

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BRIDGEPORT FITTINGS, INC.,
Petitioner,

v.

ARLINGTON INDUSTRIES, INC.,
Patent Owner.

Case PGR2018-00005
Patent 9,553,415 B1

Before DEBRA K. STEPHENS, MINN CHUNG, and
STACY B. MARGOLIES, *Administrative Patent Judges*.

CHUNG, *Administrative Patent Judge*.

DECISION
Denying Institution of Post-Grant Review
35 U.S.C. § 324(a)

I. INTRODUCTION

Petitioner Bridgeport Fittings, Inc. (“Petitioner” or “Bridgeport”) filed a Petition (Paper 2, “Pet.”) requesting a post-grant review of claims 1–9 (the “challenged claims”) of U.S. Patent 9,553,415 B1 (Ex. 1001, “the ’415 patent”). Patent Owner Arlington Industries, Inc. (“Patent Owner” or “Arlington”) filed a Preliminary Response (Paper 7, “Prelim. Resp.”). We have authority to determine whether to institute a post-grant review. 35 U.S.C. § 324; 37 C.F.R. § 42.4(a).

The standard for instituting a post-grant review is set forth in 35 U.S.C. § 324(a), which provides that a post-grant review may not be instituted unless “the information presented in the petition . . . , if such information is not rebutted, would demonstrate that it is more likely than not that at least 1 of the claims challenged in the petition is unpatentable.” Upon consideration of the Petition and the Preliminary Response, we conclude that the information presented in the Petition does *not* demonstrate that it is more likely than not at least one of the challenged claims is unpatentable. Accordingly, we do not institute a post-grant review.

II. BACKGROUND

A. Related Proceedings

Petitioner indicates that there are no other proceedings involving the ’415 patent. Pet. 3. Similarly, Patent Owner indicates that there exist no other pending proceedings that would affect, or be affected by, a decision in this proceeding. Paper 5, 1.

Petitioner identifies *inter partes* reexamination proceedings Control Nos. 95/000,196, 95/001,829, and 95/001,830 involving U.S. Patent Nos. 6,521,831 (Ex. 1005, “the ’831 patent”), 7,954,538 (Ex. 1007, “the ’538 patent”), and 7,882,886 (Ex. 1004, “the ’886 patent”), respectively, as related matters.¹ Pet. 1–3. Patent Owner notes that, to the extent the reexamination of the ’831 patent is a related matter, dependent claim 3 of the ’831 patent is currently before the Board on remand from the Federal Circuit. Prelim. Resp. 5 (citing Ex. 1006, 15–17).

B. The ’415 Patent

The ’415 patent relates to connectors for connecting electrical cables to an electrical panel. Ex. 1001, 1:15–16. As background, the ’415 patent describes duplex electrical fittings that are used to connect one or two electrical cables through a single opening of an electrical box installed in residential or commercial buildings. *Id.* at 1:21–24. According to the ’415 patent, duplex fittings typically include an inbound end to accept insertion of armored electrical cables and an outbound end for connection to an electrical box. *Id.* at 1:24–29. Duplex fittings typically include two inbound bores at the inbound end that transition to a single outlet bore at the outbound end of the fittings. *Id.* at 1:29–31, 56–57. Having these structures, according to the ’415 patent, duplex fittings provide a pathway for advancing the electrical conductors of the inserted armored electrical cables through the internal bores to the outbound end of the fitting. *Id.* at 1:16–18, 40–42.

¹ The ’886 patent issued from a predecessor application of the application that led to the ’415 patent. The ’538 patent is a continuation of the ’886 patent. The ’831 patent is not directly related to the ’415 patent.

Also as background, the '415 patent describes that there is typically scant space surrounding an electrical box, limiting the length of the duplex fittings which must fit within the cramped spaces between the electrical box, the walls, and other surrounding structures. *Id.* at 1:31–35. According to the '415 patent, due to their compact dimensions, a shortcoming of the prior art connectors is the difficulty in advancing the conductors through the internal structure of the fittings. *Id.* at 1:37–39.

The '415 patent describes a duplex fitting including a radius disposed in the transition area for effectively stopping advancement of the armor layer of the inserted cables while at the same time enabling easy passage of the conductors of the cables to the outbound end. *Id.*, Abstract. Specifically, according to the '415 patent, an end stop at the transition area includes a radius surface, which enables the end stop to effectively stop advancement of the armor layer of the cables while at the same time enabling easy passage of the conductors through the internal bores to the outbound end of the fitting. *Id.* at 1:57–61.

Figure 17 of the '415 patent is reproduced below.

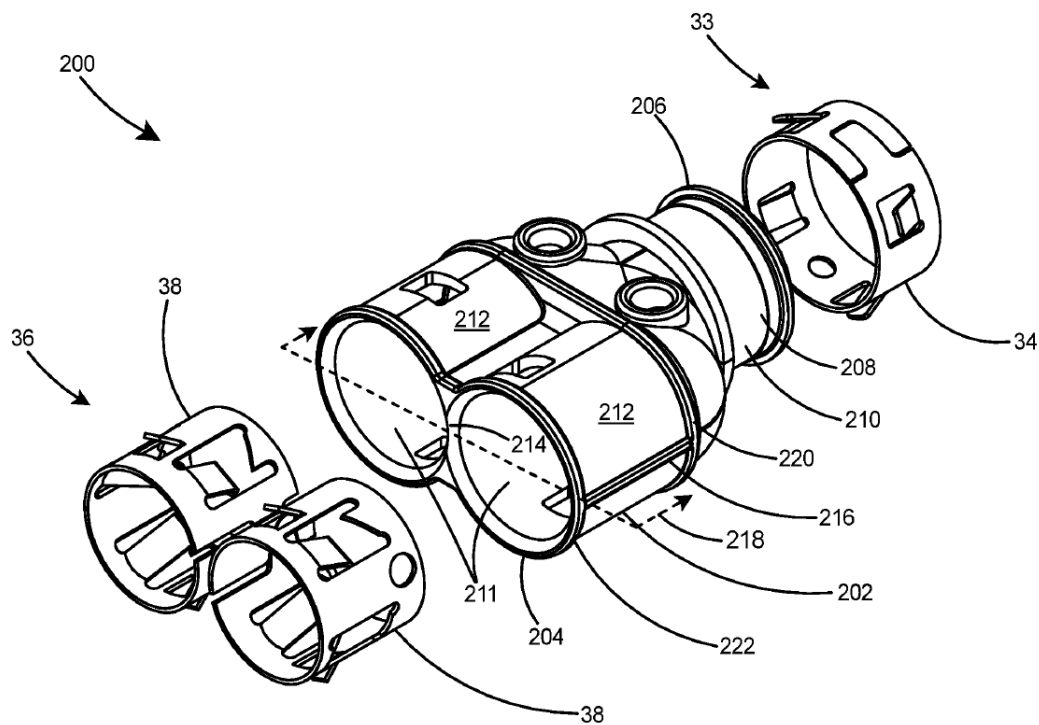


Fig. 17

Figure 17 is an exploded perspective view of an exemplary duplex fitting of the '415 patent. *Id.* at 2:38–40, 5:33–35. As shown in Figure 17 above, duplex fitting 200 includes connector body 202, which comprises inbound end 204, outbound end 206, and nose portion 208. *Id.* at 5:35–38. Connector body 202 also includes two inbound bores 211 defined by tubular inbound walls 212 and dividing wall 214. *Id.* at 5:38–40. As also shown in Figure 17, duplex fitting 200 further comprises fastening arrangement 33 for fastening duplex fitting 200 to an electrical panel or junction box. *Id.* at 5:46–48. According to the '415 patent, fastening arrangement 33 “include[s] snap ring 34,” which is shown in Figure 17 in alignment for insertion on seat 210 of nose portion 208. *Id.* at 5:46–50. Duplex fitting 200

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