UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE UNITED STATES PATENT TRIAL AND APPEAL BOARD

MAZE INNOVATIONS, INC. Petitioner

v.

THE GREEN PET SHOP ENTERPRISES, LLC Patent Owner

CASE IPR: IPR2016-00117 U.S. PATENT NO. 8,720,218

PETITION FOR INTER PARTES REVIEW

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

Alexandria, VA 22313-1450

DOCKET

A L A R M Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

Page

TABLE OF CONTENTS

I.	Intro	troduction1						
II.	Mano	Mandatory Notices Pursuant to 37 C.F.R. § 42.8						
	A. Real Party In Interest (37 C.F.R. § 42.8(b)(1))							
	B.	Related Matters (37 C.F.R. § 42.8(b)(2))						
	C.	Notice Of Lead And Backup Counsel (37 C.F.R. § 42.8(b)(3))						
	D.	Servio	ce Information (37 C.F.R. § 42.8(b)(4))					
III.	Paym	ent of Fees4						
IV.	Stand	ling4						
V.	State	ment Of Precise Relief Requested4						
VI.	Background							
	A.	Introd	Introduction to Phase Change Materials					
	B.	The Alleged Improvement in the '218 Patent						
VII.	Full S	Statement Of The Reasons For The Relief Requested13						
	A.	The R	Relied-On Art Has Not Been Previously Considered13					
		1.	Fan (Ex. 1003) Was Not Considered During Examination13					
		2.	Xiong (Ex. 1004) Was Not Considered During Examination					
	B.	Person of Ordinary Skill in The Art16						
	C.	Claim	Construction17					
		1.	"pressure" (Claims 15, 16, 18, and 19)17					
		2.	"pressure activated recharging cooling composition" (Claims 15, 16, 18, and 19)19					
		3.	"endothermically activated and endothermically deactivated" (Claims 15, 16, 18, and 19)20					
		4.	"channel" (Claims 15, 16, 18, and 19)21					
	D. Proposed Grounds of Rejection							

i

	1.	Ground 1: Claims 15, 16, 18, And 19 Are Unpatentable Under 35 U.S.C. § 102(b) As Anticipated By Fan			
		a.	Claim 15	26	
		b.	Claim 16	34	
		c.	Claims 18 and 19	37	
	2.	Ground 2: Claims 15, 16, 18, and 19 Are Unpatentable Under 35 U.S.C. § 103 As Obvious Over Fan			
		a.	Claim 15	39	
		b.	Claim 16	45	
		c.	Claims 18 and 19	48	
	3.	Ground 3: Claims 15 And 16 Are Unpatentable Under 35 U.S.C. § 103 As Anticipated By Xiong			
		a.	Claim 15	49	
		b.	Claim 16	55	
	4.	Unde	nd 4: Claims 15, 16, 18, And 19 Are Unpatentable r 35 U.S.C. § 103 As Obvious Over Xiong in view n.	57	
		a.	Claims 15 and 16	58	
		b.	Claims 18 and 19	59	
VIII.	Conclusion			60	

LIST OF EXHIBITS

- Ex. 1001: U.S. Patent No. 8,720,218 ("'218 Patent")
- Ex. 1002: Prosecution History for the '218 Patent
- Ex. 1003: Chinese Publication No. CN 101305877 B, English Language translation thereof, and translation declaration under 35 U.S.C. § 1746 in satisfaction of 37 C.F.R. § 42.63(b) ("Fan")
- Ex. 1004: U.S. Patent No. 7,324,340 ("Xiong")
- Ex. 1005: U.S. Patent No. 4,064,835 ("Rabenbauer")
- Ex. 1006: U.S. Patent No. 7,036,162 ("Gatten")
- Ex. 1007: U.S. Patent No. 6,482,332 ("Malach")
- Ex. 1008: Prosecution History for U.S. Patent Application No. 14/226,393 ("'393 Application"), current as of October 30, 2015
- Ex. 1009: Maze Innovations, Inc.'s Initial Non-Infringement and Invalidity Contentions with Exhibits ("Non-Infringement and Invalidity Contentions")
- Ex. 1010: The Green Pet Shop Enterprises, LLC's Initial Responses to Invalidity Contentions for U.S. Patent No. 8,720,218, with Exhibit
- Ex. 1011: Green Pet Shop Enterprises, LLC's Initial Infringement Contentions, with Exhibits ("Infringement Contentions")
- Ex. 1012: Excerpts from Webster's Third New International Dictionary of the

English Language Unabridged (2002)

- Ex. 1013: Excerpt from Shakhashiri, Bassam Z., Chemical Demonstrations: A Handbook for Teachers of Chemistry (1st ed. Vol. 1 Madison: U of Wisconsin 1983)
- Ex. 1014: Excerpt from Ebbing, Darrell D., and Steven D. Gammon, *General Chemistry Enhanced Edition* (9th ed. Belmont: Brooks/Cole, 2009)

DOCKET A L A R M



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.