

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

L&P PROPERTY MANAGEMENT COMPANY,
Petitioner,

v.

NATIONAL PRODUCTS INC.,
Patent Owner.

Case IPR2016-00475
Patent 9,036,343 B2

Before JENNIFER S. BISK, MICHAEL J. FITZPATRICK, and
JOHN A. HUDALLA, *Administrative Patent Judges*.

HUDALLA, *Administrative Patent Judge*.

FINAL WRITTEN DECISION
Inter Partes Review
35 U.S.C. § 318(a) and 37 C.F.R. § 42.73

Petitioner, L&P Property Management Company (“L&P”), filed a Petition (Paper 1, “Pet.”) requesting an *inter partes* review of claims 1–20 of U.S. Patent No. 9,036,343 B2 (Ex. 1001, “the ’343 patent”) pursuant to 35 U.S.C. §§ 311–319. Patent Owner, National Products Inc. (“NPI”), filed a Preliminary Response. Paper 7 (“Prelim. Resp.”). Taking into account the arguments presented in NPI’s Preliminary Response, we determined that the information presented in the Petition established that there is a reasonable

likelihood that L&P would prevail in challenging claims 1–20 of the '343 patent under 35 U.S.C. § 103(a). Pursuant to 35 U.S.C. § 314, we instituted this proceeding on July 21, 2016, as to these claims of the '343 patent. Paper 8 (“Institution Decision” or “Dec. on Inst.”).

During the course of trial, NPI filed a Patent Owner Response (Paper 12, “PO Resp.”), and L&P filed a Reply to the Patent Owner Response (Paper 17, “Pet. Reply”). An oral hearing was held on April 27, 2017, and a transcript of the hearing is included in the record. Paper 26 (“Tr.”).

L&P proffered a Declaration of Jason Lewandowski (Ex. 1014) with its Petition. NPI proffered a Declaration of Jeffrey D. Carnevali (Ex. 2014) with its Response. L&P also filed a transcript of the deposition of Mr. Carnevali (Ex. 1049).

We have jurisdiction under 35 U.S.C. § 6. This decision is a Final Written Decision under 35 U.S.C. § 318(a) as to the patentability of claims 1–20 of the '343 patent. For the reasons discussed below, L&P has demonstrated by a preponderance of the evidence that these claims are unpatentable under § 103(a).

I. BACKGROUND

A. *Related Proceeding*

Both parties identify the following proceeding related to the '343 patent (Pet. 1; Paper 5, 2): *National Products, Inc. v. Gamber-Johnson LLC*, Case No. 2:15-cv-01571-MJP (W.D. Wash. filed Oct. 1, 2015).

B. The '343 patent

The '343 patent is directed to “quick release docking stations for portable computers and other portable electronics devices having one or more input/output (I/O) communication ports.” Ex. 1001, 1:20–23. Figure 5 of the '343 patent is reproduced below.

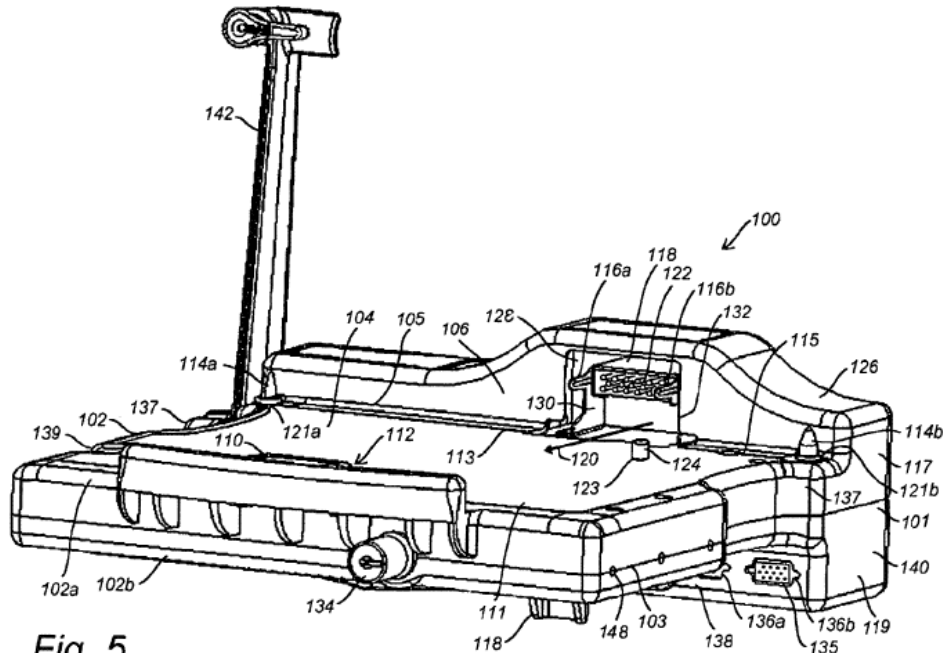


Fig. 5

Figure 5 is a perspective view of docking station 100 having two-piece body 102 with upper body portion 102a connected to lower body portion 102b along line 103 of mutual contact. *Id.* at 12:21–30. Bearing surface 104 is structured to support the bottom of a portable computer, whereas connector presentation surface 106 is structured to present an expansion connector 108¹ to the back of the portable computer. *Id.* at 12:30–38. Receiver structure 110 is positioned opposite from connector presentation surface 106

¹ We agree with L&P that expansion connector 108 is mislabeled as 118 in the upper portion of Figure 5. *See* Pet. 4. Reference numeral 118 in the lower portion of Figure 5 correctly identifies sliding expansion connector drive mechanism 118.

and includes open jaw structure 112 structured to mate with a tongue on the front of the portable computer. *Id.* at 12:43–49. Operation of sliding expansion connector drive mechanism 118 causes expansion connector 108 and guide pins arms 116a, 116b to move toward open jaw structure 112 so that guide arms 116a, 116b are fitted in interface apertures in the rear of the portable computer before expansion connector 108 connects with the portable computer's input/output connector. Locking latch mechanism 134 may be used to constrain expansion connector drive mechanism 118 such that expansion connector 108 and guide arms 116a, 116b remain in a deployed position. *Id.* at 14:51–59. Display unit support 142 supports the display portion of the portable computer. *Id.* at 15:61–65.

Figure 16 of the '343 patent is reproduced below.

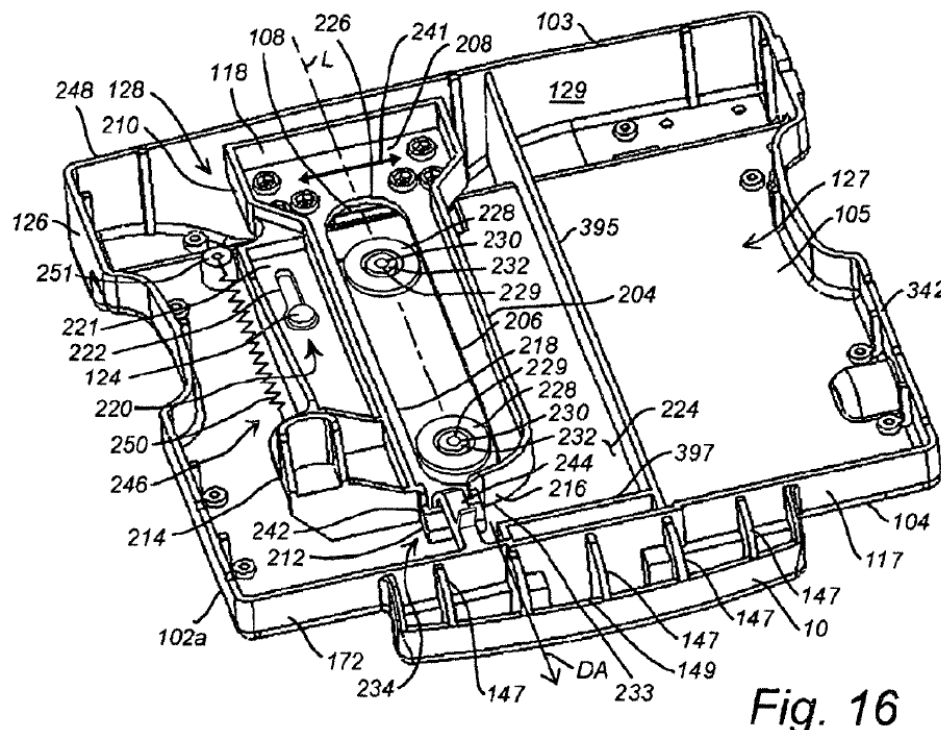


Figure 16 is a perspective view of the inside of upper body portion 102a showing more detail of expansion connector drive mechanism 118. *Id.* at 20:38–42. Retraction mechanism 246 is used to retract expansion connector

108; it includes resilient retraction mechanism 250, such as a spring, to urge connector drive mechanism 118 toward a disengaged position. *Id.* at 23:4–23.

L&P contends June 30, 2006, is the earliest possible priority date to which the claims of the '343 patent are entitled. Pet. 3; Ex. 1001, at [63]. As discussed below, L&P establishes that its asserted references qualify as prior art even when assuming that June 30, 2006, is the effective filing date for the challenged claims of the '343 patent.

C. Illustrative Claim

Claims 1, 9, and 10 of the '343 patent are independent. Claims 2–8, 15, 16, 19, and 20 directly or indirectly depend from claim 1, and claims 11–14, 17, and 18 directly or indirectly depend from claim 10. Claim 1 is illustrative of the challenged claims and recites:

1. A molded docking station for laptops, mini-laptops, notebooks, netbooks, and ultra mobile personal computers (UMPCs), the docking station adapted for mounting in vehicle applications and comprising:

a housing comprising:

a molded wall,

a device bearing surface on a first portion of an outer surface of the wall between opposing side edges thereof,

an expansion connector presentation edge of the wall positioned adjacent to a rear portion of the device bearing surface between the opposing side edges of the wall, and

a mounting structure coupled for securely mounting the housing in a vehicle;



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