

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ECHELON FITNESS MULTIMEDIA, LLC
Petitioner,

v.

PELOTON INTERACTIVE, INC.,
Patent Owner.

IPR2020-01186
Patent 10,322,315 B2

Before SCOTT A. DANIELS, RICHARD H. MARSCHALL, and
ALYSSA A. FINAMORE, *Administrative Patent Judges*.

FINAMORE, *Administrative Patent Judge*.

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

ORDER
Dismissing Petitioner's Motion to Exclude Evidence
37 C.F.R. § 42.64(c)

I. INTRODUCTION

Echelon Fitness Multimedia, LLC (“Petitioner”) filed a Petition (Paper 1, “Pet.”) requesting an *inter partes* review of claims 1–20 of U.S. Patent No. 10,322,315 B2 (“the ’315 patent”) (Ex. 1001). Pet. 1. Peloton Interactive, Inc. (“Patent Owner”) filed a Preliminary Response (Paper 8, “Prelim. Resp.”), as well as a Disclaimer (Ex. 2001). According to the Disclaimer, Patent Owner disclaimed claims 1–4, 9–14, and 19–20 of the ’315 patent. Ex. 2001, 1.

On January 26, 2021, we issued a Decision on institution (Paper 13, “Inst. Dec.”). In the Decision, we granted institution of an *inter partes* review of claims 5–8 and 15–18, which are the claims that remain in this proceeding in view of Patent Owner’s Disclaimer. Inst. Dec. 51.

During trial, Patent Owner filed a Response (Paper 28, “PO Resp.”). Petitioner filed a Reply (Paper 35, “Reply”), and Patent Owner filed a Sur-reply (Paper 44, “Sur-reply”).

Petitioner filed a Motion to Exclude Evidence (Paper 45, “Mot.”). Patent Owner filed an Opposition (Paper 47).

Oral argument took place October 14, 2021. We entered the transcript (Paper 51) into the record.

This Final Written Decision is issued pursuant to 35 U.S.C. § 318(a). For the reasons that follow, we conclude Petitioner has proven by a preponderance of the evidence that claims 5–8 and 15–18 are unpatentable.

II. BACKGROUND

A. *Real Parties in Interest*

Petitioner identifies the real parties in interest as: itself; North Castle Partners, LLC; Echelon Fitness, LLC; Viatek Consumer Products Group

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Inc.; Echelon Studio LLC; Echelon Holdings, LLC; NCP-Echelon, LLC; Special Situations Investing Group II, LLC; StoneBridge 2020, L.P.; Fitness 2020 Offshore, Inc.; GF PYCR; Primo Secondo LLC; The Albright Family Rev. Trust; and Echelon Management 2, LLC. Pet. 1; Paper 6, 1–2; Paper 10, 1–2. Patent Owner identifies itself as the real party in interest. Paper 4, 2.

B. Related Matters

Petitioner and Patent Owner identify the following related matters involving the '315 patent:

Peloton Interactive, Inc. v. Echelon Fitness, LLC,
No. 1:19-cv-01903-RGA (D. Del. filed Oct. 8, 2019);

Peloton Interactive Inc. v. Flywheel Sports, Inc.,
No. 2:18-cv-00390-RWS-RSP (E.D. Tex. dismissed
Feb. 6, 2020); and

Flywheel Sports, Inc. v. Peloton Interactive, Inc.,
IPR2019-01411 (PTAB dismissed Feb. 3, 2020).

Pet. 1–3; Paper 4, 2.

The parties identify the following patents and patent applications as related matters: U.S. Patent No. 9,174,085 B2; U.S. Patent No. 9,233,276 B1; U.S. Patent No. 9,861,855 B2; U.S. Patent No. 10,022,590 B2; and U.S. Patent No. 10,486,026 B2. Pet. 2; Paper 4, 2–3. Patent Owner further identifies the following patents and patent applications as related matters: U.S. Patent No. 10,639,521 B2; U.S. Design Patent Application No. 29/660,009; U.S. Patent Application No. 16/866,499; and U.S. Patent Application No. 16/902,195. Paper 4, 3.

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Petitioner identifies as related matters the following proceedings involving the related patents:

Peloton Interactive Inc. v. Flywheel Sports, Inc.,
No. 2:19-cv-00317-JRG-RSP (E.D. Tex. dismissed
Feb. 6, 2020) (involving U.S. Patent Nos. 10,022,590 B2 and
10,486,026 B2);

Flywheel Sports, Inc. v. Peloton Interactive, Inc.,
IPR2019-00294 (PTAB dismissed Feb. 3, 2020) (challenging
U.S. Patent No. 9,174,085 B2);

Flywheel Sports, Inc. v. Peloton Interactive, Inc.,
IPR2019-00295 (PTAB dismissed Feb. 3, 2020) (challenging
U.S. Patent No. 9,233,276 B1);

Flywheel Sports, Inc. v. Peloton Interactive, Inc.,
IPR2019-00564 (PTAB dismissed Feb. 3, 2020) (challenging
U.S. Patent No. 9,861,855 B2); and

Echelon Fitness Multimedia, LLC v. Peloton Interactive, Inc.,
IPR2020-01187 (PTAB filed June 29, 2020) (challenging U.S.
Patent No. 10,022,590 B2).

Pet. 2–3. The following proceedings also involve the related patents:

Echelon Fitness Multimedia, LLC v. Peloton Interactive, Inc.,
IPR2020-01541 (PTAB filed Sept. 1, 2020) (challenging U.S.
Patent No. 10,486,026 B2);

Echelon Fitness Multimedia, LLC v. Peloton Interactive, Inc.,
IPR2021-00848 (PTAB filed May 3, 2021) (challenging U.S.
Patent No. 10,639,521 B2); and

iFIT, INC. v. Peloton Interactive, Inc., IPR2022-00323 (PTAB
filed Dec. 17, 2021) (challenging U.S. Patent No. 10,639,521
B2).

C. The '315 Patent

According to the '315 patent, “the invention relates to a system and method for providing streaming and on-demand exercise classes.” Ex. 1001, 1:29–31. The invention “comprises networked exercise systems and methods whereby one or more stationary exercise bicycles . . . are equipped with an associated local system that allows the user to fully participate in live instructor-led or recorded cycling classes from any location that can access a suitable communications network.” *Id.* at 4:7–13. Figure 1, reproduced below, shows a local exercise system.

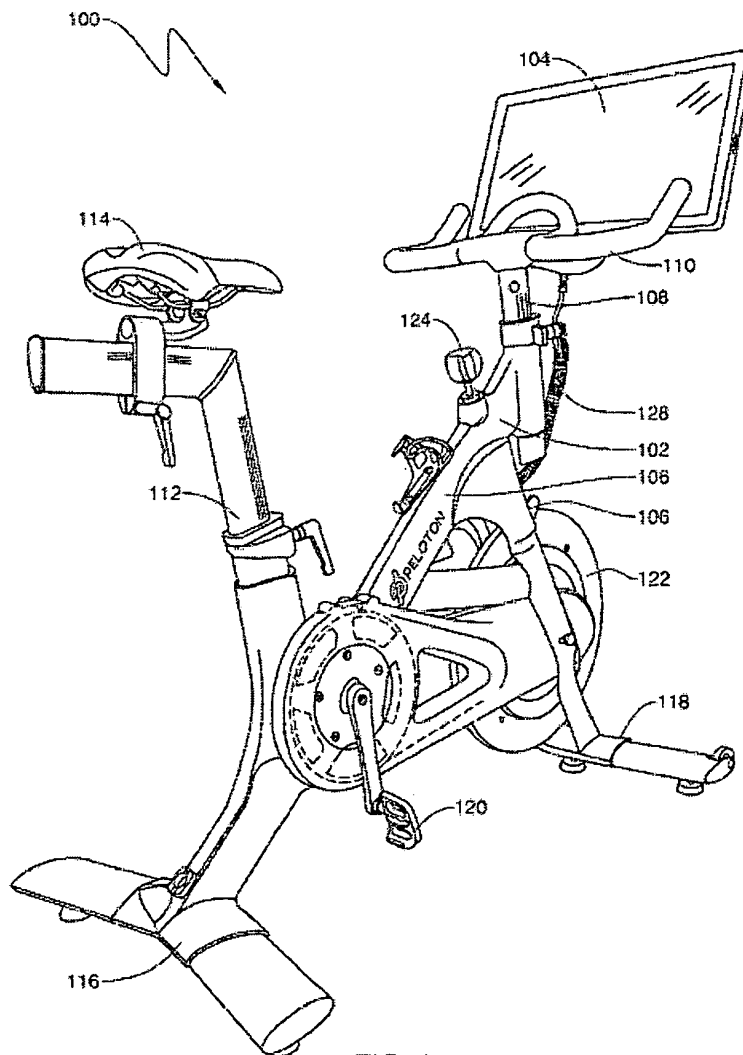


FIG. 1

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