UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE PATENT TRIAL AND APPEAL BOARD

Under Armour, Inc. Petitioner,

v.

adidas AG, Patent Owner

PETITION FOR INTER PARTES REVIEW

OF

U.S. PATENT NO. 8,092,345

CHALLENGING CLAIMS 1-11, 15-18, 20

Mail Stop Patent Board

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



TABLE OF CONTENTS

1.	MANDATORY NOTICES		
A.	Real Party-in-Interest1		
В.	Related Matters1		
C.	Lead and Backup Counsel and Service Information		
II.	GROUNDS FOR STANDING		
III.	IDENTIFICATION OF CHALLENGE AND THE 345 PATENT2		
IV.	STATUTORY GROUNDS FOR THE CHALLENGES		
V.	CLAIM CONSTRUCTION		
A.	A. "common file format" (claims 1, 20)		
B.	"advertisement" (claim 18)6		
VI.	IDENTIFICATION OF HOW THE CHALLENGED CLAIMS ARE UNPATENTABLE		
A.	Statement of Non-Redundancy6		
В.	Claims 1-4, 6-11, 15-18, and 20 are Obvious over Mault in view of DeLorme under 35 U.S.C. § 103(a)		
	1. Claim 1		
	2. Claim 2: The journal of claim 1 wherein the journal entries comprise athletic journal entries, competition journal entries, medical journal entries, health journal entries, nutrition journal entries, physical therapy journal entries, travel journal entries, music journal entries, work journal entries, or school journal entries		
	3. Claim 3: The journal of claim 1 further comprising a location monitor used to tag journal entries with a location		
	4. Claim 4: The journal of claim 1 further comprising means to create sketch, image or video journal entries		
	5. Claim 6: The journal of claim 1 further comprising a database comprising a plurality of database entries wherein a journal entry may be tagged with one of the plurality of database entries.		



	6.	Claim 7: The journal of claim 6 wherein the database comprises an athletic database, a nutrition database, a treatment database, a diagnostic database, a patient database, a pharmaceutical database, an insurance database, a medical instrument database, a heath alert database, a competition database, or a personal database
	7.	Claim 8: The journal of claim 6 further configured to make automatic calculations related to a journal entry and a linked database entry
	8.	Claim 9: The journal of claim 1 further comprising an athletic data collection device wherein a journal entry may be tagged with data collected using the athletic data collection device.
	9.	Claim 10: The journal of claim 9 wherein the athletic data collection device comprises heart rate monitor, a blood pressure monitor, or a stopwatch24
	10.	Claim 11: The journal of claim 1 further comprising a medical diagnostic instrument wherein a journal entry may be tagged with data collected using the medical diagnostic instrument.
	11.	Claim 15: The journal of claim 1 further configured to allow the user to download information related to a region into the journal
	12.	Claim 16: The journal of claim 15 wherein the information related to a region comprises language information, dialect information, currency exchange rate information, time zone information, location information, business information, custom information, law information, geography information, wildlife information, climate information, weather forecasts, transit schedules, entertainment schedules, attractions information, park information, or plant information
	13.	Claim 17: The journal of claim 1 further configured to provide route guidance28
	14.	Claim 18: The journal of claim 1 further configured to provide localized advertisements or discounts.
	15.	Claim 20
C.		aims 1-11, 15-17, and 20 are Obvious Over <i>Telemedicine Kit</i> in View of Lorme Under 35 U.S.C. § 103(a)
	1.	Claim 1
	2.	Claim 2: The journal of claim 1 wherein the journal entries comprise athletic journal entries, competition journal entries, medical journal entries, health journal entries, nutrition journal entries, physical therapy journal entries, travel journal entries, music journal entries, work journal entries, or school journal entries.
	3.	Claim 3: The journal of claim 1 further comprising a location monitor used to tag journal entries with a location



VII.	CON	CLUSION56
	15.	Claim 20
	14.	Claim 17: The journal of claim 1 further configured to provide route guidance51
	13.	Claim 16: The journal of claim 15 wherein the information related to a region comprises language information, dialect information, currency exchange rate information, time zone information, location information, business information, custom information, law information, geography information, wildlife information, climate information, weather forecasts, transit schedules, entertainment schedules, attractions information, park information, or plant information
	12.	Claim 15: The journal of claim 1 further configured to allow the user to download information related to a region into the journal
	11.	Claim 11: The journal of claim 1 further comprising a medical diagnostic instrument wherein a journal entry may be tagged with data collected using the medical diagnostic instrument
	10.	Claim 10: The journal of claim 9 wherein the athletic data collection device comprises a heart rate monitor, a blood pressure monitor, or a stopwatch47
	9.	Claim 9: The journal of claim 1 further comprising an athletic data collection device wherein a journal entry may be tagged with data collected using the athletic data collection device
	8.	Claim 8: The journal of claim 6 further configured to make automatic calculations related to a journal entry and a linked database entry
	7.	Claim 7: The journal of claim wherein the database comprises an athletic database, a nutrition database, a treatment database, a diagnostic database, a patient database, a pharmaceutical database, an insurance database, a medical instrument database, a health alert database, a competition database, or a personal database
	6.	Claim 6: The journal of claim 1 further comprising a database comprising a plurality of database entries wherein a journal entry may be tagged with one of the plurality of database entries.
	5.	Claim 5: The journal of claim 1 further comprising means to input a medical image to be linked to a journal entry
	4.	Claim 4: The journal of claim 1 further comprising means to create sketch, image or video journal entries



PETITIONER'S EXHIBIT LIST

February 5, 2015

UA-1001	U.S. Patent No. 8,092,345 to Ellis, et al.
UA-1002	Docket entries excerpt from concurrent litigation
UA-1003	Expert declaration of Dr. Joseph Paradiso
UA-1004	U.S. Pat. No. 6,513,532 to Mault et al. ("Mault")
UA-1005	U.S. Pat. No. 6,321,158 to DeLorme et al. ("DeLorme")
UA-1006	Ari. T. Adler, A Cost-Effective Portable Telemedicine Kit for Use in Developing Countries (May 2000) (M.S. thesis, Massachusetts Institute of Technology) (on file with MIT Libraries) ("Telemedicine Kit")
UA-1007	U.S. Patent No. 6,790,178 to Mault et al. ("Mault II")
UA-1008	NavTalk TM Cellular Phone/GPS Receiver, Owner's Manual and Reference Guide (January 2000)
UA-1009	Toshiba Satellite 2530CDS Product Specifications (February 2000)
UA-1010	U.S. Patent No. 5,864,870 to Guck et al. ("Guck")

DOCKET

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

