UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE PATENT TRIAL AND APPEAL BOARD LKQ Corporation and Keystone Automotive Industries, Inc., Petitioners, v. GM Global Technology Operations LLC, Patent Owner. IPR2020-00534

PETITIONERS' REPLY TO PATENT OWNER'S RESPONSE

U.S. Design Patent No. D797,625

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	A.	The Ordinary Observer Would Have Found Lian's Disclosed Fender Design Substantially the Same as the Claimed Design, and a DOSA Would Have Found Lian Alone Obviates the Claimed Design		
		1. Neither GM, nor its declarant, addressed the overall visual similarity of Lian and the '625 Patent or weighed those similarities against the differences		
		2. GM's purported differences fail to distinguish Lian from the '625 Patent for either anticipation or obviousness		
		3. GM's "crowded field" theory lacks support in fact and law23		
	В.	In the Alternative, the Tucson Suggests Changes that Would Render Lian Virtually Identical to the Claimed Design in Every Respect		
	C.	LKQ's Expert Declarant Testimony is Well-Supported, Whereas GM's was Conclusory and Entitled No Weight31		
		1. LKQ's experts declarations were appropriately prepared, and accurately reflect the experts' opinions31		
		2. LKQ's experts' declarations are not conclusory or "ipse dixit" declarations, but GM's expert's declaration is32		



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TABLE OF PETITIONER'S EXHIBITS

Exhibit No.	Description
1001	U.S. Patent No. D797,625 ("the '625 Patent").
1002	File History for U.S. Patent No. D797,625.
1004	Declaration of James M. Gandy, dated February 7, 2020.
1004	Declaration of Jason C. Hill, dated February 7, 2020.
1005	2018 Chevrolet Equinox Brochure, http://www.auto-brochures.com/makes/Chevrolet/Equinox/Chevrolet_US%20Equinox_2018.pdf .
1006	U.S. Design Patent No. D773,340 "Lian."
1007	2010 Hyundai Tucson Brochure, http://www.auto-brochures.com/makes/Hyundai/Tucson/Hyundai_US%20Tucson_201 0.pdf , archived on April 2, 2014 by Internet Archive organization's "Wayback Machine" at https://web.archive.org/web/20140402003154/http://www.auto-brochures.com/makes/Hyundai/Tucson/Hyundai_US%20Tucson_201 0.pdf .
1008	Exemplary images of the 2010 Hyundai Tucson Brochure, http://www.auto-brochures.com/makes/Hyundai/Tucson/Hyundai_US%20Tucson_201_0.pdf , archived on April 2, 2014 by Internet Archive organization's "Wayback Machine" at https://web.archive.org/web/20140402003154/http://www.auto-brochures.com/makes/Hyundai/Tucson/Hyundai_US%20Tucson_201_0.pdf .
1009	File History of U.S. Patent No. D773,340 "Lian"



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