

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SHARKNINJA OPERATING LLC,  
SHARKNINJA MANAGEMENT LLC, and  
SHARKNINJA SALES COMPANY,  
Petitioner,

v.

BISSELL INC.,  
Patent Owner.

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IPR2022-01176  
Patent 11,096,541 B2

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Before BENJAMIN D. M. WOOD, NEIL T. POWELL, and  
CARL M. DEFRANCO, *Administrative Patent Judges*.

DEFRANCO, *Administrative Patent Judge*.

JUDGMENT  
Final Written Decision  
Determining All Challenged Claims Unpatentable  
35 U.S.C. § 318(a)

BISSELL Inc. (“Bissell”) is the owner of U.S. Patent No. 11,096,541 B2 (Ex. 1001, “the ’541 patent”). SharkNinja Operating LLC, SharkNinja Management LLC, and SharkNinja Sales Company (collectively, “SharkNinja”) filed a Petition requesting *inter partes* review of claims 1–20 of the ’541 patent. Paper 1 (“Pet.”). We instituted *inter partes* review of all the claims as challenged in the Petition. Paper 12. Bissell filed a response (Paper 14, “PO Resp.”), SharkNinja filed a reply (Paper 22, “Pet. Reply”), and Bissell followed with a sur-reply (Paper 23, “PO Sur-Reply”). We held an oral hearing on October 31, 2023, a transcript of which is in the record. Paper 38 (“Hrg. Tr.”).

We have jurisdiction under 35 U.S.C. § 6. This Final Written Decision is entered pursuant to 35 U.S.C. § 318(a). For the reasons below, we determine that SharkNinja demonstrates by a preponderance of the evidence that challenged claims 1–20 are unpatentable as anticipated under 35 U.S.C. § 102.

## I. BACKGROUND

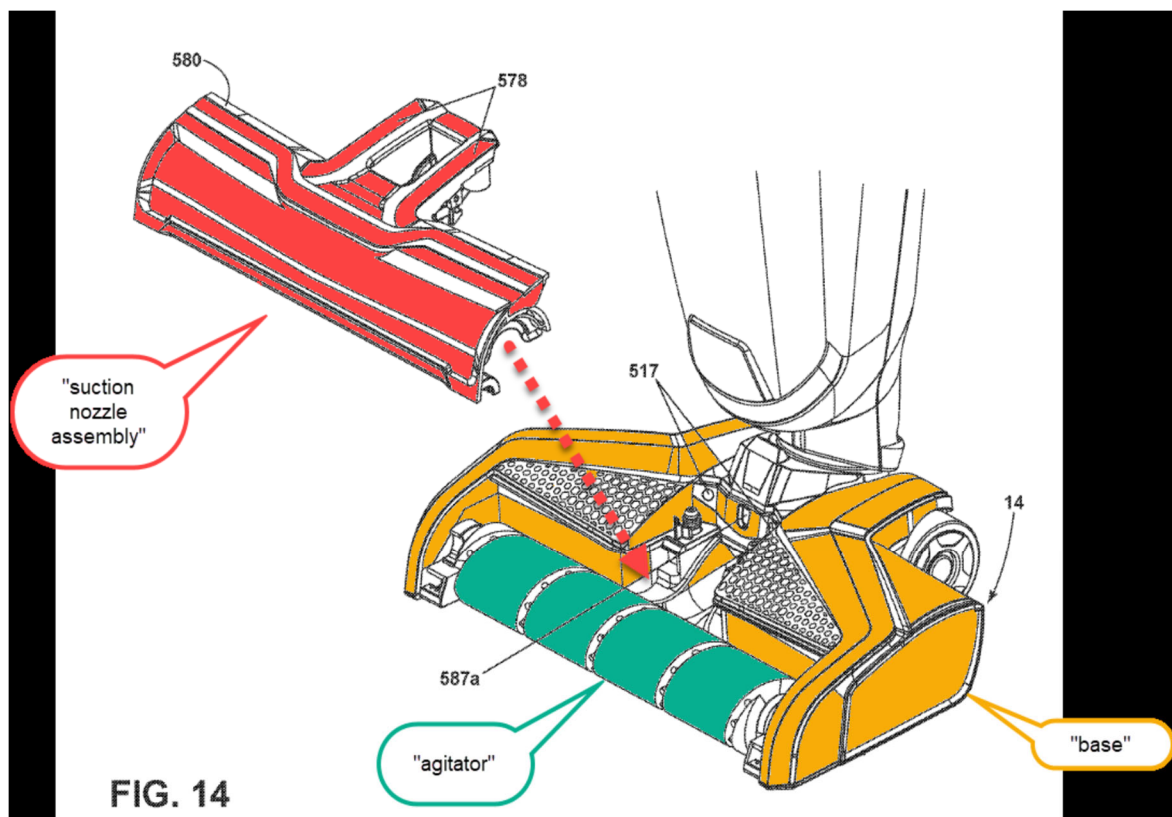
### A. Related Matters

In addition to the instant Petition, SharkNinja also filed petitions challenging two related Bissell patents, namely, U.S. Patents 10,925,455 B2 (IPR2022-01175) and 11,096,542 B2 (IPR2022-01177). *See* Pet. vii.

The ’541 patent is also the subject of an infringement action in *BISSELL Inc. v. Tineco Intelligent Technology Co., Ltd.*, No. 1:22-cv-00150 (D. Del.), filed May 20, 2022. *See* Paper 4, 2. More notably, the ’541 patent is the subject of International Trade Commission Investigation No. 337-TA-1304, filed by Bissell against Tineco (“the related ITC proceeding”), which resulted in issuance of an “Initial Determination,” by Chief Administrative

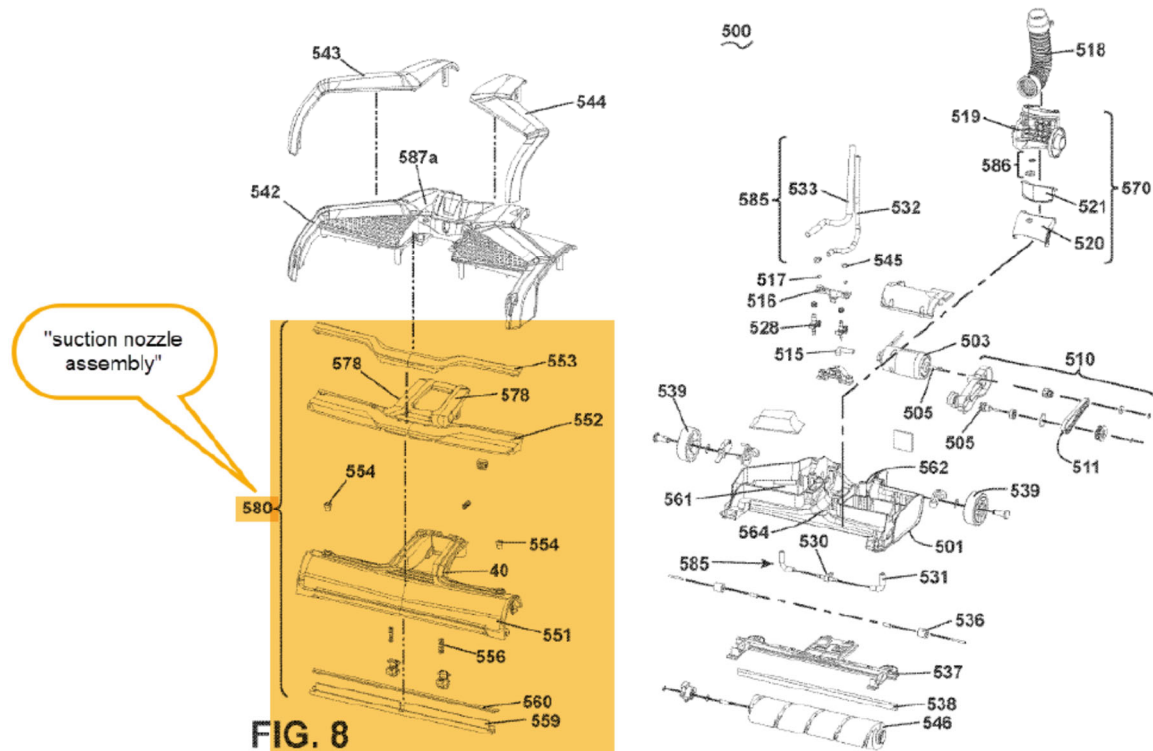
Law Judge (“ALJ”) Clark S. Cheney. *See* Ex. 2007 (“Initial Determination,” dated Mar. 23, 2023 (public version)). There, the ALJ found that “Tineco did *not prove* by clear and convincing evidence that claims 1 and 13 of the ’541 patent are invalid under § 102 or § 103.” *Id.* at 154 (emphasis added).  
*B. The ’541 Patent*

The ’541 patent is directed to a multi-surface vacuum cleaning apparatus that includes a suction nozzle assembly provided on the base in fluid communication with a suction source. Ex. 1001, 1:47–53. Bissell’s annotated Figure 14 of the ’541 patent, reproduced below, depicts the various components of the vacuum cleaning apparatus. *See* PO Resp. 18.



As shown above, the vacuum cleaning apparatus comprises a suction nozzle assembly, a base, and an agitator. The suction nozzle assembly includes, for example, a nozzle housing, nozzle cover, fluid delivery

channels, fluid dispensers, spray tips, a nozzle cover, and wipers. *Id.* at 8:14–36. Bissell’s annotated Figure 8 of the ’541 patent, reproduced below, depicts the exemplary parts of the suction nozzle assembly. *See Pet. Reply 12* (reproducing Bissell’s annotated Fig. 8 from PO Prelim. Resp. 7).



As shown above, annotated Figure 8 is an exploded view of the suction nozzle assembly (highlighted), as well as the base and agitator of the cleaning apparatus. According to the ’541 patent, the suction nozzle assembly enhances cleaning in two ways. First, the suction nozzle assembly draws “soiled cleaning fluid and dirt” into the apparatus for simultaneous disposal. *Id.* at 14:64–15:1. The dual removal of fluid and dirt by the suction nozzle assembly works to “prevent streaking on the surface as well as to prevent dry debris scatter while agitator is activated.” *Id.* at 2:54–64. Second, the suction nozzle assembly enhances fluid distribution by providing fluid delivery channels 40 with spray tips 554 mounted

horizontally along the suction nozzle assembly 580 “in order to wet the entire length of the brushroll 546.” *Id.* at 11:45–58.

*C. The Asserted Challenges*

Claims Challenged	35 U.S.C. §	Basis
1–20	102	Beskow <sup>1</sup>
1–20	103	Beskow
1–20	103	Beskow, Li <sup>2</sup>

In further support of these challenges, SharkNinja submits the declaration of Richard Figliola, Ph.D. *See* Ex. 1003. Bissell responds with the declaration of Craig R. Forest, Ph.D. *See* Ex. 2001.

*D. The Challenged Claims*

Claim 1 is the sole independent claim and is reproduced below (with emphasis added to identify the limitations disputed by Bissell):

1. A surface cleaning apparatus, comprising:
  - a housing including an upright handle assembly and a base operably coupled to the upright handle assembly;
  - an agitator mounted within the base;*
  - a suction source;
  - a suction nozzle assembly provided on the base and defining a suction nozzle* in fluid communication with the suction source;
  - a fluid delivery system provided on the housing and comprising:
    - a fluid supply chamber adapted to hold a supply of liquid;
    - a fluid dispenser provided on the base* in fluid communication with the fluid supply chamber; and
    - a fluid delivery pathway between the fluid supply chamber and the fluid dispenser; and

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<sup>1</sup> US 7,979,952 B2, iss. July 19, 2011 (Ex. 1004, “Beskow”).

<sup>2</sup> US 10,136,781 B2, iss. Nov. 27, 2018 (Ex. 1005, “Li”).

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