

Joseph Bain and Amy Wessel Mentioned in Law360

3.11.20

On March 4, 2020, the U.S. Court of Appeals for the Federal Circuit upheld a Florida federal judge's construction of a key term in an automated eye examination patent—resulting in a consent judgment of non-infringement for Vision Precision Holdings, which operates the Stanton Optical chain of optical stores.

20/20 Vision accused Vision Precision of infringing its patent with Stanton Optical's telehealth eye examinations and vision screenings. The patent owner argued that the equipment adjusted based on instructions by a remote eye care practitioner or technician was within the scope of its patent. However, the claim term “automatically adjusting” was construed by the district court to mean that ophthalmic equipment would be adjusted by hardware or software without a practitioner or technician. The U.S. Court of Appeals for the Federal Circuit agreed, finding the plain language and patent specification made clear that practitioners and technicians weren't supposed to be helping with the automated portion of the eye examination.

Vision Precision is represented by West Palm Beach partner [Joseph Bain](#) and Fort Lauderdale partner [Amy Wessel](#). Assistance in the district court was handled by Fort Lauderdale attorney [Deedee Bitran](#), West Palm Beach attorney Robert Rodriguez and Law Clerk Jodi Tillman.

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