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On behalf of **Trove Brands, LLC**

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TROVE BRANDS, LLC,
Petitioner,

v.

CAMELBAK PRODUCTS, LLC,
Patent Owner.

Case No. IPR2024-00858
Patent 8,905,252

**PETITIONER'S REPLY IN SUPPORT OF PETITION FOR
INTER PARTES REVIEW OF U.S. PATENT NO. 8,905,252**

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M.P.E.P. §2125(I)25

LIST OF EXHIBITS

Exhibit No.	Description
1001	U.S. Patent No. 8,905,252 (“the ’252 Patent”)
1002	Excerpt of the File History of the ’252 Patent
1003	Declaration of Glenn E. Vallee, Ph.D.
1004	U.S. Patent No. 9,272,822 (“Samartgis”)
1005	U.S. Patent No. 7,753,240 (“Leoncavallo”)
1006	U.S. Design Patent No. D586,184 (“Miller”)
1007	U.S. Patent No. 8,550,269 (“Lane”)
1008	Excerpts of U.S. Provisional Patent Application No. 61-779,084
1009	Excerpts of U.S. Provisional Patent Application No. 61-859,662
1010	CamelBak Infringement Contentions for the ’252 Patent dated December 21, 2023
1011	EP Publication 2177447A1 (“Gorskey”)
1012	U.S. Patent Publication No. 2006/0006578 A1 (“Johnson”)
1013	Order Setting Case Schedule in <i>Trove Brands, LLC v. CamelBak Products, LLC, et al.</i> , No. 5:23-cv-04267-PCP (N.D. Cal. Feb. 14, 2024)
1014	04-10-2025 Deposition Transcript of Michael Jobin
1015	Reserved
1016	Reserved
1017	Reserved

Exhibit No.	Description
1018	Reserved
1019	Reserved
1020	Annotated Version of Miller’s Figure 6 from 04-10-2025 Deposition of Michael Jobin
1021	Annotated Excerpt of Miller’s Figures 4–5 from 04-10-2025 Deposition of Michael Jobin

Trove’s Petition demonstrated that the challenged claims are anticipated and obvious over multiple primary references. In a last-ditch effort to evade the prior art, CamelBak’s Patent Owner Response (POR) proposes newly fabricated claim constructions. However, the prior art is directly on point, and CamelBak’s weak attempts to sidestep it by applying arbitrary constructions must be rejected.

The claims are unpatentable, and the Board should cancel them.

I. CLAIM CONSTRUCTION

A. “closure retention mechanism”

The parties agree that § 112(f) applies to this term. POR, 8; Pet., 18–19. After Trove filed its Petition, the district court adopted CamelBak’s proposed construction, which identified the corresponding structures as including the closed perimeter 52, closure retention structure 55, spaced-apart tabs 56, cooperating/engaging structure 58, and their equivalents. Ex.2010, 5–11.

Before the district court’s decision, and as reflected in the Petition, Trove based its analysis on the understanding that a person of ordinary skill in the art (POSITA) would recognize the corresponding structure to be spaced-apart tabs extending from the inner surface of the handle, or equivalent structures. Pet., 22–23, 34–35, 69, 92. Trove’s understanding was narrower and ultimately subsumed by CamelBak’s construction, which the district court adopted. Ex.2010, 5–11. The

Petition’s invalidity grounds satisfy the “closure retention mechanism” limitation under any relevant construction.

The Board instituted IPR, finding it was unnecessary to precisely define the meets and bounds of the corresponding structure because the “prior art teaches sufficiently analogous structure to that identified in the ’252 patent.” ID (Paper 7), 10.

The Institution Decision stated that “to the extent [Trove or CamelBak] believes it is necessary for final resolution of patentability, they should explore the § 112(f) issue further during the trial phase.” ID, 10. The only relevant constructions at issue are: (1) Trove’s understanding in the Petition—that the corresponding structure is spaced-apart tabs (and equivalents); and (2) CamelBak’s adopted construction, which includes the *spaced-apart tabs*, closed perimeter, closure retention structure, and cooperating/engaging structure (and equivalents). Because Trove’s understanding in the Petition is narrower and encompassed within CamelBak’s broader construction adopted by the district court, there is no need for further exploration of constructing this term because “it is [not] necessary for final resolution of patentability” (ID, 10).

B. “when the closure is ... received by the closure retention mechanism”

CamelBak proposes a new construction of the term “receive.” First, it urges the Board to construe “receive” to mean “to accept, to acquire, or to engage.” POR, 9. Then, CamelBak asserts this construction somehow includes the negative limitation “the closure is not always or permanently engaged by or retained by the closure retention mechanism.” *Id.*, 9–10.

CamelBak offers no credible justification for limiting “receive” to mean to accept, to acquire, or to engage such that the closure is not always or permanently engaged by or retained by the closure retention mechanism. Its proposed construction is divorced from the claim language. CamelBak also does not—and cannot—argue lexicography or disavowal that would warrant departing from the well-understood meaning of “receive.” *Aug. Tech. Corp. v. Camtek, Ltd.*, 655 F.3d 1278, 1286 (Fed. Cir. 2011) (“Absent a clear disavowal or contrary definition in the specification or the prosecution history, the patentee is entitled to the full scope of its claim language.”); *see also Thorner v. Sony Comput. Ent. Am. LLC*, 669 F.3d 1362, 1366 (Fed. Cir. 2012).

To the extent CamelBak seeks to use an embodiment described in the ’252 patent to construe the term “receive,” that argument fails as a matter of law. CamelBak may not import extraneous limitations from the specification into the

claims. Claim construction is not an exercise to “redefine claim recitations or to read limitations into the claims to obviate factual questions of infringement and validity but rather to give meaning to the limitations actually contained in the claims” *Am. Piledriving Equip., Inc. v. Geoquip, Inc.*, 637 F.3d 1324, 1331 (Fed. Cir. 2011). The negative limitation proposed by CamelBak lacks support in the claims, written description, or prosecution history, and instead represents an attempt to improperly import limitations. CamelBak’s proposed negative limitation should therefore be rejected.¹ *SciMed Life Sys., Inc. v. Advanced Cardiovascular Sys., Inc.*, 242 F.3d 1337, 1340 (Fed. Cir. 2001) (characterizing importing limitations from the specification into the claims as “one of the cardinal sins of patent law”); *DSW, Inc. v. Shoe Pavilion, Inc.*, 537 F.3d 1342, 1347 (Fed. Cir. 2008) (holding that claim construction “cannot alter what the patentee has chosen to claim as his invention, that limitations appearing in the specification will not be read into claims, and that interpreting what is meant by a word in a claim is not to be confused with adding an

¹ To the extent the plain and ordinary meaning of the term “receive” requires elaboration, Trove does not dispute that it can include “to accept, to acquire, or to engage.” But the meaning cannot include the extraneous negative limitation proposed by CamelBak—that “the closure is not always or permanently engaged by or retained by the closure retention mechanism.” POR, 9–10.

extraneous limitation appearing in the specification, which is improper” (internal quotation marks and emphasis omitted)).

C. “retain the closure in a stowed position”

CamelBak contends that the phrase “retain the closure in a stowed position” means “to hold or keep the closure in a position *removed from the drink spout.*” POR, 13². However, this construction impermissibly rewrites the claims. The claim language expressly requires the closure retention mechanism to “retain the closure in a stowed position *relative to the handle....*” Ex.1001, claims 5, 19. CamelBak’s construction improperly changes the reference point by requiring the closure to be stowed relative to the drink spout—a different point of reference not supported by the claim language. As courts have consistently held, “[c]ourts do not rewrite claims; instead, [they] give effect to the terms chosen by the patentee.” *K-2 Corp. v. Salomon S.A.*, 191 F.3d 1356, 1364 (Fed. Cir. 1999).³

² Emphasis added unless otherwise noted.

³ To the extent the plain and ordinary meaning of the phrase “retain the closure in a stowed position relative to the handle” requires elaboration, Trove does not disagree that it encompasses “hold or keep the closure in a position removed from the drink spout.”

II. GROUNDS 1–2: THE SAMARTGIS-BASED GROUNDS RENDER THE CHALLENGED CLAIMS UNPATENTABLE

CamelBak argues that Samartgis' structures do not satisfy the claim limitations for the closure retention mechanism and closure. POR, 15–16. However, as detailed in the Petition, the lug members 15, 16 (pink) meet the limitations of the closure retention mechanism, and the flap member 20 (dark blue) meets the limitation of the closure (Pet., 33–36):

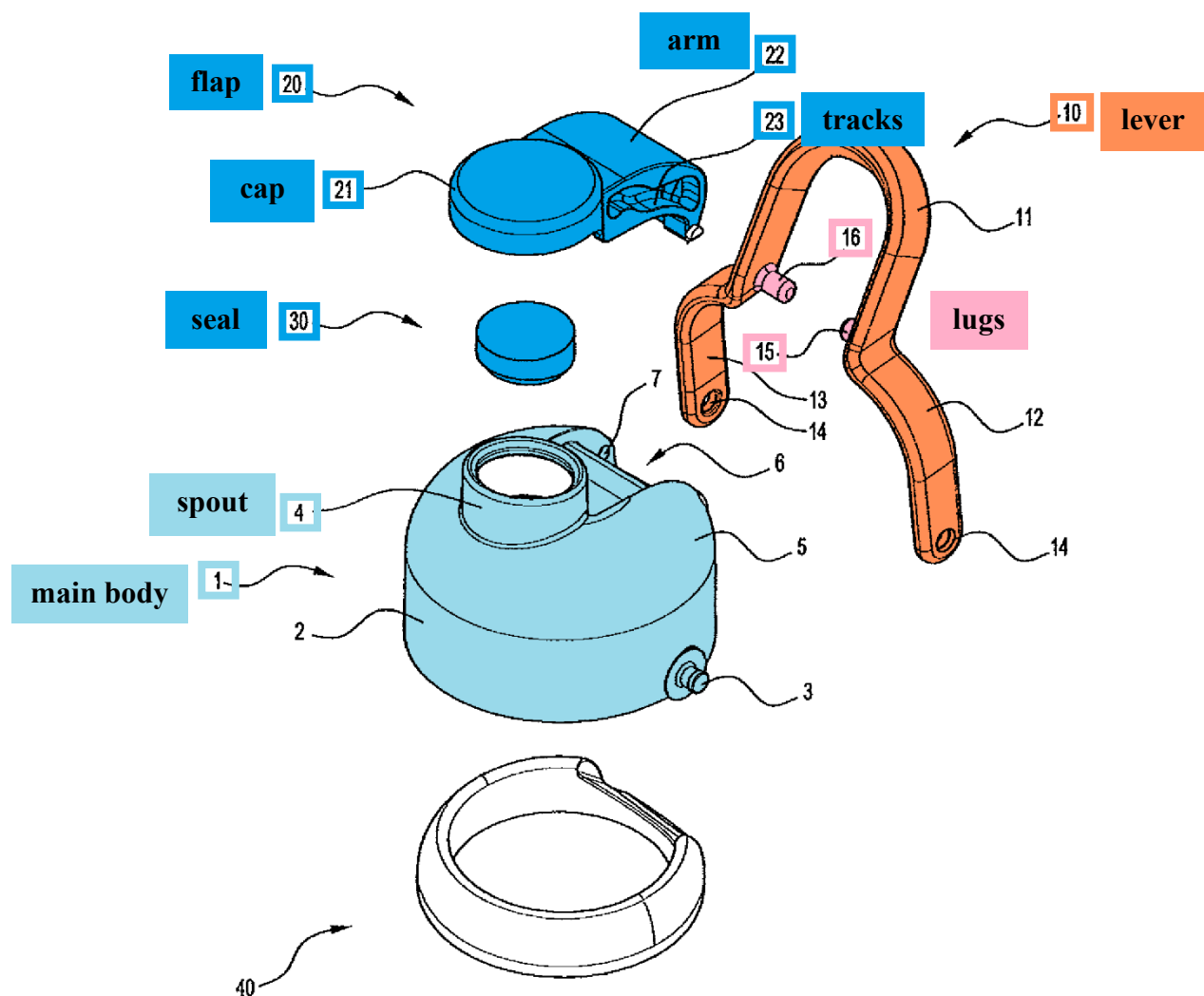


FIG. 3

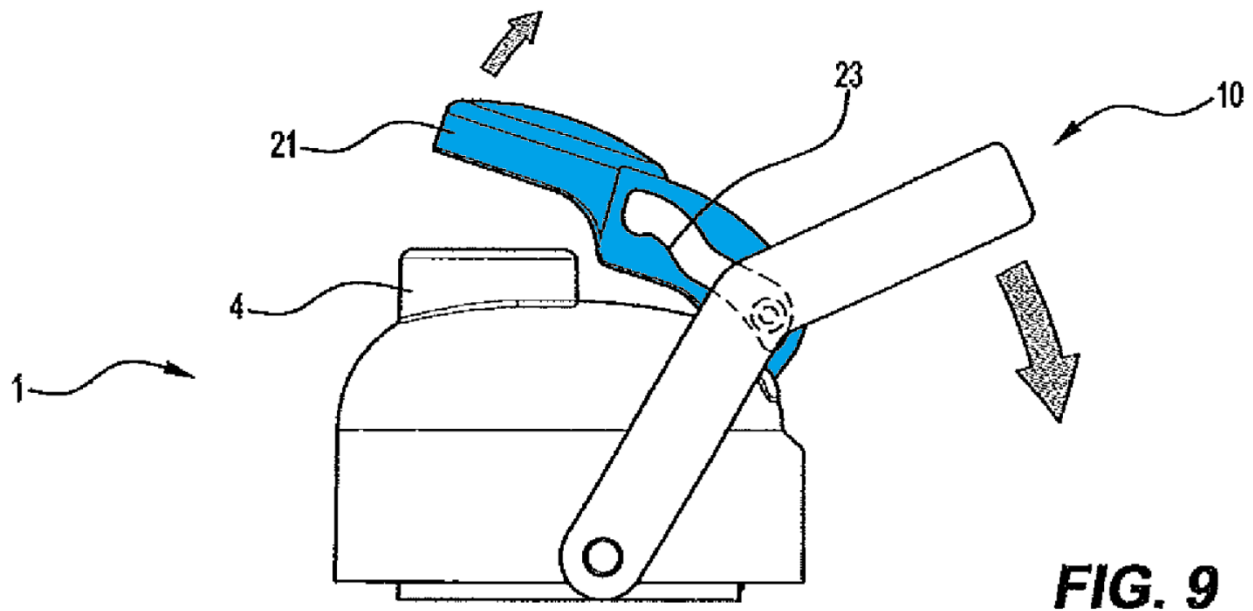
Pet., 25 (annotating Ex.1004, Fig. 3). Figure 3 shows that the lug members 15, 16 travel along the tracks 23 of the flap member 20 to a distal end, where they selectively retain the flap member 20 in a stowed (open) position relative to the lever 10 (orange) when the flap member 20 is removed from the drink spout 4 (light blue). *Id.*, 34–35.

CamelBak’s arguments largely rely on novel claim constructions that lack any support in the intrinsic or extrinsic record. The Board should reject these arguments and invalidate claims 5–7 and 16–19, as set forth in Grounds 1–2.

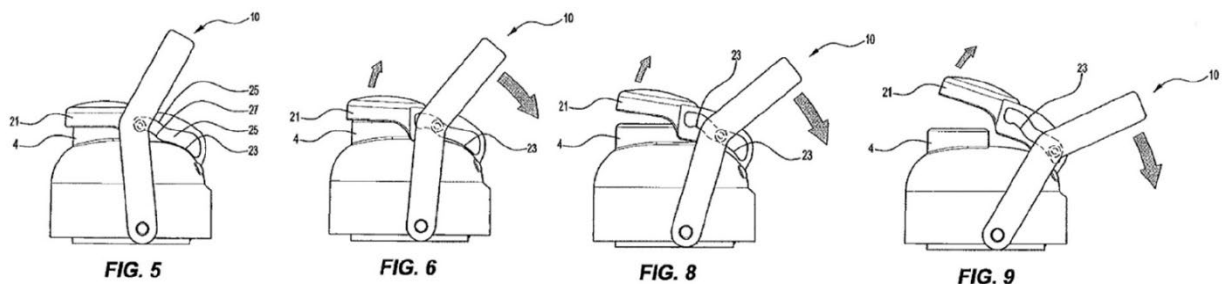
A. Samartgis discloses that the closure retention mechanism of claims 5 and 19 is “configured to selectively retain the closure in a stowed position relative to the handle”

CamelBak argues that Samartgis fails to teach this limitation based on a novel claim construction that requires the closure retention mechanism to “hold or keep the closure *in a position removed from the drink spout.*” POR, 16. But, as discussed above, this construction finds no support in the intrinsic or extrinsic record. *Supra* §I.C.

As detailed in the Petition, Samartgis teaches that its closure is retained in a stowed position *relative to the handle* when selectively removed from the drink spout. Pet., 33–36. Figure 9 of Samartgis illustrates the flap member (blue) in an open—or stowed—position relative to the handle:



Ex.1004, Fig. 9⁴. This figure shows the closure (flap member) retained by the handle (lever 10) in an open position. Pet., 34. This occurs when the closure (flap member) is removed from the drink spout 4 and the lug members engage the distal end of the tracks 24 in the closure (flap member).

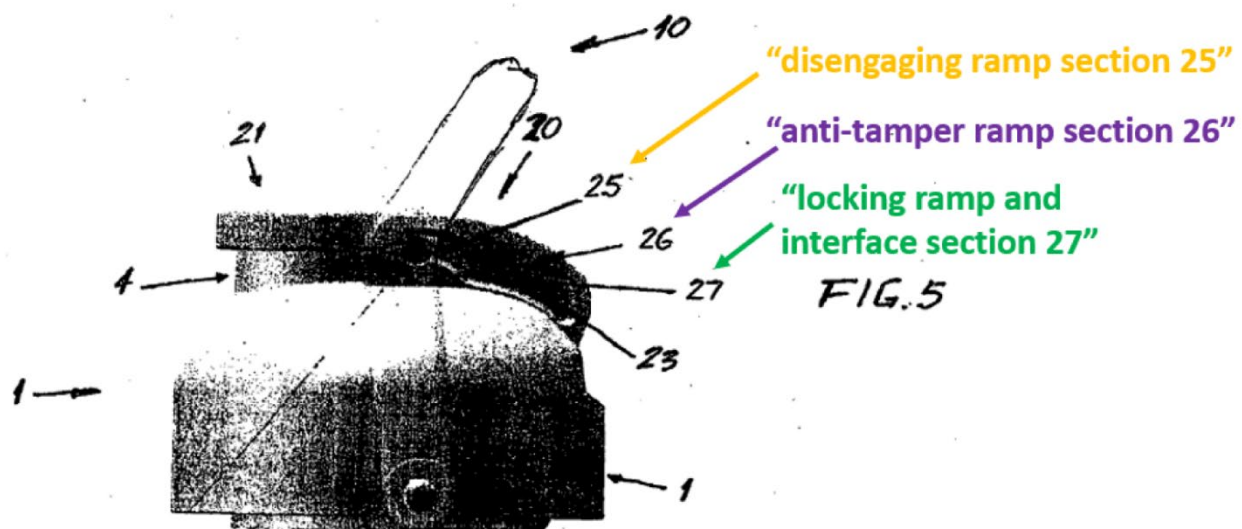


Id. (showing Figs. 5–6, 8–9). Samartgis describes this progression from, for example, Figure 8 to Figure 9 and states: “As the lever member 10 is moved further,

⁴ Figures herein have been colored and annotated for clarity.

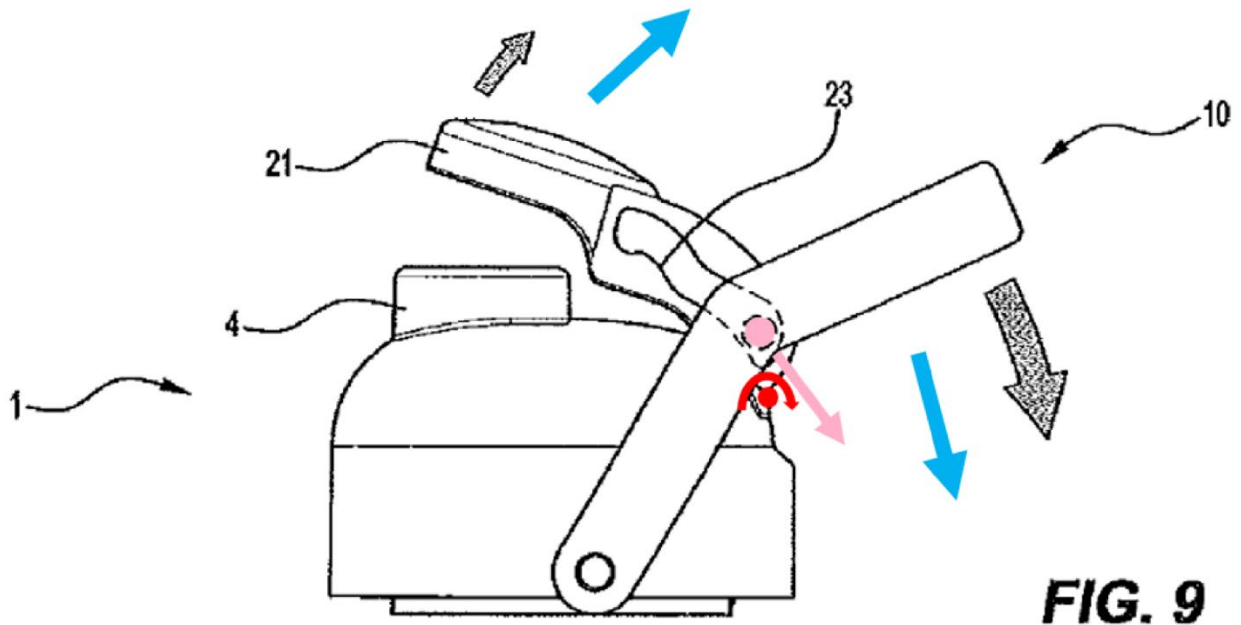
to for example the position as shown in FIG.9, it can be returned to the locking position, with the actuating pins or lug members 15 and 16 engaging the anti-tamper ramp section 25, lifting the flap member 20....” Ex.1004, 4:28–34.

CamelBak’s own annotated figure confirms that the closure in Samartgis is locked in a stowed position relative to the handle. POR, 20.



Id. Samartgis identifies the distal portion of the tracks 23 in original Figure 5 as a “locking ramp and interface section 27.” Ex.1004, 4:3–4; *see also id.*, 3:45–47. Thus, there can be no argument that the closure (flap member 20) is not retained in a stowed position *relative to the handle* when selectively removed from the drink spout. Contrary to CamelBak’s assertions, neither the Board nor Trove “misapprehend[s]” Samartgis. POR, 21–22. CamelBak’s attempt to recast the disclosure of Samartgis should be rejected.

Even if the handle in Samartgis could be rotated further away from the drink spout than illustrated in Figure 9, Samartgis would still meet the limitation. As shown in Figure 9 and described above, the closure (flap member) is retained in *a locked position relative to the handle* when the lug members engage with the distal portion of the tracks 23. CamelBak’s own annotations (POR, 25) demonstrate that if the handle (lever 10) were pivoted farther away from the drink spout 4, the closure (flap member) would still remain stowed relative to the handle (lever 10) and move along with it away from the drink spout 4.

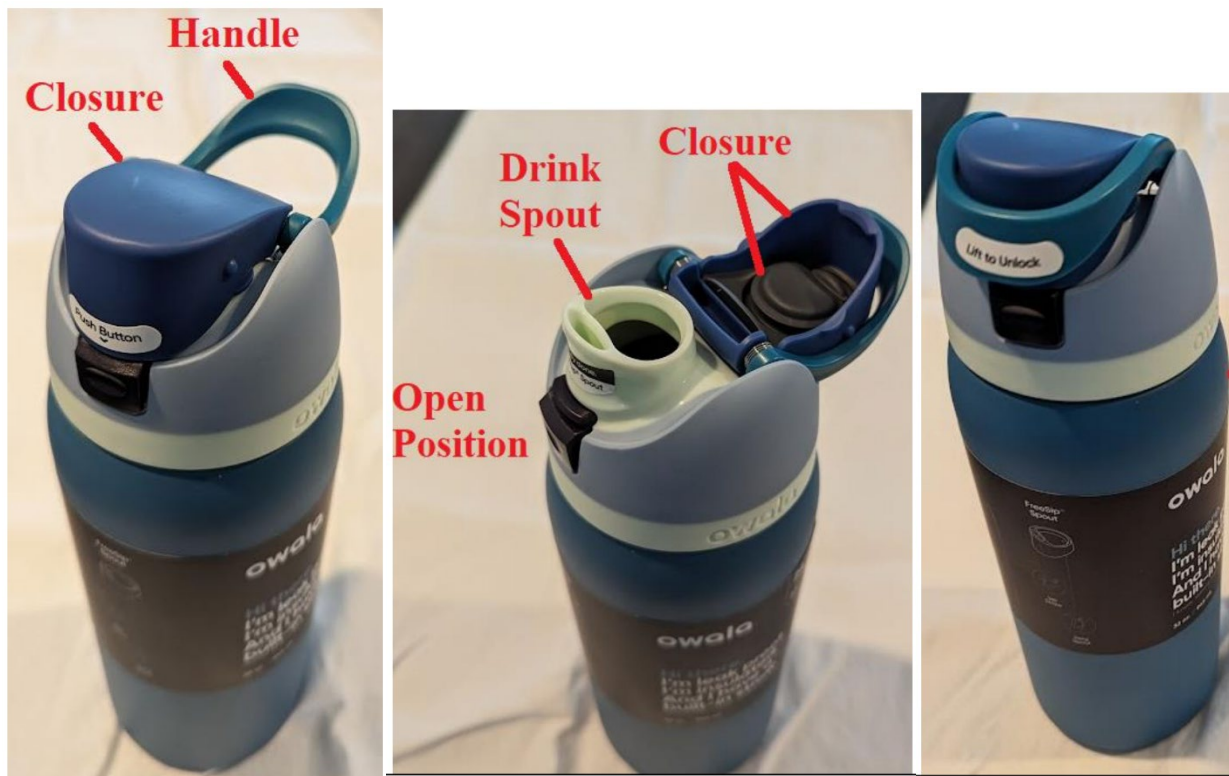


POR, 25 (annotating Ex.1004, Fig. 9). CamelBak explains that, as the handle (lever 10) moves farther down, the closure (flap member) remains in a stowed position relative to the handle (lever 10) and rotates about its axis, continuing to move away from the drink spout 4—while remaining in a fixed position relative to the handle

(lever 10). *Id.*, 24–25. As recognized in the Institution Decision, Samartgis expressly discloses that the closure is “selectively and progressively movable” toward a “locking position,” such that the “closure is retained in a stowed position once the handle is fully rotated.” *ID*, 13. Even if the claims required “hold[ing] or keep[ing] the closure in a position removed from the drink spout,” which they do not, Samartgis would still fulfill this limitation because the closure would remain in a locked position relative to the handle *and* be even farther away from the drink spout once the handle is fully rotated.⁵

Samartgis’ configuration mirrors CamelBak’s infringement contentions against Trove’s product in the district court:

⁵ CamelBak contends that the stowed position identified in the Petition “fails to provide sufficient clearance to allow the user to drink from the bottle comfortably without the cap hitting the user in the face.” *POR*, 22. However, this feature is not required by the claims. Moreover, even if it were, when Samartgis’ lever 10 is in the fully open position, the user can drink from the spout.



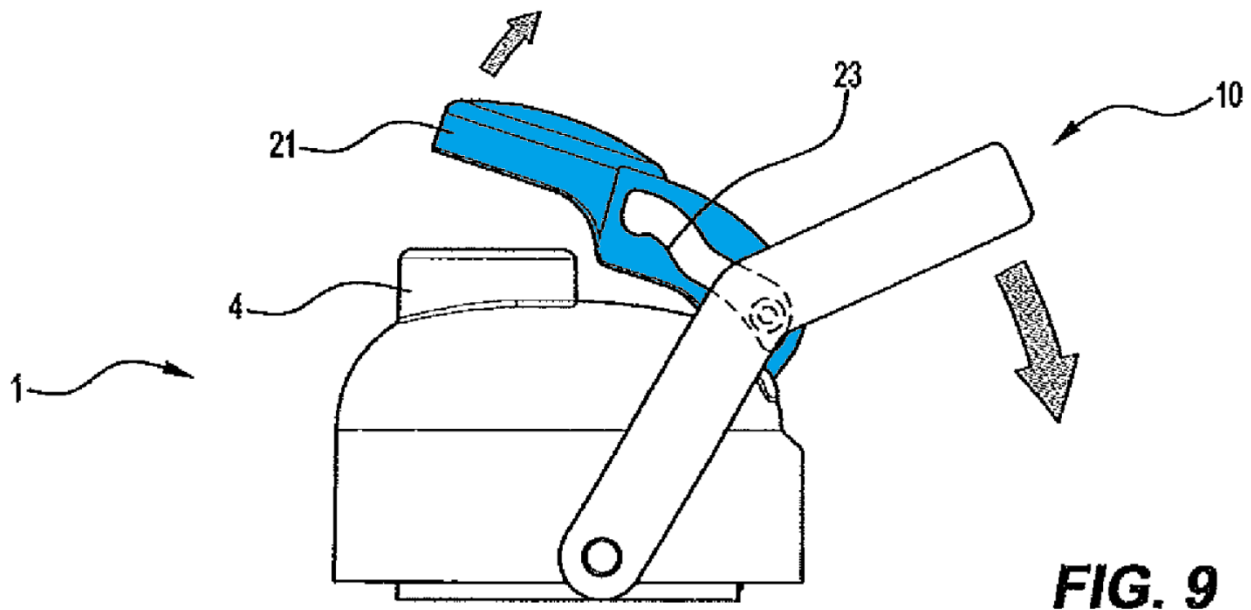
Ex.1010, 14, 17–18. As shown above and reflected in those contentions, the accused product’s handle pivots about the base, similar to the configuration in Samartgis—even if the closure is engaged with the handle.⁶

Thus, Samartgis discloses “configured to selectively retain the closure in a stowed position relative to the handle” under any relevant construction.

⁶ It is unsurprising that CamelBak did not present its novel construction of this term to the district court. The construction is inconsistent with the claim language, the specification, and its own infringement contentions.

B. Samartgis discloses that the closure is received by the closure retention mechanism, as required by claims 5 and 19

As detailed in the Petition and adopted by the Board in its Institution Decision, Samartgis discloses that “the closure is ... received by the closure retention mechanism.” ID, 13 (citing Pet., 23–25). Specifically, “Samartgis clearly describes and shows flap member 20 [blue], which includes arm member 22 as a ‘principal’ component, being mounted on, i.e., received by, lug members 15, 16 on handle 10.” *Id.* (citing Ex. 1004, 4:16–17).

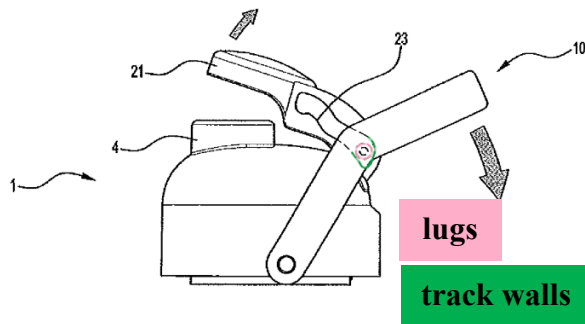


Ex.1004, Fig. 9.

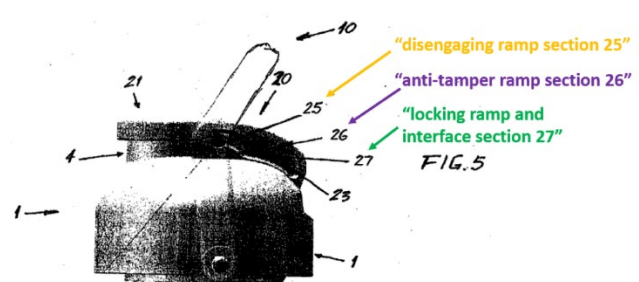
CamelBak contends that the Board erred by finding this limitation was satisfied based solely on the tracks 23 receiving the lug members 15, 16. POR, 32. But CamelBak ignores that the Board unambiguously found the closure (flap member 20) is “**received by**, lug members 15, 16 on handle 10.” ID, 13. CamelBak’s

argument is merely rhetorical and analogous to debating whether a glove receives a hand, or a hand receives a glove.

As reflected in the POR, the lug members 15, 16 move along the tracks 23 and, at the distal end, engage a ramp. POR, 27–29 (citing Pet., 33–35; Ex.1003, ¶¶98–102). This follows Samartgis’ original Figure 5, which CamelBak reproduced and annotated in its POR. In original Figure 5, Samartgis identifies the distal end of the tracks 23 as the “locking ramp and interface section 27.” Ex.1004, 4:3–4. As noted in the Petition and adopted in the Institution Decision, Samartgis discloses that its closure—specifically, the distal end of the tracks 23 (“locking ramp and interface section 27” in original Figure 5)—is received by the closure retention mechanism (lug members 15, 16). Pet., 34–35; ID, 13.



Samartgis Figure 9



**Samartgis’ original Figure 5
POR, 20 (annotated by CamelBak)**

Next, CamelBak argues that Samartgis fails to teach this limitation based on the novel claim construction that “receive” requires the “closure is not always or permanently engaged by or retained by the closure retention mechanism.” POR, 9–

10. As discussed above, however, this novel construction finds no basis in fact or law. *Supra* §I.B.

C. The lug members in Samartgis are structurally identical to and perform the identical function as the structures in the '252 patent that correspond to the “closure retention mechanism” of claims 5 and 19

There is no dispute that “closure retention mechanism” is a mean-plus-function limitation, where the function is to “selectively retain the closure in a stowed position relative to the handle when the closure is selectively removed from the drink spout and received by the closure retention mechanism.” Pet., 18–23; POR, 8; Ex.2010, 5–11.

To show invalidity of a means-plus-function limitation, the prior art must disclose a structure that performs the identical claimed function and is identical or equivalent to a corresponding structure in the challenged patent’s specification. *See Steuben Foods, Inc. v. Shibuya Hoppmann Corp.*, 127 F.4th 348, 359 (Fed. Cir. 2025) (internal citations omitted); *In re Donaldson Co., Inc.*, 16 F.3d 1189, 1193–94 (Fed. Cir. 1994) (en banc) (holding no distinction between validity and infringement determination). As the Petition explained, the lug members 15, 16 make up the claimed closure retention mechanism because they are a corresponding structure identified in the '252 patent’s specification and perform the claimed function of retaining the closure (flap member 20) in a stowed position relative to

the handle (lever 10) when the closure is removed from the drink spout 4. Pet., 34 (citing Ex. 1003, ¶100).

CamelBak asserts—offering no explanation—that the lug members 15, 16 are not structurally identical to the spaced-apart tabs 56. POR, 32–33. Under any relevant construction, it is undisputed that the structures in the '252 patent corresponding to the 112(f) term “closure retention mechanism” include the spaced-apart tabs 56. *Supra* §I.A. Samartgis’ lug members 15, 16 are structurally identical to the spaced-apart tabs 56.⁷ Pet., 34. Like the spaced-apart tabs 56, “the lug members 15 and 16 are projections that extend from the inner surface of the handle to engage the closure.” ID, 10 (internal quotations omitted). Indeed, the '252 patent describes the spaced-apart tabs 56 as “ribs, projections, stops, fingers, and/or teeth.” Ex.1001, 10:9–10. Whether called tabs, lugs, ribs, projections, stops, fingers, or teeth, the lug members 15, 16—like the spaced-apart tabs 56—are projections on the handle (lever 10) that perform the claimed function to “selectively retain the closure

⁷ In the POR, CamelBak implies that Trove never argued the lug members 15, 16 are the same as any corresponding structures in the '252 patent that perform the claimed function. To the contrary, the Petition stated that the lug members 15, 16 are structurally identical “projections” and further argued that the structures are *at least* equivalents. Pet., 34-35.

in a stowed position relative to the handle when the closure is selectively removed from the drink spout and received by the closure retention mechanism.” Accordingly, Samartgis meets this limitation. *Steuben Foods*, 127 F.4th at 359; *In re Donaldson*, 16 F.3d at 1193–94.

Even if the lug members 15, 16 were not structurally identical to the spaced-apart tabs 56, which they are, they would be equivalent structures. There is no dispute that both sets of structures performs the claimed function to “selectively retain the closure in a stowed position relative to the handle when the closure is selectively removed from the drink spout and received by the closure retention mechanism.” Like the spaced-apart tabs 56, the lug members 15, 16 are paired, laterally spaced projections of the handle (lever 10) that receive and selectively retain the closure (flap member 20) by exerting a force against complementary surfaces on the closure (flap member 20). *Pet.*, 34–35. This retains the closure (flap member 20) in a stowed position relative to the handle (lever 10) when the closure (flap member 20) is selectively removed from the drink spout 4 and received by the closure retention mechanism (lug members 15, 16). *Id.* For this independent reason, Samartgis discloses this limitation.

D. Dependent claims 6–7 and 16–18 are unpatentable

CamelBak provides no arguments regarding dependent claims 6–7 and 16–18 beyond those presented for independent claim 5. Thus, CamelBak does not dispute that Samartgis discloses the limitations of these dependent claims.

**III. GROUNDS 3–4: THE LEONCAVALLO-BASED GROUNDS
RENDER THE CHALLENGED CLAIMS UNPATENTABLE**

CamelBak argues that Leoncavallo fails to disclose certain features of the challenged claims and would not have been combined with other cited references. POR, 40–60. These arguments lack merit. As detailed below, CamelBak’s arguments fail to rebut that claims 5–7 and 16–19 are unpatentable as set forth in Grounds 3–4. Pet., 55–79.

A. Leoncavallo discloses and renders obvious the claimed closure retention mechanism in claims 5 and 19

CamelBak contends that Leoncavallo’s detents are not a closure retention mechanism. POR, 15–16. As demonstrated in the Petition, Leoncavallo’s handle (loop member 54) includes a closure retention mechanism—specifically, the detents 90, which are identified in pink below. Pet., 67–70.

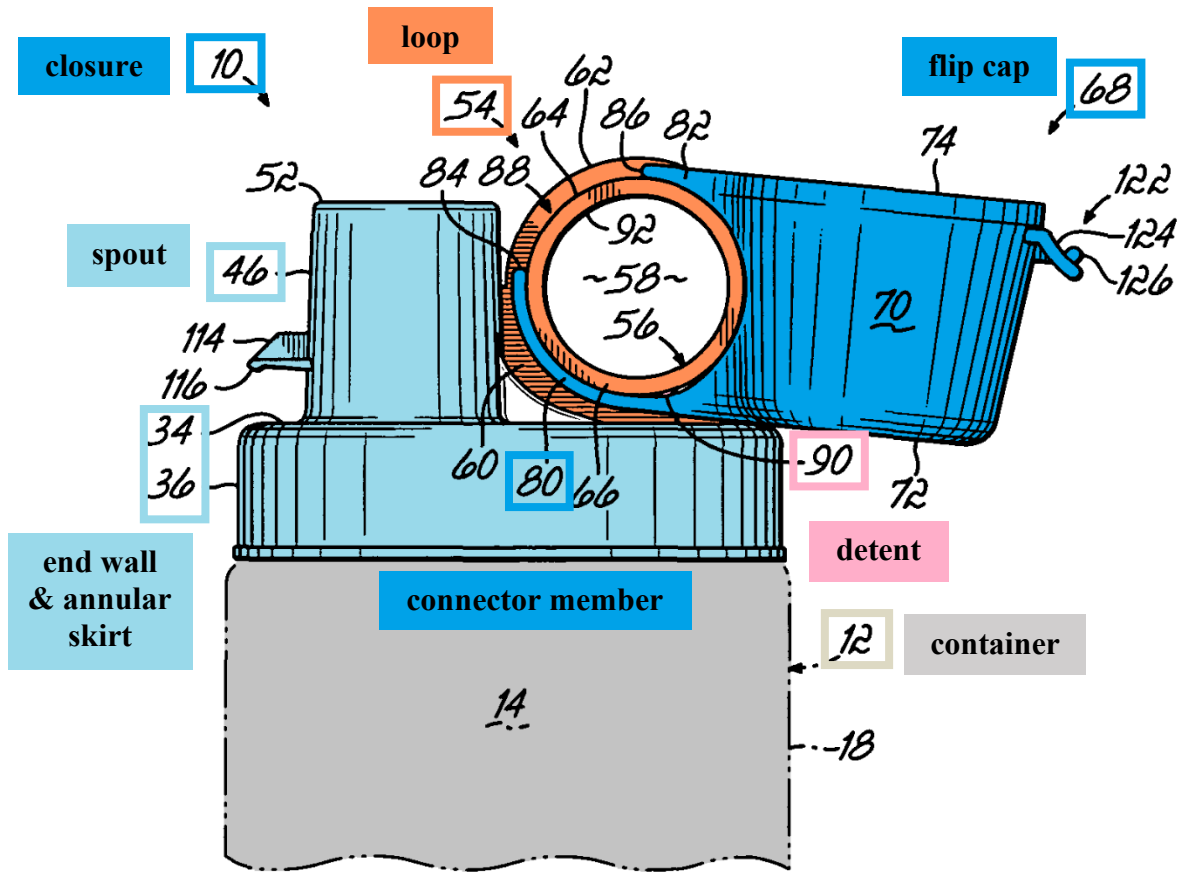


FIG. 3

Id., 57 (annotating Ex.1005, Fig. 3). As shown in Figure 3, the connector member 80 (dark blue) frictionally engages with the detents 90 (pink) as it travels along the loop member 54 (orange) and retains the flip cap 68 (dark blue) in the stowed (open) position relative to the loop member 54.

There is no dispute that “closure retention mechanism” is a mean-plus-function limitation requiring that the structure “selectively retain the closure in a stowed position relative to the handle when the closure is selectively removed from the drink spout and received by the closure retention mechanism.” *Supra* §II.C. As

the Petition explained, the detents 90 retain the closure (flip cap 68) in a stowed position relative to the handle (loop member 54) when the closure is removed from the drink spout (spout 46). Pet., 68 (citing Ex. 1003, ¶174).

CamelBak asserts that the detents 90 are neither structurally identical nor equivalent to the spaced-apart tabs 56. POR, 40–48. But the detents 90 are structurally identical to the spaced-apart tabs 56. Pet., 68. The '252 patent describes the spaced-apart tabs 56 as “ribs, projections, stops, fingers, and/or teeth.” Ex.1001, 10:9–10. Likewise, Leoncavallo describes the detents 90 as “a rib or other suitable structure project[ing] outwardly from the outer arcuate surface 64 of the loop 54.” Ex.1005, 5:33–36. Whether termed tabs, detents, ribs, projections, stops, fingers, or teeth, the detents 90—like the spaced-apart tabs 56—are projections, ribs, or stops on the handle (loop member 54) that perform the claimed function to “selectively retain the closure in a stowed position relative to the handle when the closure is selectively removed from the drink spout and received by the closure retention mechanism.” Thus, Leoncavallo satisfies this limitation. *Steuben Foods*, 127 F.4th at 359; *In re Donaldson*, 16 F.3d at 1193–94.

Even if the detents 90 were not structurally identical to the spaced-apart tabs 56, which they are, they would be equivalent structures. Both sets of structures perform the claimed function to “selectively retain the closure in a stowed position relative to the handle when the closure is selectively removed from the drink spout

and received by the closure retention mechanism.” Like the spaced-apart tabs 56, the detents 90 are spaced projections of the handle (loop member 54) that receive and selectively retain the closure (flip cap 68) by exerting a force against surfaces on the closure (flip cap 68). Pet., 69. This retains the closure (flip cap 68) in a stowed position relative to the handle (loop member 54) when the closure (flip cap 68) is selectively removed from the drink spout (spout 46) and received by the closure retention mechanism (detents 90). *Id.*, 68–69. For this independent reason, Leoncavallo discloses this limitation.

B. Leoncavallo discloses and renders obvious the limitations of dependent claim 6

CamelBak argues that the detents 90 cannot be the closure retention mechanism in dependent claim 6 because they are on the outer surface of the loop member 54, rather than the inner surface. POR, 49–50. But claim 6 only requires that “the handle defines a closed perimeter” and the “the closure retention mechanism defines at least a portion of the closed perimeter.” Ex.1001, claim 6. Contrary to CamelBak’s novel interpretation, claim 6 does not specify that the closure retention mechanism be on the “outer surface” or “inner surface” of the closed perimeter. *Id.* As the claim language requires, Leoncavallo’s closure retention mechanism defines at least a portion of the closed perimeter. Specifically, the loop member 54 defines a closed perimeter, and the detents 90 define a portion

of that closed perimeter. Pet., 71. Accordingly, Leoncavallo teaches the claimed closure retention mechanism.

Even if CamelBak were correct that claim 6 requires the detents 90 to be on the inner surface of the loop member 54, Leoncavallo still contemplates this configuration. As discussed in the Petition, Leoncavallo discloses an alternative embodiment in which its connector member(s) engage the inner surface of the loop member 54. Pet. 71–72. CamelBak’s reliance on an alleged teaching away in Leoncavallo (POR, 51–52) does not change this analysis. Ex.2011, 188:1–8 (Trove’s expert explaining that “there are advantages and disadvantages to each embodiment”). Thus, even under CamelBak’s interpretation, Leoncavallo renders this limitation obvious.

C. Leoncavallo discloses and renders obvious the limitations of dependent claim 7

For dependent claim 7, CamelBak repeats its arguments for claim 6. POR, 55–56. These arguments are incorrect for the reasons explained. *Supra* §III.B.

D. The Petition explained why a POSITA would have been motivated to combine Leoncavallo with Johnson and/or Gorskey in a way that renders obvious dependent claims 17 and 18

For Ground 4, which challenges dependent claims 17–18, CamelBak contests that the Petition demonstrated a POSITA would have been motivated to substitute Leoncavallo’s spout sealing mechanism with that of Johnson or Gorskey. POR, 56.

The Petition, however, explained that a POSITA would have been motivated to make this substitution because, for example, these alternative spout sealing mechanisms represent known elements that provide “a more secure, robust defense against inadvertent spills or leaking.” Pet., 77–78 (citing Ex.1003, ¶204). Gorskey’s “lid includes a locking groove on its outer surface to engage a complementary locking ridge on the inner surface of the collar, making the seal more secure than surface contact alone,” as in Leoncavallo. Ex.1003, ¶204. Johnson’s “plug seals the spout on both the inside and outside,” thereby providing a double seal in contrast to Leoncavallo’s design. *Id.*

E. Dependent claim 16 is unpatentable

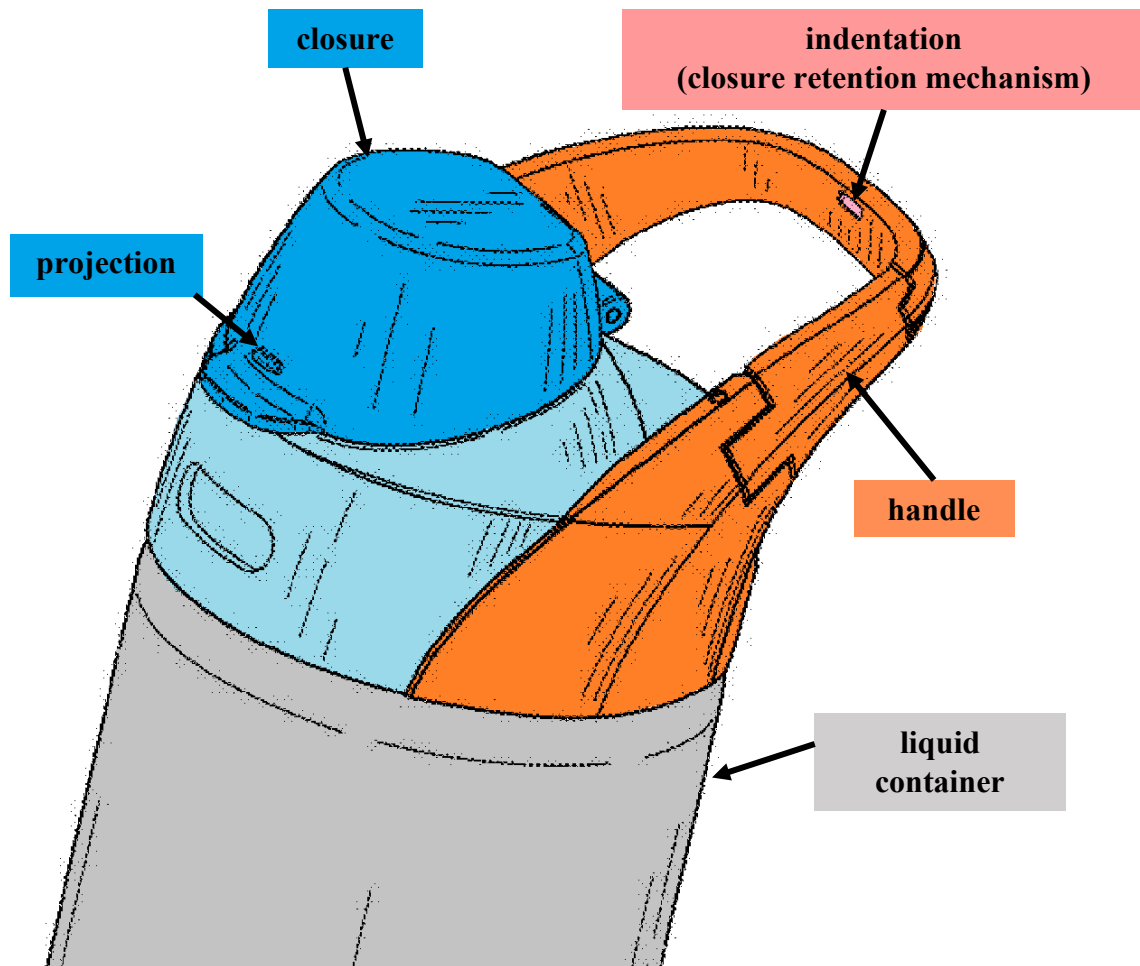
CamelBak provides no arguments regarding dependent claim 16 beyond those presented for independent claim 5. POR, 38. These fail for the reasons described above. *Supra* §III.A.

IV. GROUND 5–6: THE MILLER-BASED GROUNDS RENDER THE CHALLENGED CLAIMS UNPATENTABLE

A. The structures of claims 5 and 19 are disclosed—or at least rendered obvious—by Miller

CamelBak contends that Miller does not teach several structural features recited in claims 5 and 19. POR, 60. However, as demonstrated in the Petition, the challenged claims are unpatentable over Miller. Pet., 81–93, 95–97.

As illustrated below, Miller’s beverage container includes a handle with a closure retention mechanism (indentation) configured to selectively retain the closure in a stowed position relative to the handle when the closure is selectively removed from the drink spout and received by the closure retention mechanism:



Pet., 88–89 (annotating Ex.1006, Fig. 1).

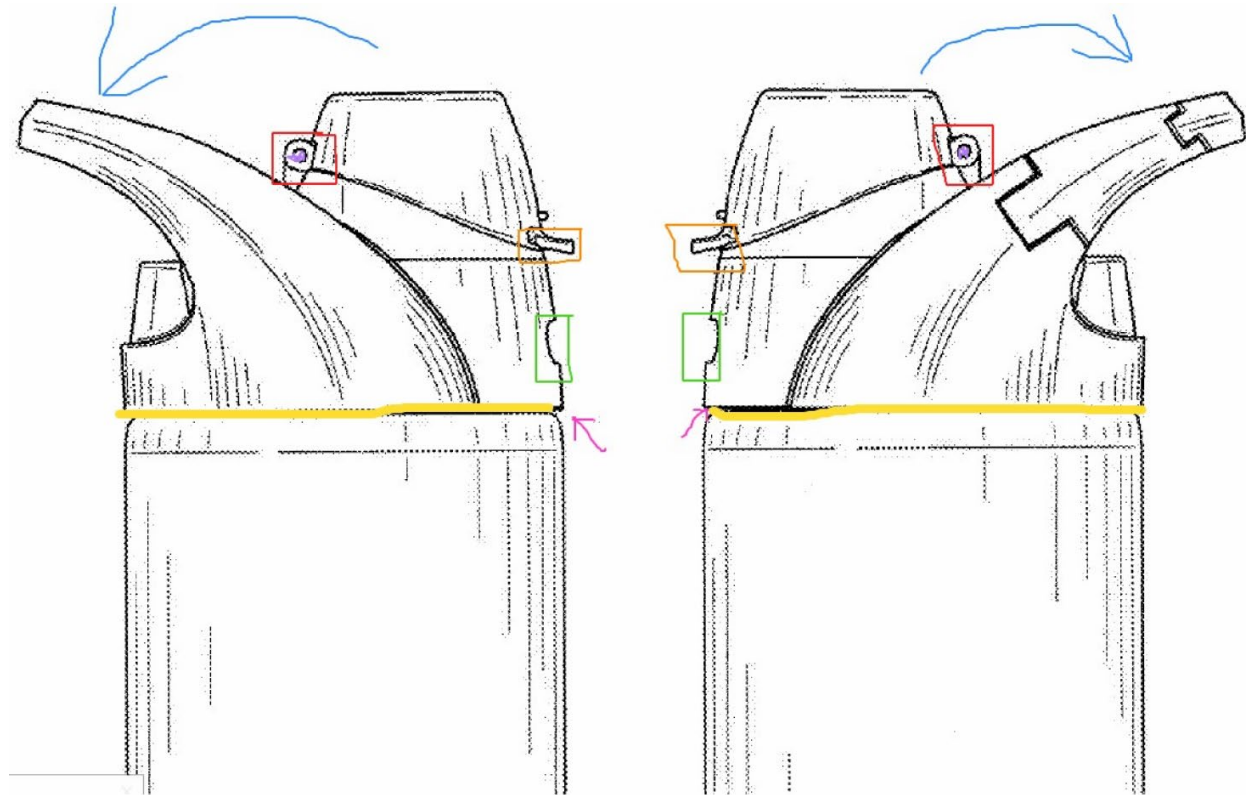
CamelBak asserts that because Miller is a design patent, it “must depict only an ‘ornamental design’ (Ex. 1006 at Claim) and not functional features.” POR, 65. CamelBak misunderstands the law. Design-patent figures are valid prior art for

utility claims, as courts “evaluate and apply the teachings of all relevant references on the basis of what they reasonably disclose and suggest to one skilled in the art.” *In re Aslanian*, 590 F.2d 911, 914 (CCPA 1979). Although design patents protect the ornamental features, their figures invariably reveal underlying structure—including utilitarian and/or functional⁸ elements—that can invalidate subsequent utility claims. *Id.*; *see also* M.P.E.P. §2125(I). Courts have also confirmed that invalidity can be established through drawings alone—not just written descriptions. *In re Mraz*, 455 F.2d 1069, 1072 (CCPA 1972). Applying this legal standard, CamelBak’s objections fail.

CamelBak also argues that extracting structural details from Miller’s figures amounts to “pure speculation.” POR, 64; *see also id.*, 60. The record proves

⁸ CamelBak also misunderstands the distinction between functional and utilitarian elements in a design patent. Nearly every design patent includes utilitarian features; however, those features are excluded from protection and deemed “functional” when the design’s appearance is dictated by its utilitarian purpose. *See e.g., L.A. Gear, Inc. v. Thom. McAn Shoe Co.*, 988 F.2d 1117, 1123–24 (Fed. Cir. 1993); *Best Lock Corp. v. Ilco Unican Corp.*, 94 F.3d 1563, 1156–67 (Fed. Cir. 1996). It is thus legally incorrect to assert that a design patent figure cannot show elements serving a utilitarian purpose.

otherwise. Trove’s expert identified multiple structural features in Miller’s figures that correspond to the challenged claims. Ex.2011, 192:8–10; Ex.1003, ¶¶214, 217, 220, 223, 226, 230. And when CamelBak’s own expert was shown the following annotated versions of Miller’s figures, he acknowledged many of the same elements:



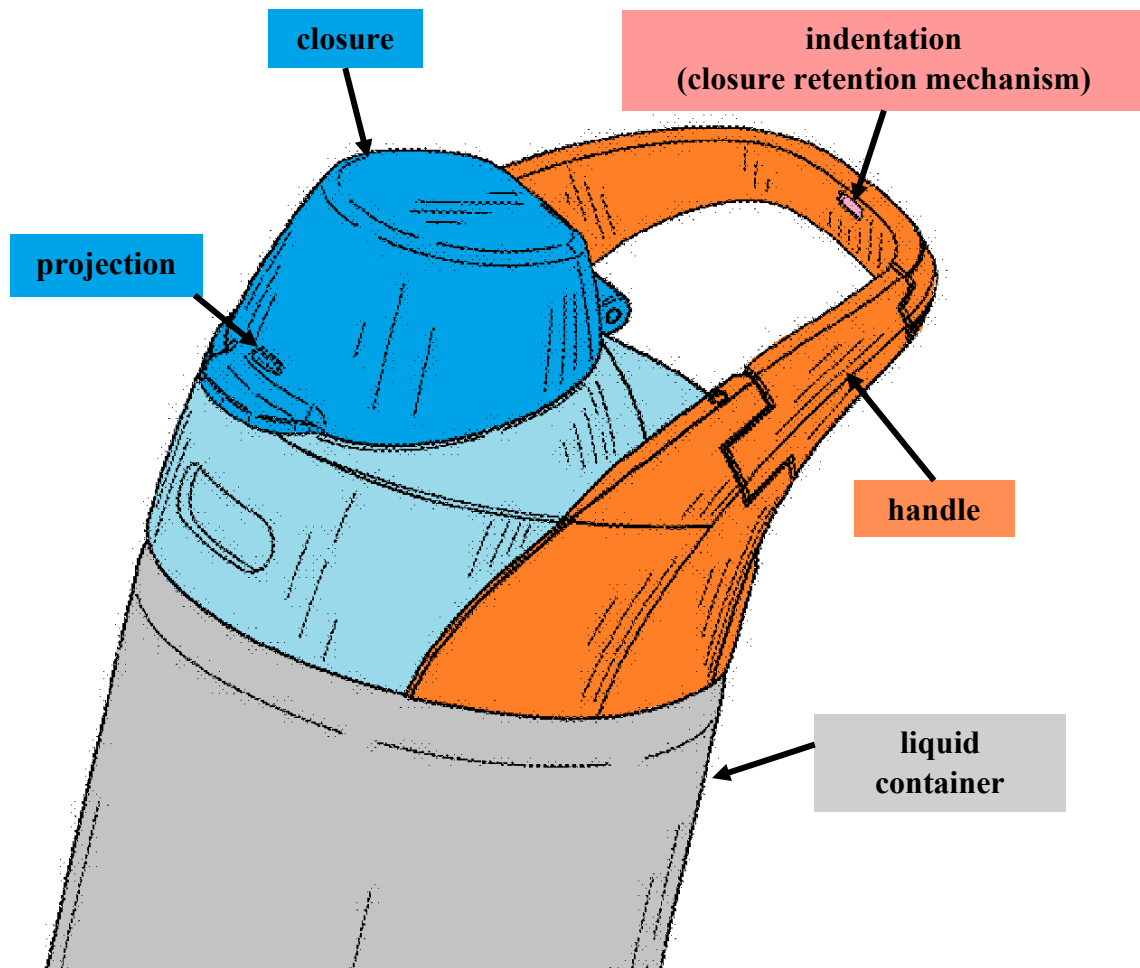
Ex. 1021; Ex.1014, 141:8–150:16 (discussing Exs.1020–1021, Miller’s Figures 4–6 as annotated during deposition). Specifically, he recognized:

- presence of a “hinge” (red outline) (Ex.1014, 142:9–12, 144:12–22) defined by a “hinge pin” (purple circle) (*Id.*, 145:1–146:13);
- the closure rotating about the hinge’s axis (blue arrows) (*Id.*, 146:20–147:2);

- presence of a “tab” or “projection” (orange outline) on the closure (*Id.*, 147:3–148:3);
- presence of a “little groove around the perimeter” (pink arrows) (*Id.*, 149:4–10); and
- presence of an “indentation” / “groove” (yellow line) (*Id.*, 150:1–16).

This uncontroverted testimony demonstrates that a POSITA would have readily discerned structural and functional details from Miller’s drawings—well beyond “speculation.”

As the Petition explained, Miller’s container includes a handle with a closure retention mechanism (indentation) that aligns with a projection on a closure when the closure is hinged open to the stowed position. Pet., 80–81.



Id., 88–89 (annotating Ex.1006, Fig. 1). This projection snaps into the handle’s closure retention mechanism (indentation), thereby retaining the closure in the stowed position relative to the handle. *Id.*, 80–81.

CamelBak further argues that Miller fails to disclose the claimed drink spout and closure because Miller does not show what is beneath its closure. POR, 60, 63. But this ignores what a POSITA would have readily understood from Miller. As Trove’s expert explained, “[t]he shape of the closure would have communicated to one skilled in the art that Miller includes a spout.” Ex.1003, ¶223; *see also* Ex.2011,

195:15–196:12, 199:8–20. In addition, Trove’s expert noted that the closure’s removably coupling would be “necessary to allow the user to close the spout and prevent spills or leakage when not in use.” Ex.1003, ¶226. Rather than addressing this analysis, CamelBak questions “whether any opening exists underneath” Miller’s closure at all. POR, 60.

CamelBak attempts to rebut Miller’s disclosures by referencing figures from other design patents with different structures:

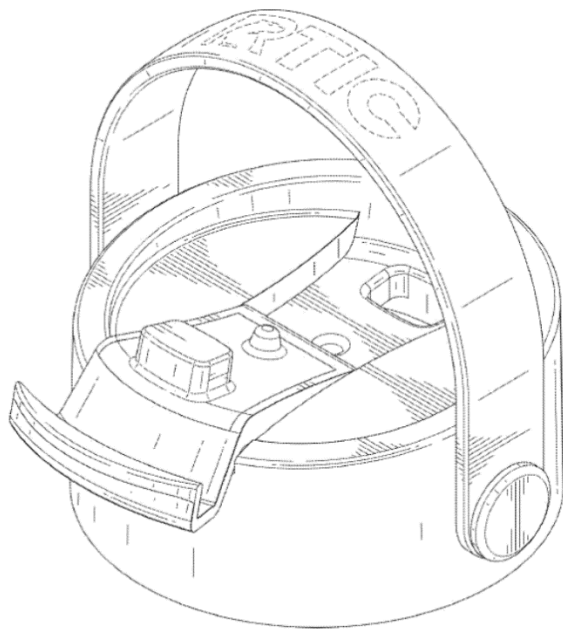


FIG. 9

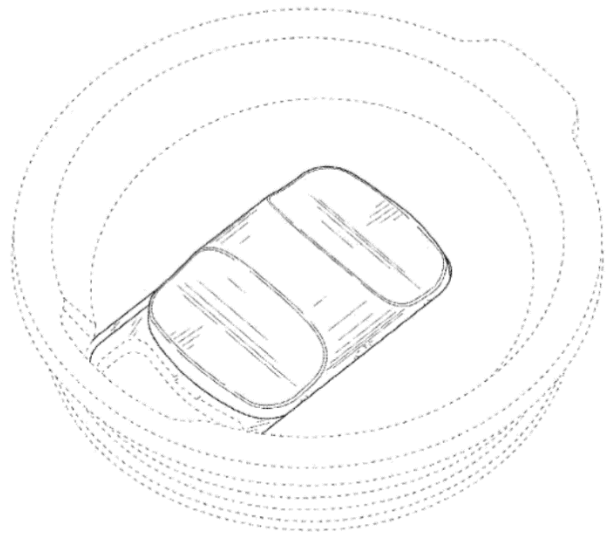


FIG. 1

POR, 62. But these figures lack the distinct upward projection shape found in Miller, a feature that led Trove’s expert to conclude that Miller discloses a spout. Ex.1003, ¶223.

CamelBak also incorrectly argues that Lane does not support the Petition’s showing that using cooperating projections and indentations on a closure and handle was conventional. POR, 65–66. A POSITA would have understood that Lane’s use of a handle with projections and Miller’s use of closure with a projection both represent conventional configurations employing cooperating projections and indentations in the same manner to achieve secure stowing. Ex.1003, ¶¶230–231.

B. The Petition showed that the combination of Miller and Leoncavallo render obvious claims 5 and 19

CamelBak challenges the Petition’s analysis combining Miller with Leoncavallo, dismissing it as conclusory and lacking implementation details. POR, 67–72. However, beyond failing to address the Petition’s full analysis, CamelBak’s arguments also disregard the relevance of the technology’s simplicity to that analysis. CamelBak’s own expert repeatedly confirmed that the technology disclosed in the ’252 patent is “simple.” Ex.1014, 47:5 (“But here, we’re talking about simple technology.”), 47:15–16 (“You know, in this particular art, you are talking about relative simple technology.”), 49:8–14 (“[F]or a pretty simple technology like I think we are evaluating here, it’s--it’s--one is able to read and understand the figures and the specification and practice the invention in this case without any issues as far as I can see.”) He further acknowledged that, due to this simplicity, “it may be that not every detail of how to practice the invention is

described [in a reference], because it's not necessary to do so.” *Id.*, 47:16–21. Accordingly, CamelBak cannot reasonably fault the Petition or the cited prior art for lacking detail that its own expert concedes is unnecessary in this context.

CamelBak also argues that incorporating features other than those included in the combination would have resulted in “a more convenient way” to operate the container. POR, 68–69. But potential disadvantages would not have dissuaded a POSITA from pursuing the benefits of the combination while appropriately weighing trade-offs. *In re Fulton*, 391 F.3d 1195, 1200 (Fed. Cir. 2004). CamelBak’s argument further fails because a particular combination need not “be the preferred, or the most desirable, combination described in the prior art in order to provide motivation for the current invention.” *Id.*

C. The Petition established a motivation to combine the references of Ground 6 and how such a combination would have been made in a way that renders dependent claims 17-18 obvious

For Ground 6, which challenges claims 17–18, CamelBak argues that the Petition provided no analysis regarding the motivation to combine Miller with either Gorskey or Johnson. POR, 73. But the Petition explained that a POSITA would have been motivated to both combine Miller with Leoncavallo to, for example, incorporate known elements to make Miller’s drawings into a fully functional beverage container (Pet., 95–97), and combine Leoncavallo with Gorskey or Johnson to, for example, provide “a more secure, robust defense against inadvertent

spills or leaking.” (Pet., 97–98 (citing Pet., 77–79 addressing combination of Leoncavallo with Gorskey or Johnson)).

D. Dependent claims 6–7 and 16 are unpatentable

CamelBak provides no arguments regarding dependent claims 6–7 and 16 beyond those presented for independent claim 5. These fail for the reasons described above. *Supra* §IV.A–B.

Respectfully Submitted,

Dated: May 7, 2025

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CERTIFICATE OF COMPLIANCE

Pursuant to 37 C.F.R. § 42.24(d), the undersigned certifies that this **PETITIONER’S REPLY TO PATENT OWNER’S RESPONSE** contains 5,552 words according to the word-processing program used to prepare this paper. The foregoing word count complies with the 5,600-word type-volume limit specified by 37 C.F.R. § 42.24(c)(1).

Dated: May 7, 2025

/ Ali S. Razai /
Ali S. Razai (Reg. No. 60,771)

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), I certify that on the date below, a copy of this **REPLY IN SUPPORT OF PETITION FOR *INTER PARTES* REVIEW AND EXHIBITS 1014 AND 1020–1021** were served via the email correspondence address of record for Patent Owner’s counsel of record:

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