Japan

“Car-Mounted Navigation System”

Patent Act, Sec. 70 – *Pioneer Co. Ltd. v. Navitime*

**Decision of the Intellectual Property High Court
30 November 2011**

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There is no infringement by equivalents if an essential feature of the invention is replaced and the purpose of the invention can thereby no longer be achieved.

In an invention concerning a car-mounted navigation device, the term “car-mounted” described in the claim should be interpreted as meaning being installed in a car and being continuously kept in that state. The defendant’s navigation system comprising a server and mobile terminals connected via a network cannot satisfy the constituent feature of this patented invention, namely the “car-mounted navigation device”, because neither a server nor mobile terminals in the defendant’s system are installed in a car and continuously kept in that state. If the “car-mounted navigation device”, the constituent feature of this patented invention, is replaced with a mobile terminal, the solution of the technical problem brought by this patented invention cannot be achieved and the purpose of this patented invention cannot be accomplished; therefore, the application of the doctrine of equivalents should be denied. Based on this judgment, the court found that the defendant’s car-mounted navigation system does not infringe the patented invention.