UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MOSO NORTH AMERICA, INC. AND MOSO INTERNATIONAL B.V., Petitioner,

v.

DASSO INTERNATIONAL, INC., Patent Owner

Case IPR2019-00184 U.S. Patent 8,709,578

PATENT OWNER DASSO INTERNATIONAL, INC.'S CORRECTED PRELIMINARY RESPONSE PURSUANT TO 37 C.F.R. § 42.107(a)



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VII.	PETITIONERS' DO NOT DEMONSTRATE THAT THEY ARE MORE LIKELY THAN NOT TO PREVAIL ON ANY CHALLENGED CLAIM OF THE '578 PATENT.		20	
A.	Li does not disclose "bamboo strips formed with a plurality of slots."		20	
В.		Fujiwara does not disclose "bamboo strips formed with a plurality of slots."		
C.		Li does not disclose "modified through heat-treatment so that at least a part of hemicelluloses in said bamboo strips is pyrolized."		
A.	disclosu by eithe that at l	All of Petitioners' proposed grounds of challenge require the disclosure of "bamboo strips formed with a plurality of slots" by either Li or Fujiwara, and "modified through heat-treatment so that at least a part of hemicelluloses in said bamboo strips is pyrolized" by Li.		
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TABLE OF AUTHORITIES

Cases

Continental Can Co. v. Monsanto Co., 948 F.2d 1264, 1269 (Fed. Cir. 1991)19
Cuozzo Speed Techs., LLC v. Lee, U.S, 136 S. Ct. 2131 (2016)5
Finisar Corp. v. DirecTV Group, Inc., 523 F.3d 1323, 1334 (Fed. Cir. 2008) 19, 28
Graham v. John Deere Co., 383 U.S. 1, 17-18, 148 USPQ 459, 467 (1966)20
<i>In re Hodges</i> , 882 F.3d 1107 (Fed. Cir. 2018)5
In re Robertson, 169 F.3d 743, 745 (Fed. Cir. 1999)19
In re Smith Int'l, Inc., 871 F.3d 1375 (Fed. Cir. 2017)5
KSR Int'l Co. v. Teleflex Inc., 550 U.S. 398, 399 (2007)20
Microsoft Corp. v. Proxyconn, Inc., 789 F.3d 1292 (Fed. Cir. 2015)4, 6
Monsanto Tech. LLC v. E.I. DuPont de Nemours & Co., 878 F.3d 1336 (Fed. Cir.
2018)4
Net Money, Inc., v. Verisign, Inc., 545 F.3d 1359, 1371 (Fed. Cir. 2008) 19, 28
Trivascular, Inc. v. Samuels, 812 F.3d 1056 (Fed. Cir. 2016)5
Wasica Fin. GmbH v. Cont'l Auto. Sys., 853 F.3d 1272, 1284 (Fed. Cir. 2017)19
Statutes
35 U.S.C. § 102



Other Authorities

83 Fed. Reg. 51,340, 51,359 (Oct. 11, 2018)		
Office Patent Trial Practice Guide,		
77 Fed. Reg. 48,756 (Aug. 14, 2012)	.4	
Rules		
37 C.F.R. § 100(b)	.4	
37 C.F.R. § 42.100(b)	.4	



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