Patent No. 9,025,896 B2 Petition For *Inter Partes* Review

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

C&A Marketing, Inc.
Petitioner

v.

GoPro, Inc.
Patent Owner

Patent No. 9,025,896 B2

Inter Partes Review No. IPR2017-01300

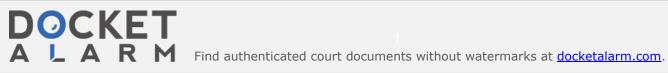
PETITION FOR INTER PARTES REVIEW

UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. § 42.100 et seq.



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CASES
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GoPro, Inc. v. C&A Marketing, Inc. et al., Case No. 16-cv-03590 (N.D. Cal.)
Hakim v. Cannon Avent Group, PLC, 479 F.3d 1313 (Fed. Cir. 2007)
Medtronic v. Edotach, LLC, IPR2014-00698, Paper No. 18 (P.T.A.B. Sept. 25, 2014)63
Oatey Co. v. IPS Corp., 514 F.3d 1271 (Fed. Cir. 2008)
<i>Phillips v. AWH Corp.</i> , 415 F.3d 1303 (Fed. Cir. 2005)
Vivid Techs., Inc. v. Am. Sci. & Eng'g, Inc., 200 F.3d 795 (Fed. Cir. 1999)
STATUTES
35 U.S.C. § 102



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OTHER AUTHORITIES

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