

## Federal Circuit Patent Updates - December 2007

DECEMBER 31, 2007

[View previous month...](#)

### ***Hyperphrase Technologies v. Google* (No. 2007-1125)(Michel, Lourie, Gajarsa)**

December 26, 2007 2:16 PM

(Michel) Affirming in part and vacating in part and remanding summary judgment of noninfringement in light of erroneous claim construction. "A claim construction that excludes an embodiment of the relevant claim(s) is typically incorrect."

A full version of the summary judgment is available [here](#).

### ***Sinorgchem v. ITC & Flexsys America* (No. 2006-1633) (Newman, Dyk, Yeakel [of the W.D. Tex., sitting by designation])**

December 21, 2007 2:04 PM

(Dyk) Vacating and remanding finding of infringement because of erroneous claim construction. The claim term was expressly defined in the specification, and the patentee was bound by that definition, which included a numerical limitation. Newman, dissents.

A full version of the finding is available [here](#).

### ***In re Garner* (No. 07-1221) (Rader, Schall, Moore)**

December 5, 2007 2:10 PM

(Moore) Affirming Board decision in interference that party failed to make a prima facie showing of priority. The Court gives deference to the PTO's interpretation of its own rules.

A full version of the decision is available [here](#).