

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

QUEST USA CORP.,
Petitioner

v.

POPSOCKETS LLC,
Patent Owner.

Case IPR2019-01067
Patent 9,958,107 B1

Before CHRISTA P. ZADO, JESSICA C. KAISER, and
STACY B. MARGOLIES, *Administrative Patent Judges*.

KAISER, *Administrative Patent Judge*.

DECISION
Denying Institution of *Inter Partes* Review
35 U.S.C. § 314

Quest USA Corp. (“Petitioner”) filed a Petition to institute an *inter partes* review of claims 1–16 of U.S. Patent No. 9,958,107 B1, issued on May 1, 2018 (Ex. 1001, “the ’107 patent”). Paper 2 (“Pet.”). PopSockets LLC (“Patent Owner”) filed a preliminary response. Paper 8 (“Prelim. Resp.”). Pursuant to our authorization (Paper 10), Petitioner filed a preliminary reply limited to addressing certain claim construction issues (Paper 11, “Prelim. Reply”), and Patent Owner filed a preliminary sur-reply limited to those same issues (Paper 12, “Prelim. Sur-Reply”). Applying the standard set forth in 35 U.S.C. § 314(a), which requires demonstration of a reasonable likelihood that Petitioner would prevail with respect to at least one challenged claim, we deny Petitioner’s request and do not institute an *inter partes* review of any challenged claim.

I. BACKGROUND

A. *The ’107 Patent (Ex. 1001)*

The ’107 patent relates generally to an expandable socket for attachment to a portable media player or portable media player case. Ex. 1001, at code (57). As one example, Figure 2 of the ’107 patent is reproduced below.

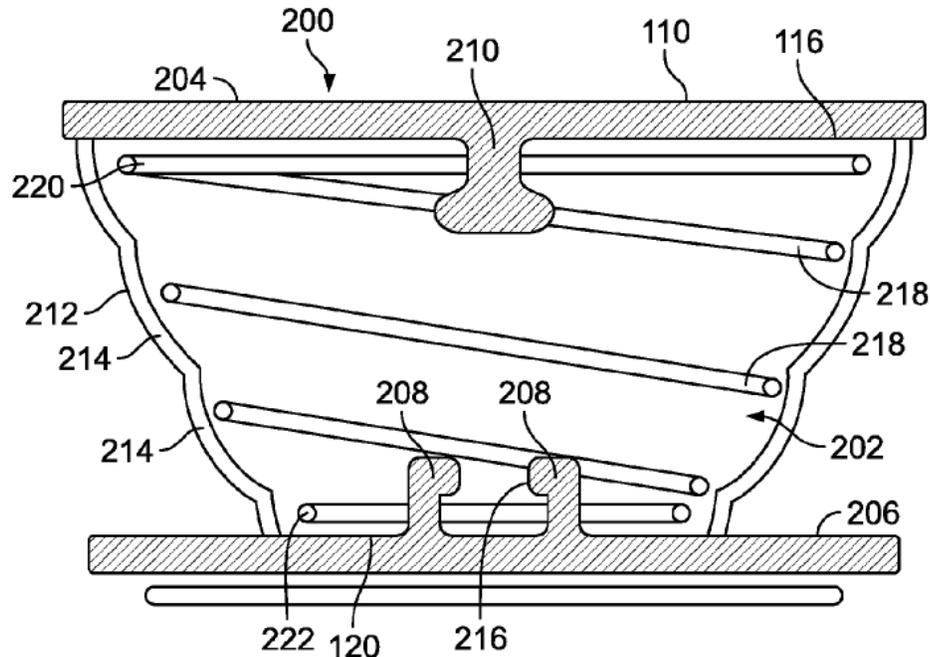


FIG. 2

Figure 2 illustrates expandable socket 200, which includes button 204, base 206, and cover 212. *Id.* at 4:35–49. In this embodiment, coil spring 218 is arranged to bias expandable socket 200 to its expanded configuration (i.e., bias the button away from the base to the position shown in Figure 2). *Id.* at 5:32–46. Expandable socket 200 can be moved to a collapsed configuration by overcoming the biasing force of coil spring 218 (e.g., by the user pushing the button toward the platform). *Id.* at 5:47–58.

In this embodiment, in the collapsed configuration, first projection 210 moves past second projections 208 into recess 216, and the first projection 210 is securely retained in recess 216. *Id.* at 5:59–6:2. “[T]he first projection 210, the second projections 208, and the recess 216 define or form the lock 214 that locks the expandable socket 200 in the collapsed configuration.” *Id.* at 6:2–5. The user can move expandable socket 200

from the collapsed to the expanded configuration by releasing lock 214, for example, by rotating button 204 so that first projection 210 is rotated out of engagement with second projections 208. *Id.* at 6:13–24.

B. Challenged Claims

Claims 1–16 are challenged. Claims 1, 9, and 16 are independent and are reproduced below:

1. An expandable socket for attachment to a portable media player or a portable media player case, the expandable socket comprising:
 - a platform adapted to engage a portion of the portable media player or the portable media player case;
 - a button that is spaced from and movable relative to the platform;
 - a biasing element disposed between the platform and the button, the biasing element arranged to bias the button away from the platform; and
 - a lock configured to releasably secure the button to the platform, the lock comprising a first projection carried by the button and arranged to engage a second projection carried by the platform when the lock releasably secures the button to the platform,
 - wherein the first projection extends outward from the button in a first direction and the second projection extends outward from the platform in a second direction opposite the first direction, and
 - wherein the lock comprises a recess defined by the platform or the button, the recess configured to receive the first or second projection when the lock releasably secures the button to the platform.

9. An expandable socket for attachment to a portable media player or a portable media player case, the expandable socket comprising:
 - a platform adapted to engage a portion of the portable media player or the portable media player case;

- a button that is spaced from and movable relative to the platform;
- a skin arranged between the platform and the button, wherein the skin comprises at least two folding sections;
- a biasing element disposed between the platform and the button, the biasing element arranged to bias the button away from the platform; and
- a first projection carried by the button and arranged to selectively engage a second projection carried by the platform to releasably secure the button to the platform, wherein the first projection extends outward from the button in a first direction and the second projection extends outward from the platform in a second direction opposite the first direction.

16. An expandable socket for attachment to a portable media player or a portable media player case, the expandable socket comprising:

- a platform adapted to engage a portion of the portable media player or the portable media player case;
- an elastomeric skin coupled to the platform and having at least two folding sections defining an outer wall and an inner wall spaced radially inward of the outer wall, the skin including a cavity defined by the inner wall and being deformable between a collapsed configuration and an expanded configuration;
- a button coupled to the skin opposite the platform, the button being disposed a first distance from the platform when the skin occupies the collapsed configuration and a second distance greater than the first distance from the platform when the skin occupies the expanded configuration;
- a spring arranged within the cavity of the skin between the platform and the button, such that the spring is surrounded by the inner wall of the skin, the spring biasing the button away from the platform to urge the skin into the expanded configuration; and
- a lock for selectively coupling the button to the platform such that the skin occupies the collapsed configuration when the button and platform are coupled, the lock comprising a first projection carried by the button and arranged to engage a

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