

Paper No. _____
Filed: October 9, 2015

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD

Costco Wholesale Corporation
Petitioner

v.

Robert Bosch LLC
Patent Owner

U.S. Patent 6,836,926

PETITION FOR INTER PARTES REVIEW OF U.S. PATENT 6,836,926
UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. § 42

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LIST OF EXHIBITS

<u>Exhibit</u>	<u>Description</u>
1001	U.S. Patent No. 6,836,926
1002	Certified file history for U.S. Patent No. 6,836,926
1003	October 10, 2014 Proof of Service filed by Patent Owner in Civil Action No. 12-574-LPS (consolidated)
1004	Robert Bosch LLC’s Opening Claim Construction Brief filed Apr. 24, 2015 in Civil Action No. 12-574-LPS
1005 “Swanepoel ‘564”	U.S. Patent No. 5,325,564
1006 “Swanepoel ‘650”	U.S. Patent No. 5,485,650
1007 “Beer & Johnston”	Ferdinand P. Beer & E. Russell Johnston, Jr., <i>Mechanics of Materials</i> (2d ed. 1992)
1008 “Appel”	U.S. Patent No. 3,192,551
1009 “DE ‘939”	German Published Patent Application 2 313 939
1010	English translation of German Published Patent Application 2 313 939 (Ex. 1009)
1011 “Palu”	U.S. Patent No. 3,881,214
1012 “Arman”	U.S. Patent No. 4,063,328
1013 “Hoyler”	German Patent Publication 1 028 896
1014	English translation of German Patent Publication 1 028 896 (Ex. 1013)
1015 “Davis Decl.”	Declaration of Dr. Gregory W. Davis

I. Introduction

Costco Wholesale Corporation (“Petitioner” or “Costco”) requests inter partes review of Claims 1-3 of U.S. Patent No. 6,836,926 (“the ‘926 Patent”) (Ex. 1001). This petition demonstrates there is a reasonable likelihood that Petitioner will prevail in proving, by at least a preponderance of the evidence, that Claims 1-3 of the ‘926 Patent encompass subject matter that is unpatentable under 35 U.S.C. § 103(a) in view of prior art that the Office did not have or did not fully consider during prosecution. Claims 1-3 of the ‘926 Patent should accordingly be canceled.

II. Mandatory Notices

Real Party-in-Interest: Costco is the real party-in-interest seeking IPR.

Related Matters: The ‘926 Patent is asserted in *Robert Bosch LLC v. Alberee Products Inc. et al.*, Civil Action No. 12-574-LPS (consolidated with Civil Action No. 14-142-LPS), currently pending in the United States District Court for the District of Delaware. U.S. Patents No. 6,292,974, No. 6,523,218, No. 6,530,111, No. 6,553,607, No. 6,611,988, No. 6,668,419, No. 6,675,434, No. 6,944,905, No. 6,973,698, No. 7,228,588, No. 7,293,321, No. 7,484,264, No. 7,523,520, No. 7,941,891, No. 8,099,823, No. 8,272,096, and No. 8,544,136 have also been asserted in this consolidated civil action. The ‘926 Patent was previously asserted in *Robert Bosch LLC v. Ningbo Xinhai Aiduo Automobile Wiper Blade Manufactory Co.*, No. 2:14cv1855 (D. Nev.), *Robert Bosch LLC v. Trico Prods. Corp.*, No. 12-

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