the patentee acts as its own lexicographer, that definition governs." *Cont'l Cirs. LLC v. Intel Corp.*, 915 F.3d 788, 796 (Fed. Cir. 2019) (quoting *Phillips*, 415 F.3d at 1316). However, "'[the Court] do[es] not read limitations from the embodiments in the specification into the claims.'" *MasterMine Software, Inc. v. Microsoft Corp.*, 874 F.3d 1307, 1310 (Fed. Cir. 2017) (citation omitted)). The "written description . . . is not a substitute for, nor can it be used to rewrite, the chosen claim language." *SuperGuide Corp. v. DirecTV Enters., Inc.*, 358 F.3d 870, 875 (Fed. Cir. 2004).

The Court "should also consider the patent's prosecution history, if it is in evidence." *Markman v. Westview Instruments, Inc.*, 52 F.3d 967, 980 (Fed. Cir. 1995), *aff'd*, 517 U.S. 370; *Cont'l Cirs.*, 915 F.3d at 796 (same). The prosecution history may "'demonstrat[e] how the inventor understood the invention and whether the inventor limited the invention in the course of

prosecution . . . ." *SpeedTrack, Inc. v. Amazon.com*, 998 F.3d 1373, 1377 (Fed. Cir. 2021) (quoting *Phillips*, 415 F.3d at 1317).

The Court may "need to look beyond the patent's intrinsic evidence and to consult extrinsic evidence in order to understand, for example, the background science or the meaning of a term in the relevant art during the relevant time period." *Teva*, 574 U.S. at 331. "Extrinsic evidence consists of all evidence external to the patent and prosecution history, including expert and inventor testimony, dictionaries, and learned treatises." *Markman*, 52 F.3d at 980; *Phillips*, 415 F.3d at 1317 (same). Extrinsic evidence may be useful, but it is "less significant than the intrinsic record in determining the legally operative meaning of claim language." *Cont'l Cirs.*, 915 F.3d at 799 (internal quotation marks and citations omitted). However, "[p]atent documents are written for persons familiar with the relevant field . . . . Thus resolution of any ambiguity arising from the claims and specification may be aided by extrinsic evidence of usage and meaning of a term in the context of the invention." *Verve, LLC v. Crane Cams, Inc.*, 311 F.3d 1116, 1119 (Fed. Cir. 2002); *see Nautilus, Inc. v. Biosig Instruments, Inc.*, 572 U.S. 898, 899 (2014) (explaining that patents are addressed "to those skilled in the relevant art").

II. AGREED-UPON TERMS

The parties agree on the construction for the following twenty-seven (27) terms. D.I. 98.

Term	Claims	Agreed Construction
"transformation"	'237 patent, claims 1, 2, 9-11, 14, 15, 17, 20, 21, 25 '755 patent, claims 1, 6, 8, 15, 18, 19	"three-dimensional rotation & translation between two spaces"
"camera space"	'237 patent, claims 1, 2, 9-11, 14, 15, 17, 20, 21, 25 '755 patent, claims 1, 8, 18, 19	"a reference frame defined with respect to a point on, and therefore rigid to, the camera"
"training space"	'237 patent, claims 2, 9, 20, 25 '755 patent, claims 1, 18	"a reference frame defined with respect to a point on the calibration template, and aligned to its main axes"
"teaching object"	'237 patent, claims 12, 13, 21	"object used for teaching"
"calibration object"	'237 patent, claims 2-5, 7-11, 20, 25	"object used for calibration"
"object space"	'237 patent, claims 1, 12, 14, 17, 20, 25 '755 patent, claims 1, 8, 18, 19	"a reference frame defined with respect to, and therefore rigid to, the object"
"object frame"	'237 patent, claims 15-17 '755 patent, claims 1, 6, 8, 15, 18, 19	"a reference frame defined with respect to a point on, and therefore rigid to, the object"

DOCKET ALARM

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts

Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research

With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips

Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS
Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS
Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS
Sync your system to PACER to automate legal marketing.