

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ENOVATE MEDICAL, LLC,
Petitioner,

v.

INTERMETRO INDUSTRIES CORPORATION,
Patent Owner.

Case IPR2015-00301
Patent 6,493,220 B1

Before MICHAEL R. ZECHER, JENNIFER S. BISK, and
MICHAEL J. FITZPATRICK, *Administrative Patent Judges*.

FITZPATRICK, *Administrative Patent Judge*.

FINAL WRITTEN DECISION
35 U.S.C. § 318(a)

I. INTRODUCTION

Petitioner, Enovate Medical, LLC, filed a Petition to institute an *inter partes* review of claims 1 and 2 of U.S. Patent No. 6,493,220 B1 (“the ’220 patent,” Ex. 1001). Paper 1 (“Pet.”). Patent Owner, InterMetro Industries Corporation, filed a Preliminary Response pursuant to 35 U.S.C. § 313. Paper 9 (“Prelim. Resp.”). We granted the Petition, instituting trial on one of Petitioner’s two asserted grounds, namely, whether claims 1 and 2 are unpatentable as obvious over Dell¹ and Sweere.² Paper 11.

During the trial, Patent Owner filed a Response under seal (Paper 14, “PO Resp.”),³ and Petitioner filed a Reply. Paper 20 (“Reply”). Additionally, both parties filed Motions to Exclude evidence. Paper 28 (“Pet. Mot. to Excl.”⁴); Paper 30 (“PO Mot. Excl.”). Finally, Patent Owner filed a Motion to Dismiss and Terminate (Paper 32, “Mot. to Term.”), against which Petitioner filed an Opposition (Paper 35, “Opp. to Mot. to Term.”), and in support of which Patent Owner filed a Reply (Paper 45).

¹ U.S. Patent No. 5,806,943, issued Sept. 15, 1998. Ex. 1003.

² U.S. Patent No. 5,842,672, issued Dec. 1, 1998. Ex. 1004.

³ Patent Owner’s Response, with information relating to sales of its point-of-care (or POC) carts redacted, is publicly available as Paper 15.

⁴ The evidence Petitioner seeks to exclude—Exhibits 2003–2006—was filed by Patent Owner under seal. Thus, Petitioner filed its Motion to Exclude under seal, as it discusses certain details from Patent Owner’s sealed exhibits. Petitioner’s Motion to Exclude, with such details redacted, is publicly available as Paper 27.

A consolidated hearing for oral arguments in this *inter partes* review and Case IPR2015-00300 was held January 13, 2016. A transcript of the hearing appears in the record. Paper 47 (“Tr.”).

We hold claims 1 and 2 unpatentable.

A. Related Matters

Patent Owner has asserted the ’220 patent along with additional patents, including related U.S. Patent No. 6,721,178 B1 (“the ’178 patent”), against Petitioner in *InterMetro Industries Corp. v. Enovate Medical, LLC*, Case No. 3:13-cv-02854 (M.D. Pa.) (the “related lawsuit”). Pet. 2; Paper 7, 2. Claims of the related ’178 patent are being challenged by Petitioner in Case IPR2015-00300.

B. The ’220 Patent

The ’220 patent describes “a mobile workstation that can include an adjustable-height horizontal tray, a pull-out keyboard tray, a vertically-mounted docking station mounted to the tray, a computer terminal mounted beneath the tray, a display screen mounted to the horizontal tray, and a power unit.” Ex. 1001, 1:7–12. The mobile workstation can be pushed from room to room, for example, by a medical practitioner during patient rounds at a hospital. *Id.* at 2:63–65.

Figure 4b of the patent is reproduced below.

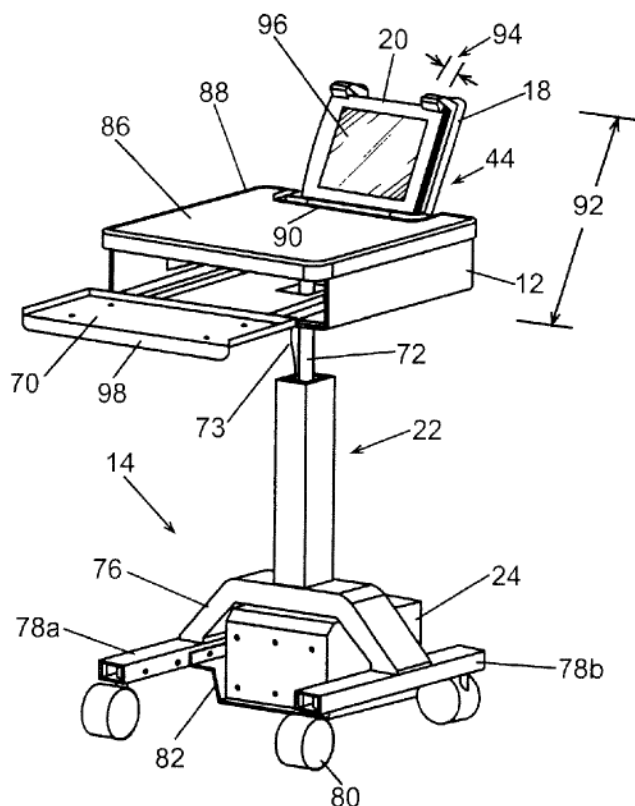


Figure 4b shows a perspective view of the mobile workstation. The workstation includes adjustable-height horizontal tray 12 supported by chassis 14. Ex. 1001, 8:53–55. The horizontal tray includes upper surface 86 that provides a work surface. *Id.* at 12:9–12. Horizontal tray 12 supports docking station 18 that removably supports wireless computer terminal 20 having a display screen. *Id.* at 8:58–61. The docking station is attached to the horizontal tray via tiltable bracket 44. *Id.* at 10:10–12.

Although the lead line for computer terminal 20 points to the display screen, which is positioned above the horizontal work surface, the terminal itself may be below the horizontal work surface. *See id.* at 1:10–11 (“computer terminal mounted beneath the tray”); *id.* at 6:50–52 (“Because the docking station is vertically mounted, the computer terminal does not occupy the top surface of the

horizontal tray”); *id.* at 6:65–67 (“The horizontal tray includes an underside front mounting bracket to support the wireless computer terminal”); *id.* at 8:14–17 (“When the computer terminal is mounted beneath the horizontal tray, the computer terminal does not occupy the top surface of the horizontal tray, which allows this area to be used as a work surface.”); *id.* at Figs. 12a–c, ref. 274.

The chassis includes vertical beam 22 connecting the horizontal tray to a dolly assembly, the dolly assembly being comprised of arched beams 76 and horizontal beams 78a and 78b. *Id.* at 8:61–62, 12:59–61. The horizontal beams include casters (wheels) 80. The vertical beam is adjustable via a gas-spring or other adjustment mechanism. *Id.* at 8:63–9:10. Power unit 24 is supported on a lower end of the chassis. *Id.* at 9:17–18.

C. The Challenged Claims

Claims 1 and 2 are reproduced below.

1. A mobile workstation, comprising:
 - a wheeled chassis;
 - a tray supported by the chassis and having a lower surface and an upper surface defining a substantially horizontal work surface;
 - a bracket mounted to the bottom of the horizontal work surface to support a wireless computer terminal;
 - a display screen mounted substantially perpendicular to and above the top of the horizontal work surface, wherein the display screen mounts to a tiltable bracket connecting the display screen to the tray and for rotating the display screen relative to the tray; and
 - a power unit for the wireless computer terminal and supported by the chassis.

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