

# United States Court of Appeals for the Federal Circuit

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**YITA LLC,**  
*Appellant*

v.

**MACNEIL IP LLC,**  
*Appellee*

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2022-1373, 2022-1374

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Appeals from the United States Patent and Trademark Office, Patent Trial and Appeal Board in Nos. IPR2020-01139, IPR2020-01142.

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Decided: June 6, 2023

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MARK P. WALTERS, Lowe Graham Jones PLLC, Seattle, WA, argued for appellant. Also represented by JASON A. FITZSIMMONS, RALPH WILSON POWERS, III, Sterne Kessler Goldstein & Fox, PLLC, Washington, DC.

DAVID G. WILLE, Baker Botts LLP, Dallas, TX, argued for appellee. Also represented by CLARKE STAVINOHA, CHAD C. WALTERS; MICHAEL HAWES, Houston, TX.

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Before TARANTO, CHEN, and STOLL, *Circuit Judges*.

TARANTO, *Circuit Judge*.

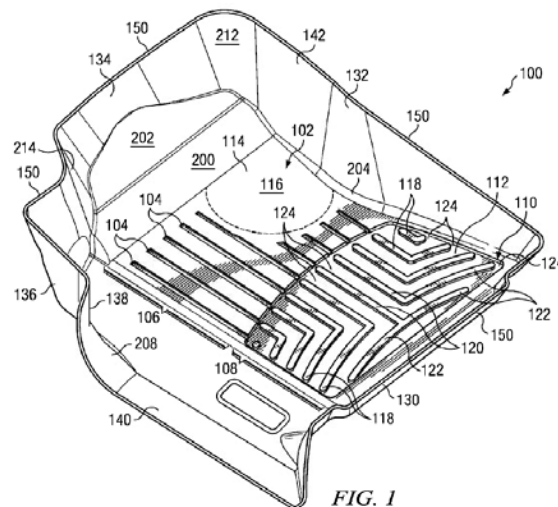
MacNeil IP LLC is the assignee of two U.S. patents, Nos. 8,382,186 and 8,833,834, that were the subject of decisions by the Patent Trial and Appeal Board in inter partes reviews (IPRs) of challenges to all claims of the patents on obviousness grounds presented in petitions filed by Yita LLC. In IPR 2020-01139, the Board rejected Yita’s challenge to all claims (1–7) of the ’186 patent, concluding that—although a relevant artisan would have been motivated to combine, and had a reasonable expectation of success in combining, the teachings of the asserted prior-art references to arrive at each challenged claim—“[MacNeil’s] evidence of secondary considerations [was] compelling and indicative of non-obviousness.” J.A. 81. Yita appeals that ruling. In IPR 2020-01142, the Board, while agreeing with Yita’s challenge to claims 13–15 of the ’834 patent (a ruling that MacNeil does not appeal), rejected Yita’s challenge to claims 1–12. Yita appeals that ruling. For the reasons below, we reverse the Board’s judgment in the ’1139 IPR and affirm its judgment in the ’1142 IPR.

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The ’186 and ’834 patents share a specification, so for simplicity we cite only the specification of the ’186 patent. The subject addressed is a “vehicle floor tray . . . thermoformed from a polymer sheet of substantially uniform thickness.” ’186 patent, Abstract. The specification explains that traditional vehicle “floor mats end up not being centered on the area protected”; “pushed up so as to occlude the gas, brake, or clutch pedals”; or “bunched up or folded over” because “[h]uman beings have a tendency to move their feet around” and to “push around the floor mats.” *Id.* col. 1, lines 27, 30–33. “A need therefore persists,” the specification adds, “for a floor tray that will have a more exact fit to the vehicle foot well” and “that stays in place once it is installed.” *Id.* col. 2, lines 4–7.

The specification describes a way to meet this need by creating a floor tray through a process that involves taking a digital scan of a vehicle's foot well, *id.* col. 16, line 30, through col. 17, line 3, then using a thermoform process to give a sheet of polymer the shape of that scan, *id.* col. 17, line 20, through col. 18, line 58. The resulting vehicle tray “fits the surface” of the vehicle floor well “to an enhanced degree of precision.” *Id.* col. 17, lines 22–23. In claims 1–7 of the '186 patent, the floor tray must “closely conform[]” to certain walls of the vehicle foot well, *id.* col. 19, line 45; *id.* col. 20, line 2, and in claims 1–12 of the '834 patent, portions of the floor tray must be “within one-eighth of an inch” of certain walls of the vehicle foot well, '834 patent, col. 20, line 39.<sup>1</sup> Figure 1 illustrates the claimed floor tray.



The '186 patent has seven claims, one of which (claim 1) is independent. The '834 patent has 15 claims, four of

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<sup>1</sup> Claims 13–15 of the '834 patent require neither close conformance nor a maximum separation of one-eighth of an inch. See '834 patent, col. 22, line 56, through col. 24, line 19.

which (claims 1, 5, 9, and 13) are independent. Claim 1 of each patent is reproduced below.

1. A vehicle floor tray thermoformed from a sheet of thermoplastic polymeric material of substantially uniform thickness, comprising:

a central panel substantially conforming to a floor of a vehicle foot well, the central panel of the floor tray having at least one longitudinally disposed lateral side and at least one transversely disposed lateral side;

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, the first panel of the floor tray joined to the central panel of the floor tray by a curved transition;

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, 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;

a reservoir disposed in the central panel of the floor tray;

a plurality of upstanding, hollow, elongate baffles disposed in the reservoir, each of the baffles having at least two ends remote from each other, 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;

the baffles each having a width, in any horizontal direction, of more than two times its thickness, 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, any portion of the reservoir connected to a remote portion of the reservoir by a path formed around ends of the baffles.

'186 patent, col. 19, line 35, through col. 20, line 24.

1. A system including a vehicle and a floor tray for consumer installation into a predetermined foot well of the vehicle, the system comprising:

a vehicle foot well having a floor, a substantially longitudinally disposed first foot well wall upstanding from the floor, a substantially transversely disposed second foot well wall upstanding from the floor and joined to the first foot well wall, a substantially longitudinally disposed third foot well wall upstanding from the floor and joined to the second foot well wall; and

a vehicle floor tray molded from a sheet of polymeric material of substantially

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