Banner & Witcoff Wins Claim Construction Ruling for WMS Gaming and Its Casino Customers

On November 24, 2015, the U.S. District Court for the District of Nevada issued an order adopting all of Banner & Witcoff's proposed claim constructions in connection with the patent infringement suit by Rembrandt Gaming Technologies, LP against Banner & Witcoff, Ltd.'s clients WMS Gaming, Inc., Aria Resort & Casino Holdings, LLC, Bellagio, LLC, Caesars Entertainment Operating Company, Inc., Circus Circus Casinos, Inc., Mandalay Corp., MGM Grand Hotel, LLC, New Castle Corp., New York-New York Hotel & Casino, LLC, Ramparts, Inc., The Mirage Casino-Hotel, and Victoria Partners. This win follows up Banner & Witcoff's prior win in the U.S. Patent and Trademark Office during reexamination invalidating all asserted claims except one.

Rembrandt's complaint accuses WMS Gaming and other defendants of operating a myriad video slot machine games that allegedly infringe U.S. Patent No. 6,641,477. In the sole remaining asserted claim, the court considered two disputed terms in claim 32 of the '477 patent: "initial symbols" and "designating a chosen number from one to all, of said initial displayed symbols for replacement." The court adopted Banner & Witcoff's proposed claim constructions for both of the disputed terms for the sole remaining claim.

WMS Gaming is represented by Banner & Witcoff attorneys Timothy C. Meece, V. Bryan Medlock, Jr., Michael J. Harris and Audra C. Eidem Heinze.

The case is Rembrandt Gaming Technologies, LP v. Boyd Gaming Corporation, et al., No. 2:12-cv-775.

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