

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CONTROLS SOUTHEAST, INC.

Petitioner,

v.

QMAX INDUSTRIES, LLC

Patent Owner.

U.S. Patent No. 8,469,082

HEAT TRANSFER BETWEEN TRACER AND PIPE

**PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 8,469,082**

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List of Exhibits

- Exhibit 1001: U.S. Patent No. 8,469,082 to Perry (“the ‘082 Patent”)
- Exhibit 1002: File History of the ‘082 Patent
- Exhibit 1003: English Translation of Japanese Patent Publication No. JP 2000-110985 to Mizuno et al. (“Mizuno”)
- Exhibit 1004: U.S. Patent No. 7,203,419 to Malone et al. (“Malone”)
- Exhibit 1005: U.S. Patent No. 3,331,946 to Bilbro (“Bilbro”)
- Exhibit 1006: Great Britain Patent No. 1,081,889 to Ikas Isolering (“Ikas”)
- Exhibit 1007: U.S. Patent No. 6,410,893 to Barth et al. (“Barth III”)
- Exhibit 1008: S.O. Jones, Electrically Traced Process Lines, *J. Electrical Engineering*, December 1963 (“Jones”)
- Exhibit 1009: U.S. Patent No. 6,131,617 to Barth et al. (“Barth I”)
- Exhibit 1010: U.S. Patent No. 5,086,836 to Barth et. al (“Barth II”)
- Exhibit 1011: English Translation of JP S63-112696 to Omura (“Omura”)
- Exhibit 1012: PIP PNSC0035 Steam Tracing Specification (“PIP Spec”)
- Exhibit 1013: Dictionary definitions for “continuous” and “elliptical”
- Exhibit 1014: Declaration of Dr. John P. Abraham (“Abraham Decl.”)

I. INTRODUCTION

Pursuant to 35 U.S.C. § 311 *et seq.* and 37 C.F.R. § 42.1 *et seq.*, Petitioner Controls Southeast, Inc. (“Petitioner”) hereby petitions for *inter partes* review of U.S. Patent No. 8,469,082 (“the ‘082 Patent”). Petitioner submits that claims 1-9, 11, 12, and 18-20 of the ‘082 Patent are unpatentable under 35 U.S.C. § 103 in view of the prior art references identified herein. This Petition demonstrates that there is a reasonable likelihood that each of the challenged claims is unpatentable. Accordingly, it is respectfully requested that the Board institute *inter partes* review of the ‘082 Patent.

II. MANDATORY NOTICES

A. Each Real Party-In-Interest (37 C.F.R. § 42.8(b)(1))

Controls Southeast, Inc. and AMETEK, Inc. Controls Southeast, Inc. is a wholly-owned division of AMETEK, Inc.

B. Related Matters (37 C.F.R. § 42.8(b)(2))

Petitioner is the plaintiff in an action against the Patent Owner involving the ‘082 Patent captioned *Controls Southeast, Inc. v. QMax Industries, Inc. et al.*, in the United States District Court for the Western District of North Carolina, Case No. 3:16-cv-00230-FDW-DSC (the “Lawsuit”). Concurrently filed herewith is a Petition for *inter partes* review of United States Patent No. 8,662,156 (the parent of the ‘082 Patent), which is also owned by Patent Owner and asserted in the above-captioned matter.

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