

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MAKO SURGICAL CORP.,
Petitioner

v.

BLUE BELT TECHNOLOGIES, INC.,
Named as Patent Owner

IPR2015-00630

U.S. Patent No. 6,205,411 B1

RESPONSE ON BEHALF OF PARTY NAMED AS PATENT OWNER

Mail Stop **Patent Board**
Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

TABLE OF CONTENTS

	<u>Page</u>
I. Introduction	1
II. The Development of Computer-Assisted Orthopedic Surgery.....	3
A. The State of the Art in the late 1990s.....	3
B. Joint Venture between the Center for Orthopedic Research at Shadyside Hospital and Carnegie Mellon University	6
1. DiGioia II.....	7
2. DiGioia	8
3. U.S. Patent No. 5,880,976	9
4. The ‘411 Patent.....	14
III. DiGioia does not render claims 1–17 of the ‘411 Patent Obvious.	17
A. DiGioia is not Prior Art to the ‘411 Patent Claims.	18
1. DiGioia is not prior art under § 102(a) because it is not “by others.”	19
2. Claims 1–17 of the ‘411 Patent are entitled to claim the benefit of the ‘976 Patent’s filing date, and thus DiGioia does not qualify as prior art under § 102(b).....	21
B. Even assuming DiGioia is prior art, Petitioner has not established that it renders claims 1–17 obvious.....	28
1. Petitioner has not established that “the pre-operative kinematic biomechanical simulator outputs a position for implantation of the artificial component,” as recited in independent claims 1 and 10, would have been obvious in view of DiGioia.	28
2. Petitioner has not established that DiGioia renders obvious a “pre-operative geometric planner” that “outputs at least one geometric model of the joint,” as recited by independent claims 1 and 10.	35
3. Petitioner has not established that DiGioia renders obvious a “creating a three dimensional component model of the artificial implant,” as recited in independent claim 17.	37
IV. Conclusion and Relief Requested	39

TABLE OF CONTENTS
(continued)

	<u>Page</u>
V. Named Patent Owner's Exhibit List for <i>Inter Partes</i> Review of U.S. Pat. No. 6,205,411	40

TABLE OF AUTHORITIES

Page(s)

Cases

<i>Ariad Pharms., Inc. v. Eli Lilly & Co.</i> , 598 F.3d 1336, 1351 (Fed. Cir. 2010) (en banc)	23
<i>Fujikawa v. Wattanasin</i> , 93 F.3d 1559, 1570 (Fed. Cir. 1996)	22
<i>Hynix Semiconductor, Inc. v. Rambus Inc.</i> , 645 F.3d 1336, 1352 (Fed. Cir. 2011)	23
<i>In re DeBaun</i> , 687 F.2d 459 (CCPA 1982)	18
<i>In re Kahn</i> , 441 F.3d 977, 988 (Fed. Cir. 2006)	28
<i>In re Katz</i> , 687 F.2d 450, 455 (Fed. Cir. 1982)	18, 21
<i>InTouch Techs., Inc. v. VGO Commc'ns, Inc.</i> , 751 F.3d 1327, 1347 (Fed. Cir. 2014)	28
<i>KSR Int'l Co. v. Teleflex Inc.</i> , 550 U.S. 398, 418 (2007)	28
<i>Riverwood Int'l Corp. v. R.A. Jones & Co.</i> , 324 F.3d 1346, 1354 (Fed. Cir. 2003)	17, 18

Statutes

35 U.S.C. § 101	14
35 U.S.C. § 102	17, 21
35 U.S.C. § 103(a)	1, 16
35 U.S.C. § 120	21

Other Authorities

M.P.E.P. § 211	21
M.P.E.P. § 2132(III).....	18

I. Introduction

As indicated in the Named Patent Owner’s Mandatory Notice Under 37 C.F.R. § 42.8, Paper No. 5 (Feb. 18, 2015), Blue Belt was named by Petitioner as the Patent Owner in this proceeding, but does not own the ’411 Patent. Blue Belt is an exclusive licensee of the ’411 Patent. Therefore, this Petition should be dismissed or terminated. In the event that the Patent Trial and Appeal Board (“Board”) does not dismiss or terminate this proceeding because the Patent Owner Carnegie Mellon University (“Carnegie Mellon”) was not named as a party and also finds claims 1–17 unpatentable, then the Patent Owner, Carnegie Mellon, has authorized Blue Belt Technologies, Inc. (“Blue Belt”), the named Patent Owner, to submit a response.

The Patent Trial and Appeal Board (“the Board”) instituted trial on the following grounds: (1) for claims 1–15 and 17 of U.S. Patent No. 6,205,411 (“the ‘411 Patent”) (Ex. 1001), 35 U.S.C. § 103(a) over DiGioia¹ and (2) for claim 16,

¹ A.M. DiGioia III et al. *HipNav: Pre-Operative Planning and Intra-operative Navigational Guidance for Acetabular Implant Placement in Total Hip Replacement Surgery*, Proceedings of the 2nd Computer Assisted Orthopedic Surgery Symposium (1996) (“DiGioia”) (Ex. 1005).

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