

Baggage Locker Case
Tokyo District Court
Case S50 (Wa) No. 539 (July 22, 1977)

FACTS

The plaintiff owns a utility model patent relating to a baggage locker. The baggage locker of the utility model patent comprises a shielding plate that moves in response to insertion/removal of a key thereof to open or close a coin slot of the baggage locker. According to the present invention, a coin may be prevented from being inserted into a coin slot while the locker is in use, thus preventing the baggage locker from getting out of order.

The claim is as follows:

1. A coin slot opening/closing device, comprising
a key capable of being inserted thereinto or removed therefrom, and
a shielding plate operative to open or close a coin slot in response to insertion or removal of the key.

The specification of the utility model patent includes a single embodiment. The embodiment moves a shielding plate using a crank mechanism that operates in response to insertion or removal of a key.

On the other hand, defendant's product moves a shielding plate using a cam plate that operates in response to insertion or removal of a key.

ISSUE

How shall a claim be interpreted when it does not recite a specific mechanism for solving a problem but includes only functional language?

HOLDING

In order to solve a problem that a baggage locker may get out of order due to insertion of a coin into the locker while the locker is still in use, the claim specifies "a key capable of being inserted thereinto or removed therefrom" and "a shielding plate operative to open or close a coin slot in response to insertion or removal of the key".

It cannot be understood from the claim itself, however, what kind of intermediate mechanism is used to link the operation of inserting or removing the key to the operation of opening or closing the shielding plate.

For specifying the technical scope of the present invention, it is

necessary to refer to the specification and attached figures. Accordingly, the technical scope of the present invention should be construed as being limited to a baggage locker that links insertion or removal of the key to the operation of opening or closing the shielding plate using a crank mechanism, as the sole embodiment in the specification.

On the other hand, the defendant's product links them using a cam plate mechanism, which is different from the crank mechanism used in the embodiment. The court concludes that the defendant's product does not fall under the technical scope of the utility model patent.