UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

YITA, LLC Petitioner

v.

MACNEIL IP LLC
Patent Owner

Case No. IPR2020-01139

Patent No. 8,382,186

PETITION FOR INTER PARTES REVIEW OF U.S. PATENT NO. 8,382,186

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Patent Trial and Appeal Board U.S. Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450



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| | 3. | Gruenwald | 33 | |
| B. | | prior art and arguments relied on here were not previously bef Office | | |
| C. | Inde | Independent Claim 1 | | |
| | 1. | Preamble: "A vehicle floor tray thermoformed from a sheet thermoplastic polymeric material of substantially uniform thickness, comprising" | | |
| | 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 transition" | 42 | |
| | 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" | e | |
| | 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" | or | |
| | 8. | Element 1[g]: "a reservoir disposed in the central panel of the | ie 48 | |



| 9. | Element 1[h]: "a plurality of upstanding, hollow, elongate baffles disposed in the reservoir"50 | |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| 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 tray" | |
| 12. | Element 1[k]: "the baffles each having a width, in any horizontal direction, of more than two times its thickness"57 | |
| 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".58 | |
| 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 Combine Rabbe, Yung, and Gruenwald to Arrive at the Claimed Vehicle Floor Tray | |
| 16. | Reasonable Expectation of Success | |
| integrat lea third | n 2: "The floor tray of claim 1, further comprising a third panel rally formed with the central panel of the floor tray and joined to st one of the first and second panels by curved transitions, the panel upwardly extending from a third lateral side of the central of the floor tray." | |
| integr | a 3: "The floor tray of claim 2, further comprising a fourth panel rally formed with the central panel of the floor tray and joined to st one of the second and third panels by curved transitions, the | |



D.

E.

| | | fourth panel upwardly extending from a fourth lateral side of the central panel of the floor tray." |
|-------|------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | F. | Claim 4: "The floor tray of claim 1, wherein at least one of the first and second panels has a top margin, the top margin being at least five inches higher than the central panel of the floor tray at its greatest vertical separation therefrom." |
| | G. | Claim 5: "The floor tray of claim 1, wherein the first and second panels have top margins which are substantially coplanar with each other." |
| | Н. | Claim 6: "The floor tray of claim 1, wherein ones of the baffles include longitudinal portions for impeding side-to-side lateral movement of fluid." |
| | I. | Claim 7: "The floor tray of claim 1, wherein ones [sic] of the baffles include transverse portions for impeding forward or rearward lateral movement of fluid." |
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