Patent Right	Date	April 25, 2024	Court	Intellectual Property High Court, First Division
	Case number	2023 (Gyo-Ke) 10002		
- A case in which the court rescinded the JPO's decision which was rendered in a trial for patent invalidation relating to an invention titled "Light source unit and lighting equipment" and which concluded that the request for the trial for patent invalidation is groundless, holding that the JPO's decision contains an error that affects the conclusion in its determination of an inventive step, on the grounds that a part of the differences between the invention in question and the primary prior art found by the JPO cannot be regarded as differences, and that the configurations relating to the other differences found by the JPO could have been easily adopted by a person ordinarily skilled in the art based on the primary prior art and well-known prior art				

Case type: Rescission of Trial Decision to Maintain
Result: Granted
References: Article 29, paragraph (2) of the Patent Act
Related rights, etc.: Invalidation Trial No. 2021-800099, Patent No. 5492344

Summary of the Judgment

1. The Defendant divided a part of a patent application (Patent Application No. 2012-225953) which it had filed on October 11, 2012, and filed it as a new patent application (Patent Application No. 2013-237182) for an invention titled "Light source unit and lighting equipment" on November 15, 2013, for which establishment of a patent right was registered (Patent No. 5492344; the number of claims: seven; the Patent) on March 7, 2014.

On December 3, 2021, the Plaintiff filed a request for a trial for patent invalidation (Invalidation Trial No. 2021-800099) with regard to the Patent, but on December 6, 2022, the Japan Patent Office (JPO) accepted a request for correction filed by the Defendant on March 22, 2022 to correct the claims and the statements in the description of the Patent (the Correction), and rendered a decision to the effect that "the request for the trial is groundless" (the JPO Decision).

2. In this case, the Plaintiff asserted the following grounds for rescission: Ground for Rescission 1 (an error in the determination of novelty of Invention 5, which relied on the invention in the sixth embodiment described in Exhibit Ko 1 as the primary prior art); Grounds for Rescission 2 and 3 (an error in the determination of an inventive step of Invention 1, which relied on the invention in the sixth embodiment described in

Exhibit Ko 1 as the primary prior art and applied matters relating to the first embodiment or the fourth embodiment described in Exhibit Ko 1); Ground for Rescission 4 (an error in the determination of an inventive step of Invention 1, which relied on the invention in the sixth embodiment described in Exhibit Ko 2 as the primary prior art and applied matters relating to the third embodiment described in Exhibit Ko 2); Ground for Rescission 5 (an error in the determination of an inventive step of Invention 5, which relied on the invention in the sixth embodiment described in Exhibit Ko 2 as the primary prior art and applied matters relating to the third embodiment described in Exhibit Ko 2); Ground for Rescission 6 (an error in the determination of an inventive step of Invention 1, which relied on the invention in the third embodiment described in Exhibit Ko 2 as the primary prior art and applied matters relating to the sixth embodiment described in Exhibit Ko 2); Ground for Rescission 7 (an error in the determination of an inventive step of Invention 5, which relied on the invention in the third embodiment described in Exhibit Ko 2 as the primary prior art and applied matters relating to the sixth embodiment described in Exhibit Ko 2 or well-known prior art); Ground for Rescission 8 (an error in the determination of an inventive step of Invention 1, which relied on the invention in the first embodiment described in Exhibit Ko 3 as the primary prior art and applied well-known prior art); and Ground for Rescission 9 (an error in the determination of an inventive step of Invention 5, which relied on the invention in the first embodiment described in Exhibit Ko 3 as the primary prior art and applied well-known prior art). However, the court determined as summarized below with regard to Grounds for Rescission 8 and 9, and rescinded the JPO Decision.

(1) Regarding Ground for Rescission 8

A. In the JPO Decision, the JPO compared Invention 1 and Exhibit Ko 3-1 Invention, and found that "the 'insulating plate 13' of the latter and the attachment member' of the former are the same in that they are both 'members,'" but in its determination on Difference 1-1-3 (1), the JPO found and determined as follows: "in Exhibit Ko 3-1 Invention, the 'insulating plate 13' is for attaching the substrate 10 to the lid 3, and the member for attaching the substrate 10 to the equipment main body (the member having such attaching function) is the 'lid 3.'" Therefore, the JPO assumed that Invention 1 excludes a configuration in which a structure that contributes to attaching is interposed between the "equipment main body" and the "attachment member."

However, as mentioned in the finding of the gist of Invention 1, Invention 1 includes a configuration in which a structure that contributes to attaching is interposed between the "equipment main body" and the "attachment member," and it cannot be construed to exclude such configuration.

Based on the assumption above, Invention 1 does not exclude an attachment structure in which the "lid 3" is interposed between the "insulating plate 13" and the "attachment base 1" as in Exhibit Ko 3-1 Invention, and also, as the substrate 10 on which LEDs 2 are arranged is arranged on the "insulating plate 13" of Exhibit Ko 3-1 Invention, the LEDs 2 cannot be arranged on the "attachment base 1" without the presence of the "insulating plate 13." In light of these factors, the "insulating plate 13" is found to correspond to a "member for attaching the LED substrate to the equipment main body."

It follows that Difference 1-1-3 (1) cannot be regarded as a difference between Invention 1 and Exhibit Ko 3-1 Invention.

B. Next, with regard to Difference 2-1-3 (1) for the cover member, in Invention 1, the cover member "has diffusion properties," whereas in Exhibit Ko 3-1 Invention, the cover member is "made of a transparent insulating material, such as acrylic resin or glass," but it is unknown whether it has diffusion properties. When Difference 2-1-3 (1) is examined, it was well-known art that the cover member of LED lighting equipment has diffusion properties, and a person ordinarily skilled in the art could have easily adopted the configuration of Invention 1 relating to Difference 2-1-3 (1) in Exhibit Ko 3-1 Invention by employing such art as appropriate.

C. Summary

It follows that a person ordinarily skilled in the art is found to have been able to easily make Invention 1 based on Exhibit Ko 3-1 Invention, and therefore it can be said that the JPO Decision contains an error that affects the conclusion in its determination concerning an inventive step.

(2) Regarding Ground for Rescission 9

A. In the JPO Decision, the JPO found the following aspects as the respective differences: as Difference 1-5-3 (5), "the aspect that, with regard to the device which supplies lighting power to the said light source unit, such device is a 'power-supply device' in Invention 5, whereas in Exhibit Ko 3-5 Invention, it is unknown whether such device is a power-supply device"; as Difference 2-5-3 (5), "the aspect that, with regard to the member for attaching the LED substrate to the equipment main body, such member is the 'attachment member' in Invention 5, whereas in Exhibit Ko 3-5 Invention, such member is the 'lid 3,' and the insulating plate 13 is a member for attaching the substrate 10 to this lid 3"; as Difference 3-5-3 (5), "the aspect that the cover member 'has diffusion properties' in Invention 5, whereas in Exhibit Ko 3-5 Invention, the cover member is 'made of a transparent insulating material, such as acrylic resin or glass,' but it is unknown whether it has diffusion properties"; and as Difference 4-5-3 (5), "the

aspect that, with regard to the opening part of the accommodating recess part, such opening part is formed 'by bending a sheet metal' in Invention 5, whereas in Exhibit Ko 3-5 Invention, 'the attachment base 1 is formed of metal and its cross section is formed into a U shape'."

B. First, Difference 2-5-3 (5) relating to the member for attaching the LED substrate to the equipment main body in the JPO Decision cannot be regarded as a difference, as in (1) A. above.

In addition, with regard to Difference 1-5-3 (5) relating to the device which supplies lighting power to the light source unit, Invention 5 merely specifies it as a "power supply device," so Invention 5 only needs to have a device from which lighting power is supplied to the light source unit, whereas the "electric component 11" in Exhibit Ko 3-5 Invention is for lighting the LEDs 2, and therefore it is found to correspond to the "power-supply device" of Invention 5. Accordingly, Difference 1-5-3 (5) cannot be regarded as a difference.

Moreover, with regard to Difference 4-5-3 (5) relating to the opening part of the accommodating recess part, as long as the "accommodating recess part" is "formed to have an opening part," the products of the inventions do not vary regardless of how the accommodating recess part was processed. In addition, even if Difference 4-5-3 (5) is regarded as a prima facie difference, as long as this difference does not cause any variation in the operations and effects, etc. of Invention 5 and Exhibit Ko 3-5 Invention and the "products" of these inventions do not vary, such difference is regarded not to be substantial.

Based on the above, the only difference between Invention 5 and Exhibit Ko 3-5 Invention would be Difference 3-5-3 (5) relating to the cover member, but due to the same reason as in (1) B. above, a person ordinarily skilled in the art could have easily adopted the configuration of Invention 5 relating to Difference 3-5-3 (5) in Exhibit Ko 3-5 Invention.

C. It follows that a person ordinarily skilled in the art is found to have been able to easily make Invention 5 based on Exhibit Ko 3-5 Invention, and therefore it can be said that the JPO Decision contains an error that affects the conclusion in its determination concerning an inventive step.

(3) Conclusion on Grounds for Rescission 8 and 9

Consequently, the JPO Decision contains errors in its determination concerning an inventive step regarding Ground for Invalidation 3-1 and Ground for Invalidation 3-5, and therefore Ground for Rescission 8 and Ground for Rescission 9 asserted by the Plaintiff are well-grounded.

Judgment rendered on April 25, 2024
2023 (Gyo-Ke) 10002 Case of seeking rescission of the JPO decision
Date of conclusion of oral argument: November 1, 2023

Judgment

Plaintiff: ENDO Lighting Corporation

Defendant: Panasonic Holdings Corporation

Main text

1. The decision rendered by the Japan Patent Office (JPO) on the case of Invalidation Trial No. 2021-800099 on December 6, 2022, is hereby rescinded.
2. The Defendant shall bear the court costs.

Facts and reasons

No. 1 Claims

Same as in the main text.

No. 2 Outline of the case

1. Background of the proceedings at the JPO, etc.

(1) The Defendant divided a part of a patent application (Patent Application No. 2012-225953) which it had filed on October 11, 2012, and filed it as a new patent application (Patent Application No. 2013-237182) for an invention titled "Light source unit and lighting equipment" on November 15, 2013, for which establishment of a patent right was registered (Patent No. 5492344; the number of claims: seven; this patent is hereinafter referred to as the "Patent") on March 7, 2014 (Exhibits Ko 11 and 12).

(2) On December 3, 2021, the Plaintiff filed a request for a trial for patent invalidation (Invalidation Trial No. 2021-800099) with regard to the Patent (Exhibit Ko 101).

As of March 22, 2022, the Defendant filed a request for a correction to correct the claims and the statements in the description relating to the Patent (hereinafter referred to as the "Correction"; the description and drawings relating to the Patent after the Correction are hereinafter collectively referred to as the "Description") (Exhibit Ko 104).

On December 6, 2022, the Japan Patent Office (JPO) approved the Correction and rendered a decision to the effect that "the request for the trial is groundless" (hereinafter referred to as the "JPO Decision"). A certified copy of the decision was served on the Plaintiff on December 9, 2022.

(3) On January 10, 2023, the Plaintiff filed this suit to seek rescission of the JPO Decision.

2. Claims of the Patent

(1) The claims of the Patent after the Correction are as follows (hereinafter the inventions according to Claims 1 to 7 after the Correction are respectively referred to as "Invention 1" to "Invention 7"; Exhibits Ko 11 and 104).

[Claim 1]

A light source unit comprising an LED substrate on which multiple LEDs are mounted, an attachment member to which said LED substrate is attached, and a cover member having diffusion properties, which is attached to said attachment member in a manner that it covers said LED substrate,

which is a light source unit

characterized in that said cover member has a pair of protruding walls attached to said attachment member and a pair of extension parts which extend outside each of said pair of protruding walls in the direction in which said pair of protruding walls are aligned,

an accommodating recess part provided on one side of an equipment main body formed in an elongated shape has a bottom surface part that is formed into a long and rectangular plate shape and a pair of side surface parts that protrude from the edge of the opening part of said accommodating recess part and are connected to said bottom surface part,

said attachment member is a member for attaching said LED substrate to said equipment main body in a manner that said multiple LEDs face outward from said accommodating recess part, and

in said cover member, in a state where said light source unit is accommodated in said accommodating recess part, each of said pair of extension parts overlaps with the opening edge of said accommodating recess part, with no space in between, in a direction perpendicular to the longitudinal direction and the width direction of said equipment main body.

[Claim 2]

The light source unit stated in Claim 1, which is characterized in that said cover member is formed in an elongated shape, each of said pair of extension parts extends in a direction away from each other from both ends of said cover member in the width direction perpendicular to the longitudinal direction, and each of said pair of protruding walls protrudes towards the side of said attachment member in an inner side of each of said pair of extension parts in the width direction of said cover member.

[Claim 3]

The light source unit stated in Claim 1 or 2, which is characterized in that said cover member has a diffusing surface in which the amount of protrusion in a direction perpendicular to the longitudinal direction and the width direction of said equipment main body increases from both end sides toward the central side in the width direction of said equipment main body.

[Claim 4]

The light source unit stated in any of Claims 1 to 3, which is characterized in that it has a power-supply device that supplies lighting power to said multiple LEDs.

[Claim 5]

Lighting equipment comprising an equipment main body formed in an elongated shape, a light source unit attached to said equipment main body, and a power-supply device that is attached to said light source unit and supplies lighting power to said light source unit,

which is characterized in that a rectangular accommodating recess part is provided along the longitudinal direction of said equipment main body on one side of said equipment main body,

said power-supply device is arranged inside said accommodating recess part in a state where said light source unit is attached to said equipment main body,

said light source unit has an LED substrate on which multiple LEDs are mounted, an attachment member for attaching said LED substrate to said equipment main body in a manner that said multiple LEDs face outward from said accommodating recess part, and a cover member having diffusion properties, which is attached to said attachment member in a manner that it covers said multiple LEDs,

said cover member has a pair of protruding walls attached to said attachment member,

said accommodating recess part is formed to have an opening part by bending a sheet metal, and

said cover member is provided with extension parts that overlap with the opening edge of said accommodating recess part, with no space in between, in a direction perpendicular to the longitudinal direction and the width direction of said equipment main body, in a state where said light source unit is attached to said equipment main body.

[Claim 6]

The lighting equipment stated in Claim 5, which is characterized in that said cover member is formed in a manner that the amount of protrusion in a direction perpendicular

to the longitudinal direction and the width direction of said equipment main body increases from both end sides toward the central side in the width direction of said equipment main body.

[Claim 7]

The lighting equipment stated in Claim 6, which is characterized in that said equipment main body is provided with an inclined surface continuing to an inclined surface of said cover member, in a state where said light source unit is attached to said equipment main body.

(2) For the purpose of facilitating determinations, Invention 1 and Invention 5 are divided into constituent features as follows. The underlined parts are the parts corrected by the Correction.

A. Invention 1

[D] A light source unit

[C] comprising

[A] an LED substrate on which multiple LEDs are mounted,

[B] an attachment member to which said LED substrate is attached, and

[C] a cover member having diffusion properties, which is attached to said attachment member in a manner that it covers said LED substrate,

[K] which is a light source unit

[J] characterized in that

[E] said cover member

[F] has

[E] a pair of protruding walls attached to said attachment member and

[F] a pair of extension parts which extend outside each of said pair of protruding walls in the direction in which said pair of protruding walls are aligned,

[G] an accommodating recess part provided on one side of an equipment main body formed in an elongated shape

[H] has

[G] a bottom surface part that is formed into a long and rectangular plate shape and

[H] a pair of side surface parts that protrude from the edge of the opening part of said accommodating recess part and are connected to said bottom surface part,

[I] said attachment member is a member for attaching said LED substrate to said equipment main body in a manner that said multiple LEDs face outward from said accommodating recess part, and

[J] in said cover member, in a state where said light source unit is accommodated in said accommodating recess part, each of said pair of extension parts overlaps with the

opening edge of said accommodating recess part, with no space in between, in a direction perpendicular to the longitudinal direction and the width direction of said equipment main body.

B. Invention 5

[l] Lighting equipment

[c] comprising

[a] an equipment main body formed in an elongated shape,

[b] a light source unit attached to said equipment main body, and

[c] a power-supply device that is attached to said light source unit and supplies lighting power to said light source unit,

[k] which is characterized in that

[d] a rectangular accommodating recess part is provided along the longitudinal direction of said equipment main body on one side of said equipment main body,

[e] said power-supply device is arranged inside said accommodating recess part in a state where said light source unit is attached to said equipment main body,

[f] said light source unit

[h] has

[f] an LED substrate on which multiple LEDs are mounted,

[g] an attachment member for attaching said LED substrate to said equipment main body in a manner that said multiple LEDs face outward from said accommodating recess part, and

[h] a cover member having diffusion properties, which is attached to said attachment member in a manner that it covers said multiple LEDs,

[i] said cover member has a pair of protruding walls attached to said attachment member,

[j] said accommodating recess part is formed to have an opening part by bending a sheet metal, and

[k] said cover member is provided with extension parts that overlap with the opening edge of said accommodating recess part, with no space in between, in a direction perpendicular to the longitudinal direction and the width direction of said equipment main body, in a state where said light source unit is attached to said equipment main body.

3. Summary of the reasons for the JPO Decision

(1) Grounds for invalidation

The reasons for the JPO Decision are as stated in Attachment 1 "Written Trial Decision (Copy)." In summary, the JPO approved the Correction and ruled that all of the following grounds for invalidation argued by the demandant are groundless: Ground

for Invalidation 1-5 (lack of novelty in Invention 5, which relied on the invention in the sixth embodiment described in Exhibit Ko 1 as the primary prior art); Ground for Invalidation 1-1 (lack of an inventive step in Invention 1, which relied on the invention in the sixth embodiment described in Exhibit Ko 1 as the primary prior art and applied matters relating to the first embodiment or fourth embodiment described in Exhibit Ko 1); Ground for Invalidation 2A-1 (lack of an inventive step in Invention 1, which relied on the invention in the sixth embodiment described in Exhibit Ko 2 as the primary prior art and applied matters relating to the third embodiment described in Exhibit Ko 2); Ground for Invalidation 2B-1 (lack of an inventive step in Invention 1, which relied on the invention in the third embodiment described in Exhibit Ko 2 as the primary prior art and applied matters relating to the sixth embodiment described in Exhibit Ko 2); Ground for Invalidation 2A-5 (lack of an inventive step in Invention 5, which relied on the invention in the sixth embodiment described in Exhibit Ko 2 as the primary prior art and applied matters relating to the third embodiment described in Exhibit Ko 2); Ground for Invalidation 2B-5 (lack of an inventive step in Invention 5, which relied on the invention in the third embodiment described in Exhibit Ko 2 as the primary prior art and applied matters relating to the sixth embodiment described in Exhibit Ko 2); Ground for Invalidation 3-1 (lack of an inventive step in Invention 1, which relied on the invention in the first embodiment described in Exhibit Ko 3 as the primary prior art and applied matters relating to well-known prior art); and Ground for Invalidation 3-5 (lack of an inventive step in Invention 5, which relied on the invention in the first embodiment described in Exhibit Ko 3 as the primary prior art and applied well-known prior art).

(2) JPO's findings regarding Exhibits Ko 1 to 3

A. Exhibits Ko 1 to 3 cited in the JPO Decision are as follows.

Exhibit Ko 1: International Publication No. 2010/126083 Gazette

Exhibit Ko 2: Unexamined Patent Application Publication No. 2012-3993 Gazette

Exhibit Ko 3: Unexamined Patent Application Publication No. 2005-19299 Gazette

B. Inventions in the sixth embodiment in Exhibit Ko 1

It is found that Exhibit Ko 1 describes two inventions concerning the sixth embodiment, as described in (a) and (b) below (hereinafter referred to as "Exhibit Ko 1-1 Invention" and "Exhibit Ko 1-5 Invention," respectively).

(a) Exhibit Ko 1-1 Invention

"A member comprising a substrate 2 on which multiple LED elements are mounted,

a base member 3 which holds said substrate 2, and

a cover member 13 which is made of polycarbonate or polycarbonate-containing

diffusion agent and inside of which said base member 3 is mounted in a manner that it covers said substrate 2,

which is a member

wherein said cover member 13 comprises a pair of grooves 13a that are provided inside a pair of walls mounted by inserting said base member 3, and a pair of support members 13b that extend outside a pair of walls in the direction in which said pair of walls are aligned,

equipment 5 formed in an elongated shape is made of a sheet metal or the like for most of its part, its vertical cross-sectional shape perpendicular to the longitudinal direction is in a shape of an approximately isosceles triangle in which the apex angle is convex downward, and two cover members 13 are arranged at the opening part of each plane corresponding to the isosceles part of the isosceles triangle cross section in a manner that the curved surface faces outward, and it is suspended on the ceiling or the like on the upper surface corresponding to the bottom part,

said base member 3 is a member that holds said substrate 2 in a manner that said multiple LED elements 1 face outward from said equipment 5 having said opening part, said base member 3 is mounted on said cover member 13, and the edge of the opening part of said equipment 5 is fitted in between a pair of protrusions of the support members 13b of said cover member 13, and

said cover member 13 overlaps with the edge of said opening part, with no space in between, in a direction perpendicular to the longitudinal direction and the width direction of said equipment 5, in a state where said cover member 13 is attached to said opening part."

(b) Exhibit Ko 1-5 Invention

"Lighting equipment comprising

equipment 5 which is formed in an elongated shape,

a cover member 13 which is provided and supported at two points of said equipment 5 and holds a base member 3 having LED elements 1, and

a power-supply unit 6 which is provided on the back surface of the base member 3 on which the LED elements 1 are not mounted, and which supplies power to the LED elements 1,

wherein the equipment 5 is made of a sheet metal or the like for most of its part, its vertical cross-sectional shape perpendicular to the longitudinal direction is in a shape of an approximately isosceles triangle in which the apex angle is convex downward, and two cover members 13 are arranged at the opening part of each plane corresponding to the isosceles part of the isosceles triangle cross section in a manner that the curved

surface faces outward, and it is suspended on the ceiling or the like on the upper surface corresponding to the bottom part,

said opening part is provided along the longitudinal direction of the equipment 5 comprising a member comprising

a substrate 2 on which multiple LED elements are mounted,

a base member 3 which holds said substrate 2 in a manner that said multiple LED elements 1 face outward from the equipment 5 having said opening part, and

a cover member 13 which is made of polycarbonate or polycarbonate-containing diffusion agent and inside of which said base member 3 is mounted in a manner that it covers said LED elements 1,

said base member 3 is mounted on said cover member 13, and the edge of the opening part of said equipment 5 is fitted in between a pair of protrusions of the support members 13b of said cover member 13,

said cover member 13 has a pair of grooves 13a that are provided inside a pair of walls mounted by inserting said base member 3,

said opening part is formed to have an opening, and

said cover member 13 is provided with a pair of support members 13b that overlap with the edge of said opening part, with no space in between, in a direction perpendicular to the longitudinal direction and the width direction of said equipment 5, in a state where said member is attached to said equipment 5."

C. Inventions in the sixth embodiment in Exhibit Ko 2

It is found that Exhibit Ko 2 describes two inventions concerning the sixth embodiment, as described in (a) and (b) below (hereinafter referred to as "Exhibit Ko 2A-1 Invention" and "Exhibit Ko 2A-5 Invention," respectively).

(a) Exhibit Ko 2A-1 Invention

"A light source part 2 comprising

a substrate 23 on which multiple LEDs 22 are mounted,

an attachment member 21 to which said substrate 23 is attached, and

a cover member 24 having diffusion properties, which is attached to said attachment member 21 in a manner that it covers said substrate 23,

wherein said cover member 24 has a pair of fitting grooves 24a provided inside a pair of walls on the open end side which are attached to said attachment member 21, and a pair of cover ends along the outside of each of said pair of walls on the open end side in a direction in which said pair of walls on the open end side are aligned,

an accommodating recess part 11, which is formed approximately at the center along the longitudinal direction of an equipment main body 1 formed in an elongated shape,

has a top panel 11a formed into a long and rectangular plate shape, and

has a pair of side walls 11b which protrude from the edge of the opening part of said accommodating recess part 11 and are connected to said top plate 11a,

said attachment member 21 is a member by which said substrate 23 is attached to a locking member 4 attached to said equipment main body 1, in a manner that said multiple LEDs 22 face outward from said accommodating recess part 11, and

said cover member 24 is configured in a manner that, in a state where said light source part 2 is accommodated in said accommodating recess part 11, each of said pair of cover ends are arranged to cover the opening part side of the accommodating recess part 11, with no space in between, in the width direction of said equipment main body 1."

(b) Exhibit Ko 2A-5 Invention

"Lighting equipment comprising

an equipment main body 1 in an elongated shape,

a light source part 2 arranged on said equipment main body 1, and

a lighting device 3 which is arranged on said equipment main body 1 and supplies DC output to LEDs 22 on said light source part 2 and controls lighting,

wherein a rectangular accommodating recess part 11 is provided on one side of said equipment main body 1 approximately at the center along the longitudinal direction of the equipment main body 1,

said lighting device 3 is attached inside the top plate 11a of said accommodating recess part 11 in a state where said light source part 2 is attached to said equipment main body,

said light source 2 comprises a substrate 23 on which multiple LEDs 22 are mounted,

an attachment member 21 for attaching said substrate 23 to a locking member 4 attached to said equipment main body 1, in a manner that said multiple LEDs 22 face outward from said accommodating recess part 11, and

a cover member 24 having diffusion properties, which is attached to said attachment member 21 in a manner that it covers said multiple LEDs 22,

said cover member 24 has a pair of fitting grooves 24a provided inside a pair of walls on the open end side which are attached to said attachment member 21, and

has a pair of cover ends along the outside of each of said pair of walls on the open end side in a direction in which said pair of walls on the open end side are aligned,

said accommodating recess part 11 has an opening part formed by bending a galvanized steel plate, and

said cover member 24 is configured in a manner that, in a state where said light

source part 2 is attached to said equipment main body 1, each of said pair of cover ends are arranged to cover the opening part side of the accommodating recess part 11, with no space in between, in the width direction of said equipment main body 1."

D. Inventions in the third embodiment in Exhibit Ko 2

It is found that Exhibit Ko 2 describes two inventions concerning the third embodiment, as described in (a) and (b) below (hereinafter referred to as "Exhibit Ko 2B-1 Invention" and "Exhibit Ko 2B-5 Invention," respectively).

(a) Exhibit Ko 2B-1 Invention

"A light source part 2 comprising

a substrate 23 on which multiple LEDs 22 are mounted,

an attachment member 21 to which said substrate 23 is attached, and

a cover member 24 having diffusion properties, which is attached to said attachment member 21 in a manner that it covers said substrate 23,

wherein said cover member 24 has a pair of fitting grooves 24a provided inside a pair of walls on the open end side which are attached to said attachment member 21, and swelling parts that swell toward the front side and outside of the lateral sides from cover ends along the outside of each of said pair of walls on the open end side in a direction in which said pair of walls on the open end side are aligned,

an accommodating recess part 11, which is formed approximately at the center along the longitudinal direction of an equipment main body 1 formed in an elongated shape, has a top panel 11a formed into a long and rectangular plate shape, and

has a pair of side walls 11b which protrude from the edge of the opening part of said accommodating recess part 11 and are connected to said top plate 11a,

said attachment member 21 is a member by which said substrate 23 is attached to a locking member 4 attached to said equipment main body 1, in a manner that said multiple LEDs 22 face outward from said accommodating recess part 11, and

in said cover member 24, in a state where said light source part 2 is accommodated in said accommodating recess part 11, each of a pair of said swelling parts of the cover member overlaps with the edge of the opening part of the accommodating recess part 11, with a space in between, when viewed from a direction perpendicular to the longitudinal direction and the width direction of said equipment main body 1."

(b) Exhibit Ko 2B-5 Invention

"Lighting equipment comprising

an equipment main body 1 in an elongated shape,

a light source part 2 arranged on said equipment main body 1, and

a lighting device 3 which is arranged on said equipment main body 1 and supplies

DC output to LEDs 22 on said light source part 2 and controls lighting,

wherein a rectangular accommodating recess part 11 is provided on one side of said equipment main body 1 approximately at the center along the longitudinal direction of the equipment main body 1,

said lighting device 3 is attached inside the top plate 11a of said accommodating recess part 11 in a state where said light source part 2 is attached to said equipment main body,

said light source part 2 comprises a substrate 23 on which multiple LEDs 22 are mounted,

an attachment member 21 for attaching said substrate 23 to a locking member 4 attached to said equipment main body 1, in a manner that said multiple LEDs 22 face outward from said accommodating recess part 11, and

a cover member 24 having diffusion properties, which is attached to said attachment member 21 in a manner that it covers said multiple LEDs 22,

said cover member 24 has a pair of fitting grooves 24a provided inside a pair of walls on the open end side which are attached to said attachment member 21, and

has swelling parts that swell toward the front side and outside of the lateral sides from cover ends along the outside of each of said pair of walls on the open end side in a direction in which said pair of walls on the open end side are aligned,

said accommodating recess part 11 has an opening part formed by bending a galvanized steel plate, and

in said cover member 24, in a state where said light source part 2 is attached to said equipment main body 1, each of a pair of said swelling parts of the cover member overlaps with the edge of the opening part of the accommodating recess part 11, with a space in between, when viewed from a direction perpendicular to the longitudinal direction and the width direction of said equipment main body 1."

E. Inventions in the first embodiment in Exhibit Ko 3

It is found that Exhibit Ko 3 describes two inventions concerning the first embodiment, as described in (a) and (b) below (hereinafter referred to as "Exhibit Ko 3-1 Invention" and "Exhibit Ko 3-5 Invention," respectively).

(a) Exhibit Ko 3-1 Invention

"A unit including LEDs 2 comprising

a substrate 10 on which LEDs 2 are attached at intervals of 5 to 10 cm,

an insulating plate 13 on which said substrate 10, with the LEDs 2 arranged in the upper part and electric components 11 arranged in the underpart, is arranged, and

a lid 3 which is made of a transparent insulating material, such as acrylic resin or

glass, and which is attached to the insulating plate 13 in a manner that it covers the substrate 10,

which is a unit including LEDs 2,

wherein said lid 3 has a pair of protruding walls attached to said insulating plate 13 and a pair of extension parts that extend outside each of said pair of protruding walls in the direction in which said pair of protruding walls are aligned;

a recess part with a U-shaped cross section provided on one side of a long attachment base 1 has a bottom surface that is formed in a long and rectangular plate shape and a pair of side surface plates that protrude from the edge of the opening part of said recess part and are connected to said bottom surface;

said insulating plate 13 is a member on which said substrate 10 is arranged and is fitted to the inside of said lid 3 in a manner that said LEDs 2 attached at intervals of 5 to 10 cm face outward from said recess part, and said lid 3 is fitted to said attachment base 1; and

in said lid 3, in a state where the unit including LEDs 2 is accommodated in said recess part, each of the pair of extension parts of the lid 3 overlaps with the opening edge of said recess part, with no space in between, in the vertical direction."

(b) Exhibit Ko 3-5 Invention

"LED lighting equipment comprising

a long attachment base 1, a unit including LEDs 2 comprising a substrate 10, an insulating plate 13, and a lid 3 and that is attached to said attachment base 1, and

electric components 11 arranged on said insulating plate 13 of said unit including LEDs 2, and power wiring 14 arranged at the underpart of the insulating plate 13 in a space inside the attachment base 1,

wherein a rectangular recess part is provided along the longitudinal direction of said attachment base 1 on one side of the attachment base 1,

said electric component 11 and said power wiring 14 are arranged inside said recess part in a state where said unit including LEDs 2 is attached to said attachment base 1,

said unit including LEDs 2 has the substrate 10 on which LEDs 2 are attached at intervals of 5 to 10 cm,

the insulating plate 13 on which said substrate 10 is arranged and which is fitted to the inside of said lid 3 in a manner that said LEDs 2 attached at intervals of 5 to 10 cm face outward from said recess part, and

the lid 3 which is made of a transparent insulating material, such as acrylic resin or glass, and which has said insulating plate 13 fitted inside in a manner that it covers said LEDs attached at intervals of 5 to 10 cm,

said lid 3 is fitted to said attachment base 1,

said lid 3 has a pair of protruding walls to have said insulating plate 13 fitted,

the attachment base 1 is formed of metal, and its cross section is formed into a U shape, and

said lid 3 is provided with a pair of extension parts that overlap with the opening edge of said recess part, with no space in between, in the vertical direction, in a state where the unit including LEDs 2 is fitted to said recess part."

(3) Common features and differences found in the JPO Decision

A. Regarding Ground for Invalidation 1-5

The common features and differences between Invention 5 and Exhibit Ko 1-5 Invention as found in the JPO Decision are as follows.

(Common features)

"Lighting equipment comprising an equipment main body formed in an elongated shape, a light source unit attached to said equipment main body, and a power-supply device that is attached to said light source unit and supplies lighting power to said light source unit,

wherein an accommodating means with an opening is provided along the longitudinal direction of said equipment main body on one side of said equipment main body,

said power-supply device is arranged inside said accommodating means with an opening in a state where said light source unit is attached to said equipment main body,

said light source unit has an LED substrate on which multiple LEDs are mounted, a holding member that holds said LED substrate in a manner that said multiple LEDs face outward from said accommodating means with an opening, and a cover member having diffusion properties, which is attached to said holding member in a manner that it covers said multiple LEDs,

said cover member has a pair of protruding walls attached to said holding member,

said accommodating means with an opening is formed to have an opening part, and

said cover member is provided with extension parts that overlap with the opening edge of said accommodating means with an opening, with no space in between, in a direction perpendicular to the longitudinal direction and the width direction of said equipment main body, in a state where said light source unit is attached to said equipment main body."

(Difference 1-5-1(5)) (As for the code assigned to this difference: the first component "1" indicates that this is the first difference in the comparison; the second component "5" indicates that this relates to Invention 5; and the third component "1(5)" indicates

that the primary prior art is "Exhibit Ko 1-5". Codes are assigned in the same manner with regard to the other differences discussed below.)

With regard to a member for attaching an LED substrate to an equipment main body, such member is an "attachment member" that holds the LED substrate in Invention 5, whereas in Exhibit Ko 1-5 Invention, it is a "cover member" and a holding member that holds the LED substrate (base member) is attached to the cover member and it is not a member to be attached to the equipment main body.

(Difference 2-5-1(5))

With regard to an accommodating means with an opening which accommodates a power-supply device, such means is a rectangular accommodating recess part formed by bending a sheet metal in Invention 5, whereas in Exhibit Ko 1-5 Invention, the "equipment 5 is made of a sheet metal or the like for most of its part, its vertical cross-sectional shape perpendicular to the longitudinal direction is in a shape of an approximately isosceles triangle in which the apex angle is convex downward, and two cover members 13 are arranged at the opening part of each plane corresponding to the isosceles part of the isosceles triangle cross section in a manner that the curved surface faces outward," thus, the accommodating means with an opening is not specified as a rectangular recess part, or in terms of how to process it.

B. Regarding Ground for Invalidation 1-1

The common features and differences between Invention 1 and Exhibit Ko 1-1 Invention as found in the JPO Decision are as follows.

(Common features)

"A light source unit comprising an LED substrate on which multiple LEDs are mounted, a holding member to which said LED substrate is attached, and a cover member having diffusion properties, which is attached to said holding member in a manner that it covers said LED substrate,

which is a light source unit

wherein said cover member has a pair of protruding walls attached to said holding member and a pair of extension parts which extend outside each of said pair of protruding walls in the direction in which said pair of protruding walls are aligned,

said light source unit has an accommodating means with an opening provided on an equipment main body formed in an elongated shape,

said holding member is a member that holds said LED substrate in a manner that said multiple LEDs face outward from said accommodating means with an opening, and

in said cover member, in a state where said light source unit is accommodated in said accommodating means with an opening, each of said pair of extension parts

overlaps with the opening edge of said opening part, with no space in between, in a direction perpendicular to the longitudinal direction and the width direction of said equipment main body."

(Difference 1-1-1(1))

With regard to a member for attaching an LED substrate to an equipment main body, such member is an "attachment member" that holds the LED substrate in Invention 1, whereas in Exhibit Ko 1-1 Invention, it is a "cover member 13" and a holding member that holds the LED substrate (base member 3) is attached to the cover member 13 and it is not a member to be attached to the equipment main body.

(Difference 2-1-1(1))

In Invention 1, a light source unit is accommodated in an accommodating recess part having a bottom surface part that is formed into a long and rectangular plate shape and a pair of side surface parts that protrude from the edge of the opening part of said accommodating recess part and are connected to said bottom surface part, whereas in Exhibit Ko 1-1 Invention, whether the light source unit is accommodated in a recess part having a bottom surface part and side surface parts is not specified.

(Difference 3-1-1(1))

In Invention 1, each of a pair of extension parts of a cover member overlaps with the opening edge of an accommodating recess part, with no space in between, in a state where a light source unit is accommodated in the accommodating recess part, whereas in Exhibit Ko 1-1 Invention, each of a pair of extension parts of a cover member 13 overlaps with the opening edge, with no space in between, but whether the opening is provided in the accommodating recess part is not specified.

C. Regarding Ground for Invalidation 2A-1

The common features and differences between Invention 1 and Exhibit Ko 2A-1 Invention as found in the JPO Decision are as follows.

(Common features)

"A light source unit comprising an LED substrate on which multiple LEDs are mounted, an attachment member to which said LED substrate is attached, and a cover member having diffusion properties, which is attached to said attachment member in a manner that it covers said LED substrate,

which is a light source unit

wherein said cover member has a pair of protruding walls attached to said attachment member and a pair of members outside each of said pair of protruding walls in the direction in which said pair of protruding walls are aligned,

an accommodating recess part provided on one side of an equipment main body

formed in an elongated shape has a bottom surface part that is formed into a long and rectangular plate shape and a pair of side surface parts that protrude from the edge of the opening part of said accommodating recess part and are connected to said bottom surface part,

said attachment member is a member for attaching said LED substrate in a manner that said multiple LEDs face outward from said accommodating recess part, and

in said cover member, in a state where said light source unit is accommodated in said accommodating recess part, each of said pair of members has contact with the opening part side of said accommodating recess part, with no space in between."

(Difference 1-1-2A(1))

In Invention 1, a cover member has a pair of extension parts that extend beyond the direction in which a pair of protruding walls are aligned, and each of the pair of extension parts overlaps with the opening edge of an accommodating recess part, with no space in between, in a direction perpendicular to the longitudinal direction and the width direction of the equipment main body, whereas in Exhibit Ko 2A-1 Invention, a cover member 24 has a pair of cover ends along the outside of each of a pair of walls on the open end side but does not have a pair of extension parts, so it does not overlap with the opening edge of an accommodating recess part, with no space in between.

(Difference 2-1-2A(1))

With regard to a member for attaching an LED substrate to an equipment main body, such member is an "attachment member" in Invention 1, whereas in Exhibit Ko 2A-1 Invention, it is a "locking member 4" and an attachment member 21 is a member by which a substrate 23 is attached to this locking member 4.

D. Regarding Ground for Invalidation 2B-1

The common features and differences between Invention 1 and Exhibit Ko 2B-1 Invention as found in the JPO Decision are as follows.

(Common features)

"A light source unit comprising an LED substrate on which multiple LEDs are mounted, an attachment member to which said LED substrate is attached, and a cover member having diffusion properties, which is attached to said attachment member in a manner that it covers said LED substrate,

which is a light source unit

wherein said cover member has a pair of protruding walls attached to said attachment member and a pair of extension parts which extend outside each of said pair of protruding walls in the direction in which said pair of protruding walls are aligned,

an accommodating recess part provided on one side of an equipment main body

formed in an elongated shape has a bottom surface part that is formed into a long and rectangular plate shape and a pair of side surface parts that protrude from the edge of the opening part of said accommodating recess part and are connected to said bottom surface part,

said attachment member is a member for attaching said LED substrate in a manner that said multiple LEDs face outward from said accommodating recess part, and

in said cover member, in a state where said light source unit is accommodated in said accommodating recess part, each of said pair of extension parts overlaps with the opening edge of said accommodating recess part, in a direction perpendicular to the longitudinal direction and the width direction of said equipment main body."

(Difference1-1-2B(1))

With regard to a member for attaching an LED substrate to an equipment main body, such member is an "attachment member" in Invention 1, whereas in Exhibit Ko 2B-1 Invention, it is a "locking member 4" and an attachment member 21 is a member by which a substrate 23 is attached to this locking member 4.

(Difference 2-1-2B(1))

With regard to a configuration in which a cover member overlaps with the opening part side of an accommodating recess part, in Invention 1, each of a pair of extension parts of a cover member overlaps with the opening edge of an accommodating recess part, with no space in between, whereas in Exhibit Ko 2B-1 Invention, each of a pair of swelling parts of a cover member 24 overlaps with the edge of the opening part of an accommodating recess part 11, with a space in between.

E. Regarding Ground for Invalidation 2A-5

The common features and differences between Invention 5 and Exhibit Ko 2A-5 Invention as found in the JPO Decision are as follows.

(Common features)

"Lighting equipment comprising an equipment main body formed in an elongated shape, a light source unit attached to said equipment main body, and a power-supply device that supplies lighting power to said light source unit,

wherein a rectangular accommodating recess part is provided along the longitudinal direction of said equipment main body on one side of said equipment main body, and said power-supply device is arranged inside said accommodating recess part in a state where said light source unit is attached to said equipment main body,

said light source unit has an LED substrate on which multiple LEDs are mounted, an attachment member for attaching said LED substrate in a manner that said multiple LEDs face outward from said accommodating recess part, and a cover member having

diffusion properties, which is attached to said attachment member in a manner that it covers said multiple LEDs,

said cover member has a pair of protruding walls attached to said attachment member,

said accommodating recess part is formed to have an opening part by bending a sheet metal, and

said cover member is provided with parts that have contact with the opening part side of said accommodating recess part, with no space in between, in a state where said light source unit is attached to said equipment main body."

(Difference 1-5-2A(5))

In Invention 5, a power-supply device is "attached to said light source unit," whereas in Exhibit Ko 2A-5 Invention, such device is "arranged on said equipment main body 1."

(Difference 2-5-2A(5))

With regard to a member for attaching an LED substrate to an equipment main body, such member is an "attachment member" in Invention 5, whereas in Exhibit Ko 2A-5 Invention, it is a "locking member 4" and an attachment member 21 is a member by which a substrate 23 is attached to this locking member 4.

(Difference 3-5-2A(5))

With regard to a configuration in which a cover member overlaps with the opening side of an accommodating recess part, in Invention 5, each of a pair of extension parts of a cover member overlaps with the opening edge of an accommodating recess part, with no space in between, whereas Exhibit Ko 2A-5 Invention is not configurated in a manner that a cover member 24 overlaps with the opening edge of an accommodating recess part, with no space in between, because the cover member 24 does not have extension parts.

F. Regarding Ground for Invalidation 2B-5

The common features and differences between Invention 5 and Exhibit Ko 2B-5 Invention as found in the JPO Decision are as follows.

(Common features)

"Lighting equipment comprising an equipment main body formed in an elongated shape, a light source unit attached to said equipment main body, and a power-supply device that supplies lighting power to said light source unit,

wherein a rectangular accommodating recess part is provided along the longitudinal direction of said equipment main body on one side of said equipment main body,

said power-supply device is arranged inside said accommodating recess part in a

state where said light source unit is attached to said equipment main body,

said light source unit has an LED substrate on which multiple LEDs are mounted, an attachment member for attaching said LED substrate in a manner that said multiple LEDs face outward from said accommodating recess part, and a cover member having diffusion properties, which is attached to said attachment member in a manner that it covers said multiple LEDs,

said cover member has a pair of protruding walls attached to said attachment member,

said accommodating recess part is formed to have an opening part by bending a sheet metal, and

said cover member is provided with extension parts that overlap with the opening edge of said accommodating recess part, in a direction perpendicular to the longitudinal direction and the width direction of said equipment main body, in a state where said light source unit is attached to said equipment main body."

(Difference 1-5-2B(5))

In Invention 5, a power-supply device is "attached to said light source unit," whereas in Exhibit Ko 2B-5 Invention, such device is "arranged on said equipment main body 1."

(Difference 2-5-2B(5))

With regard to a member for attaching an LED substrate to an equipment main body, such member is an "attachment member" in Invention 5, whereas in Exhibit Ko 2B-5 Invention, it is a "locking member 4" and an attachment member 21 is a member by which a substrate 23 is attached to this locking member 4.

(Difference 3-5-2B(5))

With regard to a space between each of a pair of extension parts of a cover member and the opening edge of an accommodating recess part, there is no space in Invention 5, whereas there is a space in Exhibit Ko 2B-5 Invention.

G. Regarding Ground for Invalidation 3-1

The common features and differences between Invention 1 and Exhibit Ko 3-1 Invention as found in the JPO Decision are as follows.

(Common features)

"A light source unit comprising an LED substrate on which multiple LEDs are mounted, a member to which said LED substrate is attached, and

a cover member which is attached to said member in a manner that it covers said LED substrate,

which is a light source unit

wherein said cover member has a pair of protruding walls attached to said member and a pair of extension parts which extend outside each of said pair of protruding walls in the direction in which said pair of protruding walls are aligned,

an accommodating recess part provided on one side of an equipment main body formed in an elongated shape has a bottom surface part that is formed into a long and rectangular plate shape and a pair of side surface parts that protrude from the edge of the opening part of said accommodating recess part and are connected to said bottom surface part,

said member is a member by which said LED substrate is attached in a manner that said multiple LEDs face outward from said accommodating recess part, and

in said cover member, in a state where said light source unit is accommodated in said accommodating recess part, each of said pair of extension parts overlaps with the opening edge of said accommodating recess part, with no space in between, in a direction perpendicular to the longitudinal direction and the width direction of said equipment main body."

(Difference 1-1-3(1))

With regard to a member for attaching an LED substrate to an equipment main body, such member is an "attachment member" in Invention 1, whereas in Exhibit Ko 3-1 Invention, it is a "lid 3" and an insulating plate 13 is a member by which a substrate 10 is attached to this lid 3.

(Difference 2-1-3(1))

With regard to a cover member, such member "has diffusion properties" in Invention 1, whereas in Exhibit Ko 3-1 Invention, it is "made of a transparent insulating material, such as acrylic resin or glass," but whether it has diffusion properties is unknown.

H. Regarding Ground for Invalidation 3-5

The common features and differences between Invention 5 and Exhibit Ko 3-5 Invention as found in the JPO Decision are as follows.

(Common features)

"Lighting equipment comprising an equipment main body formed in an elongated shape, a light source unit attached to said equipment main body, and a device that is attached to said light source unit and supplies lighting power to said light source unit,

wherein a rectangular accommodating recess part is provided along the longitudinal direction of said equipment main body on one side of said equipment main body,

said device is arranged inside said accommodating recess part in a state where said light source unit is attached to said equipment main body,

said light source unit has an LED substrate on which multiple LEDs are mounted, a

member by which said LED substrate is attached in a manner that said multiple LEDs face outward from said accommodating recess part, and a cover member which is attached to said member in a manner that it covers said multiple LEDs,

said cover member has a pair of protruding walls attached to said member, and said accommodating recess part is formed to have an opening part with metal, and

said cover member is provided with extension parts that overlap with the opening edge of said accommodating recess part, with no space in between, in a direction perpendicular to the longitudinal direction and the width direction of said equipment main body, in a state where said light source unit is attached to said equipment main body."

(Difference 1-5-3(5))

With regard to a device by which lighting power is supplied to said light source unit, such device is a "power-supply device" in Invention 5, whereas in Exhibit Ko 3-5 Invention, whether it is a power-supply device is unknown.

(Difference 2-5-3(5))

With regard to a member for attaching an LED substrate to an equipment main body, such member is an "attachment member" in Invention 5, whereas in Exhibit Ko 3-5 Invention, it is a "lid 3" and an insulating plate 13 is a member by which a substrate 10 is attached to this lid 3.

(Difference 3-5-3(5))

With regard to a cover member, such member "has diffusion properties" in Invention 5, whereas in Exhibit Ko 3-5 Invention, it is "made of a transparent insulating material, such as acrylic resin or glass," but whether it has diffusion properties is unknown.

(Difference 4-5-3(5))

With regard to the opening part of an accommodating recess part, in Invention 5, it is formed "by bending a sheet metal," whereas in Exhibit Ko 3-5 Invention, "the attachment base 1 is formed of metal, and its cross section is formed into a U shape."

No. 4 Judgment of this court

1. Matters stated in the Description

(1) The Description (Exhibits Ko 11 and 104) contains the following statements (see Attachment 2 for Figures 1(a)(b) and Figure 2 cited below).

[Technical field]

[0001]

The present invention relates to a light source unit and lighting equipment.

[Background art]

[0002]

Direct ceiling mount type lighting equipment, which is attached to the ceiling, has conventionally been provided (for example, see Patent Document 1). This lighting equipment comprises an equipment main body formed in a horizontally long and elongated shape and a light source part attached to the equipment main body by using locking members, and at approximately the center of the equipment main body, an accommodating recess part for accommodating the light source part is provided along the entire length of the equipment main body.

[0003]

The light source part has an attachment member formed in a horizontally long and elongated shape, multiple substrates that are attached to the undersurface of the attachment member in an aligned manner with each mounted with multiple light-emitting elements, and a cover member that is attached to the attachment member in a manner that it covers the multiple substrates. The light source part assembled into one is attached to the equipment main body by using locking members in a state where a part of it is accommodated in the accommodating recess part of the equipment main body.

[Patent Document 1] Unexamined Patent Application Publication No. 2012-3993 Gazette

[0005]

In the lighting equipment shown in Patent Document 1 described above, a gap was formed between the cover member and the accommodating recess part in a state where the light source part was attached to the equipment main body, and when the light source part was lighted, the gap part darkened in a streak shape, so the appearance was not good when one looked up at the lighting equipment.

[0006]

The present invention was made in light of the aforementioned problem. The aim of the invention is to provide a light source unit and lighting equipment with an improved appearance at the time of lighting.

[Means for solving the problem]

[0007]

The light source unit of the present invention is a light source unit comprising an LED substrate on which multiple LEDs are mounted, an attachment member to which said LED substrate is attached, and a cover member having diffusion properties, which is attached to said attachment member in a manner that it covers said LED substrate, which is a light source unit characterized in that said cover member has a pair of

protruding walls attached to said attachment member and a pair of extension parts which extend outside each of said pair of protruding walls in the direction in which said pair of protruding walls are aligned, an accommodating recess part provided on one side of an equipment main body formed in an elongated shape has a bottom surface part that is formed into a long and rectangular plate shape and a pair of side surface parts that protrude from the edge of the opening part of said accommodating recess part and are connected to said bottom surface part, said attachment member is a member for attaching said LED substrate to said equipment main body in a manner that said multiple LEDs face outward from said accommodating recess part, and in said cover member, in a state where said light source unit is accommodated in said accommodating recess part, each of said pair of extension parts overlaps with the opening edge of said accommodating recess part, with no space in between, in a direction perpendicular to the longitudinal direction and the width direction of said equipment main body.

[0008]

In this light source unit, said cover member is formed in an elongated shape, and it is preferable that each of said pair of extension parts extends in a direction away from each other from both ends of said cover member in the width direction perpendicular to the longitudinal direction, and that each of said pair of protruding walls protrudes towards the side of said attachment member in an inner side of each of said pair of extension parts in the width direction of said cover member.

[0012]

The lighting equipment of the present invention comprises an equipment main body formed in an elongated shape, a light source unit attached to said equipment main body, and a power-supply device that is attached to said light source unit and supplies lighting power to said light source unit, which is characterized in that a rectangular accommodating recess part is provided along the longitudinal direction of said equipment main body on one side of said equipment main body, said power-supply device is arranged inside said accommodating recess part in a state where said light source unit is attached to said equipment main body, said light source unit has an LED substrate on which multiple LEDs are mounted, an attachment member for attaching said LED substrate to said equipment main body in a manner that said multiple LEDs face outward from said accommodating recess part, and a cover member having diffusion properties, which is attached to said attachment member in a manner that it covers said multiple LEDs, said cover member has a pair of protruding walls attached to said attachment member, said accommodating recess part is formed to have an opening part by bending a sheet metal, and said cover member is provided with

extension parts that overlap with the opening edge of said accommodating recess part, with no space in between, in a direction perpendicular to the longitudinal direction and the width direction of said equipment main body, in a state where said light source unit is attached to said equipment main body.

[Effect of the invention]

[0015]

The extension parts of the cover member overlap with the opening edge of the accommodating recess part of the equipment main body in a direction perpendicular to the longitudinal direction and the width direction of said equipment main body, in a state where the light source unit is accommodated in the accommodating recess part provided on one surface of the equipment main body formed in an elongated shape. As a result, no gap is formed between the cover member and the accommodating recess part, and therefore, the darkening in a streak shape does not occur when the light source unit is lighted. Thus, the invention has an effect of providing a light source unit with an improved appearance at the time of lighting.

[0021]

As shown in Figure 1 (a) and Figure 2, the light source unit 2 has multiple (two in Figure 2) LED substrates 22, an attachment member 21 to which the LED substrates 22 are attached, and a cover member 23 that is attached to the attachment member 21 in a manner that it covers the LED substrates 22. The light source unit 2 has a power-supply device 24 that supplies predetermined lighting power to the LED substrates 22 and a terminal block unit 25.

[0024]

The attachment member 21 is formed in a U shape by bending a sheet metal, and comprises a bottom surface part 211 formed into a long and rectangular plate shape, and a pair of side surface parts 212 which extend from both ends of the bottom surface part 211 in the left-right direction (width direction) to the vertical direction (the direction perpendicular to the bottom surface part 211). As shown in Figure 1 (a), inclined parts 212a that are inclined in directions away from each other are provided at the ends of the respective side surface parts 212 along the entire length of the side surface parts 212.

[0025]

A hole 211a for passing through said electric wire, which electrically connects the LED substrate 22 with the power-supply device 24, is provided at one end (the right end in Figure 2) of the bottom surface part 211 in the front-back direction (longitudinal direction). A rectangular recess part 211b, which is formed by having a part of the

bottom surface part 211 protrude upward, is provided approximately at the center of the bottom surface part 211 in the front-back direction. This rectangular recess part 211b is for securing the insulation distance between the connector 224 and the bottom surface part 211 of the attachment member 21 in a state where both LED substrates 22 and 22 are attached to the attachment member 21.

[0026]

The LED substrate 22 mentioned above is fixed to the attachment member 21 by the locking claws (not illustrated) formed, for example by cutting and raising a part of the bottom surface part 211 of the attachment member 21.

[0027]

The cover member 23 is formed in an elongated shape with the upper surface (the surface on the attachment member 21 side) open using a material having diffusion properties (for example, milky white acrylic resin). The cover member 23 has a convex lens-shaped diffusing surface 231 in which the amount of protrusion downward increases from both end sides toward the central side in the left-right direction (width direction) (see Figure 1(a)). Thus, by forming the diffusing surface 231 into such shape, the amount of light distributed to each direction can be made approximately equal as compared to when the amount of protrusion downward is made equal.

[0028]

... at both ends of the cover member 23 in the left-right direction, as shown in Figure 1(b), extension parts 232 that overlap with the opening edge of the accommodating recess part 11 of the equipment main body 1 in the vertical direction are respectively provided, in a state where the light source unit 2 is attached to the equipment main body 1. In addition, protruding walls 233 that protrude upward (on the attachment member 21 side) are respectively provided on the inner sides of the extending parts 232 in the left-right direction of the cover member 23 along its entire length, and at the ends of the respective protruding walls 233, projections 233a that protrude inward are respectively provided.

[0030]

As shown in Figure 1 (a), a housing case 242 has a housing part 242a which opens at one side (the side opposite to the bottom surface part 211 of the attachment member 21) and which is in a rectangular box shape that is longer in the front-back direction. The housing case 242 has a groove 242e consisting of a space surrounded by a first extension part 242b, second extension part 242c, and a side surface part 242d of the housing part 242a.

[0032]

The groove 242e is used as a wiring space for passing through an electric wire from the terminal block unit 25 to the power-supply device 24, an electric wire from the power-supply device 24 to the LED substrate 22, and an electric wire that conveys power to adjacent lighting equipment A. The power-supply device 24 is attached to the attachment member 21 by, for example, using screws, in a state where at least a part of it is accommodated in the accommodating part 213 consisting of a space surrounded by the bottom surface part 211 of the attachment member 21 and both side surface parts 212 and 212.

[0033]

The terminal block unit 25 has a terminal block 251 formed in a rectangular box shape and an attachment metal fitting 252 for attaching the terminal block 251 to the attachment member 21. A power supply line (not illustrated) that is exposed toward inside of the room (downward) is connected to the terminal block 251 via a ceiling material 100, and an electric wire (not illustrated) is connected to the terminal block 251 to electrically connect it to the power-supply device 24. This terminal block unit 25 is attached to the attachment member 21 by, for example, using screws, in a state where at least a part of it is accommodated in the accommodating part 213.

[0034]

Next, the assembly procedure of the light source unit 2 will be described. First, the operator attaches the power-supply device 24 and the terminal block unit 25 to the upper surface side of the attachment member 21, and further connects between the power-supply device 24 and the terminal block unit 25 with an electric wire. Thereafter, the operator fixes the LED substrate 22 to the bottom surface part 211 of the attachment member 21 with the aforementioned locking claws, passes an electric wire led out from the connector 223 of the LED substrate 22 through a hold 211a provided on the bottom surface part 211 of the attachment member 21, and then connects the end of the electric wire to the power-supply device 24.

[0035]

Finally, the operator attaches the cover member 23 to the attachment member 21 with the opening side facing upward. At this time, the protrusions 233a provided on the respective protruding walls 233 of the cover member 23 are hooked on the inclined parts 212a provided on the respective side surface parts 212 of the attachment member 21, and the cover member 23 is attached to the attachment member 21. The light source unit 2 is assembled according to the above procedure. Incidentally, the aforementioned method of attaching the cover member 23 to the attachment member 21 is an example, and another method may be used.

[0037]

Thereafter, the operator connects said power supply line to the terminal block 251, attaches the light source unit 2 to the equipment main body 1 by fitting structures (not illustrated) respectively provided on the equipment main body 1 and the attachment member 21. At this time, at least the power-supply device 24 and the terminal block unit 25 are accommodated in the accommodating recess part 11. The lighting equipment A is installed onto the ceiling according to the above procedure.

[0044]

Finally, the operator connects said power supply line to the terminal block unit (not illustrated), and attaches the light source unit 2 to the reflection plate 5 by, for example, fitting structures (not illustrated) respectively provided on the reflection plate 5 and the attachment member 21. At this time, at least the power-supply device 24 and the terminal block unit are accommodated in the accommodating recess part 51. The lighting equipment A is installed in the ceiling space according to the above procedure.

[0046]

The light source unit 2 of the present embodiment comprises an LED substrate 22 on which multiple LEDs 222 are mounted, an attachment member 21 to which the LED substrate 22 is attached, and a cover member 23 having diffusion properties, which is attached to the attachment member 21 in a manner that it covers the LED substrate 22. The cover member 23 has a pair of protruding walls 233 and 233 attached to the attachment member 21 and a pair of extension parts 232 and 232 which extend outside each of the pair of protruding walls 233 and 233 in the direction in which the pair of protruding walls 233 and 233 are aligned.

[0047]

It is preferable that a cover member 23 is formed in an elongated shape, as in the light unit source 2 of the present embodiment. In this case, each of the pair of extension parts 232 and 232 extends in a direction away from each other from both ends of the cover member 23 in the width direction perpendicular to the longitudinal direction, and each of the pair of protruding walls 233 and 233 protrudes towards the side of the attachment member 21 in an inner side of each of the pair of extension parts 232 and 232 in the width direction of said cover member.

[0051]

The lighting equipment A of the present embodiment comprises an equipment main body 1 formed in an elongated shape, a light source unit 2 that is attached to the equipment main body 1, and a power-supply device 24 that supplies lighting power to the light source unit 2. A rectangular accommodating recess part 11 is provided along

the longitudinal direction of the equipment main body 1 on one side of the equipment main body 1. The power-supply device 24 is arranged inside the accommodating recess part 11 in a state where the light source unit 2 is attached to the equipment main body 1. The light source unit 2 has an LED substrate 22, an attachment member 21, and a cover member 23. Multiple LEDs 222 are mounted on the LED substrate 22. The LED substrate 22 is attached to the equipment main body 1 by the attachment member 21 in a manner that the multiple LEDs 222 face outward from the accommodating recess part 11. The cover member 23 has diffusion properties and is attached to the attachment member 21 in a manner that it covers the multiple LEDs 222. The cover member 23 is provided with extension parts 232 that overlap with the opening edge of the accommodating recess part 11 in a direction perpendicular to the longitudinal direction and the width direction of the equipment main body 1, in a state where the light source unit 2 is attached to the equipment main body 1.

(2) Based on the matters stated in the Description as shown in (1) above, it is found that the detailed explanation of the invention in the Description discloses the following matters regarding the Invention.

The Invention relates to a light source unit and lighting equipment ([0001]). Direct ceiling mount type lighting equipment, which is attached to the ceiling, has conventionally been provided. This lighting equipment comprises an equipment main body formed in a horizontally long and elongated shape and a light source part attached to the equipment main body, and at approximately the center of the equipment main body, an accommodating recess part for accommodating the light source part is provided along the entire length of the equipment main body. The light source part has an attachment member formed in a horizontally long and elongated shape, multiple substrates that are attached to the undersurface of the attachment member in an aligned manner with each mounted with multiple light-emitting elements, and a cover member that is attached to the attachment member in a manner that it covers the multiple substrates ([0002][0003]).

In the conventional lighting equipment mentioned above, a gap was formed between the cover member and the accommodating recess part, and when the light source part was lighted, the gap part darkened in a streak shape, so the appearance was not good when one looked up at the lighting equipment ([0005]). The aim of the Invention is to provide a light source unit and lighting equipment with an improved appearance at the time of lighting ([0006]). In order to achieve the aforementioned aim, a light source unit with the configuration of Invention 1 and lighting equipment with the configuration of Invention 5 were adopted (Claims 1 and 5 and [0007]).

According to the Invention, no gap is formed between the cover member and the accommodating recess part, and therefore, the darkening in a streak shape does not occur when the light source unit is lighted. Thus, the Invention can provide a light source unit with an improved appearance at the time of lighting ([0015]).

2. Regarding Ground for Rescission 8 (error in the determination on Ground for Invalidation 3-1) and Ground for Rescission 9 (error in the determination on Ground for Invalidation 3-5)

In light of the case, the court examines Ground for Rescission 8 and Ground for Rescission 9 below.

(1) Regarding Ground for Rescission 8

A. Regarding Invention 1

First, the finding of the gist of Invention 1 is examined below, as there is a dispute between the parties.

(a) According to the statements of the claim relating to Invention 1, the "attachment member" is specified in the relevant constituent features as follows: Constituent Feature [B] "an attachment member to which said LED substrate is attached, and"; Constituent Feature [C] "comprising" "a cover member having diffusion properties, which is attached to said attachment member in a manner that it covers said LED substrate"; Constituent Feature [E] "said cover member" "a pair of protruding walls attached to said attachment member, and"; Constituent Feature [F] "has"; and Constituent Feature [I] "said attachment member is a member for attaching said LED substrate to said equipment main body in a manner that said multiple LEDs face outward from said accommodating recess part." "*Toritsuke*" (attachment) is a noun meaning "[i] an act of attaching a device or equipment; an act of mounting" (*Kōjien* 6th edition); thus, it can be understood that an "attachment member" is a member relating to an act of attaching a device or equipment or an act of mounting.

In addition, "*toritsukeru*" (to attach) is a verb meaning "[i] to install a device, etc. at a certain place or to mount a device, etc. on another object" (*Kōjien* 6th edition). As an auxiliary verb indicating passive voice "*rareru*" (in "is attached") is also used in Constituent Feature [B], it is understood from Constituent Feature [B] that the "attachment member" is an object on which the LED substrates are mounted.

Moreover, Constituent Feature [C] specifies that the "attachment member" is an object on which a cover member is mounted in a manner that the cover member covers the LED substrate, and as a configuration to that end, Constituent Feature [E] and Constituent Feature [F] specify that the cover member has a pair of protruding walls. As the word "*nishite*" (in a manner) is a particle indicating a state, and "*tame*" (for) is

a particle meaning an "aim" (*Kōjien* 6th edition), it can be understood that Constituent Feature [I] specifies that the "attachment member" is a member aimed at attaching the LED substrate to the equipment main body in a manner that the multiple LEDs face outward from the accommodating recess part.

According to the above, from the matters specified by the respective constituent features of Invention 1, it is found that the "attachment member" in Invention 1 is a member on which the cover member is mounted to become one and a member to which the LED substrate is attached and which is aimed at attaching the LED substrate to the equipment main body in a manner that it faces outward from the accommodating recess part.

On the other hand, it can be said that Invention 1 specifies that the cover member has a pair of protruding walls as a means for attaching the cover member to the attachment member (Constituent Feature [E]), but it does not specify a specific configuration for attaching the "attachment member" to the equipment main body; for example, it does not specify the configuration of the items to be used, such as bolts or hooks.

Accordingly, as Invention 1 does not specify a specific configuration for attaching the "attachment member" to the equipment main body, it is construed that a person ordinarily skilled in the art would have been able to adopt any kind of configuration for attaching the "attachment member" to the equipment main body based on the state of the art. It can be construed that the invention does not exclude a mode of interposing a cover member, including a configuration in which a means of locking or fitting is interposed between the attachment member and the equipment main body as in the following examples that were made public prior to the filing date of the application in question: the "locking member 4" in Figure 13 in Exhibit Ko 2; the "attachment member 4" in Exhibit 202 (Utility Model Registration No. 3126166 Gazette); the "locking member 40" and the "locking hole 84" in Exhibit Ko 204 (Unexamined Patent Application Publication No. 2012-185981 Gazette); the "kick spring 3" in Exhibit Ko 205 (report on the Wide Cat's Eye apparatus, ERK8775W/WEHP108M); and the "attachment spring 18" and the "attachment metal fitting 13" in Exhibit Otsu 1 (the same applies to Exhibits Otsu 2 and 3).

(b) Indeed, there is room to construe the meaning of the statements of the claims to differ from the ordinary meaning if the Description defines or explains that the meaning differs from the ordinary meaning. The relevant terms are examined below.

According to the Description, there are statements concerning the "attachment member" in paragraphs regarding the explanation on prior art ([0003]), means for

solving the problem ([0007], [0008], and [0012]), and embodiments ([0021], [0024] through [0028], [0030], [0032] through [0035], [0037], [0044], [0046], [0047], and [0051]). None of these statements defines or explains the "attachment member" to have a meaning that differs from the meaning in the statements of the claims mentioned in (a) above.

Here, when the working examples in the Description are examined, the following explanations are found regarding the attachment member.

The attachment member 21 in the embodiment relating to Figure 1 is provided with multiple LED substrates 22 attached thereto and a cover member 23 attached thereto in a manner that it covers the LED substrates 22 ([0021]); it is formed by bending a sheet metal; it has a prescribed shape, holes, and locking claws (not illustrated) for attaching the LED substrates ([0024] through [0026]); it has a configuration for attaching the power-supply device 24 and the terminal block unit 25 to the attachment member 21 ([0030] and [0032] through [0035]); and further, as an example, it attaches the light source unit 2 to the equipment main body by fitting structures (not illustrated) provided respectively in the equipment main body 1 and the attachment member 21 ([0037]).

In addition, the attachment member 21 in another example of an embodiment relating to Figure 5 attaches the light source unit 2 to the reflection plate 5 (equipment main body) configured as the equipment main body by fitting structures (not illustrated) provided respectively in the reflection plate 5 and the attachment member ([0044]).

In this way, although not illustrated, it can be understood from the embodiments that fitting structures are provided in the attachment member 21 and the equipment main body. As "fitting" is "a word that refers to a relationship in which a shaft fits tightly with a hole or fits loosely so that it can slide in and out" (Exhibit Ko 201), and therefore, it can be understood that the statements indicate that the attachment member 21 and the equipment main body have structures for fitting with each other, and that they are attached by means of these structures. However, in light of the fact that no specific configuration for having the attachment member 21 and the equipment main body in these embodiments fit each other is illustrated, nor is any specific configuration disclosed, it can be said that the embodiments include a mode in which a cover member is interposed between the attachment 21 and the equipment main body.

(c) The Defendant argues that the "attachment member" in the Invention is specified literally in the claims as a member by which the LED substrate is attached directly to the equipment main body, and that there is no error in the JPO's finding in the JPO Decision on this point. However, as discussed in (a) above, such argument cannot be affirmed.

The Defendant also argues that the embodiments only disclose a configuration in which the attachment member is attached to the equipment main body by the fitting structures provided in them, without a cover member interposed between them, and that there is no configuration in which a cover member is interposed. However, as discussed in (b) above, in light of the fact that no specific configuration for having the attachment member 21 and the equipment main body in these embodiments fit each other is illustrated, nor is any specific configuration disclosed, it can be said that the embodiments include a mode in which a cover member is interposed between the attachment 21 and the equipment main body. Therefore, this argument of the Defendant cannot be accepted.

B. Regarding prior art (Exhibit Ko 3-1 Invention)

(a) Exhibit Ko 3

Exhibit Ko 3 contains the following statements (see Attachment 3 for Figures 1 to 3 cited below).

[0001]

[Technical field to which the invention belongs]

The present invention relates to LED lighting equipment which is attached to a floor surface or wall surface, etc. and which is used as lighting for products, etc. in stores, etc.

[0002]

[Prior art]

Conventional LED lighting equipment which was attached to the floor surface, etc. and which was used as lighting for products, etc. in stores, etc. included LED linear base equipment. It was structured in a manner that a power circuit for LEDs was arranged inside a long attachment base with a U-shaped cross section, and lighting devices such as LEDs were arranged in the upper part. This equipment was attached to a floor surface or stair surface to be used as a guide light or attached to a wall surface to be used for lighting up displayed products. In addition, LED lighting equipment that has been made by improving this equipment is disclosed in Unexamined Patent Application Publication No. 2935677 Gazette.

[0003]

[Patent Document 1]

Unexamined Patent Application Publication No. 2935677 Gazette (pp. 3 to 4 and Figure 1)

[0004]

[Problem to be solved by the invention]

However, in the conventional LED lighting equipment or the equipment disclosed in Unexamined Patent Application Publication No. 2935677 Gazette, components such as the attachment base could not be diverted to other uses, and therefore, it was necessary to produce dedicated lighting equipment, which caused cost increases. In addition, when many units of this type of lighting equipment are connected in series, there was a risk that the luminance of the LEDs would decrease due to a drop in the input voltage of the LEDs. Furthermore, when using electric devices other than this LED lighting equipment, it was necessary to install separate power wiring for this purpose.

[0005]

The present invention was made in light of such circumstances, and its purpose is to provide LED lighting equipment wherein its components, such as the attachment base, can be diverted to other uses, the input voltage of the LEDs does not drop even if many units of this equipment are connected in series, and there is no need to install separate power wiring even when using electric devices other than this LED lighting equipment.

[0006]

[Means for solving the problem]

The invention related to Claim 1 has a long attachment base with an approximately U-shaped cross section that is arranged on the floor surface, etc. and lids fitted to the opening of said attachment base, and it is characterized in that many LEDs are arranged on said lids.

[0007]

The invention related to Claim 2 is characterized in that it has a power circuit for said LEDs inside said attachment base in the configuration according to Claim 1.

[0008]

The invention related to Claim 3 is characterized in that it has power wiring inside said attachment base in the configuration according to Claim 1 or Claim 2.

[0009]

The invention related to Claim 4 is characterized in that it has an electrode terminal for power-supply wiring for LEDs or said power wiring at the end of said LED lighting equipment in the configuration according to any of Claims 1 through 3.

[0010]

The invention related to Claim 5 is characterized in that it has a booster which corrects the drop in LED input voltage inside said attachment base, in the configuration according to any of Claims 1 through 4.

[0011]
[Mode for working the invention]
(Embodiment 1)

Embodiment 1 of the present invention will be explained based on Figures 1 through 3. As shown in Figures 1 and 2, the LED lighting equipment wall of the present embodiment comprises a long attachment base 1 with a U-shaped cross section and lids 3 which are fitted to its upper part and which are provided with many LEDs 2 arranged inside. The attachment base 1 is formed from metal or resin, and its specific shape is about 20 mm wide, about 15 mm high, and about 1 m long. Its side surfaces have elasticity so that the later-mentioned lids 3 can be fitted. The inside of the attachment base 1 is hollow, and various electric devices can be arranged there. In addition, a terminal plate 5 is attached to the end of the attachment base 1. The lids 3 are fitted in a manner that they cover the opening part at the upper part of the attachment base 1, and they are made of a transparent insulating material, such as acrylic resin or glass. In addition, the length of these lids 3 is about half the length of the attachment base 1. Therefore, as shown in Figure 1, the embodiment is configured in a manner that two lids 3 can be fitted to one attachment base 1. At the upper part of the inside of the lids 3, LEDs 2 attached to a substrate 10 are arranged at intervals of 5 to 10 cm. At the underpart of this substrate 10, electric components 11 for lighting the LEDs 2 are arranged, and at the underpart of these electric components 11, a heat transfer sheet 12 is arranged. The LEDs 2, the substrate 10, the electric components 11, and the heat transfer sheet 12 are arranged on the insulating plate 13, which is held as a result of being fitted to the lids 3. Furthermore, the underpart of the insulating plate 13 inside the attachment base 1 serves as a space for arranging the power wiring 14.

[0012]

The attachment procedure of the LED lighting equipment of the present embodiment will be explained. First, the attachment base 1 is attached to a floor surface or a wall surface. As to how the equipment should be attached, it should be securely fixed with screws or nails if it is to be attached over a long term, and should be attached by using a double-sided adhesive tape if it is to be attached only over a short term. Next, if power wiring 14 that supplies power to other electric devices is required, the power wiring 14 should be arranged on the bottom surface of the attachment base 1. In the meantime, while the heat transfer sheet 12 and the substrate 10, with the LEDs 2 arranged in the upper part and the electric components 11 arranged in the underpart, are arranged on the insulating plate 13, this insulating plate 13 is fitted inside the lids 3. These lids 3 are fitted in a manner that they cover the opening part of the attachment

base 1. The present embodiment is structured in a manner that the lids 3 are fitted to the inside of the side surface plates of the attachment base 1. Meanwhile, the power wiring 14 should be drawn out of the end of the attachment base 1, and be connected to the necessary electric devices.

[0013]

In addition, in the case of arranging the attachment base 1 at a place where LED lighting is not required, a non-LED-containing lid 4 of which cross section is as shown in Figure 3 should be fitted to the opening part of the attachment base 1. This non-LED-containing lid 4 should be made of a non-transparent resin so that its inside cannot be seen. The inside of this part is structured in a manner that only the power wiring 14 is contained. By turning on or off the LED switch (not illustrated) in this state, the LEDs can be blinked. If the LED lighting equipment of the present embodiment is arranged on a floor surface, it can be used as a guide light. If it is arranged on a wall or ceiling of a store, etc., it can be used as local lighting for displayed products.

[0021]

(Embodiment 4)

Embodiment 4 of the present invention will be explained based on Figure 12. The present embodiment is similar to Embodiment 1, but it differs in that a booster 20 and a power source 21 are incorporated as LED lighting equipment. The power source 21 is provided with a built-in battery for LEDs, and the booster 20 is provided with a built-in electric circuit for correcting the voltage drop of the power source for LEDs.

[0022]

The LED lighting equipment of the present embodiment is provided with a built-in power source 21, so the LEDs can be lighted without connecting an electric wire for supplying power from outside. It is also provided with a built-in booster, so the luminance of the LEDs can be maintained without causing a voltage drop even if it is equipped with many LEDs.

[0023]

[Effect of the invention]

The invention related to Claim 1 comprises a long attachment base with an approximately U-shaped cross section that is arranged on the floor surface, etc. and lids that are fitted to the upper part of said attachment base, and it is characterized in that a large number of LEDs are arranged on said lids. Therefore, components for commercial wiring rails can be used as the attachment base and the lids, which contributes to reducing costs.

(b) The invention described in Exhibit Ko 3 relates to LED lighting equipment which

is attached to a wall surface, etc. ([0001]). Conventionally, there was equipment structured in a manner that a power circuit for LEDs was arranged inside a long attachment base with a U-shaped cross section, and lighting devices such as LEDs were arranged in the upper part. However, there were problems including that components such as the attachment base could not be diverted to other uses, and when using electric devices other than this LED lighting equipment, it was necessary to install separate power wiring for this purpose ([0002] through [0004]). The purpose of the invention is to provide LED lighting equipment wherein its components, such as the attachment base, can be diverted to other uses, and there is no need to install separate power wiring even when using electric devices other than this LED lighting equipment ([0005]).

The LED lighting equipment of Exhibit Ko 3 has a long attachment base with an approximately U-shaped cross section that is arranged on the floor surface, etc. and lids fitted to the opening part of said attachment base, it is provided with many LEDs arranged on said lids ([0006]), and it has a power circuit for said LEDs and power wiring inside the attachment base ([0007] and [0008]).

In addition, the LED lighting equipment relating to Embodiment 1 is as follows: it comprises a long attachment base 1 with a U-shaped cross section and lids 3 which are fitted to its upper part and which are provided with many LEDs 2 arranged inside; the attachment base 1 is formed from metal or resin; the lids 3 can be fitted to its side surfaces; its inside is hollow, and various electric devices can be arranged there; the lids 3 are fitted in a manner that they cover the opening part at the upper part of the attachment base 1; they are made of a transparent insulating material, such as acrylic resin or glass; at the upper part of the inside of the lids 3, LEDs 2 attached to a substrate 10 are arranged at intervals of 5 to 10 cm; at the underpart of this substrate 10, electric components 11 for lighting the LEDs 2 are arranged; the LEDs 2, the substrate 10, and the electric components 11 are arranged on the insulating plate 13; and the underpart of the insulating plate 13 inside the attachment base 1 serves as a space for arranging the power wiring 14 ([0011]).

(c) Regarding Exhibit Ko 3-1 Invention

According to (b) above, Exhibit Ko 3-1 Invention, which was found as follows in the JPO Decision, is found as an invention based on Embodiment 1 in Exhibit Ko 3:

"A unit including LEDs 2 comprising

a substrate 10 on which LEDs 2 are attached at intervals of 5 to 10 cm,

an insulating plate 13 on which said substrate 10, with the LEDs 2 arranged in the upper part and electric components 11 arranged in the underpart, is arranged, and

a lid 3 which is made of a transparent insulating material, such as acrylic resin or

glass, and which is attached to the insulating plate 13 in a manner that it covers the substrate 10,

which is a unit including LEDs 2,

wherein said lid 3 has a pair of protruding walls attached to said insulating plate 13 and a pair of extension parts that extend outside each of said pair of protruding walls in the direction in which said pair of protruding walls are aligned;

a recess part with a U-shaped cross section provided on one side of a long attachment base 1 has a bottom surface that is formed in a long and rectangular plate shape and a pair of side surface plates that protrude from the edge of the opening part of said recess part and are connected to said bottom surface;

said insulating plate 13 is a member on which said substrate 10 is arranged and is fitted to the inside of said lid 3 in a manner that said LEDs 2 attached at intervals of 5 to 10 cm face outward from said recess part, and said lid 3 is fitted to said attachment base 1; and

in said lid 3, in a state where the unit including LEDs 2 is accommodated in said recess part, each of the pair of extension parts of the lid 3 overlaps with the opening edge of said recess part, with no space in between, in the vertical direction."

C. Comparison between Invention 1 and Exhibit Ko 3-1 Invention

(a) In the JPO Decision, the JPO found the following aspect as Difference 1-1-3(1): "with regard to the member for attaching the LED substrate to the equipment main body, such member is the 'attachment member' in Invention 1, whereas in Exhibit Ko 3-1 Invention, such member is the 'lid 3,' and the insulating plate 13 is a member for attaching the substrate 10 to this lid 3." The JPO's finding on this difference is examined below, as the Plaintiff contests this point.

(b) Regarding Difference 1-1-3(1)

A. In the JPO Decision, the JPO compared Invention 1 and Exhibit Ko 3-1 Invention, and found that "the 'insulating plate 13' of the latter and the 'attachment member' of the former are the same in that they are both 'members'" (the JPO Decision, page 83, line 2 from the bottom to the last line), but in its determination on Difference 1-1-3(1), the JPO found and determined as follows: "in Exhibit Ko 3-1 Invention, the 'insulating plate 13' is for attaching the substrate 10 to the lid 3, and the member for attaching the substrate 10 to the equipment main body (the member having such attaching function) is the 'lid 3.'" Therefore, the JPO assumed that Invention 1 excludes a configuration in which a structure that contributes to attaching is interposed between the "equipment main body" and the "attachment member."

However, as mentioned in the finding of the gist of Invention 1 indicated in (1) above, Invention 1 includes a configuration in which a structure that contributes to attaching is interposed between the "equipment main body" and the "attachment member," and it cannot be construed to exclude such configuration.

Based on the assumption above, Invention 1 does not exclude an attachment structure in which the "lid 3" is interposed between the "insulating plate 13" and the "attachment base 1" as in Exhibit Ko 3-1 Invention, and also, as the substrate 10 on which LEDs 2 are arranged is arranged on the "insulating plate 13" of Exhibit Ko 3-1 Invention, the LEDs 2 cannot be arranged on the "attachment base 1" without the presence of the "insulating plate 13." In light of these factors, the "insulating plate 13" is found to correspond to a "member for attaching the LED substrate to the equipment main body."

It follows that Difference 1-1-3(1) cannot be regarded as a difference between Invention 1 and Exhibit Ko 3-1 Invention.

(c) Regarding Difference 2-1-3(1)

Next, with regard to Difference 2-1-3(1) for the cover member, in Invention 1, the cover member "has diffusion properties," whereas in Exhibit Ko 3-1 Invention, the cover member is "made of a transparent insulating material, such as acrylic resin or glass," but it is unknown whether it has diffusion properties. When Difference 2-1-3(1) is examined, it was well-known art that the cover member of LED lighting equipment has diffusion properties (Exhibit Ko 1 [0032], Exhibit Ko 2 [0022], and Exhibit Ko 6), and a person ordinarily skilled in the art could have easily adopted the configuration of Invention 1 relating to Difference 2-1-3(1) in Exhibit Ko 3-1 Invention by employing such art as appropriate.

(d) Summary

It follows that a person ordinarily skilled in the art is found to have been able to easily make Invention 1 based on Exhibit Ko 3-1 Invention, and therefore, it can be said that the JPO Decision contains an error that affects the conclusion in its determination concerning an inventive step.

(2) Regarding Ground for Rescission 9

A. Regarding Invention 5

In the claim of Invention 5, the "attachment member" is specified in the relevant constituent features as follows: Constituent Feature [g] "an attachment member for attaching said LED substrate to said equipment main body in a manner that said multiple LEDs face outward from said accommodating recess part, and"; Constituent Feature [h] "has" "a cover member having diffusion properties, which is attached to said attachment

member in a manner that it covers said multiple LEDs"; and Constituent Feature [i] "said cover member has a pair of protruding walls attached to said attachment member." As shown in (1) A. (a) above, Constituent Feature [g], Constituent Feature [h], and Constituent Feature [i] are similar specifications as Constituent Feature [I] of Invention 1, Constituent Feature [C] of Invention 1, and Constituent Features [E] and [F] of Invention 1, respectively. Therefore, it is reasonable to construe that as in the case of Invention 1 mentioned above, the "attachment member" in Invention 5 is a member on which the cover member is mounted to become one and a member to which the LED substrate is attached and which is aimed at attaching the LED substrate to the equipment main body in a manner that it faces outward from the accommodating recess part.

In addition, Constituent Feature [j] specifies that "said accommodating recess part is formed to have an opening part by bending a sheet metal." This can be understood as meaning that it is sufficient if the "accommodating recess part" is "formed to have an opening part" in Invention 5. "*Dengen*" (power supply or power source) in Constituent Feature [c] is a term meaning "[i] a source from which power is generated; [ii] a source from which power is obtained, such as a battery or outlet" (*Kōjien* 6th edition). Therefore, it can be understood that Constituent Feature [c] specifies the "power-supply device" as a device from which lighting power is supplied to the light source unit.

Furthermore, as mentioned in (1) A. (b) above, it cannot be said that the statements in the Description define or explain that the meaning of the statements of the claims differs from the ordinary meaning, and therefore, it is not reasonable to find the gist of Invention 5 by limiting it in the interpretation.

B. Regarding prior art (Exhibit Ko 3-5 Invention)

According to (1) C. (b) above, Exhibit Ko 3-5 Invention, which was found as follows in the JPO Decision, is found as an invention based on Embodiment 1 in Exhibit Ko 3:

"LED lighting equipment comprising

a long attachment base 1, a unit including LEDs 2 comprising a substrate 10, an insulating plate 13, and a lid 3 and that is attached to said attachment base 1, and

electric components 11 arranged on said insulating plate 13 of said unit including LEDs 2, and power wiring 14 arranged at the underpart of the insulating plate 13 in a space inside the attachment base 1,

wherein a rectangular recess part is provided along the longitudinal direction of said attachment base 1 on one side of the attachment base 1,

said electric component 11 and said power wiring 14 are arranged inside said recess part in a state where said unit including LEDs 2 is attached to said attachment base 1,

said unit including LEDs 2 has the substrate 10 on which LEDs 2 are attached at intervals of 5 to 10 cm,

the insulating plate 13 on which said substrate 10 is arranged and which is fitted to the inside of said lid 3 in a manner that said LEDs 2 attached at intervals of 5 to 10 cm face outward from said recess part, and

the lid 3 which is made of a transparent insulating material, such as acrylic resin or glass, and which has said insulating plate 13 fitted inside in a manner that it covers said LEDs attached at intervals of 5 to 10 cm,

said lid 3 is fitted to said attachment base 1,

said lid 3 has a pair of protruding walls to have said insulating plate 13 fitted,

the attachment base 1 is formed of metal, and its cross section is formed into a U shape, and

said lid 3 is provided with a pair of extension parts that overlap with the opening edge of said recess part, with no space in between, in the vertical direction, in a state where the unit including LEDs 2 is fitted to said recess part."

C. Comparison between Invention 5 and Exhibit Ko 3-5 Invention

(a) In the JPO Decision, the JPO found the following aspects as the respective differences: as Difference 1-5-3(5), "the aspect that, with regard to the device which supplies lighting power to said light source unit, such device is a 'power-supply device' in Invention 5, whereas in Exhibit Ko 3-5 Invention, it is unknown whether such device is a power-supply device"; as Difference 2-5-3(5), "the aspect that, with regard to the member for attaching the LED substrate to the equipment main body, such member is the 'attachment member' in Invention 5, whereas in Exhibit Ko 3-5 Invention, such member is the 'lid 3,' and the insulating plate 13 is a member for attaching the substrate 10 to this lid 3"; as Difference 3-5-3(5), "the aspect that the cover member 'has diffusion properties' in Invention 5, whereas in Exhibit Ko 3-5 Invention, the cover member is 'made of a transparent insulating material, such as acrylic resin or glass,' but it is unknown whether it has diffusion properties"; and as Difference 4-5-3(5), "the aspect that, with regard to the opening part of the accommodating recess part, such opening part is formed 'by bending a sheet metal' in Invention 5, whereas in Exhibit Ko 3-5 Invention, 'the attachment base 1 is formed of metal and its cross section is formed into a U shape'."

(b) Examination

First, Difference 2-5-3(5) relating to the member for attaching the LED substrate to the equipment main body in the JPO Decision cannot be regarded as a difference, as in (1) C. (b) above.

In addition, with regard to Difference 1-5-3(5) relating to the device which supplies lighting power to the light source unit, Invention 5 merely specifies it as a "power-supply device," so Invention 5 only needs to have a device from which lighting power is supplied to the light source unit as mentioned in A. above, whereas the "electric component 11" in Exhibit Ko 3-5 Invention is for lighting the LEDs 2 (Exhibit Ko 3 [0011]), and therefore, it is found to correspond to the "power-supply device" of Invention 5. Accordingly, Difference 1-5-3(5) cannot be regarded as a difference.

Moreover, with regard to Difference 4-5-3(5) relating to the opening part of the accommodating recess part, as mentioned in A. above, as long as the "accommodating recess part" is "formed to have an opening part," the products of the inventions do not vary regardless of how the accommodating recess part was processed. In addition, even if Difference 4-5-3(5) is regarded as a prima facie difference, as long as this difference does not cause any variation in the operations and effects, etc. of Invention 5 and Exhibit Ko 3-5 Invention and the "products" of these inventions do not vary, such difference is regarded not to be substantial.

Based on the above, the only difference between Invention 5 and Exhibit Ko 3-5 Invention would be Difference 3-5-3(5) relating to the cover member, but due to the same reason as in (1) C. (c) above, a person ordinarily skilled in the art could have easily adopted the configuration of Invention 5 relating to Difference 3-5-3(5) in Exhibit Ko 3-5 Invention.

D. Summary

It follows that a person ordinarily skilled in the art is found to have been able to easily make Invention 5 based on Exhibit Ko 3-5 Invention, and therefore, it can be said that the JPO Decision contains an error that affects the conclusion in its determination concerning an inventive step.

(3) The Defendant argues that Exhibit Ko 3-1 Invention or Exhibit Ko 3-5 Invention does not have a member that corresponds to the "protruding walls" and "extension parts" in Invention 1 or Invention 5, and this can be a difference between them. Such argument of the Defendant is premised on the existence of Difference 1-1-3(1) or Difference 2-5-3(5) found in the JPO Decision, and it is groundless as mentioned in (1) C. (b) or (2) C. (b) above.

3. Conclusion on Grounds for Invalidation 8 and 9

Consequently, the JPO Decision contains errors in its determination concerning an inventive step regarding Ground for Invalidation 3-1 and Ground for Invalidation 3-5, and therefore, Ground for Rescission 8 and Ground for Rescission 9 asserted by the Plaintiff are well-grounded.

No. 5 Conclusion

As shown above, without the need to make a determination on other points, the grounds for rescission of the JPO Decision argued by the Plaintiff are well-grounded, and the JPO Decision is found to be illegal and should be rescinded.

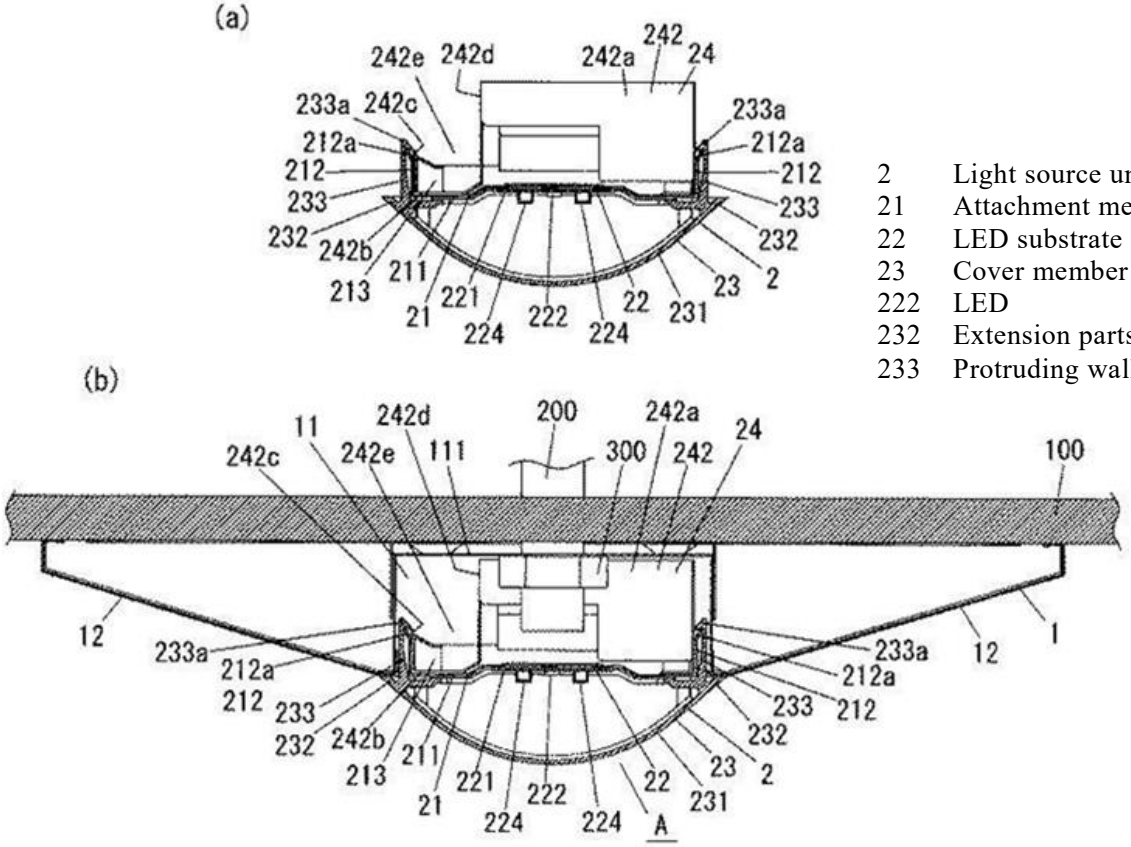
Accordingly, the Plaintiff's claims are well-grounded, and therefore, the JPO Decision is rescinded, and the judgment is rendered as indicated in the main text.

Intellectual Property High Court, First Division
Presiding judge: HONDA Tomonari
Judge: TOYAMA Atsushi
Judge: AMANO Kenji

Attachment 1 ● (omitted) ●

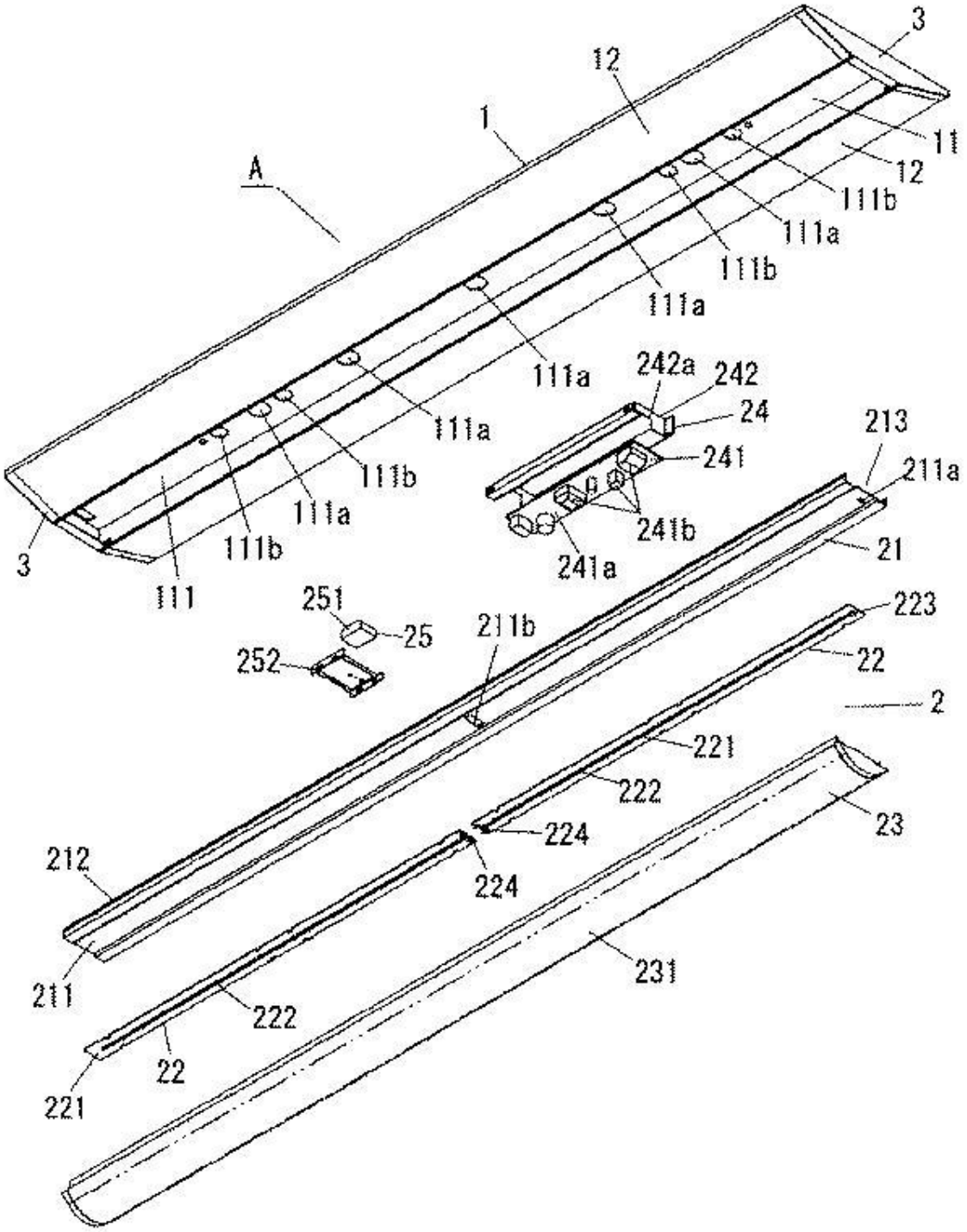
Attachment 2

[Figure 1]



2 Light source unit
21 Attachment member
22 LED substrate
23 Cover member
222 LED
232 Extension parts
233 Protruding walls

[Figure 2]


3
12
1
A
11
12
111b
111a
111b
111a
111a
111a
242a
242
24
241
213
211a
241b
241a
21
111b
111a
111b
3
111
251
25
211b
252
223
22
2
221
222
224
224
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212
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211
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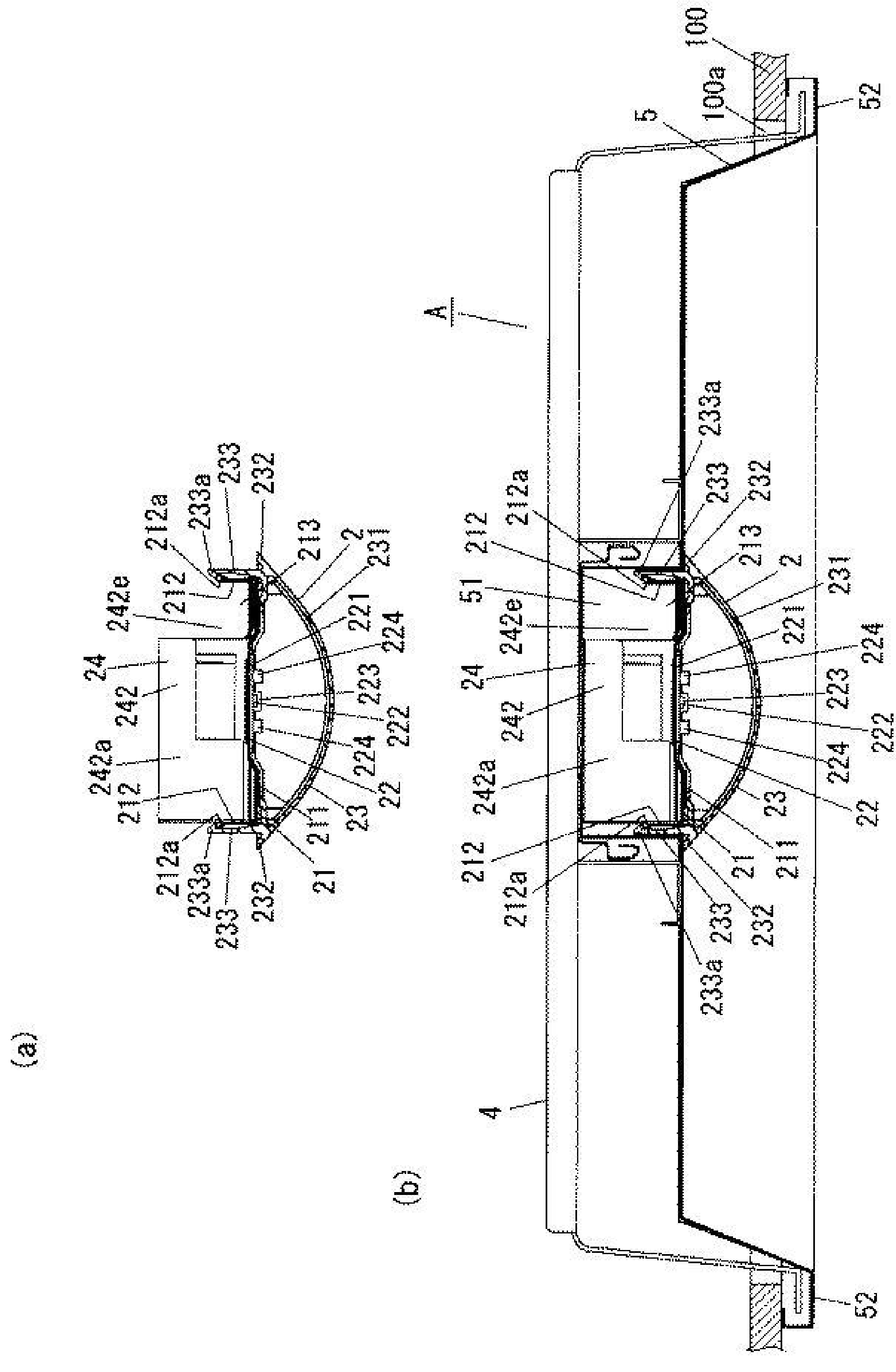
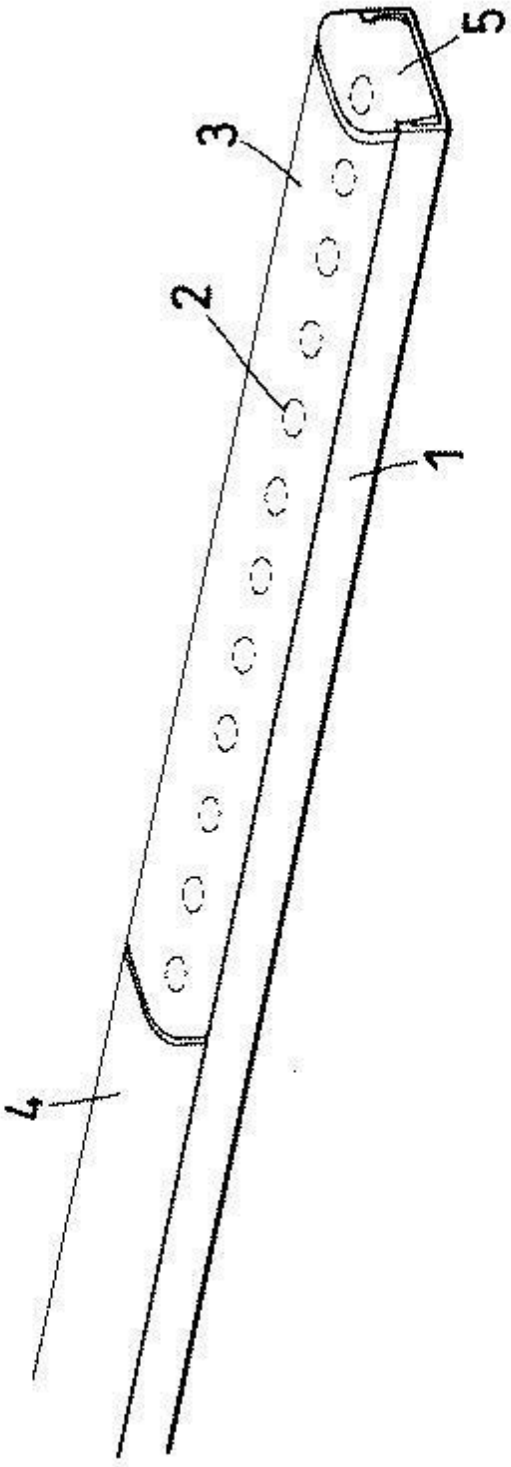
22
221

[Figure 5]

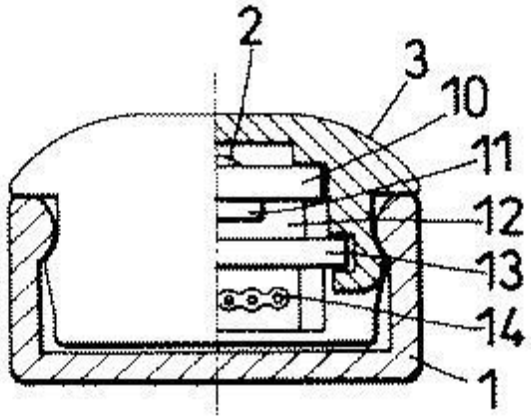


(a)
24
242
242a
242e
212
212a
233a
233
232
213
2
231
221
224
223
222
22
23
211
21
(b)
A
4
5
51
52
100
100a

Attachment 3
[Figure 1]



[Figure 2]



[Figure 3]