UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KAWASAKI RAIL CAR, INC.,

Petitioner,

V.

SCOTT BLAIR,

Patent Owner

Case IPR2017-00117
Patent 6,700,602

PATENT OWNER SCOTT BLAIR'S RESPONSE



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Cases	
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Cuozzo Speed Tech, LLC v. Lee, 136 S. Ct. 2131 (2016)	11
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<i>In re Robertson</i> , 169 F.3d 743 (Fed. Cir. 1999)	20
KSR Int'l Co. v. Teleflex, Inc., 550 U.S. 398, 418 (2007)	30, 38
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Plantronics, Inc. v. Aliph, Inc., 72A F. 3d 1343, 1354 (Fed. Cir. 2013)	40
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Redline Detection, LLC v. star Envirotech, Inc., IPR2013-00106, Paper No. 66	
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Shopkick, Inc. v. Novitaz, Inc., IPR2015-00279, Paper 7, slip op. at 26-30 (May 29, 2015)	39
Volkswagen Grp. Of Am., Inc. v. Velocity Patent LLC, IPR2015-00276, Paper 8	
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Other Authorities	
35 U.S.C. §261	40
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37 C.F.R. §42.20(c)	40
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PATENT OWNER'S EXHIBIT LIST

Exhibit No.	Description
2004	Supp. Declaration of Jack R. Long



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