

Saiber Attorneys Arnold Calmann and Jakob Halpern Help Earn Summary Judgment in Child Booster Seat Patent Dispute

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Saiber LLC, along with co-counsel at Latham & Watkins LLP, successfully moved for summary judgment on behalf of defendant Volvo in a patent infringement suit relating to convertible child booster seats.

Plaintiff Lugus IP is an assignee to a patent that claimed “a child safety seat that automatically converts to an adult seat when not in use by a child.” Lugus sued Volvo, asserting that the child booster seats found in several of its vehicle models infringed upon the patent. In the stowed position, Volvo’s seat permits normal adult seating, but after the user manually pulls a handle and presses the seat cushion backward into locked position, it becomes a raised booster seat. Similarly, stowing the seat requires again pulling the handle and firmly pressing down on the seat cushion until locked.

Moving for summary judgment, Volvo argued that its accused products failed to satisfy pertinent claim terms. For example, the patent requires “automatic” conversion of the child seat into an adult seat, but Volvo’s accused product requires manual intervention to stow the seat. After accepting Volvo’s claim construction positions in his *Markman* claim construction ruling, and following oral argument on the Summary Judgment Motion, Senior United States District Judge Joseph E. Irenas again accepted Volvo’s position, determining that its seats did not infringe on Plaintiff’s patent. Summary Judgment was therefore entered in favor of Volvo.

Along with Matthew Moore and Jonathan Link of Latham & Watkins LLP, who argued for summary judgment, Saiber attorneys Arnold B. Calmann and Jakob B. Halpern were on the successful brief.