

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

YITA LLC,
Petitioner,

v.

MACNEIL IP LLC,
Patent Owner.

DECLARATION OF TIM A. OSSWALD, PH.D.

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	BACKGROUND AND QUALIFICATIONS	4
III.	MATERIALS CONSIDERED	9
IV.	LEGAL UNDERSTANDING	15
	A. My Understanding of Claim Construction	15
	B. My Understanding of Anticipation	16
	C. Obviousness	16
V.	LEVEL OF ORDINARY SKILL IN THE ART	19
	A. The '186 Patent	20
	B. The '834 Patent	23
VI.	BRIEF OVERVIEW OF THE '186 PATENT	27
	A. Summary of the '186 Patent	27
	B. Challenged Claims of the '186 Patent	37
	C. Claim Construction	39
	1. The “closely conforming” limitations should be construed to require close conformance between a panel surface and a corresponding surface of a vehicle foot well wall.	39
	2. Petitioner’s construction of “thickness . . . being substantially uniform throughout the tray” is inconsistent with the claim language and the specification.	42
VII.	BRIEF SUMMARY OF THE '834 PATENT	45
	A. Summary of the '834 Patent	45
	B. Challenged Claims of the '834 Patent	54
	C. Claim Construction	62

1.	Petitioner’s construction of “thickness . . . being substantially uniform throughout the tray” is inconsistent with the claim language and the specification.....	62
VIII.	ALLEGED PRIOR ART REFERENCES.....	65
A.	<i>Rabbe</i>	67
1.	Rabbe’s trays are not formed from a single, integral material.	68
2.	A POSITA would not have been motivated to thermoform Rabbe’s trays.....	79
3.	A POSITA would not use a living hinge in a vehicle floor tray.	87
4.	Rabbe’s trays do not disclose the conformance to the vehicle foot wells required by the claims of the ’186 and ’834 Patents.	90
B.	<i>Yung</i>	105
1.	A POSITA would understand that Yung’s floor mat is not thermoformed.....	108
2.	Yung’s mat is compression molded.....	112
3.	Thermoplastics can be compression molded.	115
4.	A POSITA would not look to thermoforming given the foamed materials described in Yung.....	116
5.	Mere disclosure of polyethylene, or polyethylene foam, would not lead a POSITA to thermoforming.....	121
6.	A POSITA would not have been motivated to combine Rabbe and Yung.	122
7.	Yung teaches away from thermoforming a custom-fit floor tray.	126
C.	<i>Gruenwald</i>	128

1. Gruenwald teaches that thermoforming is applicable to thermoplastics, not the rubber Rabbe uses for its trays.129

2. Gruenwald teaches away from thermoforming Rabbe’s floor trays and Yung’s floor mat.130

D. *Sturtevant*.....136

IX. CONCLUSION.....138

Appendix A: Curriculum vitae of Tim A. Osswald

I, Tim A. Osswald, declare as follows:

I. INTRODUCTION

1. I have been retained as a technical expert on behalf of patent owner MacNeil IP LLC (“MacNeil” or “Patent Owner”) in connection with *inter partes* review (“IPR”) proceedings IPR2020-01139 and IPR2020-01142 initiated by Yita LLC (“Petitioner”). I understand that IPR2020-01139 involves U.S. Patent No. 8,382,186 (the “’186 Patent”), titled “Vehicle Floor Tray” by named inventors David F. MacNeil and Scott A. Vargo, and that the ’186 Patent is currently assigned to MacNeil. EX1001 (IPR2020-01139). I understand that IPR2020-01142 involves U.S. Patent No. 8,833,834 (the “’834 Patent”), titled “Molded Vehicle Floor Tray and System” by named inventors David F. MacNeil and Scott Vargo, and that the ’834 Patent is currently assigned to MacNeil. EX1001 (IPR2020-01142).

2. I understand that in IPR2020-01139, Petitioner challenged Claims 1-7 of the ’186 Patent as allegedly being unpatentable under 35 U.S.C. § 103 in view of certain alleged prior art references. *See* Paper 3 (IPR2020-01139) (“Petition-01139”) at 27. Specifically, I understand that Petitioner challenged Claims 1-7 of the ’186 Patent on the following ground:

- Ground 1: Claims 1-7 under 35 U.S.C. § 103 as allegedly being obvious over *Rabbe* (EX1005 (IPR2020-01139)) in view of *Yung*

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