

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NUNA BABY ESSENTIALS, INC. and
NUNA INTERNATIONAL B.V.,
Nuna Baby,

v.

BRITAX CHILD SAFETY, INC.,
Britax.

Case IPR2019-00663
Patent 9,187,016 B2

Before LINDA E. HORNER, SCOTT A. DANIELS, and
BRENT M. DOUGAL, *Administrative Patent Judges*.

DANIELS, *Administrative Patent Judge*.

DECISION
Institution of *Inter Partes* Review
35 U.S.C. § 314(a)

I. INTRODUCTION

A. Background

Nuna Baby filed a Petition to institute an *inter partes* review of claims 1–19 of U.S. Patent No. 9,187,016 B2 (“the ’016 patent”). Paper 3 (“Pet.”). Britax filed a Preliminary Response. Paper 77 (“Prelim. Resp.”).

Under 35 U.S.C. § 314, an *inter partes* review may not be instituted “unless . . . there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.” Upon consideration of the Petition and Preliminary Response and for the reasons explained below, we determine that Nuna Baby has shown that there is a reasonable likelihood that it would prevail with respect to at least one of the challenged claims. As such, we institute an *inter partes* review of claims 1–19 of the ’016 patent.

B. Additional Proceedings

Neither party indicates that the ’016 patent is involved in a lawsuit or other legal proceeding. Pet. 92; Paper 6, 3.

C. The ’016 Patent

The ’016 patent (Ex. 1001), titled “Child Seat with Belt Tensioning Mechanism for Improved Installation,” describes “a child safety seat including a tensioning mechanism for applying tension to a seat belt to more fully secure the child safety seat to a car seat.” Ex. 1001, 1:18–20. Figure 1 of the ’016 patent is reproduced below.

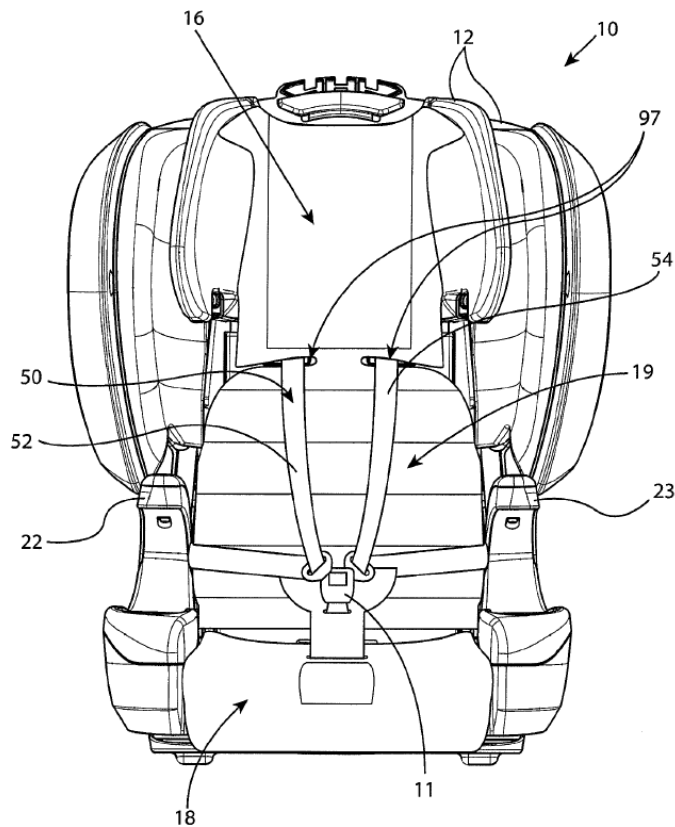


FIG. 1

Figure 1 of the '016 patent “shows a front view of a child safety seat.” *Id.* at 4:30–31. Child safety seat 10 includes seat base 12 having seat portion 18 and backrest portion 16 for receiving an occupant, e.g., a child. *Id.* at 6:17–22. Seat 10 further includes padding 19, arm rests 22, 23 and harness 50 to secure the child in the child safety seat. *Id.* at 6:23–46.

Annotated Figure 6 of the '016 patent, reproduced below, depicts the child safety seat and tensioning mechanism 30.

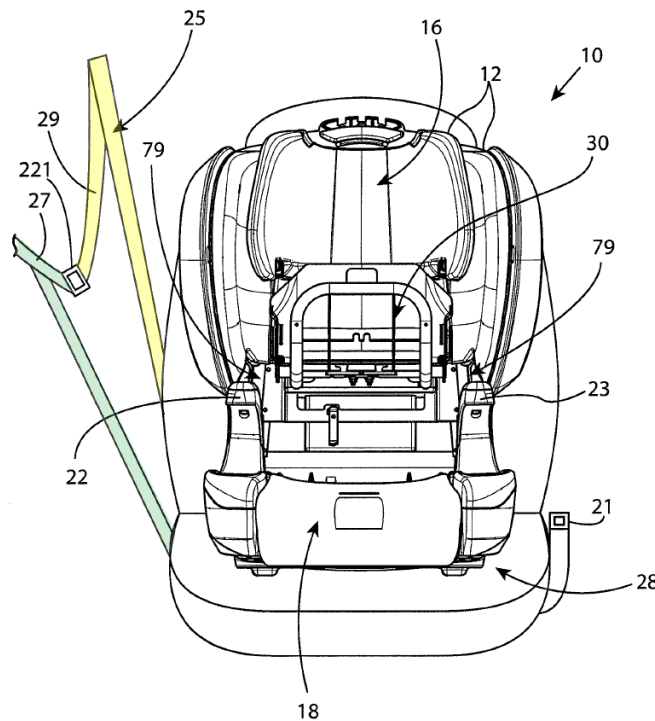


FIG. 6

Figure 6 of the '016 patent, above, as annotated by the Board, “shows a front view of the child seat” and tensioning mechanism 30 in conjunction with a vehicle seat belt 25. *Id.* at 5:6, 12:17–21. Vehicle seat belt 25 includes lap section 27 shown highlighted in green, and shoulder section 29 shown highlighted in yellow. The '016 patent explains that “the tensioning mechanism 30 is configured to receive a portion of the lap section 27 of the belt 25 and a portion of the shoulder section 29 of the belt . . . along a belt path, such as within the belt guide channel 79.” *Id.* at 12:36–40.

A safety concern that child safety seat 10 and tensioning mechanism 30 is intended to address is slack or looseness, i.e., not enough tension in a vehicle seat belt as the seat belt secures the child safety seat to a vehicle seat. *See id.* at 1:39–44 (The '016 patent explains that “maintaining a proper

amount of tension in the seat belt can also be difficult. Indeed, an improper amount of tension is undesirable and may negatively affect the safety of the occupant secured within the child seat.”). To address this safety concern, tensioning mechanism 30 is designed to apply tension *to both* the lap and shoulder sections 27, 29 of seat belt 25 and eliminate any slack or looseness. *See id.* at 12:40–44, 12:58–13:3. The ’016 patent states that “the tensioning mechanism is configured to apply tension to the portion of the lap section and the portion of the shoulder section of the belt to secure the child seat to the car seat in a tensioned configuration.” *Id.* at 1:66–2:3. Annotated Figure 7 of the ’016 patent is reproduced below.

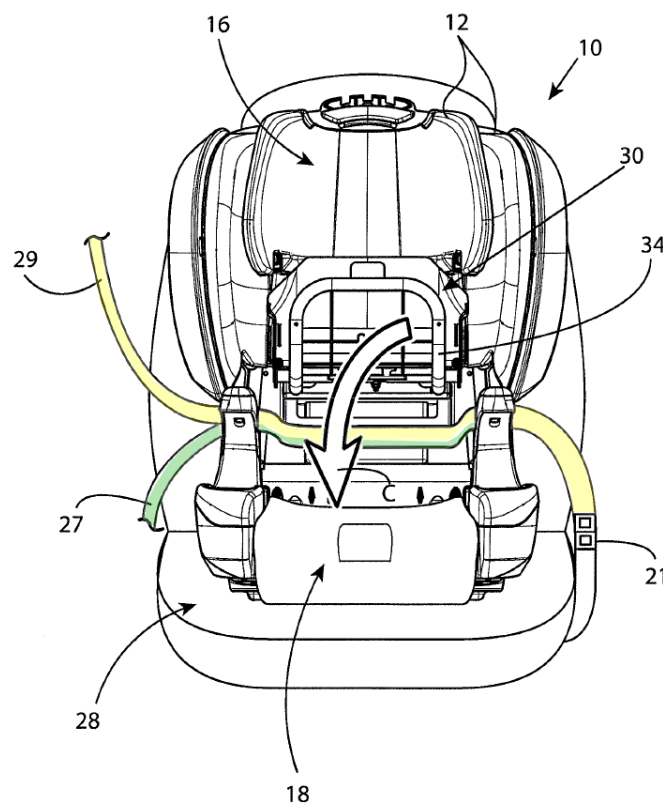


FIG. 7

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