



Patent Anticipated and Obvious Under Broadest Reasonable Construction

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In its final written decision, the board explained that, “[c]onsistent with the statute and legislative history of the LeahySmith America Invents Act . . . the board interprets claims using the broadest reasonable construction” (internal quotation marks omitted). The board then confirmed its interpretation of the terms it had construed in its institution decision and construed two additional claim terms. Turning to the merits of the validity question, the board agreed with petitioner that, under the broadest reasonable construction of the claim terms, the Walker reference described all limitations in the challenged claims. The board rejected patent owner’s arguments to the contrary because those arguments were “based on a narrow claim interpretation [the board had] not adopted.” Accordingly, the board held that petitioner had shown by a preponderance of the evidence that all challenged claims are unpatentable.

Game Show Network, LLC v. Stephenson, IPR201300289 (PTAB Nov. 7, 2014) [Medley (opinion), Turner, Wood].

Categories

Patent Trial & Appeal Board

Inter Partes Review

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