

PRECISION PLANTING, LLC, Petitioner,
v.
MASCHIO GASPARDO S.p.A., Patent Owner.

Precision Planting's Demonstrative Exhibit

IPR2024-00008

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U.S. Patent No. 8,770,121

Before BENJAMIN D.M. WOOD, LYNNE H. BROWNE, and RICHARD H.
MARSCHALL, Administrative Patent Judges.

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

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Precision Exhibit 1026
Precision Planting v. Maschio Gaspardo
IPR2024-00008

Claim 1 of U.S. Patent No. 8,770,121

1. A seed distribution element for precision pneumatic seed drills, comprising:

a sowing disc which is rotated by a motor-driven transmission drive shaft at controlled speed,

a housing with a fixed portion and a portion which is movable relative to the fixed portion and can be closed against the fixed portion,

a seed collection chamber being defined in the fixed portion,

a pneumatic suction chamber being defined in the movable portion,

the sowing disc being interposed between the fixed and movable portions and having opposed surfaces delimiting the chambers,

the sowing disc having at least one ring of selector holes extending between the opposed surfaces, and

a seal which is arranged on the movable portion and is capable of sliding contact with the facing surface of the disc when the fixed and movable portions are closed against one another, wherein a pressure differential is provided between the opposed surfaces in the region of a circumferential segment of the ring of holes,

wherein the seed distribution element further comprises a **thrust-bearing element** of the sowing disc, which thrust-bearing element is supported rotatably in the movable portion in order to withstand at least some of the axial load produced by the disc on the seal.

(Paper 2, at 36-47)

The Board's Construction of “thrust-bearing element”

Institution Decision: “Accordingly, on this preliminary record, we agree with Petitioner’s construction of “thrust-bearing element” as an element that provides support against an axial force. Pet. 22.” (Paper 12, at 10)

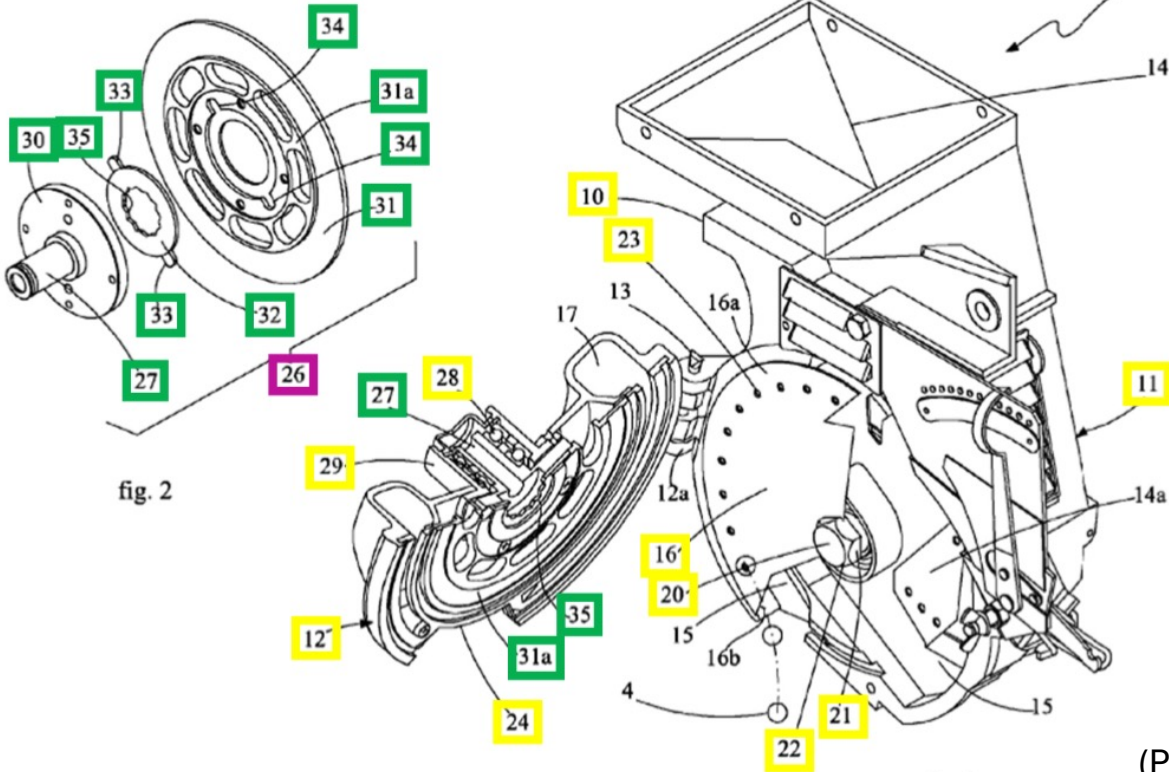
Patent Owner's Expert Admits “thrust-bearing element” Connotes Structure

- “Thus, the embodiment of the thrust-bearing element (hyphen) disclosed in the ‘121 patent resembles the structure and function of a well-known ‘thrust bearing’ (no hyphen).” (Paper 20, at 5 (citing Ex.2012, ¶55)).
- “As used in the ‘708 patent, the terms ‘thrust-bearing apparatus’ and ‘thrust-bearing assembly’ connote structures that achieve support against an axial load while being supported in a way that reduces friction between stationary and rotating machine parts...” (Paper 17, at 17 (citing Ex.2012, ¶56)).

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Encompassed by TBE

**Not encompassed
by TBE**



(Paper 20, at 8-10)

Ground 1 – VenHuizen Anticipates Under the Board's Construction

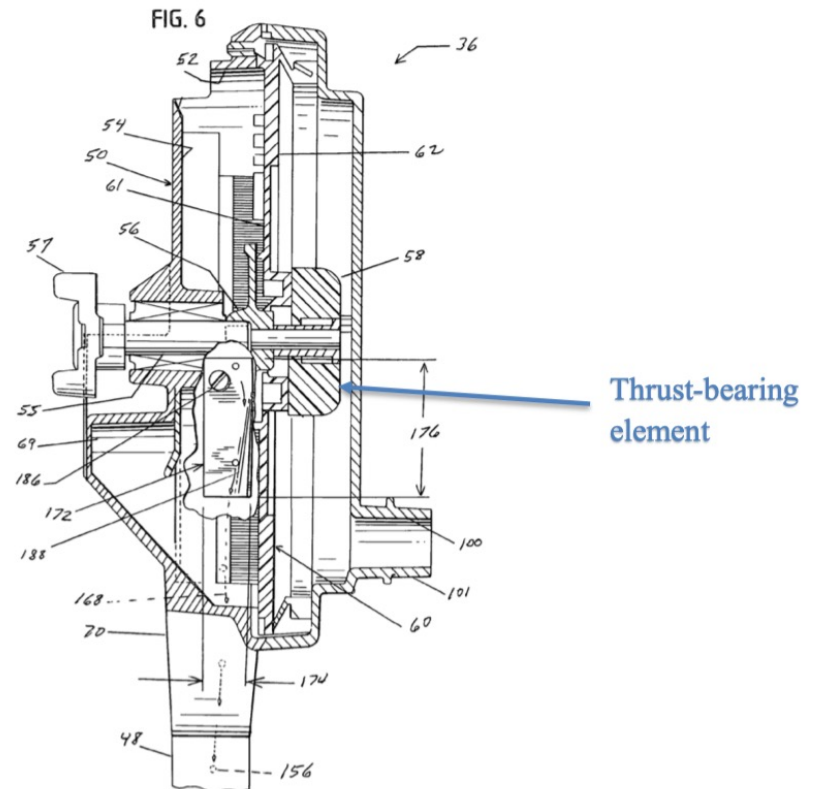
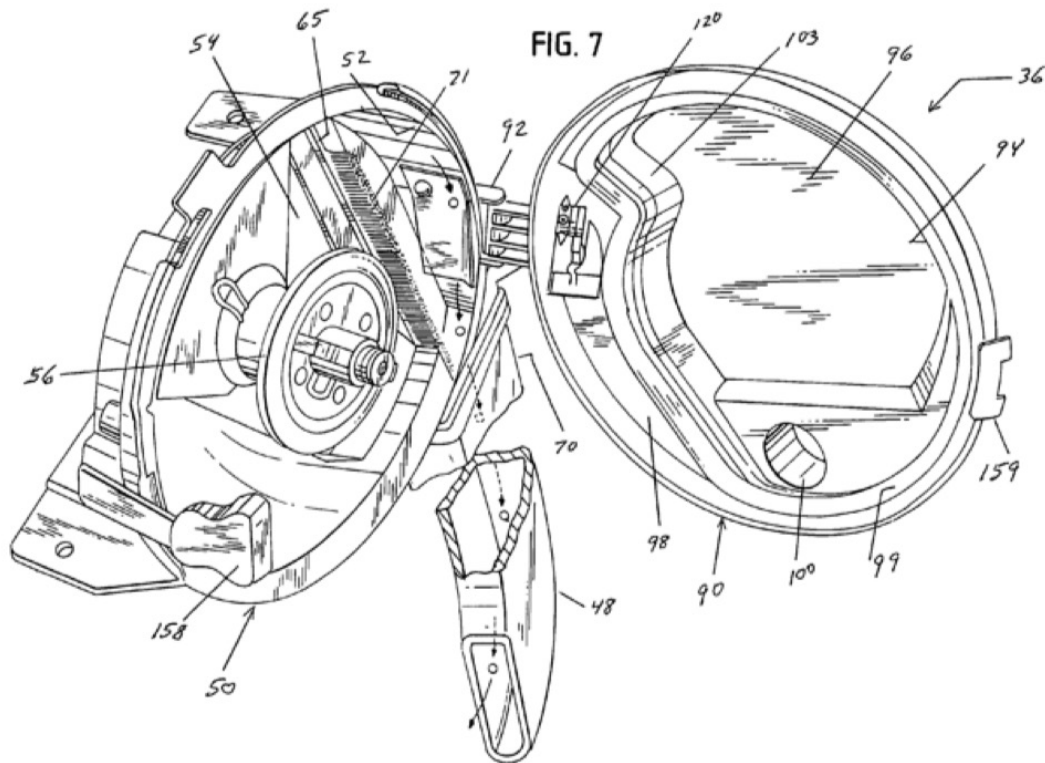
Patent Owner's expert agreed VenHuizen anticipates if the Board maintains its preliminary construction:

Okay, so I'm going to read to you what the Board said. (Quote as read): Accordingly, on this preliminary record, we agree with Petitioner's construction of thrust-bearing element as an element that provides support against an axial force. With that understanding, do you agree that if the Board maintains that interpretation, then VenHuizen anticipates?

A. Yes. ...

(Paper 20, at 16-17, citing Exhibit 1023, at 89:1-12 (emphasis added)).

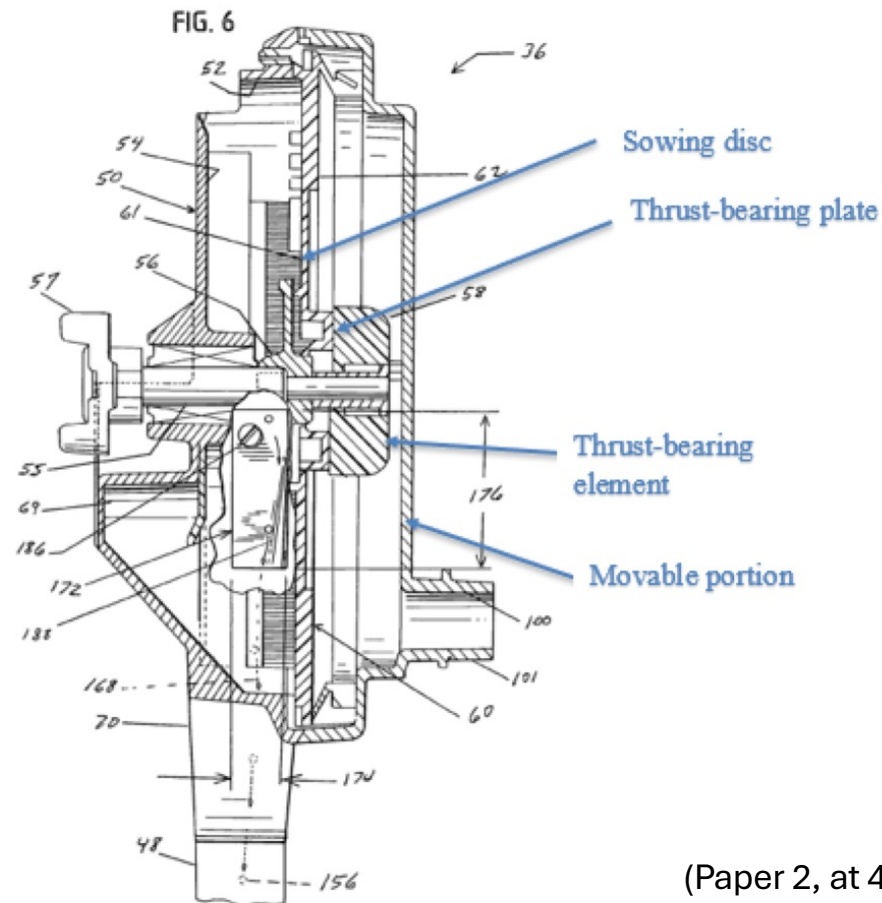
Ground 1 – VenHuizen Anticipates Under the Board's Construction



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(Paper 2, at 31, 46 (citing Ex.1006, 7 Figs. 6, 7; Ex.1003, ¶186))

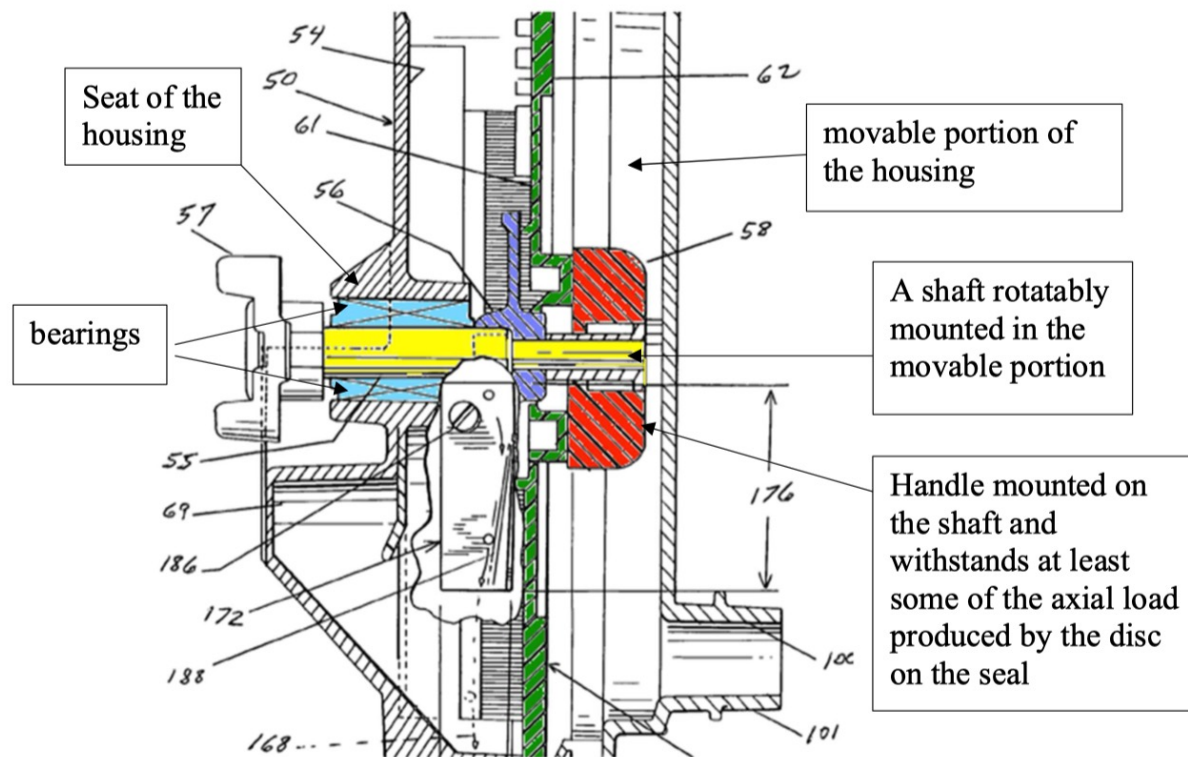
Ground 1 – VenHuizen Anticipates



(Paper 2, at 47-48 (citing Ex.1003, ¶187))

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

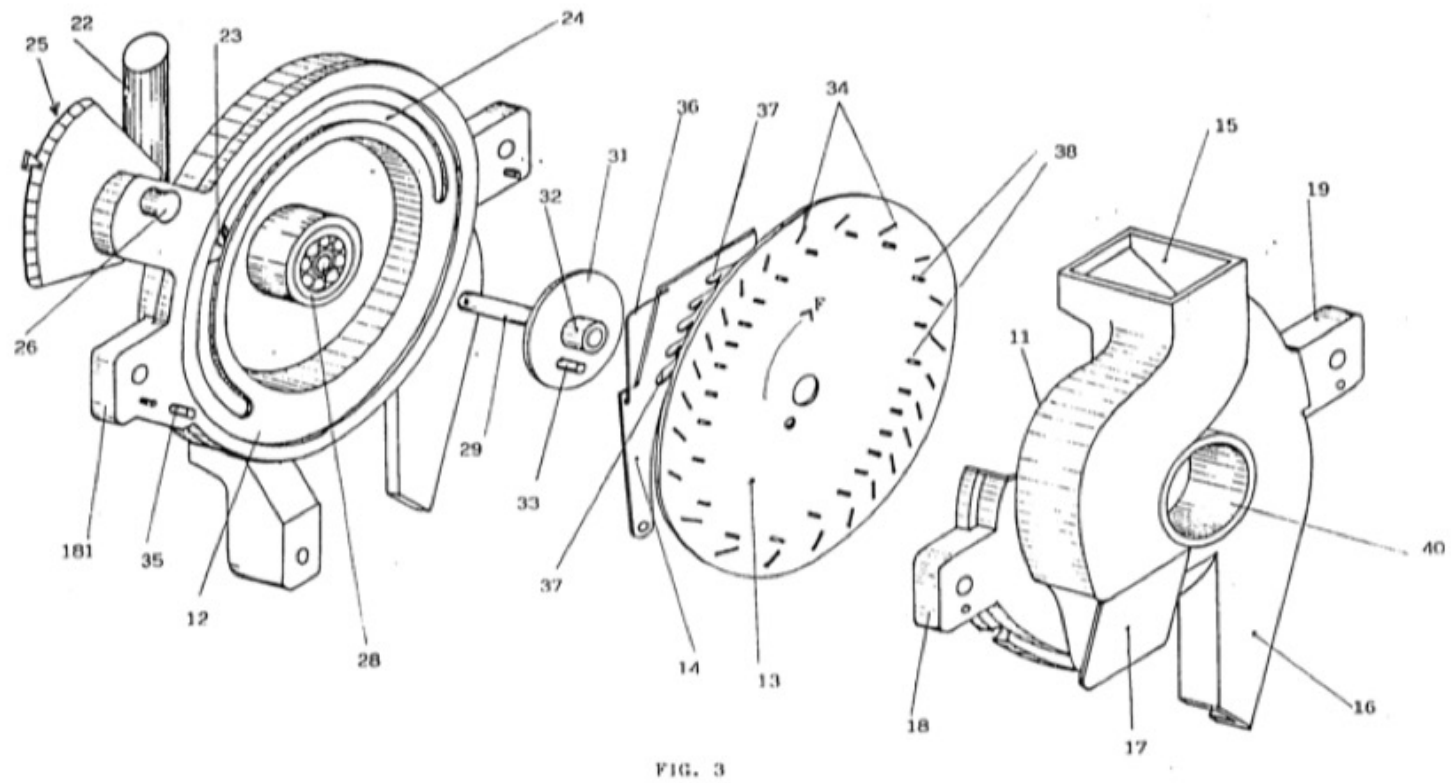
Ground 1 – VenHuizen’s Equivalent Structure Anticipates



DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

(Paper 20, at 22-23 (citing Ex.1021, ¶125))

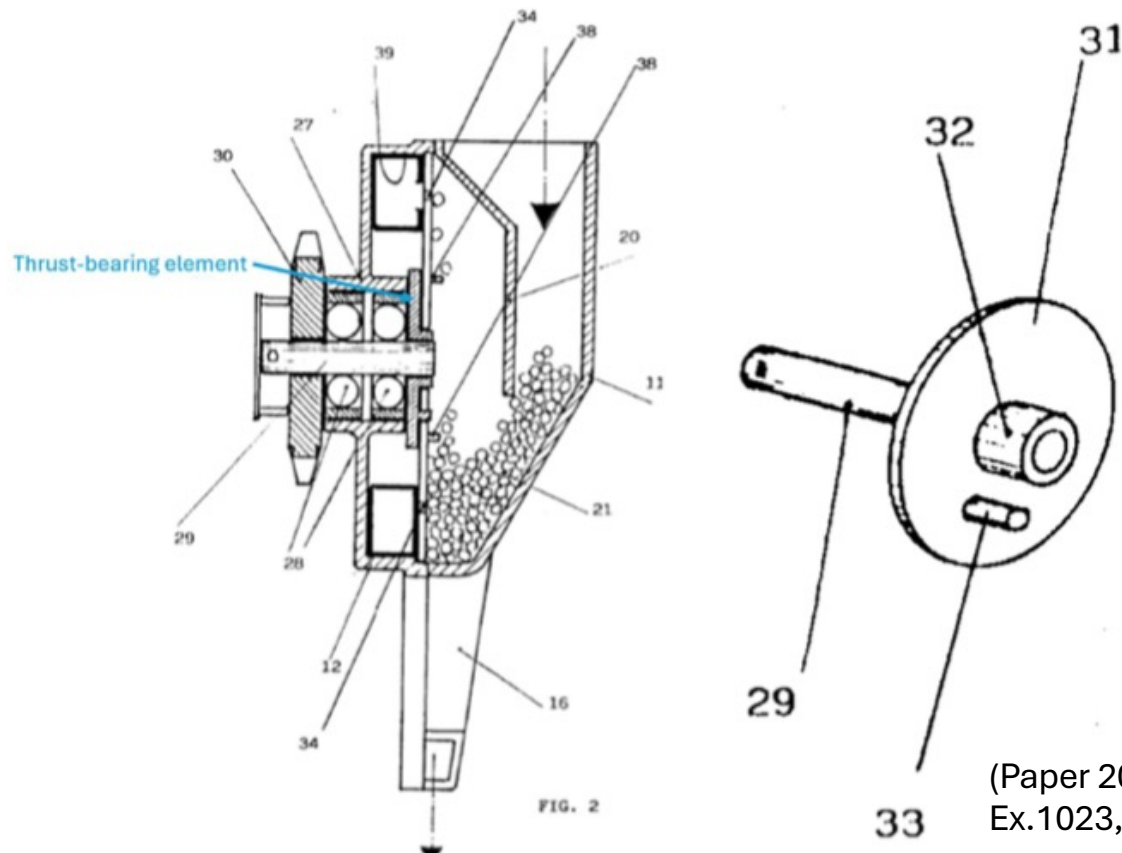
Ground 4 – Fiorido



(Paper 2, at 33 (citing Ex.1007, Fig. 3))

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

Ground 4 – Fiorido



(Paper 20, at 26, citing Ex.1003, ¶ 54, Ex.1023, 127:25-129:1))

Ground 4 – Amazone

Maschio and its expert do not dispute Amazone discloses every limitation of claims 1 and 10 except the TBE. (Paper 20, at 24 (citing Ex.2012, ¶¶ 82-83)).

Checking the following functional parts for damage, exchanging if necessary:

1. Singling disc (Fig. 227/1)
2. PE-foam profile sealing (Fig. 227/2)
3. Suction lid with suction kidney (Fig. 227/3)

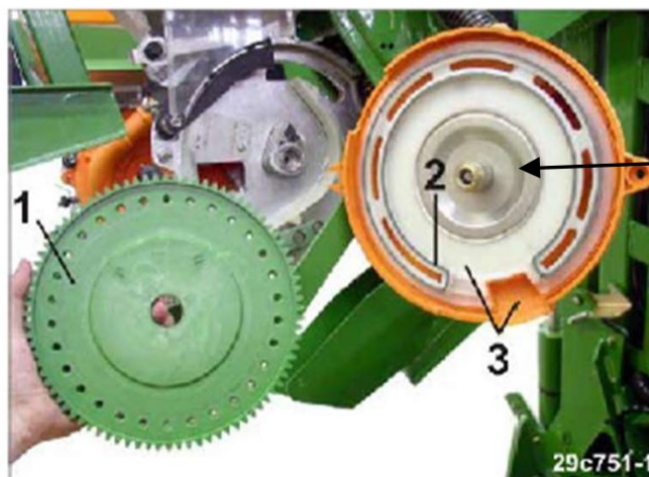


Fig. 227

(Paper 20, at 27)

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Ground 4 – Amazone and Fiorido

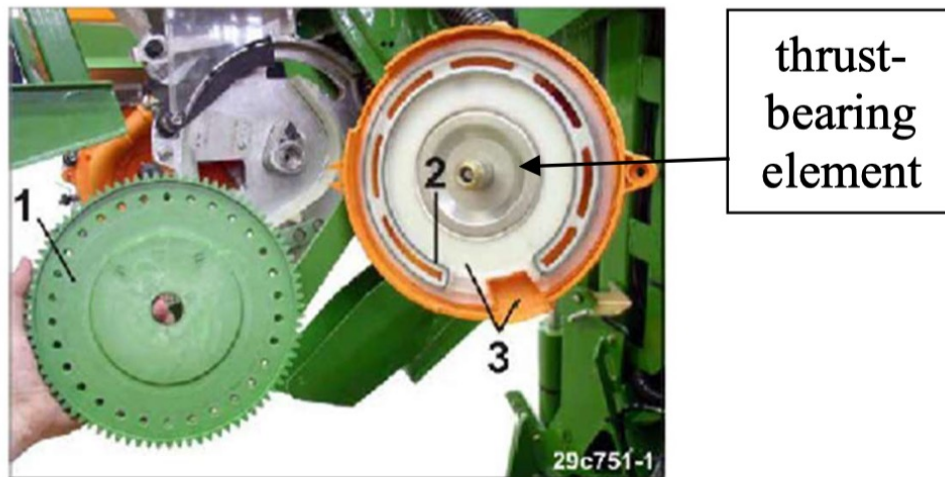
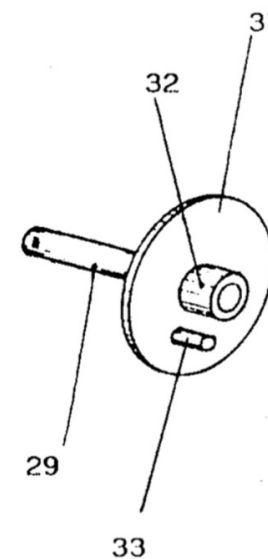


Fig. 227

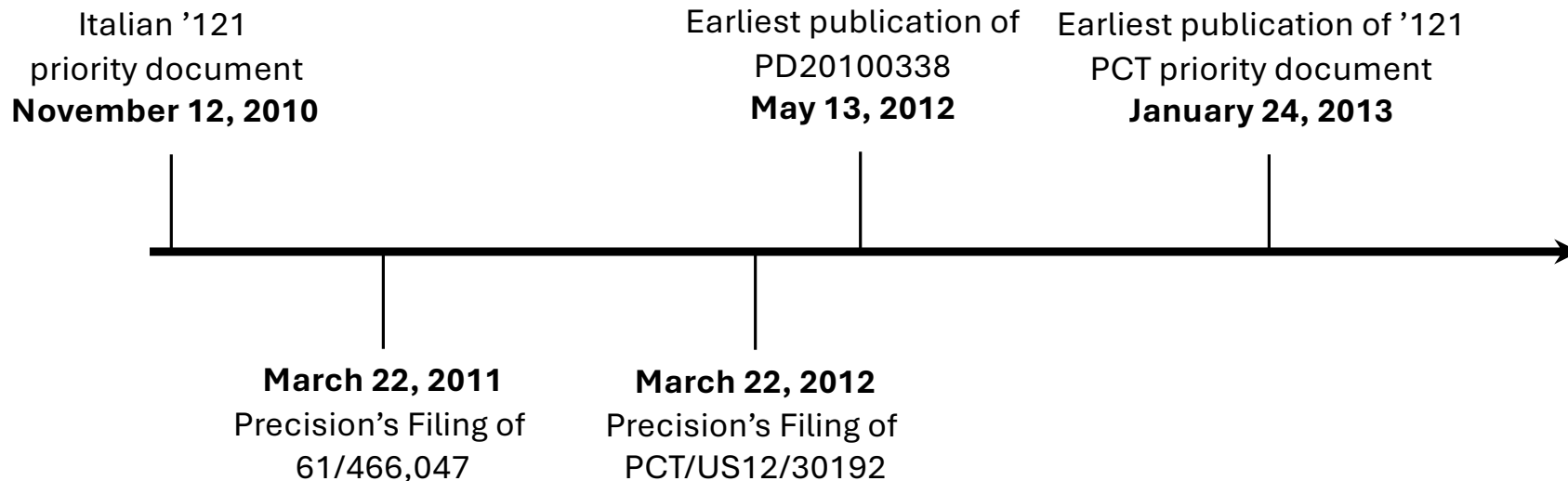


- Maschio's expert admitted the combination would be straightforward. (Paper 20, at 28 (citing Ex.1023, 145:1-147:20)).

(Paper 20, at 27-29)

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

Secondary Considerations – No Copying



- Precision had no access to Maschio's priority documents before its own invention.
- Maschio never commercialized a product embodying the the '121 patent.

Paper 20, at 31 (citing Ex.1001, INID 65; Ex.2024 at 6; Ex.2013 at 47, 52, 84, 16, INID codes 60, 63; Ex.2025 at 10, Tr.41:5–16.).

DEMONSTRATIVE EXHIBIT – NOT EVIDENCE

Secondary Considerations

No Long-Felt Need or Failure by Others

- Amazone had already put the vacuum on the movable portion of the housing.
- “thrust-bearing element” already known.
- Maschio never commercialized a product embodying the the ’121 patent.
- Precision’s first attempt to design vacuum seed meter was quick success.

Paper 2, at 17-18, 84 (citing Ex.1001, 1:53-57);
Paper 20, at 32, 33 (citing Ex.1011 at 53, Fig.40;
Ex.1003 ¶111; Ex.2025 at 10, Tr.41:5–16; Ex.2019, at 3)