IPR2016-00039, IPR2016-00040, IPR2016-00041 Oral Argur

U.S. Patent No. 7,228,588

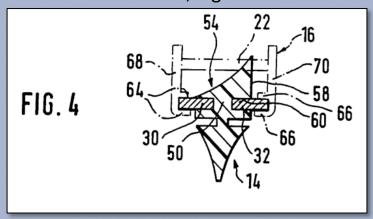
U.S. Patent No. 7,484,264

U.S. Patent No. 8,099,823



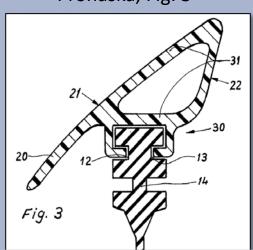
Prior Art and the '588, '264, and '823 Patents

Merkel, Fig. 4

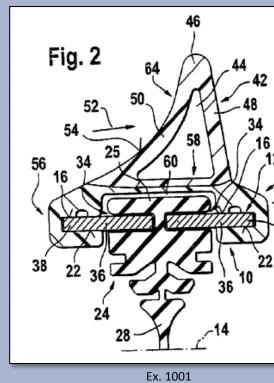


IPR2016-00039 Exs. 1013, 1014; IPR2016-00040 Exs. 1016, 1017; IPR2016-0041 Exs. 1008, 1009

Prohaska, Fig. 3



'588, '264, and '823 Patents,



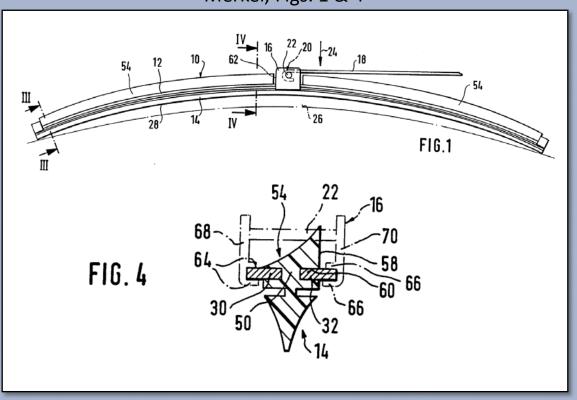
<u>IPR2016-00039</u>: See Petition (Paper #1), pp. 3–6 (describin Patent), pp. 11–12 (describing Prohaska), pp. 17–18 (desc <u>IPR2016-00040</u>: See Petition (Paper #1), pp. 4–5 (describin Patent), pp. 10–12 (describing Prohaska), pp. 16–17 (desc <u>IPR2016-00041</u>: See Petition (Paper #9), pp. 4–5 (describin

Patent), pp. 15-17 (describing Prohaska), pp. 21-22 (desc



Obviousness of the '588, '264, and '823 Patents

Merkel, Figs. 1 & 4



Prohaska, F

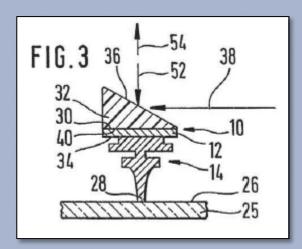
IPR2016-00039 Ex. 1003; IPR20 IPR2016-0041 Ex

IPR2016-00039 Exs. 1013, 1014; IPR2016-00040 Exs. 1016, 1017; IPR2016-0041 Exs. 1008, 1009

<u>IPR2016-00039</u>: See Petition (Paper #1), pp. 11–12 (describing Prohaska), pp. 17–18 (describing Mer <u>IPR2016-00040</u>: See Petition (Paper #1), pp. 10–12 (describing Prohaska), pp. 16–17 (describing Mer



The '588 Patent Family's Admitted Prior Art Includes a Flat-Spri Having a Spoiler Fastened Directly to the Spring Support El



DE 197 36 368 (IPR2016-00039 Ex. 1104), also published as U.S. Patent No. 6,292,974 (IPR2016-00039 Ex. 1105)

This invention begins with a wiper blade accorpreamble of claim 1. In a prior art wiper blade of (DE 197 36 368.7), the wiper blade is provid so-called wind deflection strip in order to produ component directed toward the windshield to cou tendency of the wiper blade to lift off of the wind to the airflow at high vehicle speeds. To this end deflection strip has a leading edge during the wiping motion that is mainly impacted by the drisaid leading edge being designed as an incident su cross section of the wind deflection strip has appr the shape of a right triangle, one leg of which opposite the support element and the hypotenus represents the incident surface. This makes a si with the pendulum-like plane of motion of the w and with the surface of the windshield.

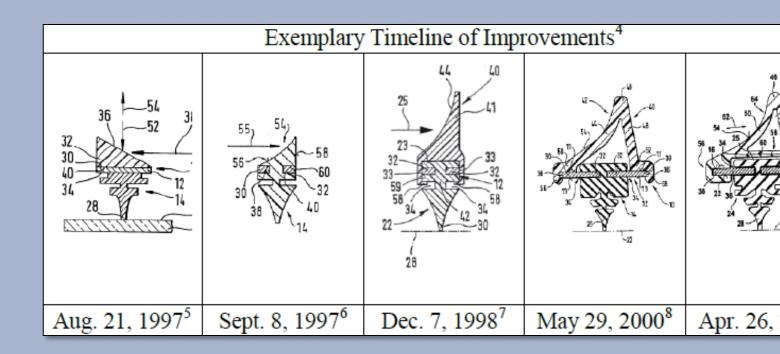
'588 Patent (IPR2016-00039 Ex. 1001), 1:40-

<u>IPR2016-00039</u>: See Reply (Paper #37), p. 6 (citing '588 Patent, 1:40–56; Ex. 1104) ("The '588 Patent confirms Petitioner's understanding and undermines Patent Owner's contention that a person of ordina have attached a spoiler to a flat-spring wiper: it cites a flat-spring wiper having a spoiler fastened dire support element as prior art.")

IPR2016-00040: See Renly (Paner #34) n 6 (citing '264 Patent 1:46-60: Fx 1010 n 279)



The '588, '264, and '823 Patents Reflect a Further Iteration Series of Minor Improvements that Occurred In the Ordinary Course Without Real Innovation



<u>IPR2016-00039</u>: Reply (Paper #37), p. 10 & n.4, n.5 (citing Exs. 1104, 1105, Fig. 3), n.6 (citing Merke n.7 (citing Ex. 1016 p. 139, Fig. 3), n.8 (citing Ex. 1016 p.78, Fig. 2), n.9 (citing '588 Patent, Fig. 2); set at p. 9 (citing *KSR Int'l Co. v. Teleflex*, 550 U.S. 398, 419, 427 (2007))

IPR2016-00040: Reply (Paper #34), pp. 10-11 & n.5-n.10; see also id. at p. 10

IDD2016 00041, Danky / Dancy #20) no 10 11 0 n F n 10, see also id at n 10



DOCKET

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

