

ALLSTEEL INC.
(Petitioner)

v.

DIRTT ENVIRONMENTAL SOLUTIONS LTD.
(Patent Owner)

Case IPR2015-01691

October 13, 2016

**FAEGRE BAKER
DANIELS**

Summary of Grounds

ORDERED that pursuant to 35 U.S.C. § 314(a), an *inter partes* review is hereby instituted for the following grounds of unpatentability:

References	Basis	Claims
Raith and EVH	§ 103(a)	1. 6, 7, and 15–18
Raith and Yu	§ 103(a)	1. , 4, 5. and 9
Raith and MacGregor	§ 103(a)	1. 4, 10, 19, and 20
Raith, MacGregor, and Rozier	§ 103(a)	25

(Institution Decision (Paper 10) at 23.)

Claim 1: only independent claim; instituted on three separate grounds

Claim 5: only dependent claim argued separately by Patent Owner

Where We Are

Obviousness Issue	Status
Is the prior art analogous?	Yes - Undisputed
Are all elements taught by the prior art?	Yes - Undisputed
Would a person of skill combine the prior art?	Yes - Undisputed

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The Prior Art Is Analogous

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1 ROLLIN C. DIX, PH.D.

2 that I mean Exhibit 1003?

3 A. Right.

4 Q. And then I'll refer to 1004 as the EVH

5 reference, and you'll understand that?

6 A. Right.

7 Q. And then the Yu reference, that's

8 Exhibit 1005. Okay?

9 A. Sure.

10 Q. And MacGregor we'll call -- Exhibit 1006,

11 we'll call that MacGregor or the MacGregor reference.

12 Okay?

13 A. Fine.

14 Q. So Raith, EVH, Yu, and MacGregor, those

15 references all relate to movable wall systems,

16 correct?

17 A. Yes.

18 Q. And the Gosling patent also relates to

19 movable wall systems, correct?

20 A. Yes.

21 Q. Did you read each of these references in

22 their entirety?

23 A. No.

24 Q. Why not?

25 A. Well, that EVH file history is so

Q: So Raith, EVH, Yu, and MacGregor, those references all relate to movable wall systems, correct?

A: Yes.

Q: And the Gosling patent also relates to movable wall systems, correct?

A: Yes.

(Ex. 1030 at 21:14-20)

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