Fredman Bros. Furniture Company, In
Petitioner

v.

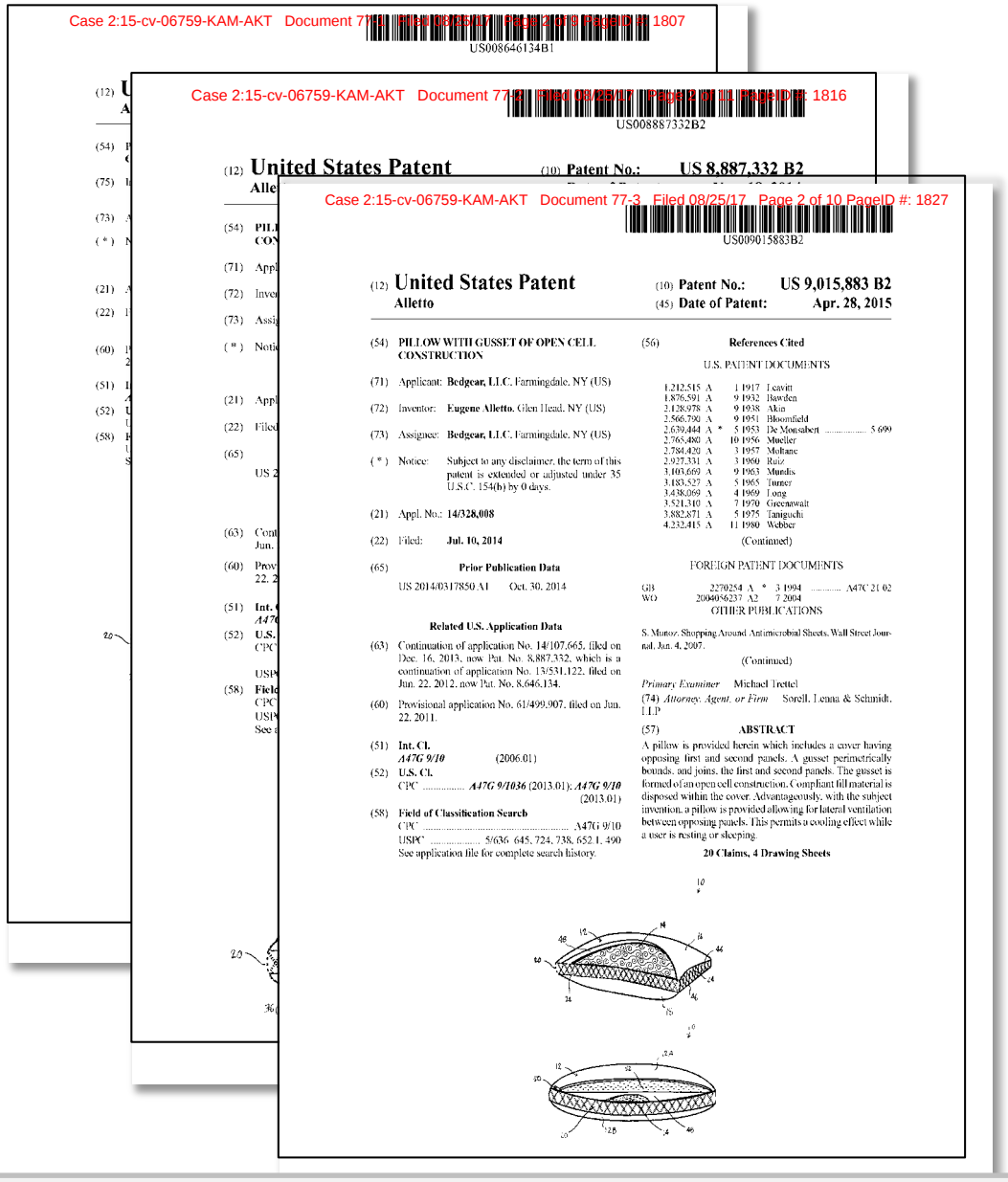
Bedgear, LLC,
Patent Owner

IPR2017-00350 (Patent 8,887,332)
IPR2017-00351 (Patent 9,015,883)
IPR2017-00352 (Patent 8,646,134)
IPR2017-00524 (Patent 9,155,408)

Presentation of Petitioner Fredman Bros. Furniture Comp

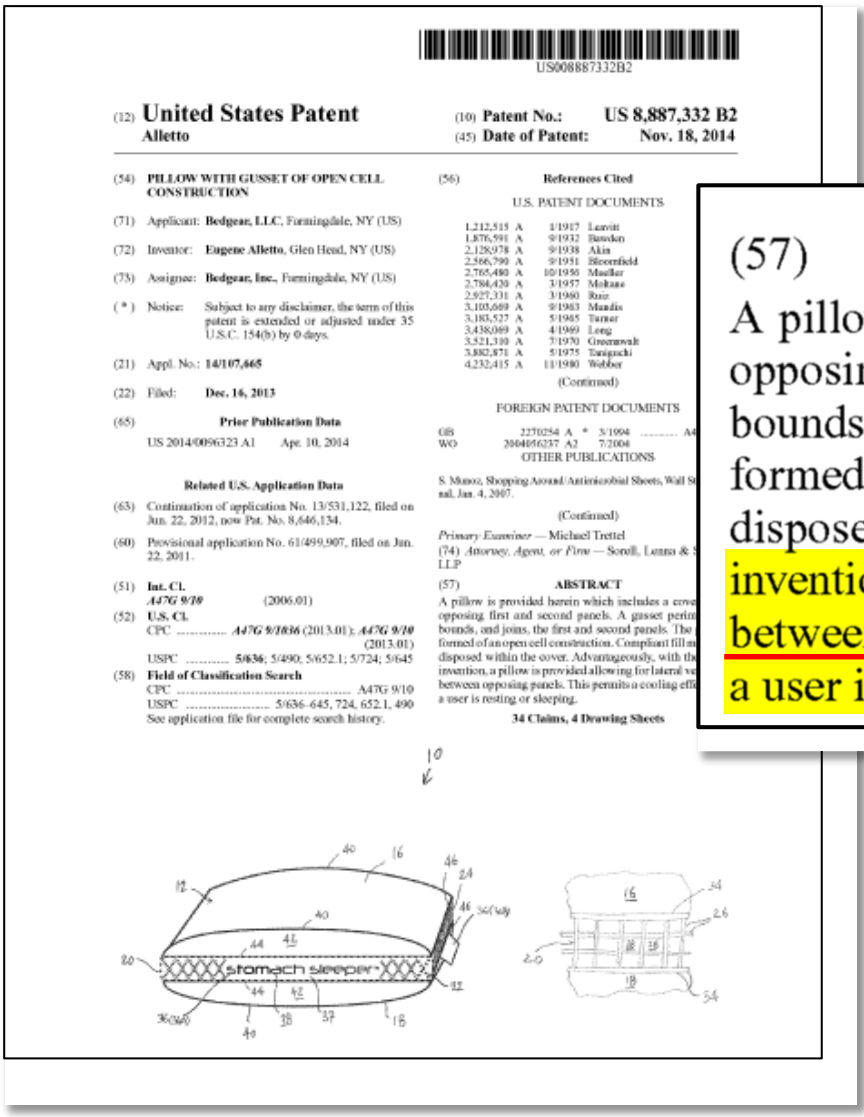
Oral Hearing - March 20, 2018

The Gusset Patents



- IPR2017-00350 (
("the '332 Patent
- IPR2017-00351 (
("the '883 Patent
- IPR2017-00352 (
("the '134 Patent

Brief Overview of The Gusset Patents



US008887332B2

(12) **United States Patent**
Alletto

(10) **Patent No.: US 8,887,332 B2**
(45) **Date of Patent: Nov. 18, 2014**

(54) **PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION**

(71) Applicant: **Bedgear, LLC**, Farmingdale, NY (US)

(72) Inventor: **Eugene Alletto**, Glen Head, NY (US)

(73) Assignee: **Bedgear, Inc.**, Farmingdale, NY (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: **14/107,665**

(22) Filed: **Dec. 16, 2013**

(65) **Prior Publication Data**

US 2014/0096323 A1 Apr. 10, 2014

Related U.S. Application Data

(63) Continuation of application No. 13/531,122, filed on Jun. 22, 2012, now Pat. No. 8,646,134.

(60) Provisional application No. 61/499,907, filed on Jun. 22, 2011.

(51) **Int. Cl.**
A47G 9/10 (2006.01)

(52) **U.S. Cl.**
CPC ***A47G 9/1036*** (2013.01); ***A47G 9/10*** (2013.01)
USPC **5/636**; 5/490; 5/652.1; 5/724; 5/645

(58) **Field of Classification Search**
CPC A47G 9/10
USPC 5/636-645, 724, 652.1, 490
See application file for complete search history.

(56) **References Cited**

U.S. PATENT DOCUMENTS

1,212,515 A 1/1917 Lanvitt
1,876,591 A 9/1932 Bawden
2,128,978 A 9/1938 Akin
2,566,790 A 9/1951 Bloomfield
2,765,480 A 10/1956 Mueller
2,784,420 A 3/1957 Mohane
2,927,331 A 3/1960 Ruiz
3,103,689 A 9/1963 Mandis
3,183,527 A 5/1965 Turner
3,438,069 A 4/1969 Long
3,521,310 A 7/1970 Greenawalt
3,882,871 A 5/1975 Taniguchi
4,232,415 A 11/1980 Webber

(Continued)

FOREIGN PATENT DOCUMENTS

GB 2270254 A * 3/1994 ..... A4
WO 2004056237 A2 7/2004

OTHER PUBLICATIONS

S. Munoz, Shopping Around Antimicrobial Sheets, Wall St
nal, Jan. 4, 2007.

(Continued)

Primary Examiner — Michael Trettel
(74) *Attorney, Agent, or Firm* — Sorell, Lenna & LLP

(57) **ABSTRACT**

A pillow is provided herein which includes a cove
opposing first and second panels. A gusset perim
bounds, and joins, the first and second panels. The
formed of an open cell construction. Compliant fill m
disposed within the cover. Advantageously, with th
invention, a pillow is provided allowing for lateral ve
between opposing panels. This permits a cooling effe
a user is resting or sleeping.

34 Claims, 4 Drawing Sheets

(57) **ABSTRACT**

A pillow is provided herein which includ
opposing first and second panels. A gus
bounds, and joins, the first and second pa
formed of an open cell construction. Comp
disposed within the cover. Advantageousl
invention, a pillow is provided allowing fo
between opposing panels. This permits a c
a user is resting or sleeping.

EX1001, '33
See, e.g., '3

Brief Overview of The Gusset Patents

PILLOW WITH GUSSET OF OPEN CELL CONSTRUCTION

CROSS-REFERENCE TO RELATED APPLICATION

This application is a continuation application of U.S. patent application Ser. No. 13/531,122, entitled "PILLOW WITH GUSSET AND OPEN CELL CONSTRUCTION," filed Jun. 22, 2008 and now U.S. Pat. No. 8,646,134, which claims priority to U.S. Provisional Patent Application No. 61/499,907 filed Jun. 22, 2011. The above-identified applications are incorporated herein by reference, in their entireties.

BACKGROUND OF THE INVENTION

1. Field of the Invention

The present invention relates to upper neck and head support in the form of a pillow for the human body.

2. Description of the Related Art

The use of a pillow made typically of a fabric cover stuffed with a compliant soft material is known in the prior art. Conventional pillows generally provide a soft cushion on which to place the head of an infant, child, or adult while resting or sleeping, either in bed, or on upholstered furniture in which case the pillows typically have a permanent fabric cover. Additionally, positional specific pillows have been heretofore devised and utilized for the purpose of supporting the head and neck of people.

SUMMARY OF THE INVENTION

A pillow is provided herein which includes a cover having opposing first and second panels. A gusset perimetrically bounds, and joins, the first and second panels. The gusset is formed of an open cell construction. Compliant fill material is disposed within the cover. Advantageously, with the subject invention, a pillow is provided allowing for lateral ventilation between opposing panels. This permits a cooling effect while a user is resting or sleeping.

An "open cell construction" as used herein refers to a construction having overall porosity greater than the inherent porosity of the constituent material or inherently having high porosity.

These and other features of the invention will be better understood through a study of the following detailed description and accompanying drawings.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. **1** is a perspective view of a pillow formed in accordance with the subject invention;

FIG. **2** is a partial cut-away view of the pillow of FIG. **1**;

FIGS. **3-5** depict different open cell constructions useable with the subject invention;

FIG. **6** is a perspective view of a pillow formed in accordance with the subject invention have a cover with separable portions; and,

FIG. **7** is a perspective view of a foam layer useable with the subject invention.

DETAILED DESCRIPTION OF THE INVENTION

With reference to the Figures, a pillow **10** is provided having generally a cover **12** with compliant fill material **14** disposed therein. The cover **12** includes opposing first and second panels **16**, **18** and a gusset **20** which perimetrically bounds, and joins, the first and second panels **16**, **18**, the gusset **20** being formed of an open cell construction. The first and second panels **16**, **18** are sized and shaped to accept a user's head to provide support therefor.

The gusset **20** preferably is generally flat. In addition, it is preferred that the gusset **20** have sufficient width to separate the first panel **16** from the second panel **18** so as to define an air flow channel therethrough. This, thus, allows for an open cell construction bond to be defined about the pillow **10** between the first and second panels **16**, **18**. With pressure and/or heat applied to one or both of the first and second panels **16**, **18**, the gusset **20** provides venting therethrough of

The gusset **20** preferably is generally flat.
preferred that the gusset **20** have sufficient
the first panel **16** from the second panel **18**
air flow channel therethrough. This, thus, al

rior of the pillow **10**.

With reference to FIG. **4**, the gusset **20** may be formed of a base material **30**, which is preferably a textile, such as a polyester textile. Apertures **32** may be defined in the base material **30** with the apertures **32** defining the open cells of the gusset **20**. The apertures **32** are larger in size than any pores that may be inherently defined in the base material **30**. The apertures **32** may be formed during manufacture of the base material **32** or formed after manufacture, such as by cutting, or material removal from, the base material **30**. The apertures **32** may be unfinished or finished, such as with trim or stitching. The base material **30** may be single or multi-ply.

As a further variation, and with reference to FIG. **5**, the gusset **20** may be formed with the base material **30** being inherently significantly porous. Preferably, the base material **30** is formed of 3D spacer fabric, which is inherently highly porous. More preferably, the base material **30** is formed of polyester 3D spacer fabric. The pores of the base material **30** may be formed with irregular or regular shapes, such as circle-like or polygon-like shapes (e.g., diamond-like shapes). The porosity of the base material **30** may be substantially greater than the porosity of the material forming the first panel **16** and/or substantially greater than the porosity of the material forming the second panel **18**. "Substantially greater" refers to being at least greater than, but preferably being at least twice greater than. The base material **30** may be single or multi-ply. If multi-ply, the collective porosity of the base material **30**, through all layers, is considered as being substantially greater than the porosity of the material of either the first panel **16** or the second panel **18**.

The gusset **20** may include one or more of the open cell configurations described above in connection with FIGS. **3-5** singularly or in any combination.

EX1001, '33
See, e.g., '3

Brief Overview of The Gusset Patents

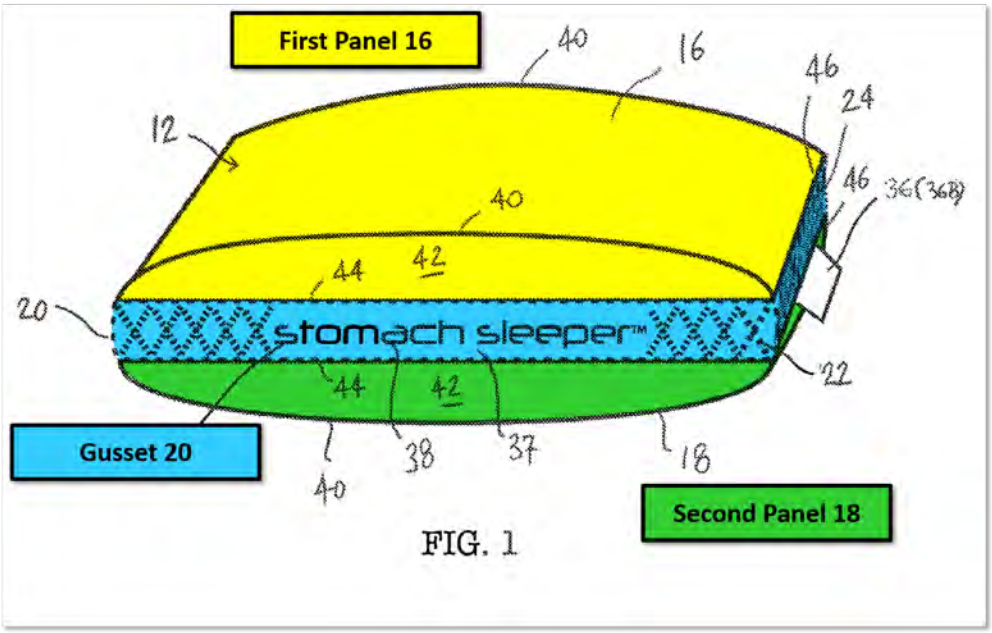


FIG. 1

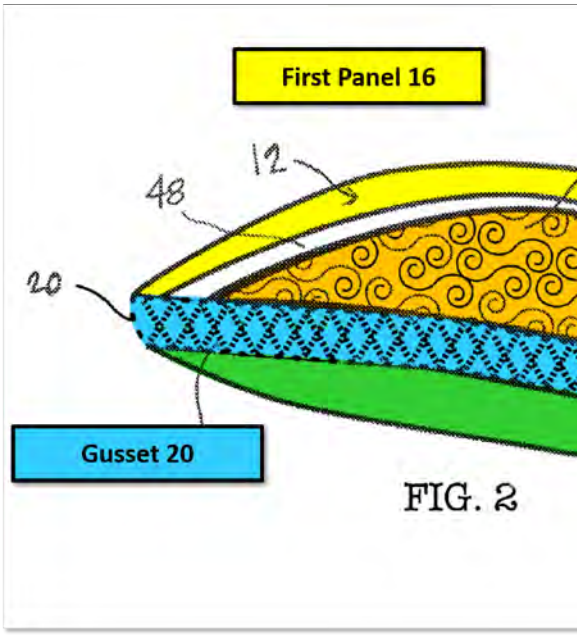


FIG. 2

EX1001, '33
See, e.g., '3

DOCKET ALARM

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.