

United States District Court,
D. New Jersey.

RICOH CORPORATION, et al,
Plaintiffs/Counter Defendants.

v.

PITNEY BOWES, INC,
Defendant/Counterclaimant.

Civ. No. 02-5639 (GEB)

April 21, 2006.

Bruce I. Goldstein, Arnold B. Calmann, Jennine Disomma, Saiber, Schlesinger, Satz & Goldstein, Esqs., Newark, NJ, for Plaintiffs/Counter Defendants.

Stephen R. Buckingham, Matthew Jonathan Atlas, Lowenstein Sandler, PC, Roseland, NJ, for Defendant/Counterclaimant.

MARKMAN ORDER

GARRETT E. BROWN, JR., District Judge.

This matter having come before the Court upon the parties' request for claim construction; and the Court having considered the parties' written submissions; and the Court having conducted a *Markman* hearing on February 15, 2006; and for the reasons set forth in the *Markman* Opinion accompanying this Order;

IT IS THIS 20th day of April, 2006 hereby

ORDERED that the disputed claim terms have the following meanings:

1. "office machine system" required by Claims 57 to 60 of the '554 Patent means "[a] business office device, such as a copier, printer or facsimile, connected to but separate from an external operation panel";
2. "diagnostic processor" required by Claims 57 and 58 of the '554 Patent is part of the Remote Diagnostic Station, which is remotely located from the office machine system and communicates interactively with the office machine system, via a communication line, to process data and then diagnose the office machine system;
3. "separate" required by Claims 62, 68, 69 and 72 of the '289 Patent and Claims 4, 19, 77, 94 and 141 of the '120 Patent requires "physical separation";
4. "computer" required by Claims 2 and 22 of the '289 Patent, Claim 141 of the '120 Patent, and Claim 31 of

the '678 Patent means "either the external operation panel or the remote diagnostic station";

5. "input/output device" required by Claim 43 of the '289 Patent means "[a] device that can input commands and display information that is separate and external from the business office device";

6. "operation panel" required by Claim 2 of the '618 Patent means "[a]n input/output device that can input commands and display information that is separate and external from the business office device";

7. "diagnose an operation" and "diagnostic operation," both required by Claims 57 and 58 of the '554 Patent, mean "to display or process state data received from the office machine system in order to identify or characterize the operational state of the office machine system";

8. "communication line" required by Claims 57 and 58 of the '554 Patent means a "telephone line, RS232 line, or any other suitable communication line used to transmit information and having two respective ends";

9. "communication interface" required by Claims 57 and 58 of the '554 Patent means "hardware having an output coupled to the first end of a communication line and an input coupled to a processor to transmit state data over the communication line";

10. "state data generator" required by Claims 57 and 58 of the '554 Patent means "any device, sensor, or process that generates state data;

11. "business office device" required by Claims 2, 22, 43, 62, 64, 68, 69, 72 and 75 of the '289 Patent, Claims 4, 19, and 141 of the '120 Patent, and Claim 2 of the '618 Patent means "a copier, printer or facsimile or other business office equipment";

12. "initiating communication between the business office device and a computer, by the business office device" required by Claims 2, 22, and 68 of the '289 Patent and "initiating communication between the printer and the computer by the printer" required by Claim 31 of the '678 Patent mean that "[t]he business office device or printer itself starts or establishes communication with the computer";

13. "initiates a diagnostic operation in the office machine system" required by Claims 57 and 58 of the '554 Patent means "a command sent from the diagnostic processor to the office machine system causes the office machine system to begin a diagnostic operation";

14. "dynamic state data" required by Claim 2 of the '618 Patent is "state data that changes frequently over the life of the machine";

15. "life of the device" required by Claims 22, 62, 64, 72 and 75 of the '289 Patent, Claim 2 of the '618 Patent, and Claims 4, 19, 77, 94 and 141 of the '120 Patent means "the period of time the manufacturer intends the device to be deployed";

16. "engine for performing mechanical functions" required by Claim 62 of the '289 Patent, and Claims 4 and 77 of the '120 Patent is "an engine for performing mechanical function";

17. "serial number" required by Claims 64 and 75 of the '289 Patent, Claim 2 of the '618 Patent, and Claims 4, 19, 77 and 94 of the '120 Patent is "any alphanumeric or symbolic string that is a unique identifier."

Means-plus-function Limitations:

1. "means for sending a command from the diagnostic processor to the office machine system over the communication line which initiates a diagnostic operation in the office machine system" required by Claims 57 and 58 of the '554 Patent performs the function of "sending a command from the diagnostic processor to the office machine system over the communication line which initiates a diagnostic operation in the office machine system," and the corresponding structure is processor 311, interface unit 314 of Figure 2, diagnostic process 302 and the communication line 13;
2. "means for initiating communication between the business office device and the computer, before the transmitting device transmits the static state data" required by Claim 22 of the '289 Patent performs the function of "initiating communication between the business office device and the computer, before the transmitting device transmits the static states data" and the corresponding structures are the processor 111 and interface unit 114 of Figure 2 programmed to perform the communication process 101;
3. "means for initiating communication between the business office device and the operation terminal" required by Claim 68 of the '289 Patent performs the function of "initiating communication between the business office device and the operation terminal" and the corresponding structures are processor 111 and interface unit 114 of Figure 2 programmed to perform the communication process 101;
4. "communication processor means [of the business device engine]" required by Claims 2 and 3 of the '618 Patent performs the function of "communicating with communications processor means of the operation panel" and the corresponding structures are the processor 111, interface unit 114 of Figure 2 programmed to perform communication process 101 of Figure 1, and communication line 12;
5. "communication processor means [of the operation panel] for communicating with said communication processor means of said business device engine" required by Claims 2 and 3 of the '618 Patent performs the function of "communicating with the communication processor means of the business device engine" and the corresponding structures are the processor 211, interface 214 of Figure 2 programmed to perform the communication process 201 of Figure 1, and communication line 12;
6. "means for communicating" required by Claim 2 of the '618 Patent performs the function of "communicating the state of the business device engine received from the monitoring processor means" and the corresponding structures are the processor 111, the interface unit 114 of Figure 2 programmed to perform the communication process 101 of Figure 1, System Control Process 102 and communication lines 12 and 13;
7. "means for identifying itself" required by Claim 3 of the '618 Patent performs the function of "identifying the business device engine to another device through the communication processor means of the business device engine" and the corresponding structures are the processor 111 and interface unit 114 of Figure 2 programmed to perform the communication process 101 of Figure 1;
8. "means for transmitting" required by Claims 4 and 77 of the '120 Patent performs the function of "transmitting the static state data to the separate device" and "means for receiving" required by Claims 4, 77 and 94 of the '120 Patent performs the function of "receiving data from the separate device which has been transmitted from the separate device after the means for transmitting transmits the static state data." The

corresponding structures for both limitations are the processor 111 and the interface unit 114 of Figure 2 programmed to perform the receiving functions included in the communication process 101 of Figure 1;

9. "means for processing" required by Claims 4 and 77 of the '120 Patent performs the function of "processing the data received from the separate device and controlling the business office device in response to that processing" and the corresponding structures are the processor 111 of Figure 1 and the System Control Processor 102;

10. "input/output means for inputting commands and displaying information" required by Claims 147 and 150 of the '120 Patent performs the function of "inputting commands and displaying information" and the corresponding structure is the display and input unit 213 which is physically separate from the copier engine;

11. "means for storing static state data" required by Claim 2 of the '618 Patent performs the function of "storing static state data" and the corresponding structures are 107 of Figure 1 and permanent memory 112 of Figure 2;

12. "means for storing semi-static state data" required by Claim 2 of the '618 Patent performs the function of "storing semi-static state data" and the corresponding structures are 106 of Figure 1 and semi-permanent memory 115 of Figure 2;

13. "means for storing dynamic state data" required by Claim 2 of the '618 Patent performs the function of "storing dynamic state data" and the corresponding structures are 105 of Figure 1 and dynamic memory 116 of Figure 2;

14. "means for storing" required by Claim 2 of the '618 Patent performs the function of "storing the state of the business device engine in the means for storing dynamic state data" and the corresponding structures are the processor 111 of Figure 2 programmed to store 105 of Figure 1 into the dynamic memory 116 of Figure 2.

D.N.J.,2006.

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