

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LIFECORE FITNESS, INC.
d/b/a ASSAULT FITNESS,
Petitioner,

v.

WOODWAY USA, INC.,
Patent Owner.

IPR2023-00843
Patent 10,561,884 B2

Before MEREDITH C. PETRAVICK, NEIL T. POWELL, and
AMEE A. SHAH, *Administrative Patent Judges*.

PETRAVICK, *Administrative Patent Judge*.

ERRATA TO FINAL WRITTEN DECISION

On October 22, 2024, we issued a Final Written Decision. Paper 44. Pages 2 and 57 of the Final Written Decision inadvertantly list claim 45 as both patentable and unpatenable. The Final Written Decision is modified to

indicate that claim 45 is unpatentable under the ground based upon Shickering, Magid, and Sclater. The following sentence on page 2 is modified as follows, with modification shown by underling:

For the reasons discussed below, we determine that Petitioner has established by a preponderance of the evidence that claims 30–34, 37–39, 41, 45–49, 57, and 59 are unpatentable and has failed to establish by a preponderance of the evidence that claims 40, 42–44, and 50–54 are unpatentable.

The following sentence spanning pages 56 and 57 and the table on page 57 is modified as follows:

After considering the evidence and arguments presented in the Petition and Preliminary Response, determine Petitioner has established by a preponderance of the evidence that claims 30–34, 37–39, 41, 45–49, 57, and 59 are unpatentable and has failed to establish by a preponderance of the evidence that claims 40, 42–44, and 50–54 are unpatentable.

In summary:

Claim(s)	35 U.S.C. §	Reference(s)/Basis	Claim(s) Shown Unpatentable	Claim(s) Not Shown Unpatentable
30–34, 37–43, 45–50, 52–54, 57, 59	103	Schönenberger, Socwell, Magid, Sclater		30–34, 37–43, 45–50, 52–54, 57, 59
44, 51	103	Schönenberger, Socwell, Magid, Sclater, Skowronski		44, 51
30–34, 37–54,	103	Schönenberger, Socwell, Magid,		30–34, 37–54, 57, 59

57, 59		Sclater		
30–34, 37–39, 41, 45– 49, 57, 59	103	Chickering, Magid, Sclater	30–34, 37–39, 41, 45–49, 57, 59	
Overall Outcome			30–34, 37–39, 41, 45–49, 57, 59	40, 42– <u>44</u> , 50–54

Case IPR2023-00843

Patent 10,561,884

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