UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

YITA LLC Petitioner

v.

MACNEIL IP LLC Patent Owner

Case No. IPR2020-01138 Patent No. 8,382,186

DECLARATION OF PAUL E. KOCH, PH.D. IN SUPPORT OF PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT 8,382,186

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		1.	Preamble: A vehicle floor tray thermoformed from a sheet of thermoplastic polymeric material of substantially uniform thickness
		2.	Element 1.a: a central panel substantially conforming to a floor of a vehicle foot well
		3.	Element 1.b: the central panel of the floor tray having at least one longitudinally disposed lateral side and at least one transversely disposed lateral side
		4.	Element 1.c: a first panel integrally formed with the central panel of the floor tray, upwardly extending from the transversely disposed lateral side of the central panel of the floor tray, and closely conforming to a first foot well wall
		5.	Element 1.d: the first panel of the floor tray joined to the central panel of the floor tray by a curved transition121
		6.	Element 1.e: a second panel integrally formed with the central panel of the floor tray and the first panel, upwardly extending from the longitudinally disposed lateral side of the central panel of the floor tray, and closely conforming to a second foot well wall

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	7.	Element 1.f: the second panel of the floor tray joined to the central panel of the floor tray and to the first panel of the floor tray by curved transitions			
	8.	Element 1.g: a reservoir disposed in the central panel of the floor tray			
	9.	Element 1.h: a plurality of upstanding, hollow, elongate baffles disposed in the reservoir			
	10.	Element 1.i: each of the baffles having at least two ends remote from each other			
	11.	Element 1.j: the central panel, the first panel, the second panel, the reservoir and the baffles each having a thickness from a point on the upper surface to a closest point on the bottom surface thereof, said thicknesses, as a result of the tray being thermoformed from the sheet of thermoplastic polymeric material of substantially uniform thickness, being substantially uniform throughout the tray140			
	12.	Element 1.k: the baffles each having a width, in any horizontal direction, of more than two times its thickness144			
	13.	Element 1.1: the baffles adapted to elevate the shoe or foot of the occupant above fluid collected in the reservoir, and further adapted to impede lateral movement, induced by a change in vehicle speed or direction, of fluid collected in the reservoir			
	14.	Element 1.m: any portion of the reservoir connected to a remote portion of the reservoir by a path formed around ends of the baffles			
	15.	A POSA would have been motivated to achieve the claimed uniform thickness			
	16.	A POSA would have had a reasonable expectation of success			
Dependent claim 2152					
	Dependent claim 3157				

C.

D.

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