

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

adidas AG
Petitioner,

v.

NIKE, Inc.
Patent Owner

Case IPR2016-00922
Patent No. 8,266,749

PATENT OWNER RESPONSE UNDER 37 C.F.R. § 42.120

TABLE OF CONTENTS

I.	INTRODUCTION	1
II.	OVERVIEW OF THE '749 PATENT	5
A.	THE INVENTION IS DIRECTED TO A METHOD OF MANUFACTURING AN ARTICLE OF FOOTWEAR USING KNITTING TECHNOLOGY	5
B.	THE INVENTION ADDRESSED INEFFICIENCIES WITH CONVENTIONAL METHODS OF MANUFACTURING THAT USED MULTIPLE MATERIALS TO CREATE FOOTWEAR UPPERS	5
C.	DURING PROSECUTION, THE EXAMINER CONSIDERED THE PRIOR ART THAT PETITIONER NOW RELIES ON IN ITS CHALLENGE	10
III.	PETITIONER FAILS TO CARRY ITS BURDEN OF PROVING THAT CLAIMS 1-9, 11-19, AND 21 ARE UNPATENTABLE	16
A.	LEGAL STANDARD	16
B.	PETITIONER CONCEDES THE LEVEL OF ORDINARY SKILL IN THE ART AT THE TIME OF THE INVENTION WAS LOW	17
C.	PETITIONER'S EXPERT DECLARATION SHOULD BE GIVEN NO WEIGHT	19
D.	PETITIONER FAILS TO PROPERLY ANALYZE THE FULL SCOPE AND CONTENT OF THE PRIOR ART	23
1.	Reed teaches using a circular double knitting machine to knit two juxtaposed panels of a garment and to seam them together during the knitting process	24
2.	Nishida teaches printing or producing layouts for footwear uppers and related sole parts on a preexisting backing of material	28
E.	PETITIONER FAILS TO SHOW THAT A PERSON OF ORDINARY SKILL IN THE ART WOULD HAVE BEEN MOTIVATED TO COMBINE THE PRIOR ART	31
1.	Petitioner fails to show a person of ordinary skill in the art would even have been aware of the problem the '749 patent addressed	32

2.	Petitioner fails to show that Reed is “analogous art” for purposes of an obviousness challenge	34
3.	Petitioner fails to show <i>why</i> a person of ordinary skill in the art would have been motivated to combine Reed and Nishida.....	36
4.	Petitioner fails to show <i>how</i> a person of ordinary skill in the art would have combined Reed and Nishida.....	39
5.	The combination of Reed and Nishida would render Reed inoperable for its intended purpose.....	41
6.	Reed teaches away from combining it with Nishida	46
F.	PETITIONER FAILS TO PROPERLY ANALYZE THE DIFFERENCES BETWEEN THE CLAIMED SUBJECT MATTER AND THE PRIOR ART.....	48
1.	Reed and Nishida do not disclose the claim limitation of simultaneously knitting a textile element and a surrounding textile structure where the knitted textile element has a texture that differs from a texture in the surrounding knitted textile structure.....	50
2.	Reed and Nishida do not disclose the claim limitation of first and second areas with a unitary construction formed of different stitch configurations to impart different textures.....	55
G.	PETITIONER’S OBVIOUSNESS ARGUMENTS ARE IMPROPERLY TAINTED BY HINDSIGHT	58
IV.	CONCLUSION.....	60

EXHIBIT LIST

Ex. 2004 Transcript of the Deposition of Lenny M. Holden (January 10, 2017)

Patent Owner NIKE, Inc. submits this response to the petition by adidas AG seeking an IPR of claims 1-9, 11-19, and 21 of U.S. Patent No. 8,266,749 (Ex. 1001) as obvious over Reed (Ex. 1006) and Nishida (Ex. 1009).

I. INTRODUCTION

NIKE is a worldwide leader in the design and development of athletic footwear. Its foundational purpose is simple: to innovate. True to that purpose, NIKE spent years designing and developing the technology in the '749 patent and its family – technology that has revolutionized the footwear industry.

The '749 patent at issue here is directed to a method of manufacturing footwear. An article of footwear typically has two primary elements, an upper and a sole structure. The upper covers the foot. The sole structure is below the upper between the foot and the ground.

Before the '749 patent, footwear manufacturers made uppers by piecing together multiple different materials to impart different properties to different areas of the upper. This process often required sourcing materials from multiple suppliers, operating multiple machines, and coordinating multiple assembly line techniques, manufacturing steps, and individuals.

NIKE recognized that conventional method of making uppers was inefficient, and NIKE addressed those inefficiencies in the '749 patent and its family. The patent recites, among other things, simultaneously knitting a textile

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