

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HUNTER'S MANUFACTURING COMPANY, INC. d/b/a
TENPOINT CROSSBOW TECHNOLOGIES,
Petitioner,

v.

RAVIN CROSSBOWS, LLC,
Patent Owner.

IPR2023-00407
Patent 9,354,015 B2

Before KEN B. BARRETT, PATRICK R. SCANLON, and
ROBERT J. SILVERMAN, *Administrative Patent Judges*.

SILVERMAN, *Administrative Patent Judge*.

ORDER
Conduct of the Proceeding
37 C.F.R. § 42.5

As provided herein, we authorize the parties to provide additional briefing on claim construction issues concerning the meaning of the expression “mounted to,” as it is used in claim 1 of the challenged patent in this IPR proceeding, US 9,354,015 B2 (“the ’015 patent”).

Claim 1 recites, in part, “a first string guide” that is “mounted to” a “first bow limb” and “rotatable around a first axis” and that has “a first draw string journal having a first plane of rotation perpendicular to the first axis.” Claim 1 further recites a similarly characterized “second string guide” that is “mounted to” a “second bow limb” and “rotatable around a second axis” and that has “a second draw string journal having a second plane of rotation perpendicular to the second axis.”

Further, claim 1 recites a “draw string” disposed in the following manner:

a draw string received in the first and second draw string journals and secured to the crossbow in a reverse draw configuration with the draw string adjacent the down-range side of the string guides in a released configuration, wherein the draw string translates from the down-range side toward the up-range side and unwinds between the first and second string guides to a drawn configuration.

Claim 1 also recites that each “string guide” comprises a respective “helical power cable take-up journal.” In addition, claim 1 recites a “first power cable received in the first helical power cable take-up journal” and a “second power cable received in the second helical power cable take-up journal,” disposed as follows:

wherein as the bow is drawn from the released configuration to the drawn configuration the first and second power cables wrap onto the first and second helical, power cable take-up journals and are displaced along the first and

second axes away from the first and second planes of rotation of the first and second draw string journals, respectively.

The Petition (Paper 1) (“Pet.”) states: “the term ‘mounted to’ should be given its plain and ordinary meaning, which, consistent with the specification, means ‘connected to, either directly or indirectly.’” Pet. 26.

Patent Owner’s Response (Paper 25) (“PO Resp.”) states: “The ordinary and customary meaning of ‘mounted to’ must be: ‘physically connected to allow only rotation about a fixed axis’ when interpreted consistent with the intrinsic record of the ’015 Patent.” PO Resp. 4. In its Sur-reply (Paper 37) (“PO Sur-reply”), Patent Owner refers to and quotes from a recently issued claim construction memorandum and order of the District Court in a related litigation. PO Sur-reply 9–10 & n.2 (citing *Ravin Crossbows, LLC v. Hunter’s Mfg. Co.*, Case No. 5:23-cv-00598, Dkt. 148, 8 (N.D. Ohio March 1, 2024)).

In view of the parties’ briefing and the Oral Argument held on April 23, 2024, it appears that “mounted to” may need to be more precisely construed in a way that would account for the operative features of the claim. The Board invites the parties to address the sufficiency of the following proposed construction of a “string guide” “mounted to” a respective “bow limb” in claim 1 of the ’015 patent: “Each string guide is connected, directly or indirectly, to a respective bow limb, such that the application of force to the string guide, by the drawstring, imparts force to the bow limb.”

Within six business days of the issuance of this Order, each party may submit an Initial Claim Construction Brief of no more than ten (10) pages, addressing the sufficiency of the above proposed claim construction.

Either party may, within nine business days from the issuance of this Order, submit a Responsive Claim Construction Brief of no more than five (5) pages responding to the Initial Claim Construction Brief of the opposing party. The Responsive Claim Construction Brief shall only respond to issues addressed in the opposing party's Initial Claim Construction Brief.

Patent Owner shall promptly file, as an exhibit in this proceeding, the District Court's March 1, 2024, Memorandum Opinion and Order directed to claim construction, which the parties may address in the briefing authorized herein.

No other papers are authorized and no additional evidence (other than the District Court's aforementioned March 1, 2024, Memorandum Opinion and Order) may be submitted.

The briefing authorized herein should primarily focus on evidence from the intrinsic record of the '015 patent.

Accordingly, it is

ORDERED that Patent Owner shall promptly file, as an exhibit in this proceeding, the above-referenced District Court's March 1, 2024, Memorandum Opinion and Order directed to claim construction;

FURTHER ORDERED that, within six (6) business days of the issuance of this Order, each party may submit an Initial Claim Construction Brief as specified above; and

FURTHER ORDERED that, either party may, within nine (9) business days from the issuance of this Order, submit a Responsive Claim Construction Brief as specified above.

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Patent 9,354,015 B2

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