

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Jiangsu Sainty Sumex Tools Corp. Ltd.
Petitioner

v.

Milwaukee Electric Tool Corporation and Keter Plastic Ltd.
Patent Owners

IPR2020-_____

PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 10,583,962

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PETITIONER'S EXHIBIT LIST

Exhibit No.	Description
1001	United States Patent No. 10,583,962 B2
1002	United States Patent No. 10,583,962 B2 File History (Excerpts: Office Actions and Responses)
1003	United States Patent Application Publication No. US 2011/0139665 A1 (" Madsen ")
1004	NEUE PRODUKTFAMILIE: SYSTEMBOXEN – DURCHDACHT, KOMFORTABEL UND IN WERTIGEM DESIGN (dated Oct. 19, 2015), Wayback machine archive (dated Dec. 16, 2015), AUER Packaging präsentiert neue Produktfamilie Systemboxen (dated Sept. 2015), and images (" Auer-Press "), with certified translations
1005	Messetermine 2016 (dated Feb. 18, 2016), Wayback machine archive (dated Apr. 4, 2016), AUER Packaging im In- und Ausland present (dated Feb. 2016), and photograph, with certified translations
1006	AUER Packaging 1 2016 (" Auer-Catalog ")
1007	United States Patent No. 8,875,888 B2 (" Festool Patent ")
1008	United States Design Patent No. US D627,967 S (" Festool Design ")
1009	Nugent, Paul. "Rotational Molding." <i>Applied Plastics Engineering Handbook Processing and Materials</i> , edited by Myer Kutz, Elsevier Inc., 2011, pp. 311-332
1010	Kazmer, David. "Design of Plastic Parts." <i>Applied Plastics Engineering Handbook Processing and Materials</i> , edited by Myer Kutz, Elsevier Inc., 2011, pp. 535-551

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Exhibit No.	Description
1011	Cain, Tristan. “Bird B illder, er – Builder.” Brick Journal, Nov. 2013 (Issue 26), pp. 15-16
1012	“cavity”. <i>Merriam-Webster’s Collegiate Dictionary</i> (11 th Ed.), Merriam-Webster, Incorporated, 2020, p. 197
1013	AUER Packaging 2 2016
1014	United States Patent No. 10,583,962 B2 File History (Excerpts)
1015	Certified Translations of the Cover Pages of DE102015112204A1 and DE202015105053U1
1016	Declaration of Dr. Dennis Turriff
1017	<i>Curriculum Vitae</i> of Dr. Dennis Turriff
1018	Declaration of Dr. Panos Papalambros
1019	<i>Curriculum Vitae</i> of Dr. Panos Papalambros
1020	US Patent No. 3005282
1021	Wayback Machine Archive: Catalogue request (dated Apr. 4, 2016)
1022	Forum Post: Systainer clone (dated Feb. 15, 2016)
1023	“Structure Design”, Design Solutions Guide, BASF Corporation, 2007
1024	General Design Principles for DuPont Engineering Polymers, E.I. du Pont de Nemours and Company, 2000

I. INTRODUCTION

1. In this proceeding (“**Petition**”), the Petitioner, Jiangsu Sainty Sumex Tools Corp. Ltd. (“**Petitioner**”) request *inter partes* review (“**IPR**”) of Claims 1-12 of U.S. Patent No. 10,583,962 (“**’962 Patent**”), entitled “UTILITY ASSEMBLY AND COUPLING MECHANISM” (Ex-1001), which issued Mar. 10, 2020 to Milwaukee Electric Tool Corporation and Keter Plastic Ltd. (“**Applicant**”), pursuant to 35 U.S.C. §§ 311-319 and 37 C.F.R. § 42.100 *et seq.* Petitioner has used May 2, 2016, the filing date of provision application No. 62/330,334 as the priority date for this Petition (“**Relevant Date**”).

2. Petitioner challenges Claims 1-12 of the ’962 Patent, which claims a simple coupler for boxes. There is nothing novel or inventive about the alleged invention claimed in the ’962 Patent, having been disclosed or being obvious to a PHOSITA. Claims 1-12 are all invalid, for anticipation or obviousness.

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II. MANDATORY NOTICES UNDER 37 C.F.R. §42.8(a)(1)

A. Real Party-In-Interest under 37 C.F.R. § 42.8(b)(1)

3. Petitioner, Jiangsu Sainty Sumex Tools Corp. Ltd., identifies itself as the real party-in-interest.

B. Related Matters under 37 C.F.R. §42.8(b)(2)

4. Petitioner is not aware of any pending litigation involving the '962 Patent.

C. Lead and Back-up Counsel under 37 C.F.R. §42.8(b)(3)

5. Petitioner provides the following designation of counsel: lead counsel for this Petition is Mr. Steven R. Lazar (Reg. No. 32,618); and back-up counsel for this Petition are Mr. Christopher G.T. Tan (*pro hac vice* admission to be requested) and Dr. Ran He (*pro hac vice* admission to be requested).

6. Pursuant to 37 C.F.R. § 42.10(b), Petitioner has filed a power of attorney designating the above-identified counsel.

D. Service Information under 37 C.F.R. §42.8(b)(4)

7. Please address all correspondence to the lead counsel, with copies to backup counsel, at the address provided below:

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8. Petitioner consents to electronic service by email to srlpatents@aol.com, with copies to ctan@thcllp.com and rhe@thcllp.com.

III. PAYMENT OF FEES

9. Petitioner submits herewith the required fees, including the \$19,000 IPR request fee.

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IV. REQUIREMENTS UNDER 37 C.F.R. §42.104

A. Grounds for Standing

10. The '962 Patent is available and eligible for IPR.
11. Petitioner is not barred or estopped from requesting IPR challenging the patent claims.

B. Identification of Challenge and Relief Requested

12. Petitioner requests the institution of IPR of Claims 1-12 (**“Challenged Claims”**) of the '962 Patent and cancellation of the Challenged Claims as unpatentable under 35 U.S.C. §§ 102 and/or 103 on the grounds below and requests that each claim be found unpatentable. An explanation of how the Challenged Claims are unpatentable is identified.
13. Claims 1-4 are proposed to be rejected as being:
 - (a) anticipated by Auer-Press (Ex-1004);
 - (b) anticipated by Auer-Catalog (Ex-1006);
 - (c) anticipated by Madsen (Ex-1003);

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- (d) obvious over Madsen (Ex-1003) in view of the common knowledge and common sense of the PHOSITA (“**Knowledge/Sense**”) and/or Auer-Press (Ex-1004) and/or Auer-Catalog (Ex-1006);
14. Claim 5 is proposed to be rejected as being:
- (a) obvious over Auer-Press (Ex-1004) in view of the Knowledge/Sense of a PHOSITA;
 - (b) obvious over Auer-Catalog (Ex-1006) in view of the Knowledge/Sense of a PHOSITA; and
 - (c) obvious over Madsen (Ex-1003) in view of the Knowledge/Sense of a PHOSITA.
15. Claim 6 is proposed to be rejected as being:
- (a) anticipated by Auer-Press (Ex-1004);
 - (b) anticipated by Auer-Catalog (Ex-1006); and
 - (c) obvious over Madsen (Ex-1003) in view of the Festool Design (Ex-1008).
16. Claim 7-11 are proposed to be rejected as being:

- 6 -

- (a) obvious over Auer-Press (Ex-1004) in view of the Knowledge/Sense of a PHOSITA and/or Festool Patent (Ex-1007);
- (b) obvious over Auer-Catalog (Ex-1006) in view of the Knowledge/Sense of a PHOSITA and/or Festool Patent (Ex-1007);
- (c) obvious over Madsen (Ex-1003) in view of the Knowledge/Sense of a PHOSITA and/or Festool Patent (Ex-1007) and/or Festool Design (Ex-1008);
- (d) obvious over Madsen (Ex-1003) in view of the Auer-Press (Ex-1004) and/or the Knowledge/Sense of a PHOSITA and/or the Festool Patent (Ex-1007) and/or the Festool Design (Ex-1008); and
- (e) obvious over Madsen (Ex-1003) in view of the Auer-Catalog (Ex-1006) and/or the Knowledge/Sense of a PHOSITA and/or the Festool Patent (Ex-1007) and/or the Festool Design (Ex-1008).

17. Claim 12 is proposed to be rejected as being:

- (a) anticipated by Auer-Press (Ex-1004);
- (b) anticipated by Auer-Catalog (Ex-1006);
- (c) obvious over Madsen (Ex-1003) in view of the Knowledge/Sense of a PHOSITA and/or Festool Design (Ex-1008);

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- (d) obvious over Madsen (Ex-1003) in view of the Auer-Press (Ex-1004) and the Knowledge/Sense of a PHOSITA and/or Festool Design (Ex-1008); and
- (e) obvious over Madsen (Ex-1003) in view of the Auer-Catalog (Ex-1006) and the Knowledge/Sense of a PHOSITA and/or Festool Design (Ex-1008).

18. Additional support for each ground is set for in the Declarations of Dr. Panos Y. Papalambros (Ex-1018, “**Papalambros**”) and Dr. Dennis R. Turriff (Ex-1016, “**Turriff**”), both of which demonstrate the knowledge of a person having ordinary skill in the art (“**PHOSITA**”) as at the Relevant Date.

V. THE '962 PATENT

19. The '962 Patent is generally directed, and all patent claims relate, to a stacking box (Ex-1001, 1:18-24, 22:52-24:55).

20. The coupling mechanism is simply a tongue on one box that is inserted under a rib of another box, with a latch that holds the boxes in place, so the tongue and rib stay engaged.

VI. PHOSITA AND CLAIM CONSTRUCTION

A. Person Having Ordinary Skill in the Art (“PHOSITA”)

21. A PHOSITA at the Relevant Date was an individual with:

- (a) at least 5 years of experience designing, developing, or manufacturing industrial or consumer goods, including such goods that are manufactured from plastics; or
- (b) education in a four-year degree in mechanical engineering or a closely related field, with significant work experience of around 2-4 years (e.g., in designing, developing, or manufacturing industrial or consumer goods) (Papalambros, Ex-1018, para. 28; Turriff, Ex-1016, para. 25).

B. Claim Construction

22. Pursuant to 37 C.F.R. § 42.100(b), a claim of a patent is to be construed using the same claim construction standard as in a civil action under 35 U.S.C. § 282(b), including in accordance with the ordinary and customary meaning of such claim as understood by a PHOSITA and the prosecution history.

23. Petitioner submits that all claim terms should be construed according to the *Phillips* standard (*Phillips v. AWH Corp.*, 415 F.3d 1303 (Fed. Cir. 2005); 37 C.F.R.

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§42.100). Based on the evidence and the prior art, no formal claim constructions are necessary in this proceeding because “claim terms need only be construed to the extent necessary to resolve the controversy.” *Wellman, Inc. v. Eastman Chem. Co.*, 642 F.3d 1355, 1361 (Fed. Cir. 2011), ¶33.

24. There are no Challenged Claim terms that have special definitions that warrant detailed discussion and all the terms should be understood as having their plain and ordinary meaning (Papalambros, para. 21; Turriff, para. 18). There is no controversy where the prior art discloses the element under any construction (*Nidec v. Zhongshan*, 868 F.3d 1013, 1017 (Fed. Cir. 2017)).

VII. SUMMARY OF THE PRIOR ART

A. Auer-Press (Ex-1004)

25. A press release dated Sept. 2015 with images was published on the Auer website at least as early as Oct. 19, 2015 (Ex-1004, “**Auer-Press**” or “**AP**”). (Papalambros, para. 39-46; Turriff, para. 36-41)

26. The images provided sufficient detail for Papalambros (para. 47-60) and Turriff (para. 42-56) to determine both the structure and operation of the coupling

- 10 -

mechanism used in the Auer containers. These 3 images are reproduced below (Ex-1018, p. 19-21):



- 11 -

Auer-Press: AP Fig. 2



- 12 -

Auer-Press: AP Fig. 3



1. *The Coupling Mechanism Disclosed in the Auer-Press (Ex-1004)*

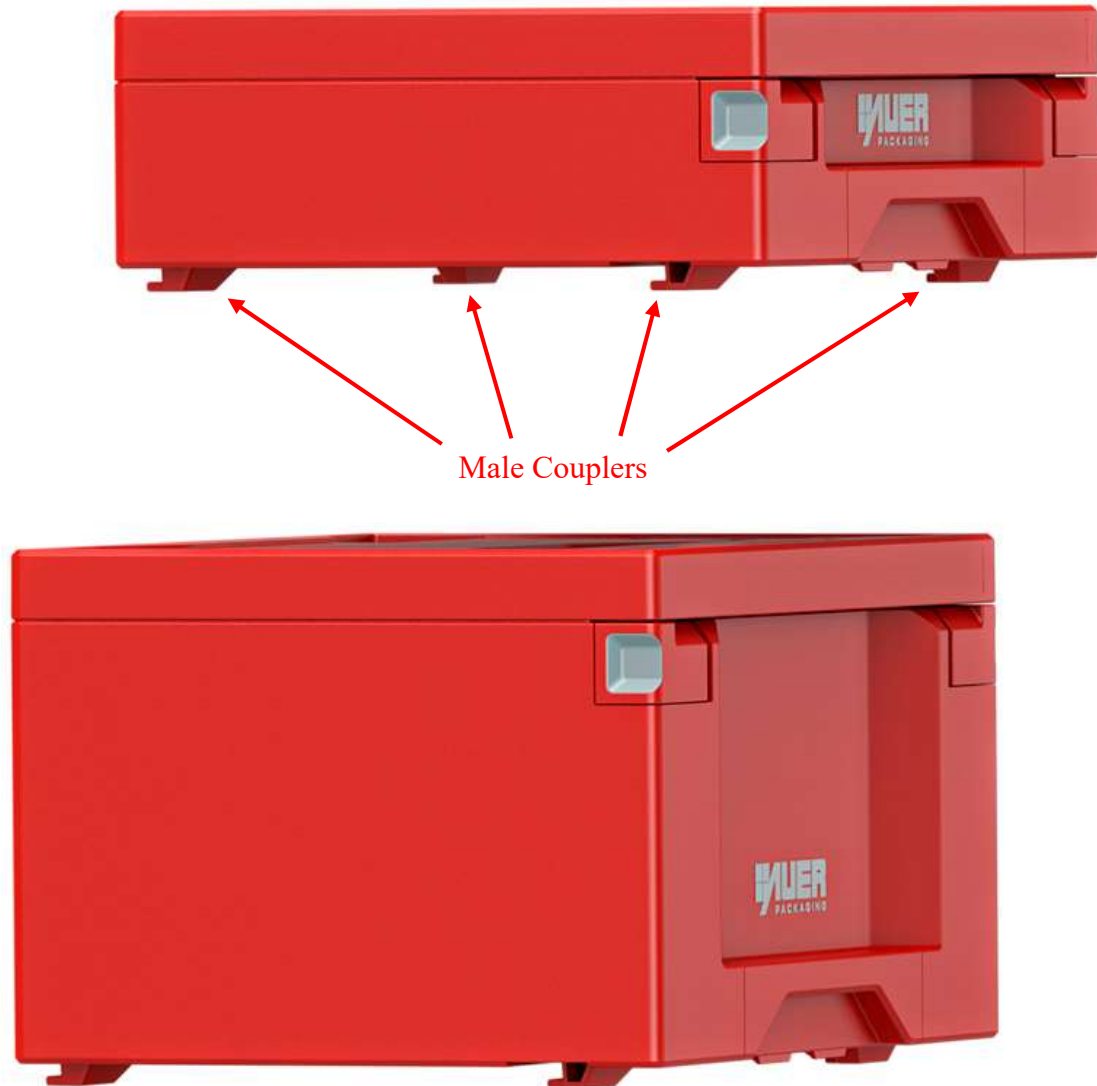
27. Auer containers can form a stack at least 4 containers high.

- 13 -

28. **“Auer-Male Coupler”**: tongue that is offset from the bottom face of the container; tongues extend towards the back of the container (AP Fig. 1; Ex-1018, para. 49):

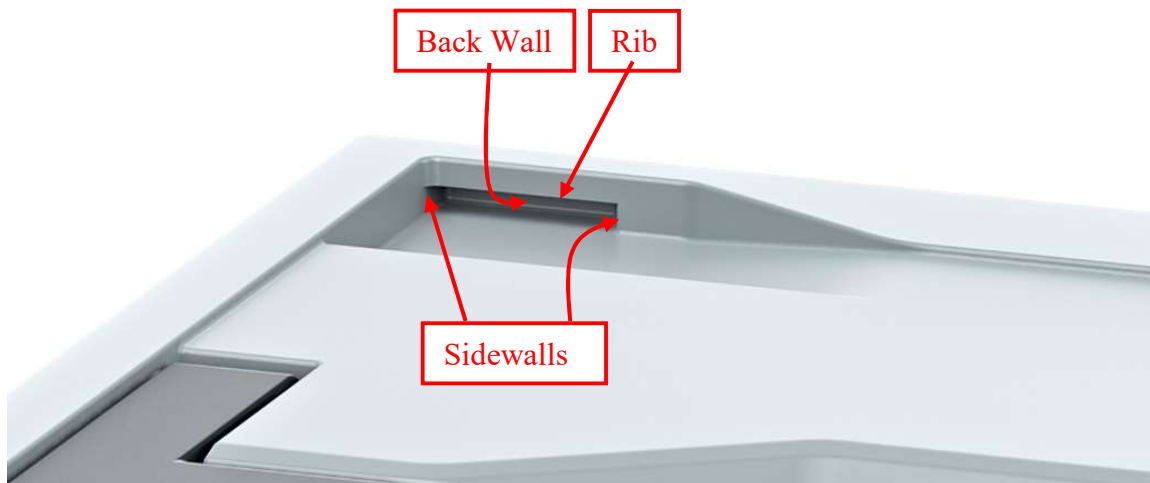
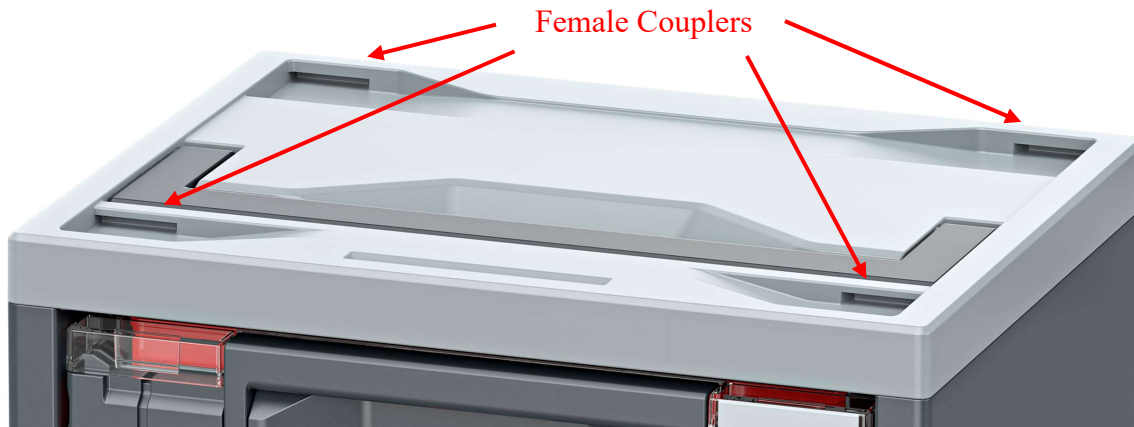


- 14 -



29. **Auer-Female Coupler:** on the top and shaped to receive the Auer-Male Couplers, each with (i) a rib (to engage the tongue), extending towards the front, over a depressed surface, and (ii) a back wall that extends between 2 sidewalls, which all project from the depressed surface (AP Fig. 2; Ex-1018, para. 50):

- 15 -



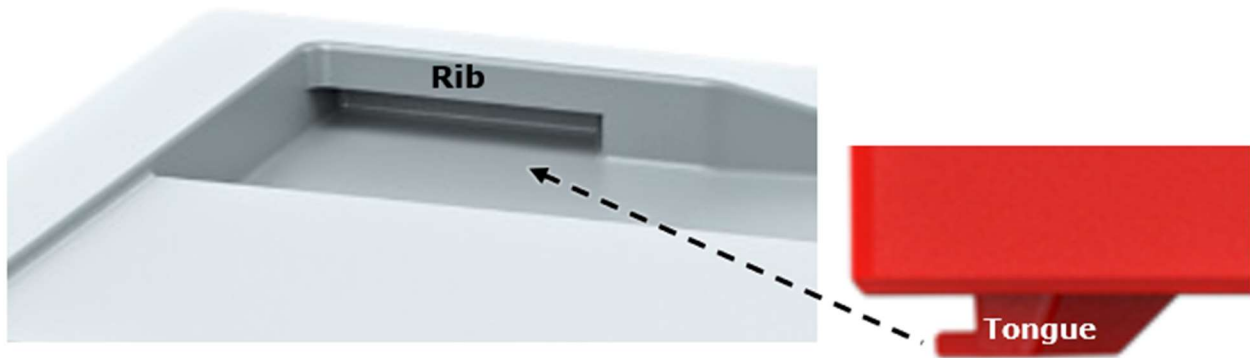
30. Auer containers are stacked by sliding engagement (AP Fig. 1; Ex-1018, para. 56):

- 16 -

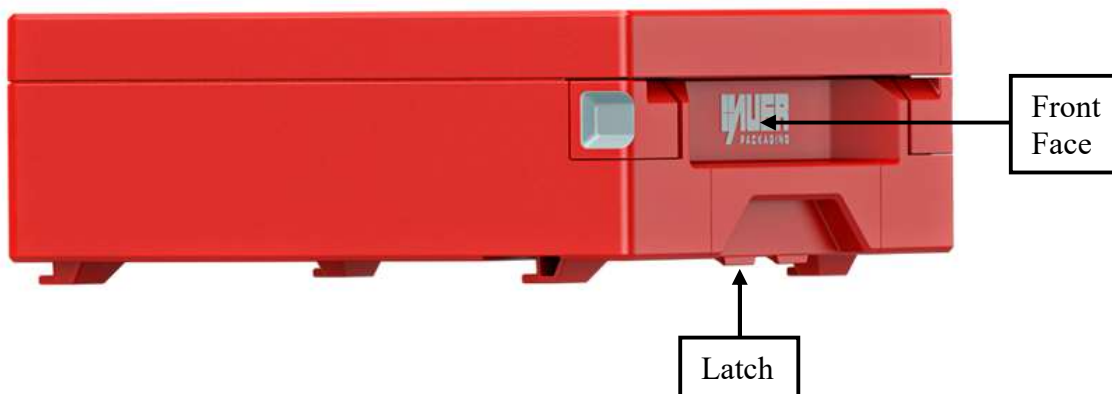


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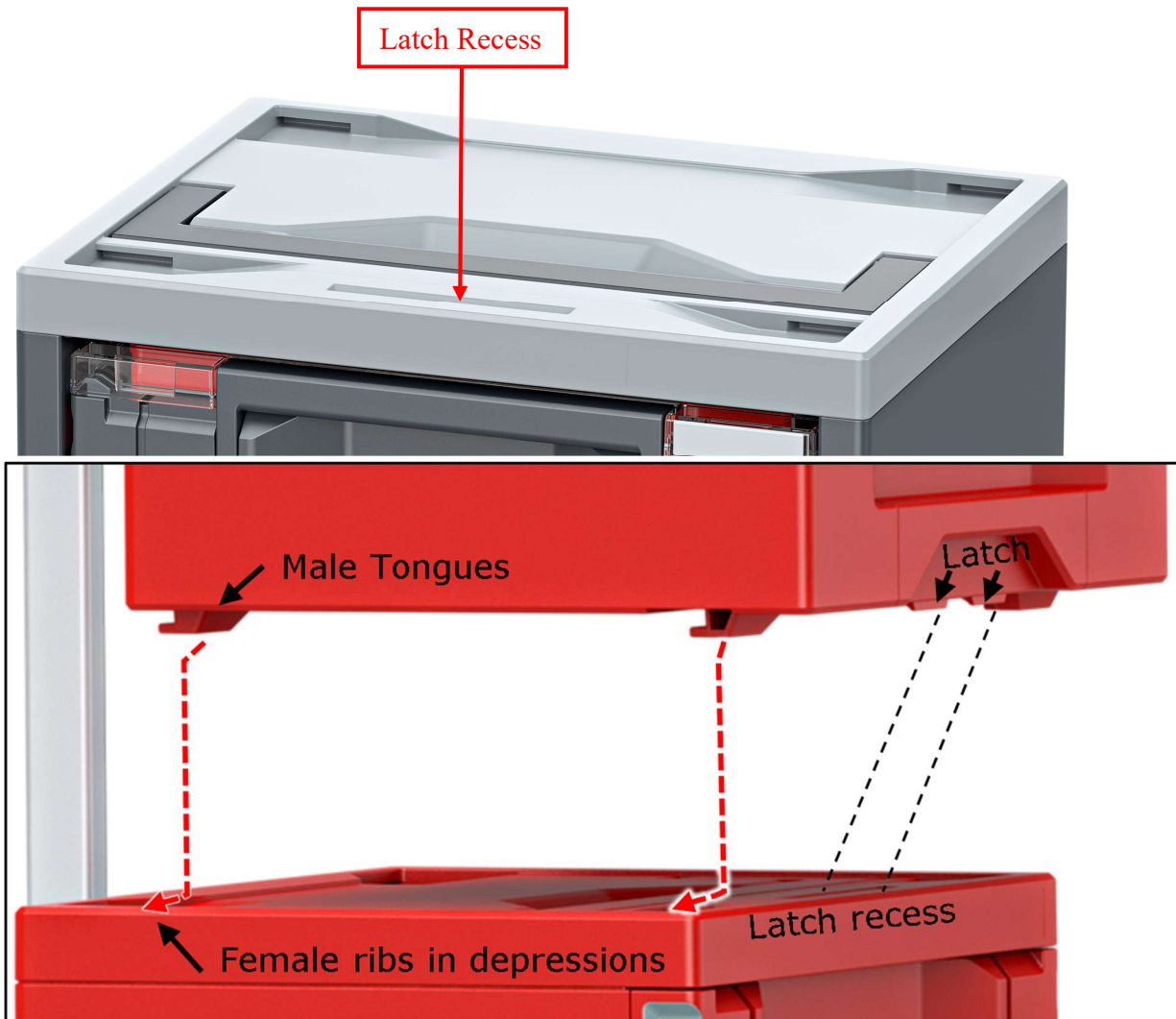
31. The tongue is inserted under the rib (AP Fig. 1 and 2; Ex-1018, para. 51; Ex-1016, DT-AP 1.7, p. 121):



32. A latch engages a latch recess on the container below (AP Fig. 1 and 2; Ex-1018, para. 52-54; Ex-1016, DT-AP 1.7, p. 121):



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33. Engagement of the latch holds the coupled containers in place, prevent disengagement (AP Fig. 1 and 2; Ex-1018, para. 54-57; Ex-1016, DT-AP 1.9, p. 122):

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Latch normally
extending down

Recess along flat
front edge 'a'



Locked containers -
Latch engaged into
recess and hidden
by edge 'a'.

- 20 -



34. They can be transported coupled to dollies/sack trolleys (AP Fig. 3; Ex-1018, para. 58-59):

- 21 -



35. Auer-Male Couplers engage Auer-Female Couplers with little tolerance. The sidewalls/rib (female) are substantially flush with the tongue (male) when they are engaged. The latch keeps the upper container from sliding backwards out of engagement (Ex-1018, para. 59-60).

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B. Auer-Catalog (Ex-1006)

36. Auer published a catalog showing the structure/operation of the Auer couplers/latches: Auer Packaging catalog numbered 1 2016 (Ex-1006, “**Auer-Catalog**” or “**AC**”). Auer-Catalog was published at least as early as Feb. 18, 2016 (Papalambros, Ex-1018, para. 62-73; Turriff, Ex-1016, para. 57-60).

37. The Auer-Catalog disclosed substantially the same images as the Auer-Press (Ex-1004), in sufficient detail to disclose the structure/operation of the coupling mechanism (Papalambros, Ex-1018, para. 74-76; Turriff, Ex-1016, para. 62-64):

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Auer-Catalog: AC p. 1



1 2016 

Auer-Catalog: AC p. 52





SZERSZÁMDOBOZOK 40X30 CM

MÁR 1 DARABTÓL RENDELHETŐ!
Minis minimális rendelési mennyiség.

INGYENES HÁZHOZZÁLLÍTÁS
számtól 250 € értékű megrendelés felett.



Kifinomult összekapcsolás

Az AUER Packaging Szerszámdoboz egy univerzálisan alkalmazható, választékos láda különböző termékek biztonságos tárolásához és raktározásához. A szabadalmazott bajonettzár több szerszámdoboz biztonságosabb és gyorsabb összekapcsolásához lett kifejlesztve.

- Szabadalmazott összekapcsolási rendszer
- Rugós felfüggesztésű fedél
- Automatikus fedélzáródás
- Egyedi kiegészítők: kárpit, mélyhúzott tálca, szerszámtartó stb.

SZERSZÁMDOBOZOK 40X30 CM

Raklapmagasság (cm)**	1 Cikkszám	2 Cikkszám	3 Cikkszám	4 Cikkszám	5 Cikkszám	Leírás	Darabár
11,0	TB 4311 F1	TB 4311 F2	TB 4311 F3	TB 4311 F4	TB 4311 F5	Szerszámdoboz 40x30x11 cm 1. színváltozat	á. k.
16,5	TB 4316 F1	TB 4316 F2	TB 4316 F3	TB 4316 F4	TB 4316 F5	Szerszámdoboz 40x30x16,5 cm 1. színváltozat	á. k.
22,0	TB 4322 F1	TB 4322 F2	TB 4322 F3	TB 4322 F4	TB 4322 F5	Szerszámdoboz 40x30x22 cm 1. színváltozat	á. k.
33,0	TB 4333 F1	TB 4333 F2	TB 4333 F3	TB 4333 F4	TB 4333 F5	Szerszámdoboz 40x30x33 cm 1. színváltozat	á. k.
44,0	TB 4344 F1	TB 4344 F2	TB 4344 F3	TB 4344 F4	TB 4344 F5	Szerszámdoboz 40x30x44 cm 1. színváltozat	á. k.
11,0	TBS 4311 F1	TBS 4311 F2	TBS 4311 F3	TBS 4311 F4	TBS 4311 F5	Szerszámdoboz 40x30x11 cm zárral, 1. színváltozat	á. k.
16,5	TBS 4316 F1	TBS 4316 F2	TBS 4316 F3	TBS 4316 F4	TBS 4316 F5	Szerszámdoboz 40x30x16,5 cm zárral, 1. színváltozat	á. k.
22,0	TBS 4322 F1	TBS 4322 F2	TBS 4322 F3	TBS 4322 F4	TBS 4322 F5	Szerszámdoboz 40x30x22 cm zárral, 1. színváltozat	á. k.
33,0	TBS 4333 F1	TBS 4333 F2	TBS 4333 F3	TBS 4333 F4	TBS 4333 F5	Szerszámdoboz 40x30x33 cm zárral, 1. színváltozat	á. k.
44,0	TBS 4344 F1	TBS 4344 F2	TBS 4344 F3	TBS 4344 F4	TBS 4344 F5	Szerszámdoboz 40x30x44 cm zárral, 1. színváltozat	á. k.

SZÍNÁLTÓZATOK

1	Fedél RAL 7016 Doboz RAL 7016	2	Fedél RAL 7040 Doboz RAL 7040	3	Fedél RAL 3020 Doboz RAL 3020	4	Fedél RAL 7040 Doboz RAL 7016	5	Fedél RAL 7016 Doboz RAL 7040
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A raklapra rak. kizárólag egész raklapokra vonatkoznak. Az árak ÁFA nélkül értendők. 2016 elejétől rendelhető
* ehhez jön még 10 mm lábmagasság ** A záras kivitelű szerszámdoboz nem kompatibilis a mélyhúzott betétekkel és raklapokkal.

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Auer-Catalog: AC p. 55

SZERSZÁMDOBOZOK 60X40 CM



MÁR 1 DARABTÓL RENDELHETŐ!
Nincs minimális rendelési mennyiség.



INGYENES HÁZHOZZÁLLÍTÁS
amíg 250 € értékű megrendelés felett

Rendszerező
dobozok

SZERSZÁMDOBOZOK 60X40 CM

Rakath magasság (cm)*	1 Cikkszám	2 Cikkszám	3 Cikkszám	4 Cikkszám	5 Cikkszám	Leírás	Darabár
16,5	TB 6416 F1	TB 6416 F2	TB 6416 F3	TB 6416 F4	TB 6416 F5	Szerszámdoboz 60x40x16,5 cm 1. színváltozat	á. k.
22,0	TB 6422 F1	TB 6422 F2	TB 6422 F3	TB 6422 F4	TB 6422 F5	Szerszámdoboz 60x40x22 cm 1. színváltozat	á. k.
33,0	TB 6433 F1	TB 6433 F2	TB 6433 F3	TB 6433 F4	TB 6433 F5	Szerszámdoboz 60x40x33 cm 1. színváltozat	á. k.
16,5	TB S 6416 F1	TB S 6416 F2	TB S 6416 F3	TB S 6416 F4	TB S 6416 F5	Szerszámdoboz 60x40x16,5 cm zárral, 1. színváltozat	á. k.
22,0	TB S 6422 F1	TB S 6422 F2	TB S 6422 F3	TB S 6422 F4	TB S 6422 F5	Szerszámdoboz 60x40x22 cm zárral, 1. színváltozat	á. k.
33,0	TB S 6433 F1	TB S 6433 F2	TB S 6433 F3	TB S 6433 F4	TB S 6433 F5	Szerszámdoboz 60x40x33 cm zárral, 1. színváltozat	á. k.

TARTOZÉKOK SZERSZÁMDOBOZOK

Cikkszám	Leírás	Darabár
TB SR 43	Szerszámdoboz 40x33 utólagosan felszerelhető zár	á. k.
TB SR 64	Szerszámdoboz 60x40 utólagosan felszerelhető zár	á. k.
TB KET S	10 fül minden 3 szerszámosládára 0 ntapadó címkék	á. k.
TB OSG	Optionális oldalsó fogantyú	á. k.
TB OVG	Optionális előlapi fogantyú	á. k.

A raklapok kizárólag egész raklapokra vonatkoznak. Az árak ÁFA nélkül értendők, 2016 elejétől rendelhető.
* ehhez jön még 10 mm tölmagasság ** A záras kivételű szerszámdoboz nem kompatibilis a nyitva tartó betétekkel és rekeszekkel.

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SZERSZÁMDOBOZ-ÁLLVÁNY 40X30 CM



Optimális elhelyezés

Az AUER Packaging Szerszámdoboz-állványa egyszerűbbé teszi a szerszámos dobozok vagy fiókok rendszerezését, elrendezését. A biztosabb rakatolási lehetőség több állványnak, opcionálisan variálható többféle szerszámos dobozzal a szabadalmazott összekapcsolási rendszernek köszönhetően. Az állvány mind felszerelve, vagy anélkül is elérhető.

- 6 előre meghatározott szettben lehetséges
- Egyedileg kombinálható
- Legfeljebb három Szortimentdobozt vagy Fiókot lehet beletenni
- Integrálható fiók A4 formátumban

ÜRES ÁLLVÁNY 40X30 CM

Rakatmagasság (cm)*: 33

Cikkszám	Leírás	Darabár
1 TB R 4333 F1	Szerszámdoboz-állvány 40x30x33 cm 1. színváltozat	á. k.
2 TB R 4333 F2	Szerszámdoboz-állvány 40x30x33 cm 2. színváltozat	á. k.
3 TB R 4333 F3	Szerszámdoboz-állvány 40x30x33 cm 3. színváltozat	á. k.
4 TB R 4333 F4	Szerszámdoboz-állvány 40x30x33 cm 4. színváltozat	á. k.
5 TB R 4333 F5	Szerszámdoboz-állvány 40x30x33 cm 5. színváltozat	á. k.

SZÍNVÁLTOZATOK

1	Fedél RAL 7016 Doboz RAL 7016	2	Fedél RAL 7040 Doboz RAL 7040	3	Fedél RAL 3020 Doboz RAL 3020	4	Fedél RAL 7040 Doboz RAL 7016	5	Fedél RAL 7016 Doboz RAL 7040
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A rekláplárok kiáértág egész rekláplók ra vonatkoznak. Az árak ÁFA nélkül értendők. * ehhez jön még 10 mm lábrmagasság, 2016 elejétől rendelhető.

- 29 -

Auer-Catalog: AC p. 59

MOLNÁRKOCSI SZERSZÁMDOBOZOK



MÁR 1 DARABTÓL RENDELHETŐ!
Nincs minimális rendelési mennyiség.



INGYENES HÁZHOZSZÁLLÍTÁS
több 250 € értékű megrendelés esetén

Rendszerező dobozok

Minőségi kerekek

Az AUER Packaging Molnárkocsijával a Szerszámos dobozaihoz tartozó szállítórollerjével könnyedén mozgásban tarthatja a megtöltött Szerszámos dobozait. A szabadalmazott összekapcsolási rendszer lehetővé teszi az egyszerűbb, biztosabb szállítását a halmozott szerszámos dobozoknak. Ezáltal különösen biztonságos és kényelmes a szállítás.

- Ergonómikus
- Szerszámdobozokhoz méretezve
- Terhelhetőség 160 kg-ig
- Különösen könnyen guruló kerekek

MOLNÁRKOCSI SZERSZÁMDOBOZOK

Cikkszám	Leírás	Darabár
SKTB 43	Molnárkocsi 40x30 szerszámosládához	á. k.
SKTB 64	Molnárkocsi 60x40 szerszámosládához	á. k.

SZÁLLÍTÓROLLER SZERSZÁMDOBOZOK

Cikkszám	Leírás	Darabár
TBTR 43 FE	Szállítóroller 40x30 cm szerszámosládához, 2 forgókerek, 2 forgókerek fékkel	á. k.
TBTR 43	Szállítóroller 40x30 cm szerszámosládához 4 forgókerekkel	á. k.
TBTR 64 FE	Szállítóroller 60x40 cm szerszámosládához, 2 forgókerek, 2 forgókerek fékkel	á. k.
TBTR 64	Szállítóroller 60x40 cm szerszámosládához 4 forgókerekkel	á. k.

A tartozékokat a következő oldalon találja: 60, 162 »

A raklapárak kizárólag egész raklapokra vonatkoznak. Az árak ÁFA nélkül értendők.

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- 30 -

38. The Auer coupler mechanism was disclosed in full in the Auer-Catalog.

39. Neither the Auer-Press (Ex-1004) nor the Auer-Catalog (Ex-1006) had been considered during prosecution of the '962 Patent. During prosecution, the applicants submitted two German Patents filed by Auer (Ex-1014, pp. 269-285, 431-447; Ex-1015, the "Auer Patents"). The Auer Patents were first published after the priority date of the '962 Patent and were not prior art to the '962 Patent under 35 U.S.C. § 102(b). There is no evidence the examiner has considered the Auer Patents for patentability under 35 U.S.C. §§ 102 and 103.

C. Madsen (Ex-1003)

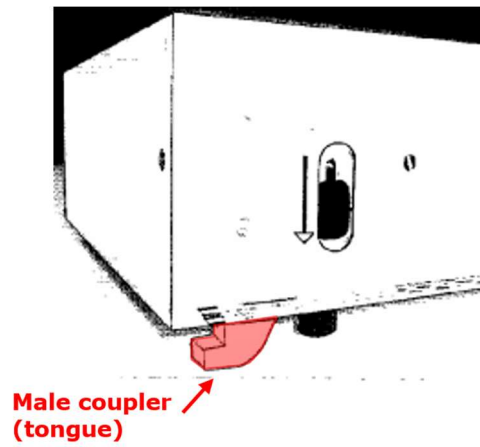
40. US Patent Application No. 12/736,715 (Ex-1003, "**Madsen**") discloses a mechanism for coupling boxes (Papalambros, Ex-1018, para. 78-84; Turriff, Ex-1016, para. 66-111).

1. The Coupling Mechanism Described in Madsen (Ex-1003)

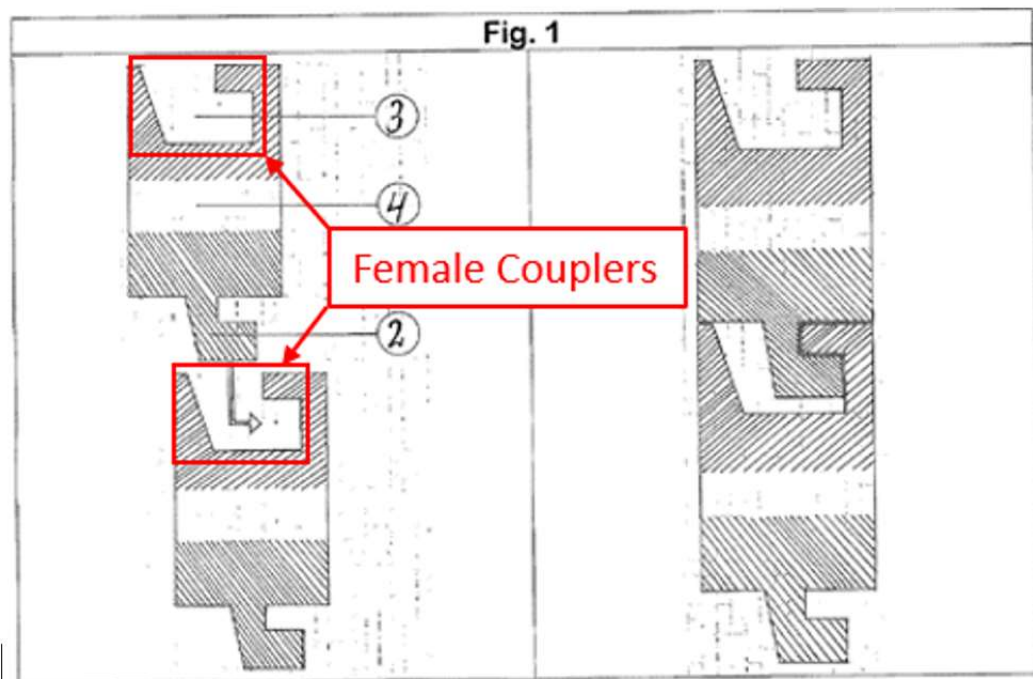
41. The coupling mechanism (Ex-1003, Claim 1, Fig. 1-9) includes:

(a) **Madsen-Male Coupler** (Ex-1003, (2) on Fig. 1);

- 31 -

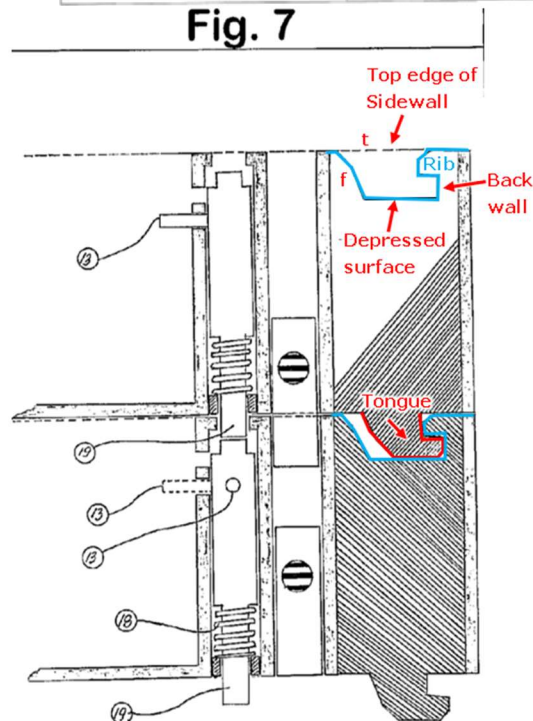
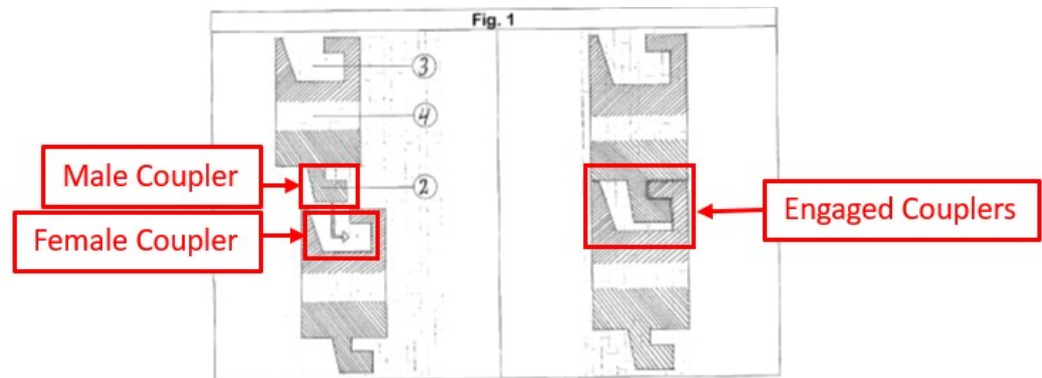


- (b) **Madsen-Female Coupler** (Ex-1003, (3) on Fig. 1): to receive the male coupler;



- (c) the tongue (male) (Ex-1003, (38) in Fig. 2) engages the rib (female) (Ex-1003, (14) in Fig. 2); and

- 32 -



- (d) latches (Ex-1003, (7) and (9) on Fig. 4 and 6) and latch recesses (Ex-1003, (12) and (16) on Fig. 3) engage to block the sliding path, to prevent disengagement (Ex-1003, Fig. 5-7).

- 33 -

Fig. 7

Latch (sliding plunger) extended
down into recess of container below

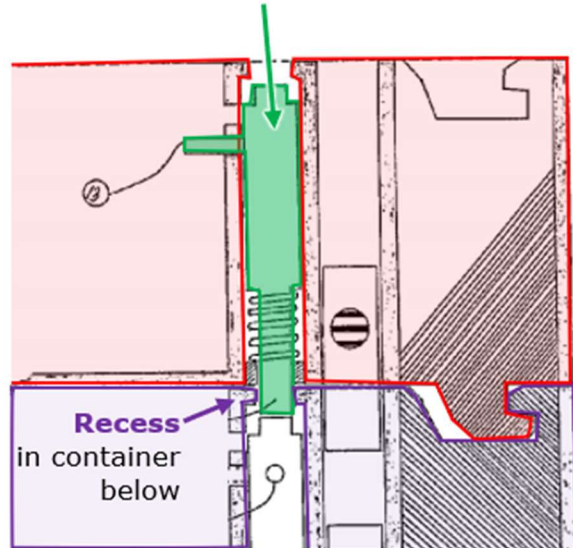
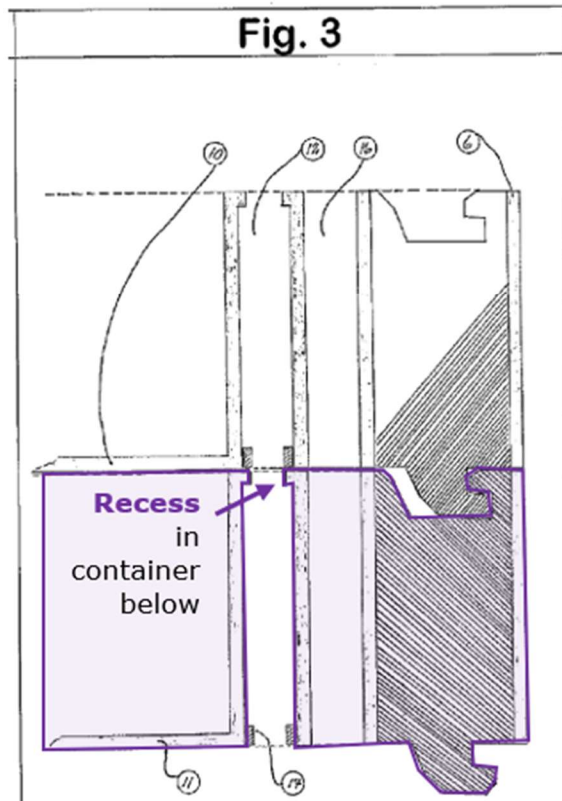


Fig. 3



- 34 -

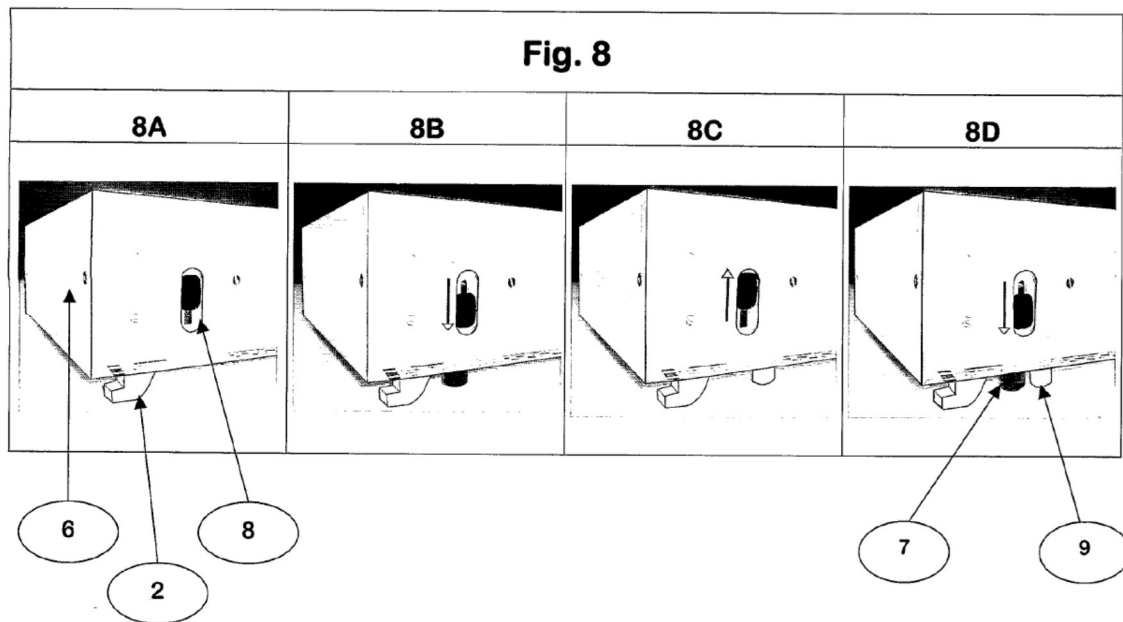
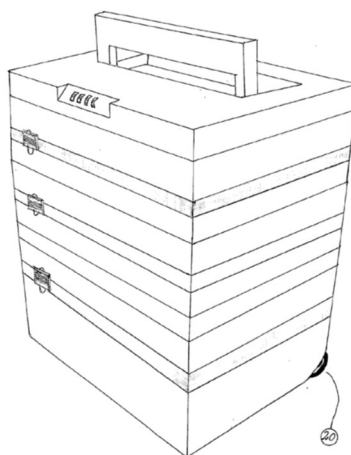


Fig. 9

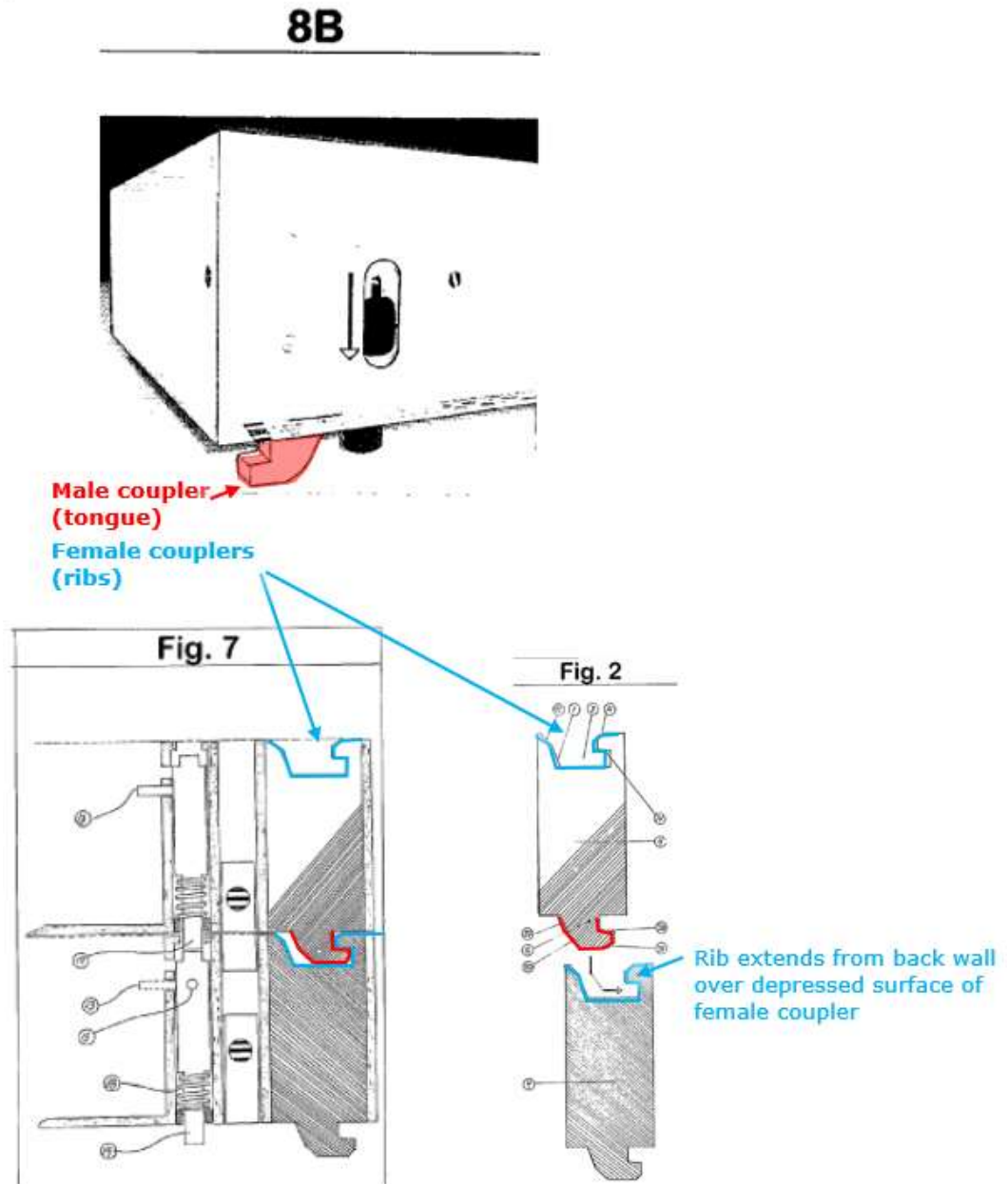


42. Coupling Madsen containers:

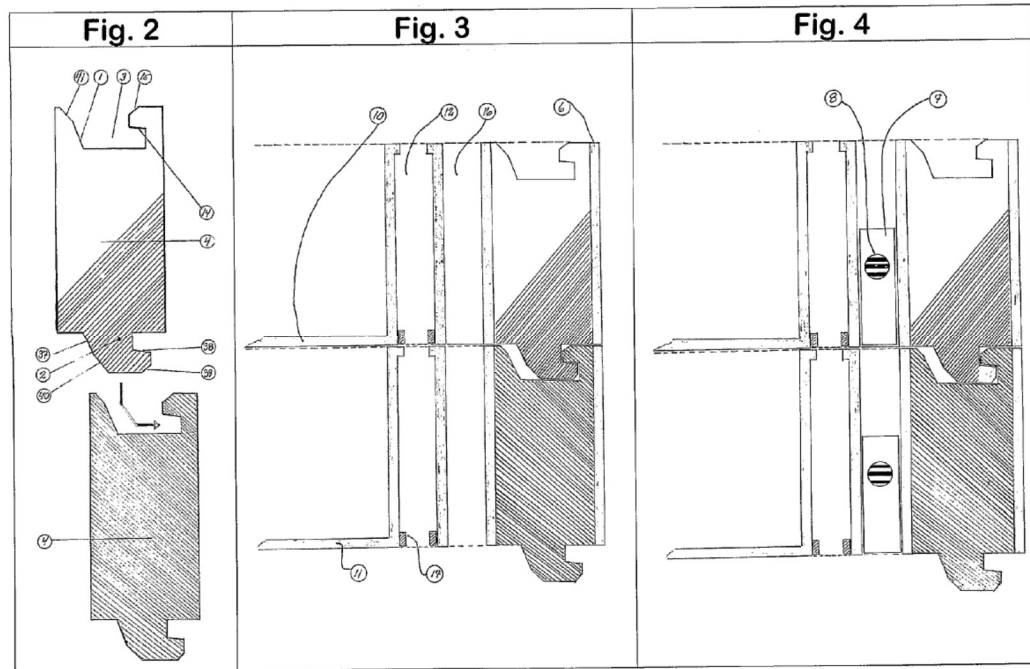
- 35 -

- (a) align/insert male couplers into female couplers (Ex-1003, Fig. 1-3);

- 36 -

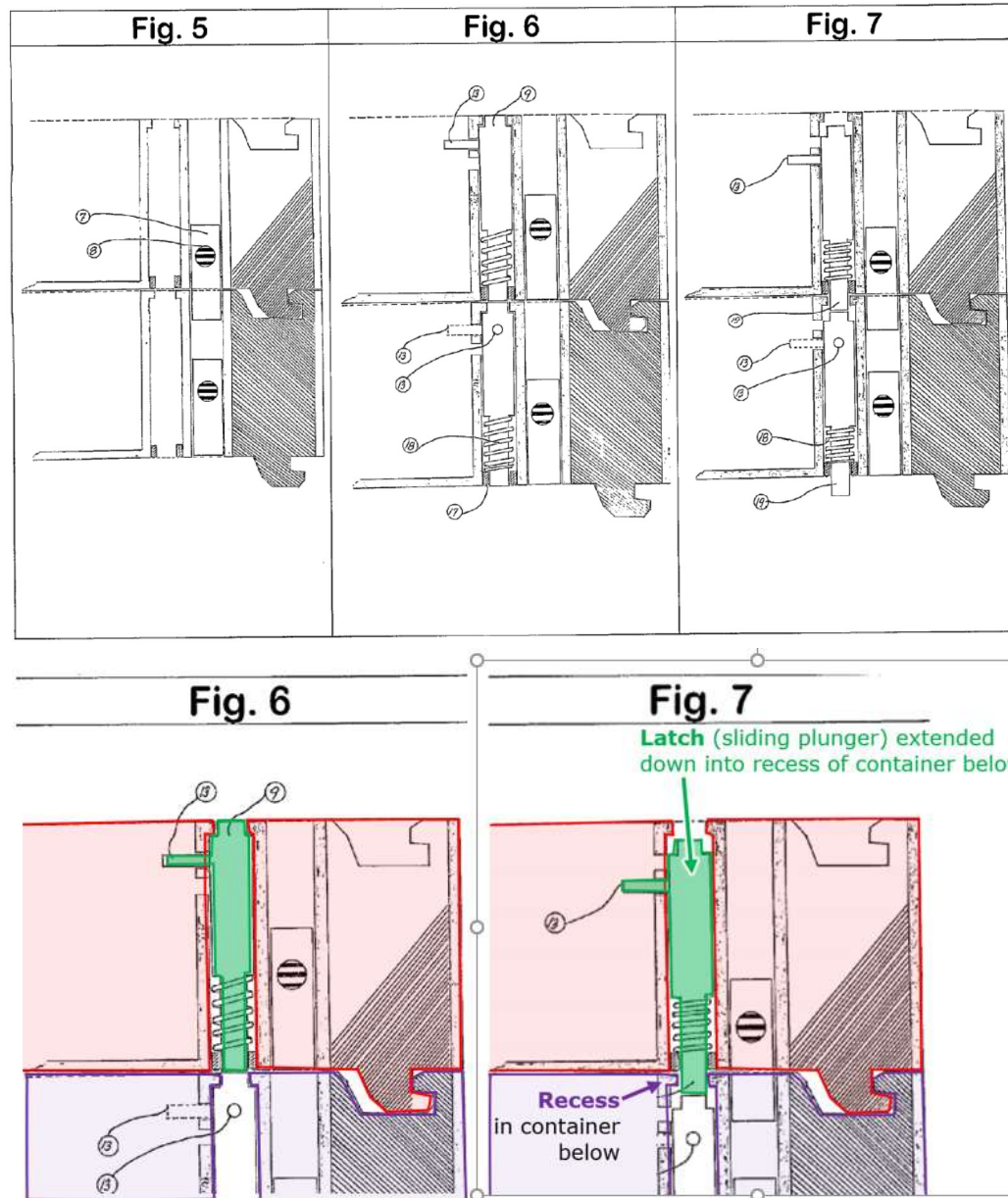


- 37 -



(b) engage the latch(es) (Ex-1003, Fig. 5 and 7); and

- 38 -



- (c) repeat for any successive containers. (Papalambros, para. 81; Turriff, para. 69)

- 39 -

2. *Madsen (Ex-1003) Discloses both Sidewalls of the Recessed Female Coupler Inherently (if not Explicitly) (“Madsen Sidewalls”)*

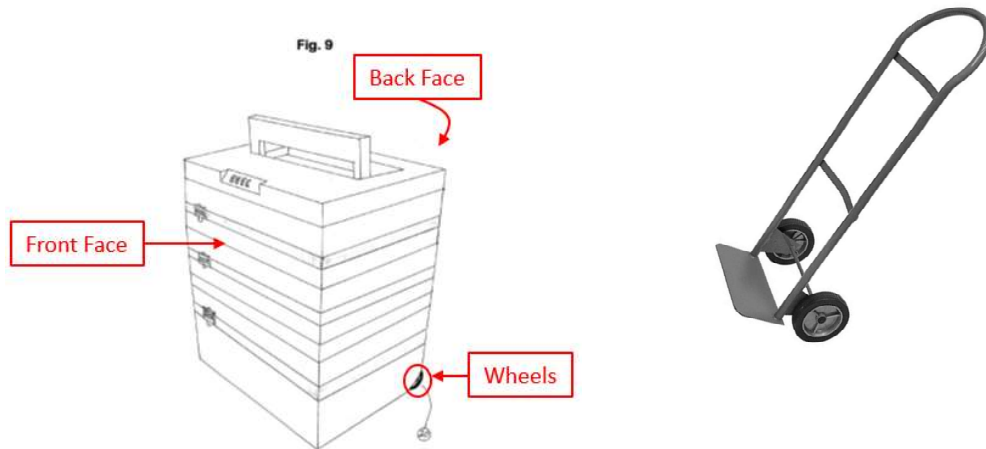
43. Madsen-Female Couplers also have sidewalls. The back wall and sidewalls project from the depressed surface. This is inherently (if not explicitly) disclosed.

(a) Secure Engagement of the Containers in Madsen Requires Sidewalls

44. Madsen-Female Coupler is shaped to restrict movement of the Madsen-Male Coupler in all directions except for insertion/sliding direction for engagement/disengagement.

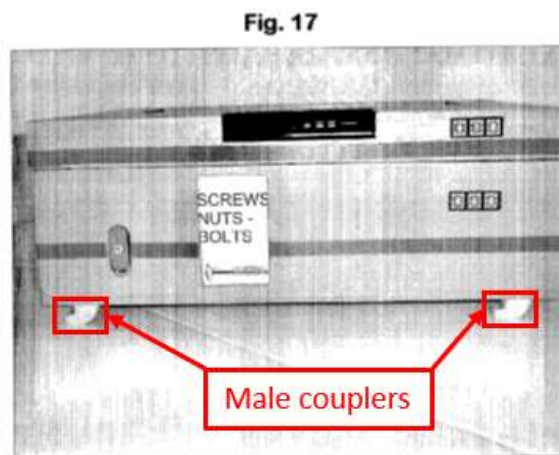
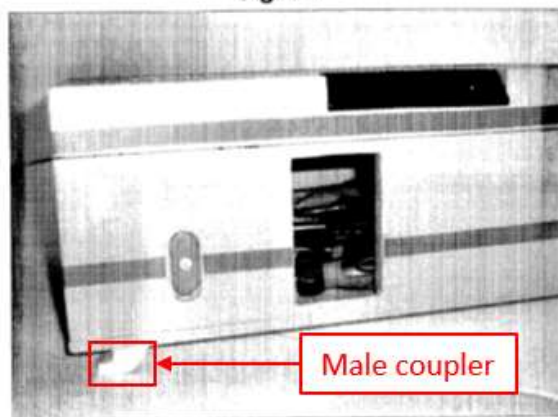
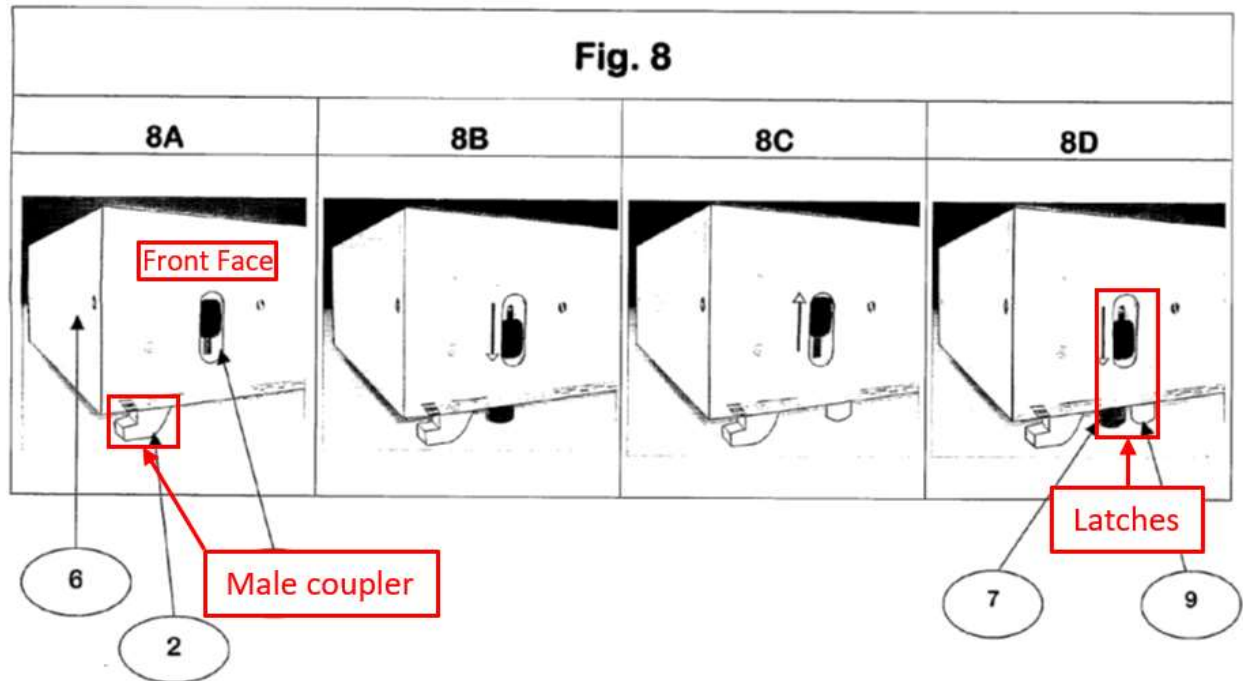
45. For secure engagement, Madsen-Female Coupler requires sidewalls to engage with the side edges of the Madsen-Male Coupler, preventing lateral movement or twisting in the stack of boxes. Sidewalls also provide structural rigidity to the depressed surface of the coupling. (Ex-1003, Abstract, para. 15 and 25; Papalambros, para. 85-88; Turriff, para. 73-101)

- 40 -



46. Madsen-Male Coupler tongues extend to the “left” and wheels are on the “back”. When the stack is tilted backwards and transported like a sack trolley, the containers must be secured against front-back movement (perpendicular to the direction of the tongue) and twisting forces.

- 41 -



47. Sidewalls prevent such movement and twisting by securing both sides of the tongue, which resist front-rear movement of the stack is resisted by the sidewalls. Without sidewalls, Madsen-Female Couplers would not be able to securely hold Madsen-Male Couplers and containers could slide apart or twist, potentially

- 42 -

separating. Madsen-Female Couplers without sidewalls would be significantly weaker and unstable, compared to couplers with both sidewalls. (Papalambros, para. 91-93; Turriff, para. 89)

48. For strength/stability, Madsen-Female Coupler needs to be shaped closely to the shape of the Madsen-Male Coupler, particularly at the rib and the sidewalls, restricting the Madsen-Male Coupler's movement to only the direction of insertion/sliding. Latch(es) prevent the tongues from backing out of engagement with the ribs. Sidewalls, back wall and rib resist twisting of the Madsen-Male Coupler when it is inserted in the Madsen-Female Coupler. (Papalambros, para. 94-95; Turriff, para. 89-93)

49. Because Madsen-Male Coupler has flat side surfaces (sides of the tongue, e.g., Ex-1003, Fig. 8), Madsen-Female Couplers need to have both sidewalls that sit substantially flush (little tolerance) against the sides of the Madsen-Male Coupler tongue. Sidewalls restrict lateral or fore-aft movement, while still allowing the desired sliding movement in the engagement/disengagement direction. (Papalambros, para. 94-95; Turriff, para. 89-90)

- 43 -

50. Sidewalls also strengthen the overhanging rib. Without sidewalls, the overhanging rib would be cantilevered from the back face without side supports, placing greater bending stress and risk of breakage (Turriff, para. 89).

51. Madsen describes “extension frames” (i.e., “cases without bottom”), to increase the internal volume of the containers. Extension frames have the same couplers as the containers (Ex-1003, Fig. 13-14, para. 24, Claim 12):

Fig. 13

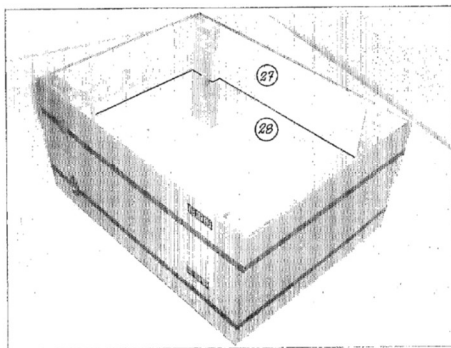
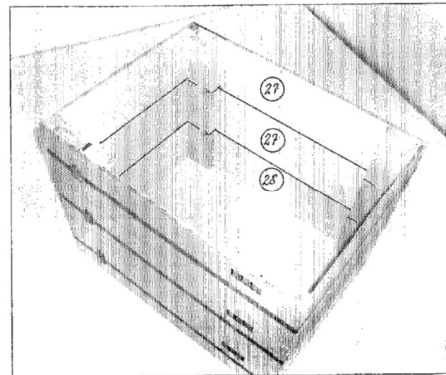


Fig. 14



52. Because extension frames do not have bottoms, they do not have the same rigidity and structural integrity as containers and are more susceptible to lateral forces and twisting. Sidewalls are needed to ensure “optimal strength and stability” (Ex-1003, para. 12). (Papalambros, para. 98-102; Turriff, para. 74-83, 95)

53. Fig. 13-14 (Ex-1003) include solid horizontal lines at the *inboard*, *interior* side of the seam between extension frames, suggesting that there is an inboard

- 44 -

sidewall. If there were no inboard sidewalls, the L-shaped profile of the female coupler and the L-shaped male coupler (sitting in the female coupler) would be visible.

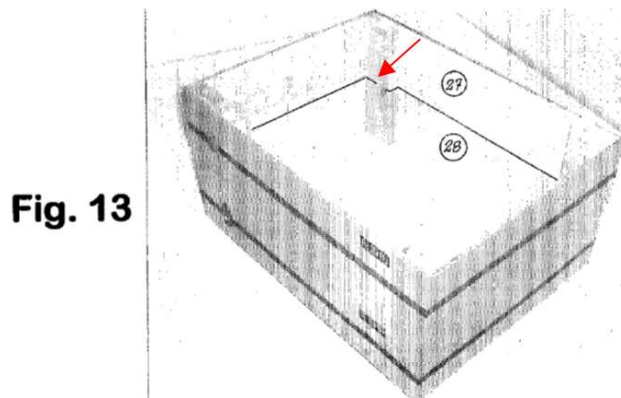


Fig. 13

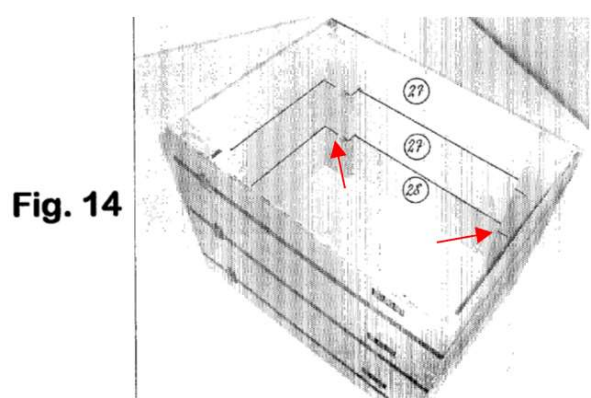


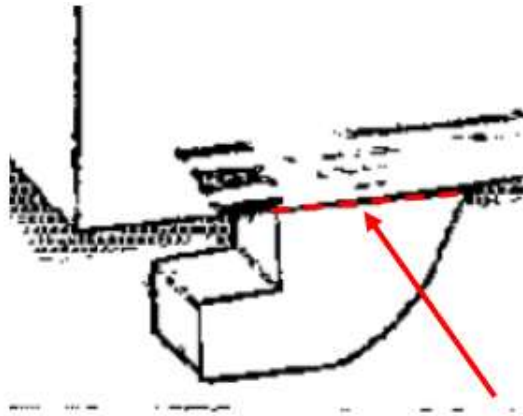
Fig. 14

(b) The Drawings Show the Existence of Sidewalls

54. The exterior sidewalls of the Madsen-Female Couplers shown (Ex-1003, Fig. 8, 9 and 10; Papalambros, para. 103-109; Turriff, para. 74-83, 95).

55. Fig. 8 shows that the Madsen-Male Coupler is set inwards from the front face of the box. Because the Madsen-Male Coupler is moulded as a single piece with the container, the line indicates a different plane (and not a separate piece). If they were coplanar, there would be no line between the tongue and the body (Ex-1003, Fig. 8; Papalambros, Ex-1018, para. 105-106; Turriff, Ex-1016, para. 81)

- 45 -



56. If the Madsen-Female Coupler did not have external sidewalls, an L-shaped cut-out would be evident on the front face of the containers/stack. (Ex-1003, Fig. 8-10, 13-14, 16-17; Papalambros, Ex-1018, para. 107-109; Turriff, Ex-1016, para. 81)

(c) The Sidewalls and Back Wall Extend from the Depressed Surface of the Madsen-Female Coupler

57. The sidewalls/back wall of the Madsen-Female Couplers project from the depressed surface:

- (a) any break in the sidewalls/back wall would weaken the coupling; and
- (b) there is no functional reason for there to be such a break; and
- (c) having a break adds unnecessary complexity to the design and manufacture of the containers. (Ex-1003, para. 14 and 15; Papalambros, Ex-1018, para. 110-114)

- 46 -

58. Madsen shows that the back wall of the Madsen-Female Coupler extends from the depressed surface to the rib (Ex-1003, Fig. 1-7).

(d) A “Cavity” Has Sidewalls

59. On Jan. 24, 2019, the Examiner rejected Claims 1-8 and 10-20 as being anticipated by Madsen (Ex-1002, p. 6-10) and Claim 9 as being unpatentable over Madsen in view of Zelinskiy (Ex-1002, p. 10-12). He stated that Madsen disclosed, *inter alia*, the following (Ex-1002, p. 7-9):

- (a) when the tongue and rib are engaged, the two sidewalls of the male coupler and the two sidewalls of the female coupler interface to restrict displacement between the two coupled containers in a lateral direction that is perpendicular to the direction of the tongue/rib; and
- (b) all directions of displacement are blocked when the male/female couplers and the latch/latch recess are engaged.

60. On Apr. 23, 2019, the Applicant argued (Ex-1002, p. 39-43):

[Claim 1] ... Madsen fails to disclose two sidewalls and a back wall extending therebetween, the two sidewalls and the back wall projecting from a depressed surface, and a rib that extends from the back wall in a first direction above the depressed surface....

- 47 -

Instead of disclosing two sidewalls and a back wall projecting from a depressed surface, and a rib extending from the back wall above the depressed surface, Madsen *discloses a cavity with a projection extending into the cavity*. Madsen fails to show or describe three walls projecting from a depressed surface....

...

[Claim 14] ... Madsen fails to disclose or suggest the feature of the back wall and the two sidewalls projecting from a depressed surface of the second face, wherein the depressed surface of the second face covers most of the second face.... one of the few perspective views of the projecting surface in Madsen... suggests that *the cavities in Madsen comprise a very small portion of the surface area* – far less than most.

61. On Jun. 13, 2019, the Examiner accepted the Applicant's arguments without providing reasons.

62. The Examiner erred in accepting the Applicant's arguments because:

- (a) Madsen (Ex-1003) disclosed both sidewalls of the female coupler;
- (b) the illustrations in Madsen show the existence of sidewalls, both external and inboard to the container (Ex-1003, Fig. 8-10, 13-14, 16-17);

- 48 -

- (c) the function/purpose of the couplers requires the female couplers to have both sidewalls, a back wall that extends between the sidewalls, all of them projecting from the depressed surface. (Papalambros, para. 119; Turriff, para. 73-101)

63. Also, the Applicant's submissions contradicted their own argument.

64. By describing the Madsen-Female Coupler as a "cavity", the Applicant admitted that the Madsen-Female Couplers had sidewalls. (Papalambros, para. 120-122; Turriff, para. 106-111)

65. The plain and ordinary meaning of "cavity" is "1: an unfilled space within a mass; *esp*: a hollowed-out space" (Ex-1012). A "hollowed-out space" or an "unfilled space within a mass" implies that the void is substantially bound on most sides, except the opening (if any). This is also the common understanding of "cavity". (Papalambros, para. 122-123; Turriff, para. 107-108).

66. Voids in masses that are unbound on multiple locations or are elongated are referred to as tunnels/channels/conduits or grooves, not cavities (Papalambros, Ex-1018, para. 124; Turriff, Ex-1016, para. 109).

- 49 -

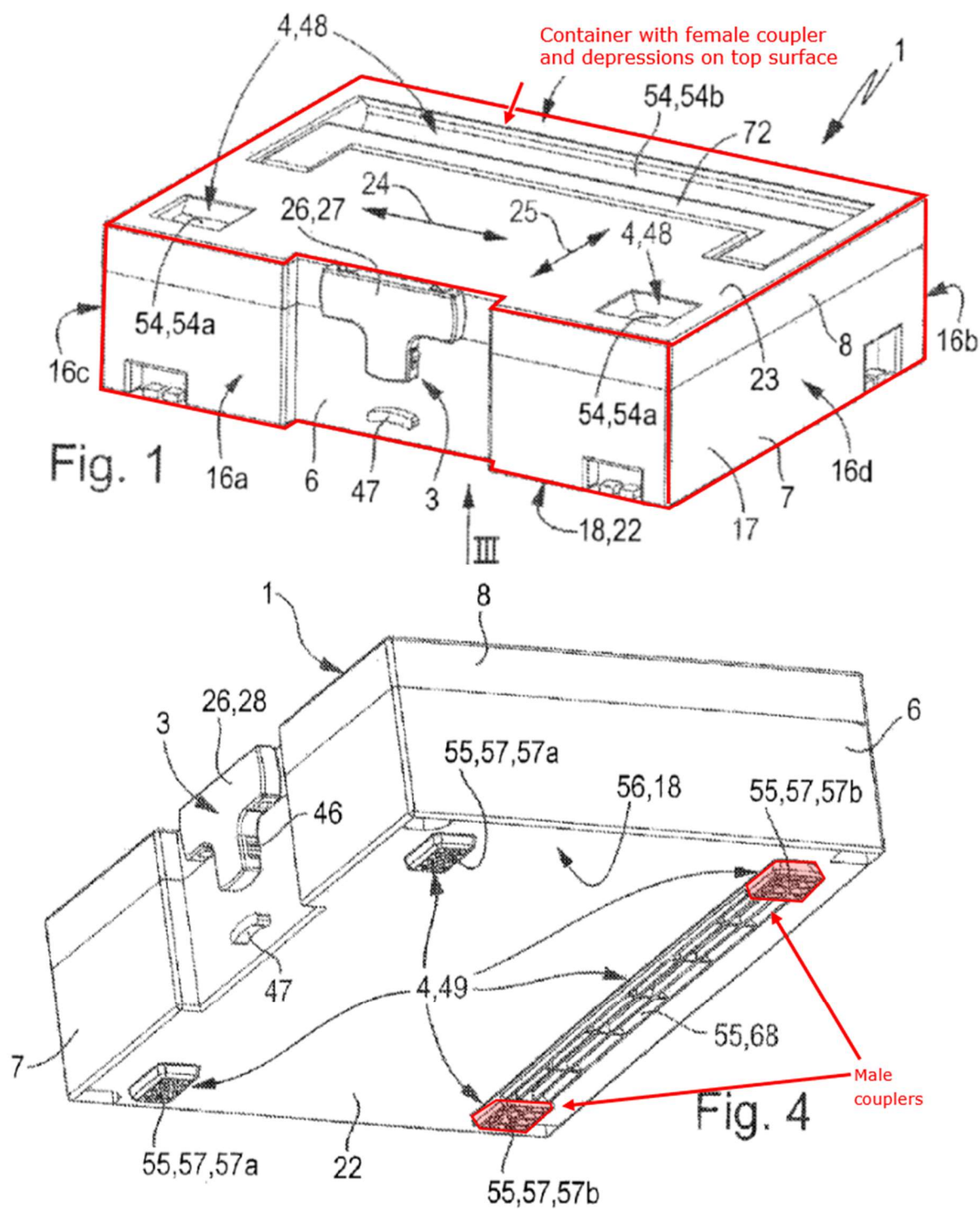
67. Also, the Applicant argued, “that *the cavities in Madsen comprise a very small portion of the surface area* – far less than most”. If these “cavities” are on the surface and they comprise on a “very small portion of the surface area”, this means that these “cavities” would be closed on all sides but the opening (i.e., they would have sidewalls, back wall, floor, etc.). The Applicant was trying to minimize the depressed surface area in Madsen. However, if these “cavities” did not have sidewalls, they would occupy more than “a very small portion of the surface area”, since they would be unbounded on at least one side (Papalambros, para. 126).

68. This is another acknowledgement that the Madsen-Female Couplers, as “cavities”, were bound on each side (including sidewalls).

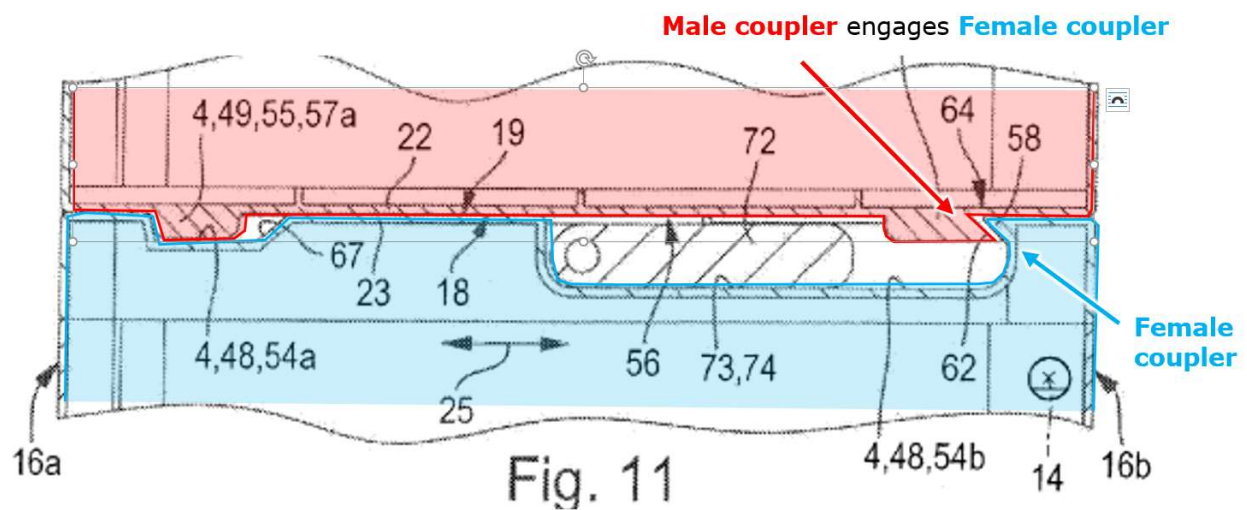
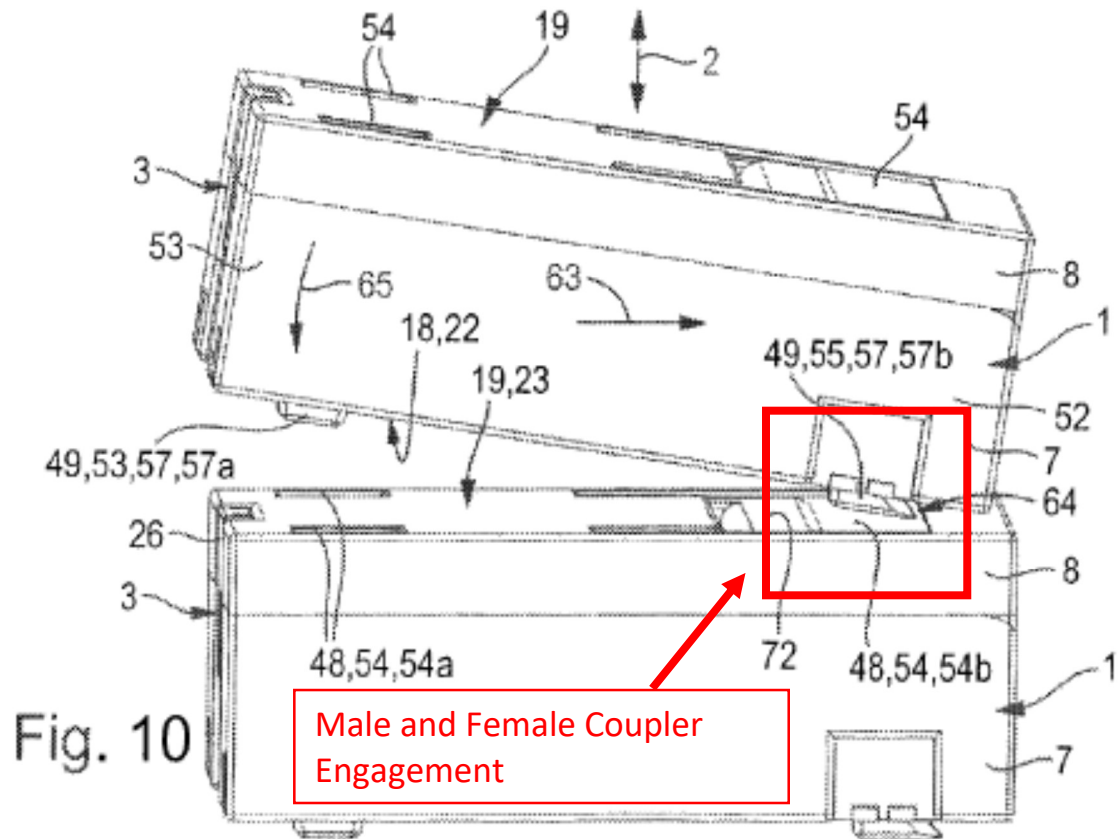
D. Festool Patent (Ex-1007)

69. US Patent No. 8,875,888 B2 (Ex-1007, “**Festool Patent**”) discloses a container assembly with couplers/latches (Ex-1007, Fig. 1, 4, 10 and 11; Ex-1016, para. 114):

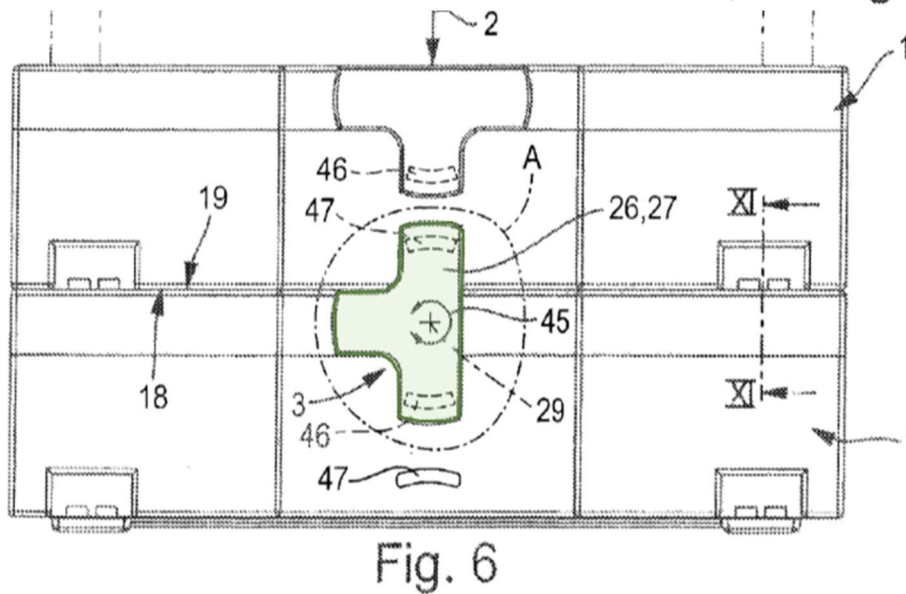
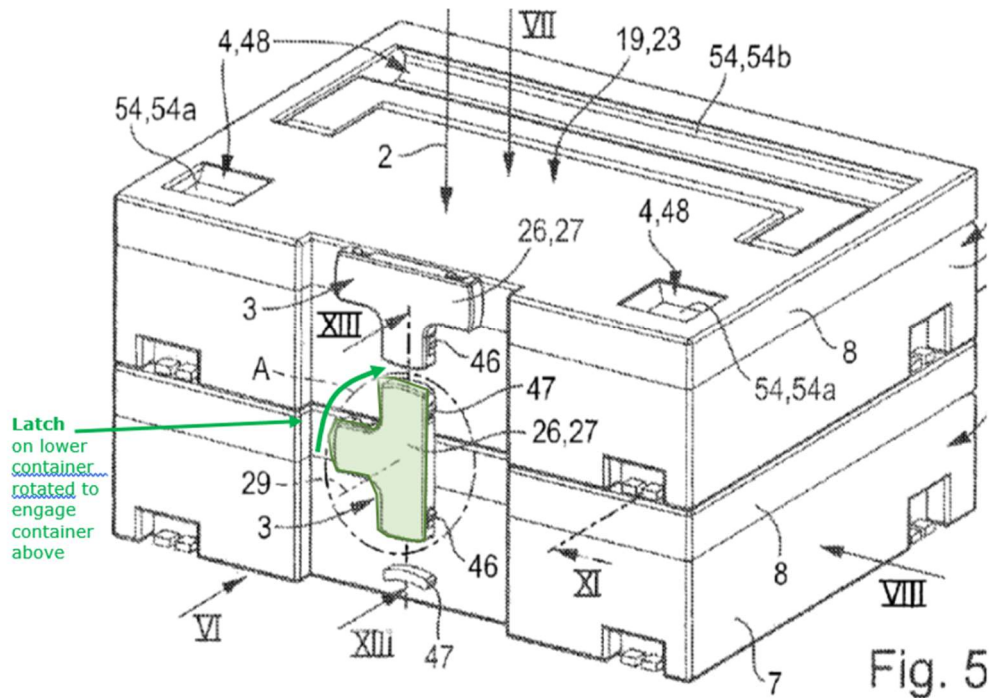
- 50 -



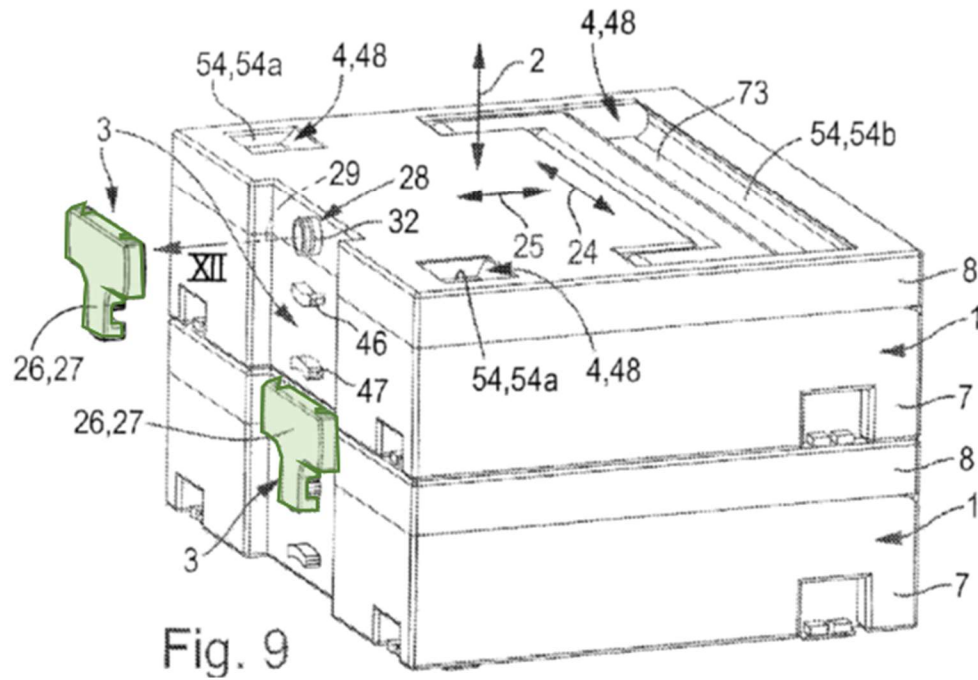
- 51 -



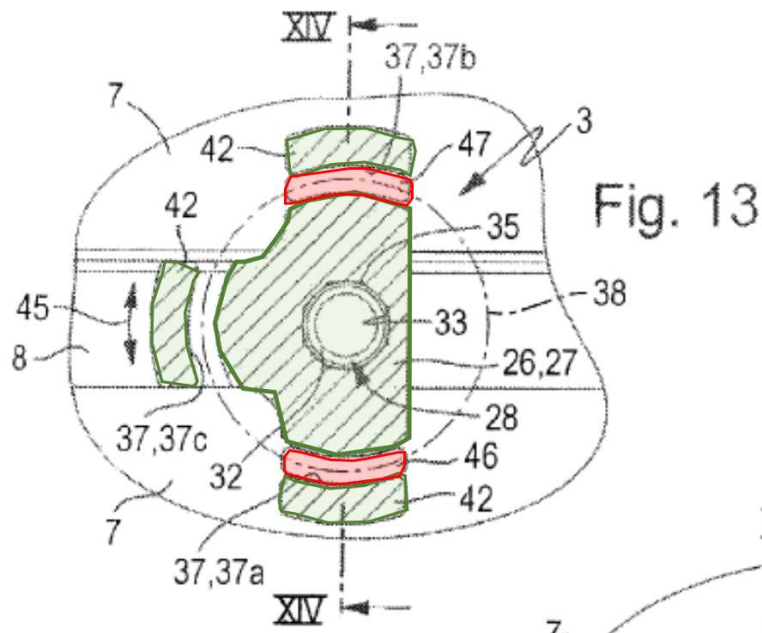
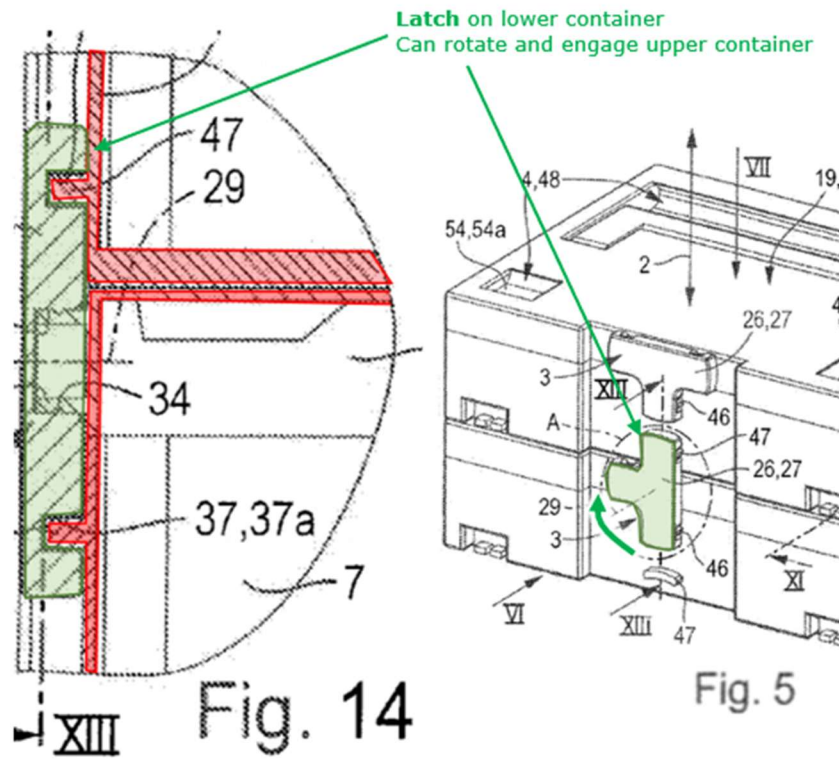
70. Festool Patent discloses a latch that extends from the lower container to engage the upper container (Ex-1007, (3) in Fig. 5, 6, 9 and 13-16; Turriff, para. 116):



- 53 -



- 54 -



E. Festool Design (Ex-1008)

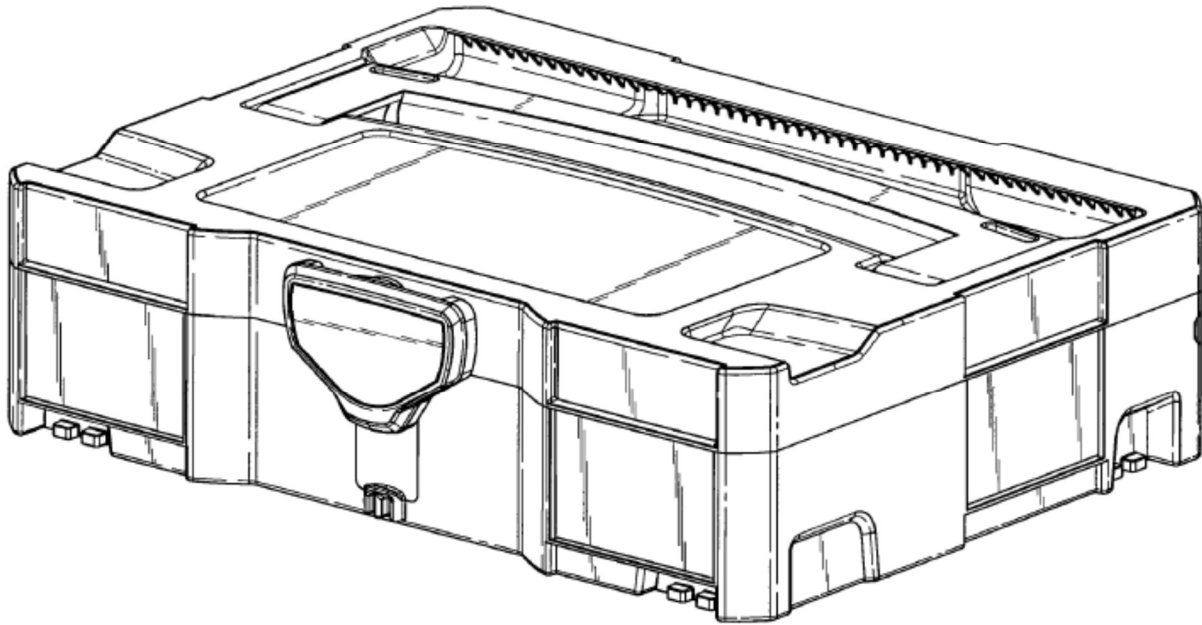
71. US Design Patent No. US D627,967 S (Ex-1008, “**Festool Design**”) discloses a container that is functionally the same as the container disclosed in the Festool Patent (Ex-1007):

- (a) containers share many common or similar features;
- (b) they have the same the assignee (TTS Tooltechnic Systems AG & Co. KG);
- (c) they have a common inventor (T. Kuhls);
- (d) they were applied for within 1 year of each other.

72. Festool Design shows a top face with numerous depressed surfaces (Ex-1008, Fig. 1 and 2; Papalambros, Ex-1018, para. 136; Turriff, Ex-1016, para. 119):

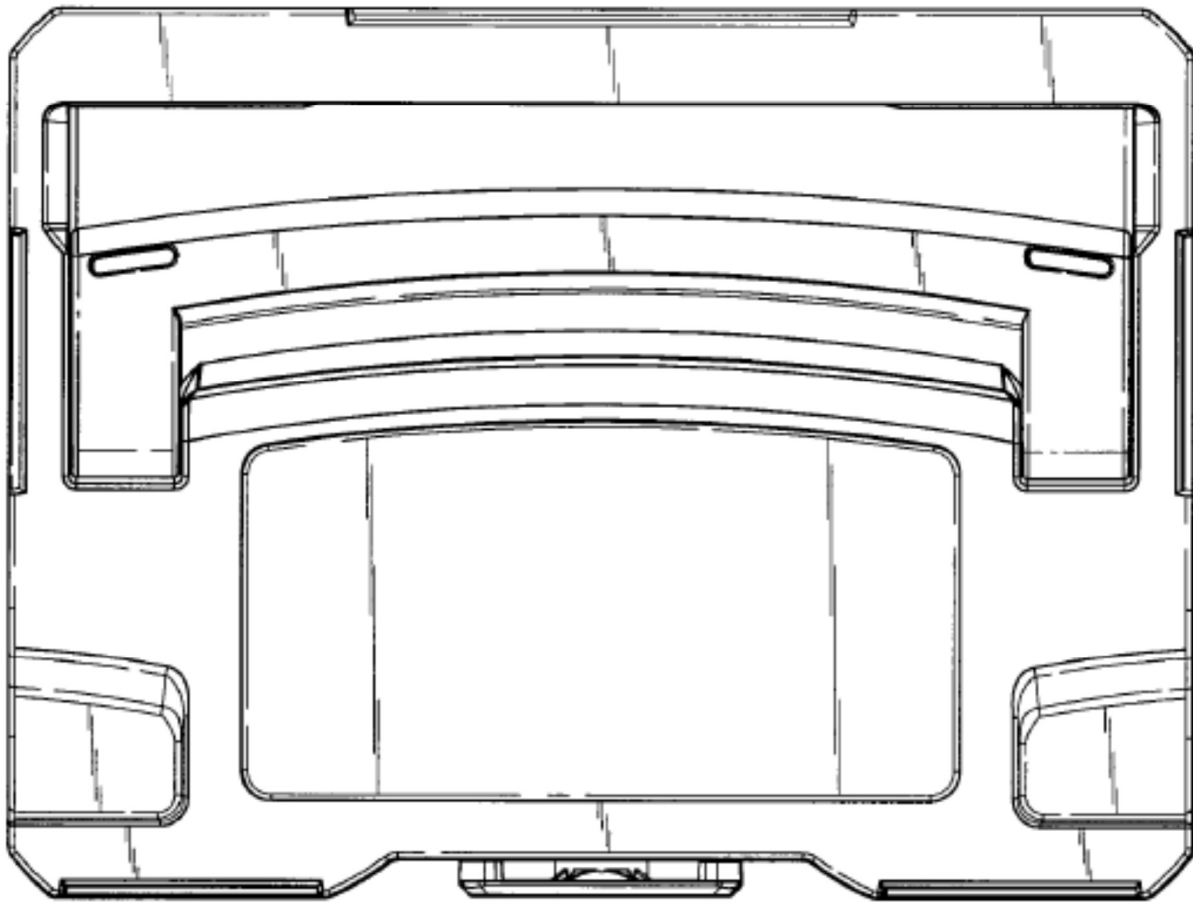
- 56 -

FIG. 1

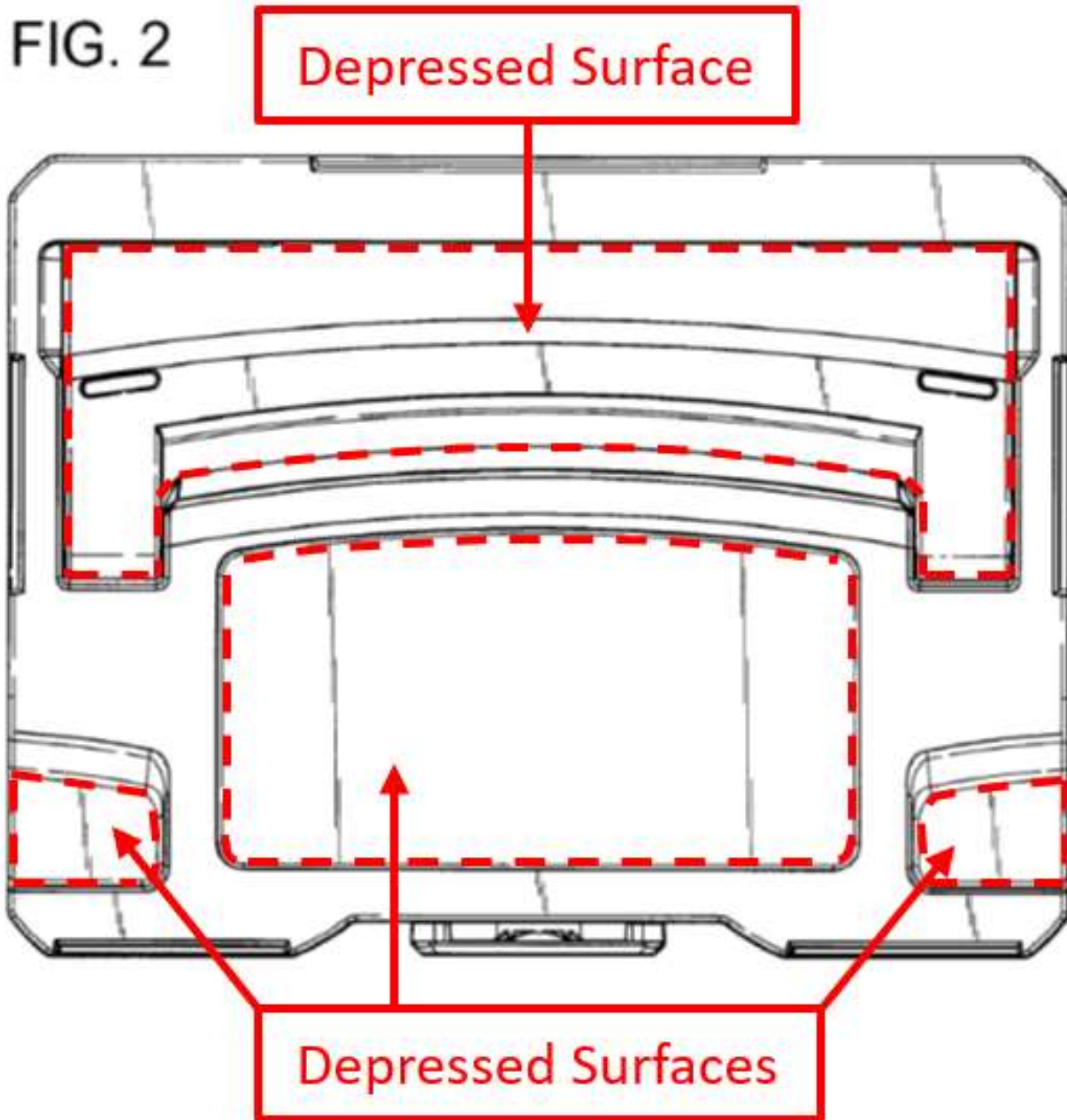


- 57 -

FIG. 2



- 58 -

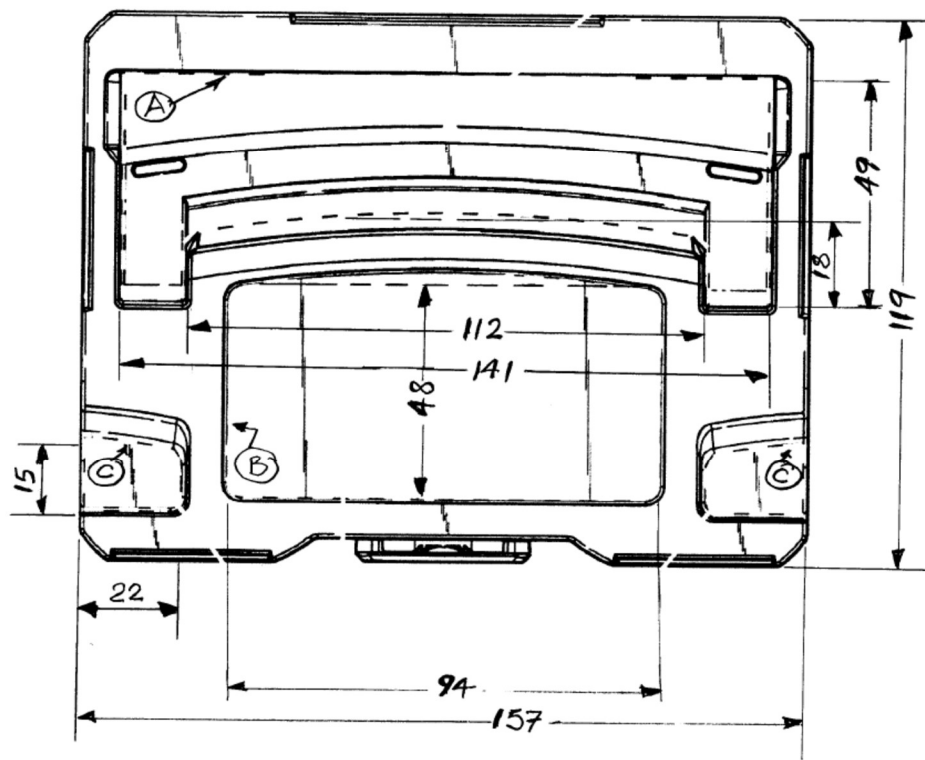


73. The depressed surface areas constitute over 50% (conservatively, 54-55%) of the top face.

74. Per Papalambros (Ex-1018, para. 137), the depressed surface area is approximately 54%:

FIG. 2

QUICK APPROXIMATION OF DEPRESSED AREA



Total Area:
 $157 \times 119 = 18683$

Depressed Area
 (A) $(141 \times 49) -$
 $(112 \times 18) =$
 $= 4893$

⑧ $48 \times 94 = \underline{4512}$

© $2 \times 15 \times 22 = \underline{\underline{660}}$

total depressed:
10065

$$\text{Ratio} = \frac{\text{total depressed}}{\text{total}} =$$
$$\frac{10065}{18683} = 53.9\%$$

$$\approx \underline{54\%}$$

75. Per Turriff (Ex-1016, p. 219), the depressed surface area is approximately 55%:

- 60 -

FIG. 2

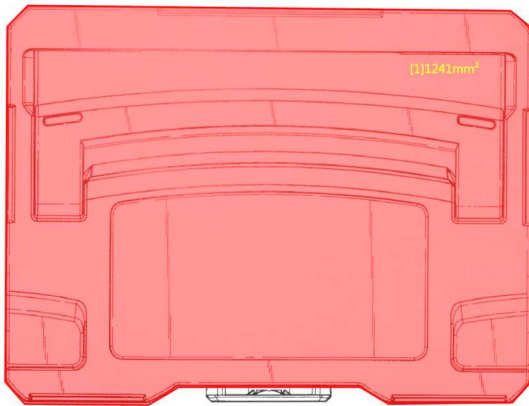
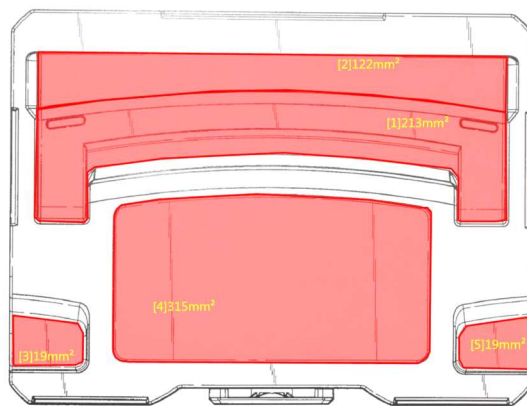


FIG. 2



F. Common Knowledge and Common Sense of the PHOSITA (“Knowledge/Sense”) and the State of the Art as at the Relevant Date

1. Corrugations and Ribs Can Add Rigidity and Strength to Surfaces, Including Plastic Surfaces (“Knowledge/Sense-Rigidity”) (Ex-1010; Papalambros, Ex-1018, para. 139-143; Turriff, Ex-1016, para. 123-132)

76. Corrugations were widely used to add rigidity or strength.

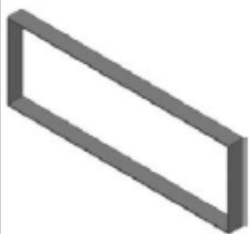
77. Simply increasing the thickness of plastic materials to strengthen an area was problematic (e.g., non-uniform cooling could induce warpage). (Ex-1010, p. 543)

78. A known strategy for increasing stiffness without increasing the thickness of the plastic parts was the incorporation of corrugations/ribs, which increase the stiffness:weight ratio significantly (Ex-1010, p. 542-543).

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79. Kazmer (Ex-1010, Table 31.2) teaches that corrugations/ribs can result in either reduced thicknesses of materials or an increase in stiffness, or both:

Table 31.2 Section designs for stiffness

Steel Box	ABS Box	Corrugated ABS Box	Ribbed ABS Box
			
Thickness: 0.5 mm	Thickness: 3.4 mm	Thickness: 3.1 mm	Thickness: 2.8 mm
Stiffness: 8560 g/mm ²	Stiffness: 8610 g/mm ²	Stiffness: 8640 g/mm ²	Stiffness: 9520 g/mm ²
Mass: 15.9 g/cm	Mass: 14.3 g/cm	Mass: 13.9 g/cm	Mass: 13.2 g/cm
S/M: 5380 mm ⁻¹	S/M: 6020 mm ⁻¹	S/M: 6220 mm ⁻¹	S/M: 7210 mm ⁻¹

80. Typical corrugations create depressed surfaces of around 50%. With ribs placed on the external surface, if the base is considered a depressed surface, then the depressed surfaces would comprise well over 50% of the surface area (Papalambros, Ex-1018, para. 143; Turriff, Ex-1016, para. 131).

2. *Steps and/or Recessed Segments are Preferred over Flat Surfaces (“Knowledge/Sense-Distortion”) (Ex-1009; Papalambros, Ex-1018, para. 144-147; Turriff, Ex-1016, para. 133-136)*

81. In manufacturing plastic products, raised/depressed segments are preferred over a perfectly flat surface. Large flat surfaces tend to distort during cooling due

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to uneven wall thickness. It is desirable to break up flat surfaces. Creating steps/recesses within a large flat surfaces reduces the part distortion by reinforcing the surface and distracting the eye (Ex-1009, p. 331-332, Fig. 18.25)

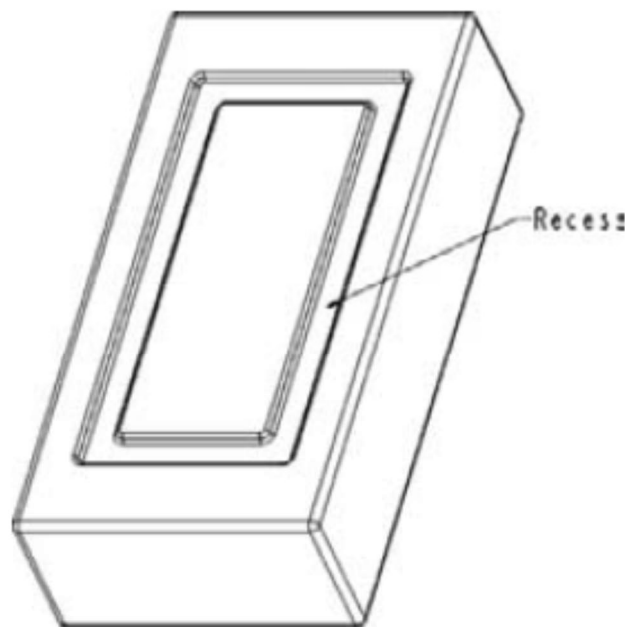


Figure 18.25 Recessed panel used to offset warpage.

3. *More Coupling Points Results in a Stronger Connection (“Knowledge/Sense-Multiple Couplers”)* (Ex-1011; Papalambros, Ex-1018, para. 148-152; Turriff, Ex-1016, para. 137-141)

82. Increasing the number of the same engaging couplers increases the strength of the connection between two objects.

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83. In the case of stacking containers, with rib/tongue couplers, increasing the number of couplers would generally increase the strength/stability of the stack of containers (and the aggregate depressed surface area).

84. Increasing the number of the same couplers that engage between two objects in order to increase the strength/stability of the coupling was a well known concept. For example, it was well known that for LEGO®, the more cylindrical projections on the first block that engage with another block, the stronger the connection and the more difficult it is to pry the blocks apart. (Ex-1011)

G. The Prior Art: “Printed Publications” under 35 U.S.C. § 102

85. A reference is a “printed publication” if it was “publicly available”, meaning it was “disseminated or otherwise made available to the extent that persons interested and ordinarily skilled in the subject matter or art exercising reasonable diligence, can locate it.” (*Hulu, LLC v. Sound View Innovations, LLC*, IPR2018-01039, Paper 29 at 10-11 (PTAB Dec. 20, 2019) (precedential))

86. Auer-Press (Ex-1004), Auer-Catalog (Ex-1006), Madsen (Ex-1003), Festool Patent (Ex-1007), and Festool Design (Ex-1008) were all “printed publications”, because they were all publicly available prior to the Relevant Date. Auer-Press was

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available for download at least as early as Oct. 19, 2015 and Auer-Catalog was distributed at least as early as Feb. 18, 2016. Madsen, Festool Patent and Festool Design are all utility or design patents/patent applications that were filed with the USPTO prior to the Relevant Date. (Papalambros, para. 38-46, 61-73; Turriff, para. 35-41, 57-64)

VIII. ENABLING DISCLOSURES IN THE PRIOR ART

A. Auer-Press (Ex-1004)

87. A PHOSITA, having a copy of the Auer-Press, would have been able to make what is described in the Auer-Press, namely, the Auer containers with the Auer-Male and Female Couplers and latches/latch recesses. The Auer-Press disclosed sufficient detail to enable reverse engineering and reproduction of the Auer container assembly disclosed in the Auer-Press. (Papalambros, para. 154; Turriff, para. 143)

B. Auer-Catalog (Ex-1006)

88. A PHOSITA, having a copy of the Auer-Catalog, would have been able to make what is described in the Auer-Catalog, namely, the Auer containers with the Auer-Male and Female Couplers and latches/latch recesses. The Auer-Catalog disclosed sufficient detail to enable reverse engineering and reproduction of the Auer

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container assembly disclosed in the Auer-Catalog. (Papalambros, para. 162; Turriff, para. 151)

C. Madsen (Ex-1003)

89. A PHOSITA, having a copy of Madsen, would have been able to make what is described in Madsen, namely, the Madsen containers with the Madsen-Male and Female Couplers and latches/latch recesses. Madsen disclosed sufficient detail to enable reverse engineering and reproduction of the Madsen container assembly disclosed in Madsen. (Papalambros, para. 170; Turriff, para. 159)

IX. THERE IS A REASONABLE LIKELIHOOD THAT AT LEAST ONE CLAIM IS UNPATENTABLE

90. Petitioner demonstrates below why the Challenged Claims are unpatentable for either anticipation or obviousness.

91. Because the images disclosed in the Auer-Press (Ex-1004) and the Auer-Catalog (Ex-1006) are the same (or highly similar), a common analysis for both Ex-1004 and Ex-1006 is employed.

92. Cross-referencing notations (e.g., “A-1.1”) have also been used.

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X. ANTICIPATION

A. Auer-Press (Ex-1004)/Auer-Catalogue (Ex-1006)

Claim 1

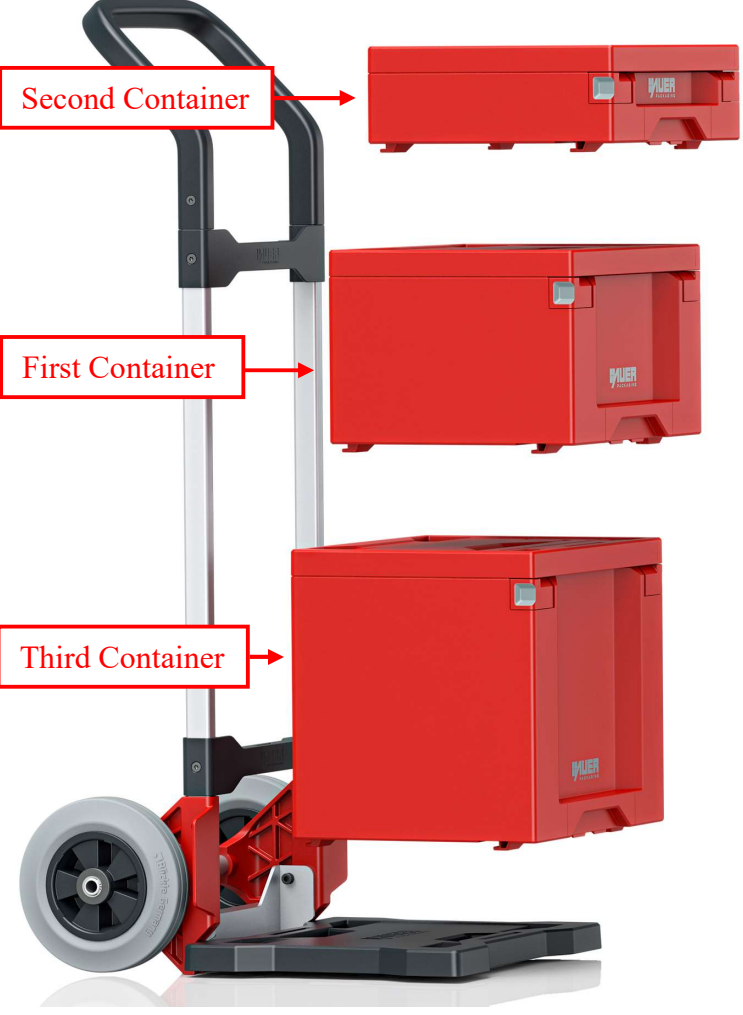
93. Claim 1 is anticipated by the Auer-Press.

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
1. A container assembly comprising:	<i>[A-1.1]</i> Container assembly (AP Fig. 1):  AC p. 1:

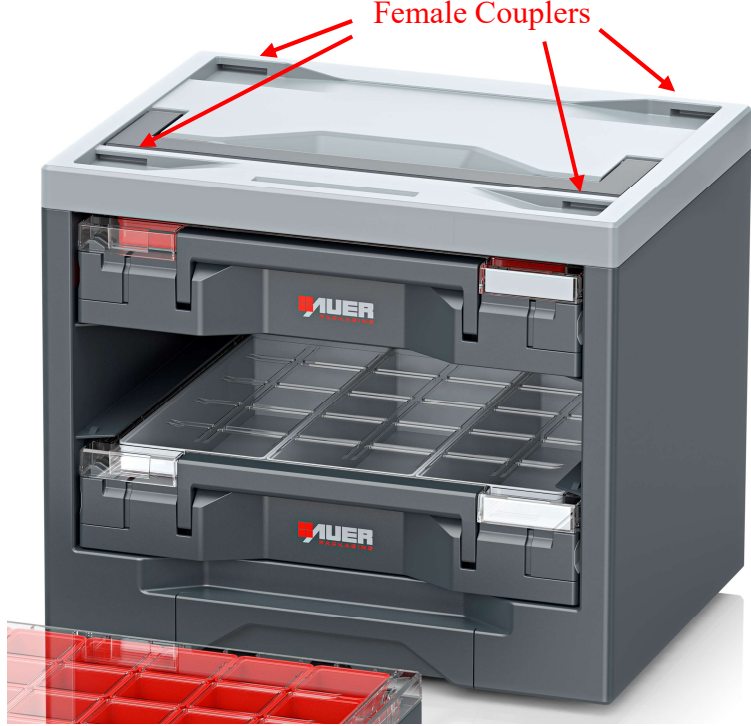
- 67 -

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 <i>Papalambros: PP-AP-1.1 (p. 103); PP-AC-1.1 (p. 131)</i> <i>Turriff: DT-AP 1.0 (p. 116); DT-AC 1.0 (p. 134)</i>
a first container comprising:	[A-1.2] (AP Fig. 1; AC p. 52):

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 <i>Papalambros: PP-AP-1.2 (p. 104); PP-AC-1.2 (p. 104)</i> <i>Turriff: DT-AP 1.1 (p. 117); DT-AC 1.1 (p. 134)</i>
a first coupler extending from a first face of the first container,	[A-1.3] Female couplers extend from top face (AP Fig. 2):

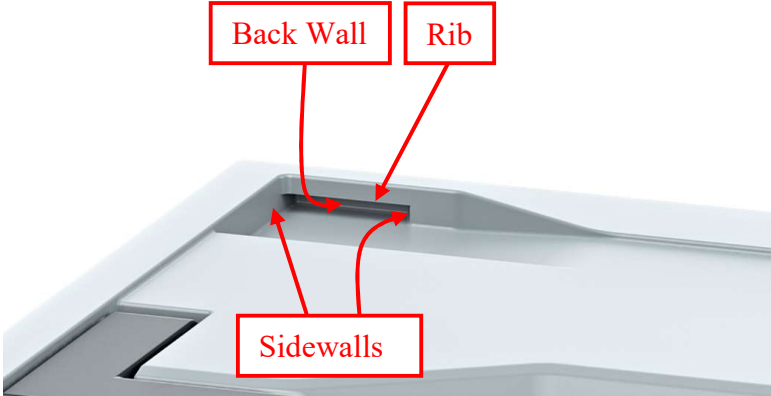
- 69 -

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 AC p. 54:

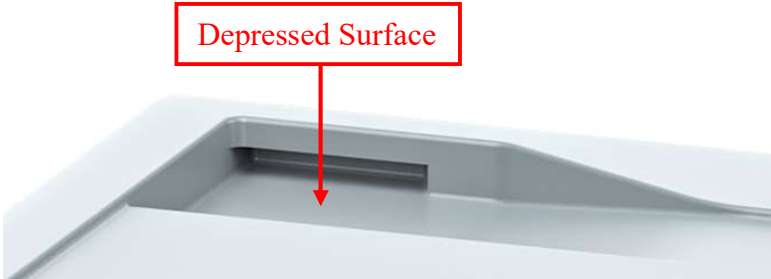
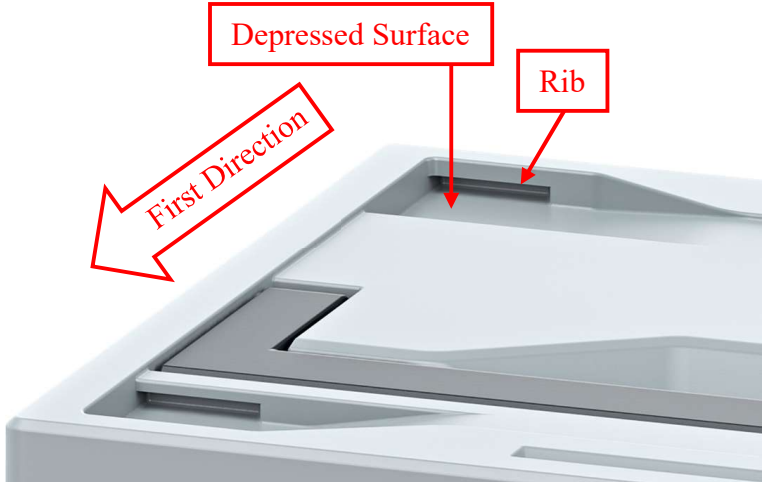
- 70 -

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 <i>Papalambros: PP-AP-1.3 (p. 105); PP-AC-1.3 (p. 132)</i> <i>Turriff: DT-AP 1.2 (p. 117); DT-AC 1.2 (p. 135)</i>
the first coupler comprises two sidewalls, a back wall, and a rib,	[A-1.4] Female couplers: two sidewalls, back wall, and rib (AP Fig. 2; AC p. 56): 

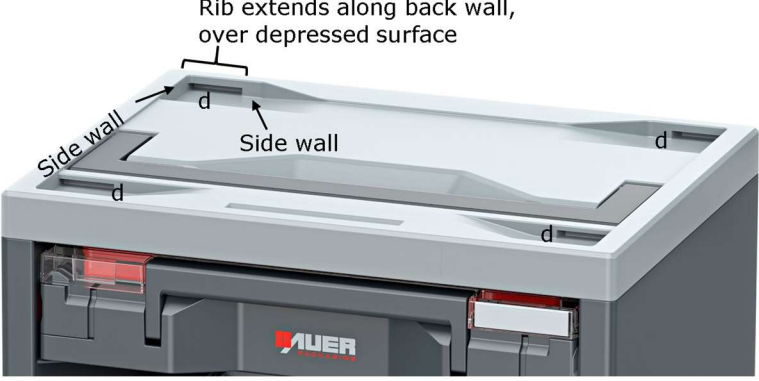
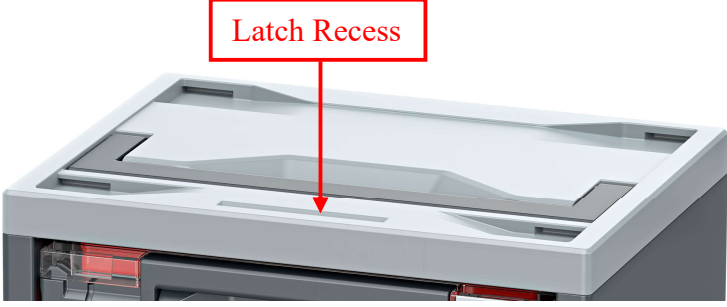
- 71 -

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 <i>Papalambros: PP-AP-1.4 (p. 106); PP-AC-1.4 (p. 133)</i> <i>Turriff: DT-AP 1.3 (p. 119); DT-AC 1.3 (p. 137)</i>
the back wall extends between the two sidewalls,	[A-1.5] Back walls: extend between sidewalls (AP Fig. 2; AC p. 56):  <i>Papalambros: PP-AP-1.5 (p. 108); PP-AC-1.5 (p. 134)</i> <i>Turriff: DT-AP 1.3 (p. 119); DT-AC 1.3 (p. 137)</i>
the two sidewalls and	[A-1.6]

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
the back wall project from a depressed surface of the first face,	Sidewalls/back wall project from depressed surface (on top face) (AP Fig. 2; AC p. 56):  <i>Papalambros: PP-AP-1.6 (p. 108); PP-AC-1.6 (p. 135)</i> <i>Turriff: DT-AP 1.3 (p. 119); DT-AC 1.3 (p. 137)</i>
and the rib extends from the back wall in a first direction above the depressed surface; and	[A-1.7] Rib extends frontwards (“first direction”) over depressed surfaces (AP Fig. 2; AC p. 56): 

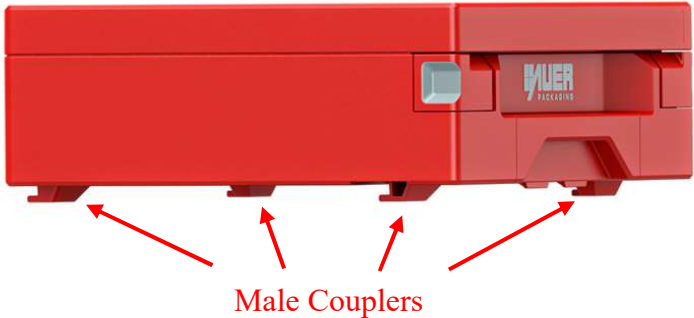
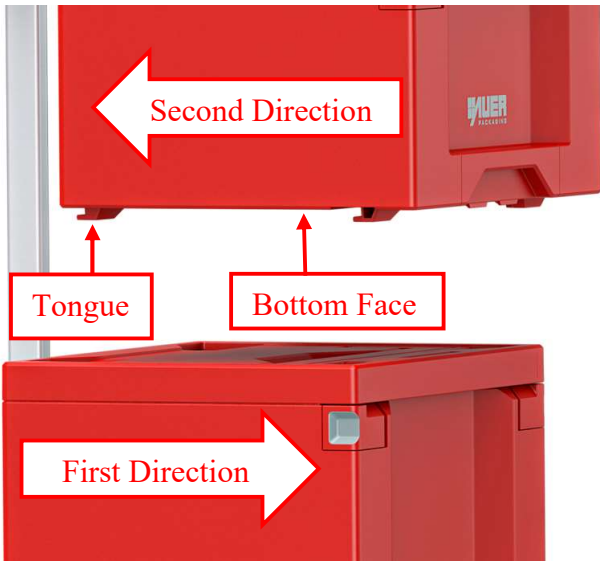
- 73 -

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 'd' = depressed surfaces for rib couplers <i>Papalambros: PP-AP-1.7 (p. 108); PP-AC-1.7 (p. 135)</i> <i>Turriff: DT-AP 1.3 (p. 119); DT-AC 1.3 (p. 137)</i>
a latch recess; and	[A-1.8] AP Fig. 2; AC p. 56:  <i>Papalambros: PP-AP-1.8 (p. 109); PP-AC-1.8 (p. 135)</i> <i>Turriff: DT-AP 1.4 (p. 120); DT-AC 1.4 (p. 138)</i>
a second container comprising:	[A-1.9] AP Fig. 1; AC p. 52:

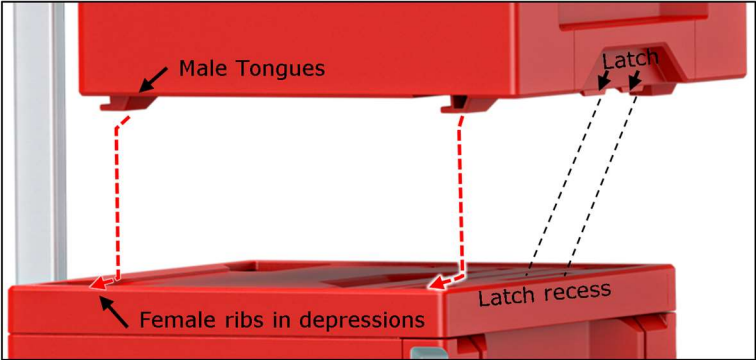
- 74 -

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 <i>Papalambros: PP-AP-1.9 (p. 109); PP-AC-1.9 (p. 136)</i> <i>Turriff: DT-AP 1.5 (p. 120); DT-AC 1.5 (p. 139)</i>
a second coupler extending from a second face of the second container,	[A-1.10] Auer-Male Couplers extend from bottom face (AP Fig. 1; AC p. 52):

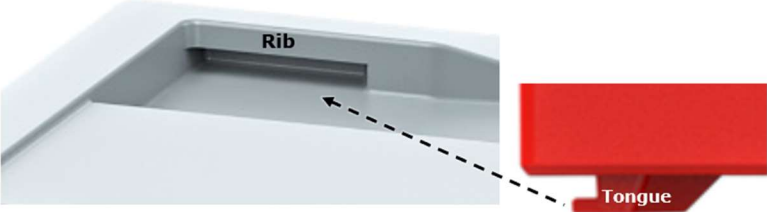
- 75 -

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 <i>Papalambros: PP-AP-1.10 (p. 110); PP-AC-1.10 (p. 136)</i> <i>Turriff: DT-AP 1.6 (p. 121); DT-AC 1.6 (p. 139)</i>
the second coupler includes a tongue that is offset from the second face and extends in a second direction opposite the first direction,	[A-1.11] Tongue: (a) offset from bottom face; (b) extends in backward (“second”) direction (opposite to frontwards direction of ribs) (AP Fig. 1; AC p. 52): 

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 <i>Papalambros: PP-AP-1.11 (p. 110); PP-AC-1.11 (p. 137)</i> <i>Turrieff: DT-AP 1.7 (p. 121); DT-AC 1.7 (p. 139)</i>
the tongue of the second container is engageable with the rib of the first container; and	[A-1.12] Tongues (top container) engage ribs (bottom container) (AP Fig. 1; AC p. 52):  AP Fig. 1 and 2/AC p. 52 and 56:

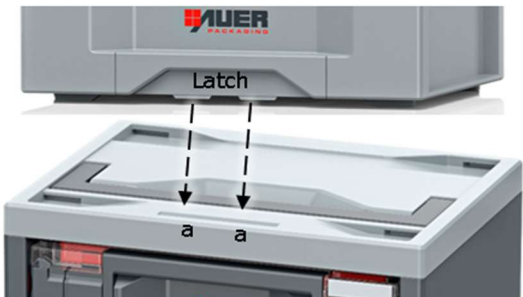
- 77 -

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 Ribs extend from back wall over the depressed surfaces to engage/receive tips of L-shaped tongues from containers above  <i>Papalambros: PP-AP-1.12 (p. 111); PP-AC-1.12 (p. 138)</i> <i>Turriff: DT-AP 1.7 (p. 121); DT-AC 1.7 (p. 139)</i>
a latch coupled to the second container,	[A-1.13] AP Fig. 1; AC p. 52-53:  Latch

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 <i>Papalambros: PP-AP-1.13 (p. 115); PP-AC-1.13 (p. 141)</i> <i>Turriff: DT-AP 1.8 (p. 122); DT-AC 1.8 (p. 141)</i>
the latch positionable in a locked position in which the latch prevents disengagement of the first container and the second container when the tongue and rib are engaged.	[A-1.14] Latches (on upper container) are positionable (movable up/down) for engagement with the latch recess (on lower container) (AP Fig. 1-2):

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 Latch normally extending down Recess along flat front edge 'a'  Locked containers - Latch engaged into recess and hidden by edge 'a'. In AC p. 1, 53 and 56:

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 Latch normally extending down Recess along flat front edge 'a' Locked containers - Latch engaged into recess and hidden by edge 'a'. When the latch/latch recess are engaged, it prevents the tongues from sliding out of engagement with the ribs (keeps containers from disengaging). <i>Papalambros: PP-AP-1.14 (p. 116); PP-AC-1.14 (p. 142)</i> <i>Turriff: DT-AP 1.9 (p. 122); DT-AC 1.9 (p. 141)</i>

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Claims 2-4

94. Claims 2-4 (dependent on Claim 1) are anticipated by the Auer-Press (Ex-1004)/Auer-Catalog (Ex-1006).

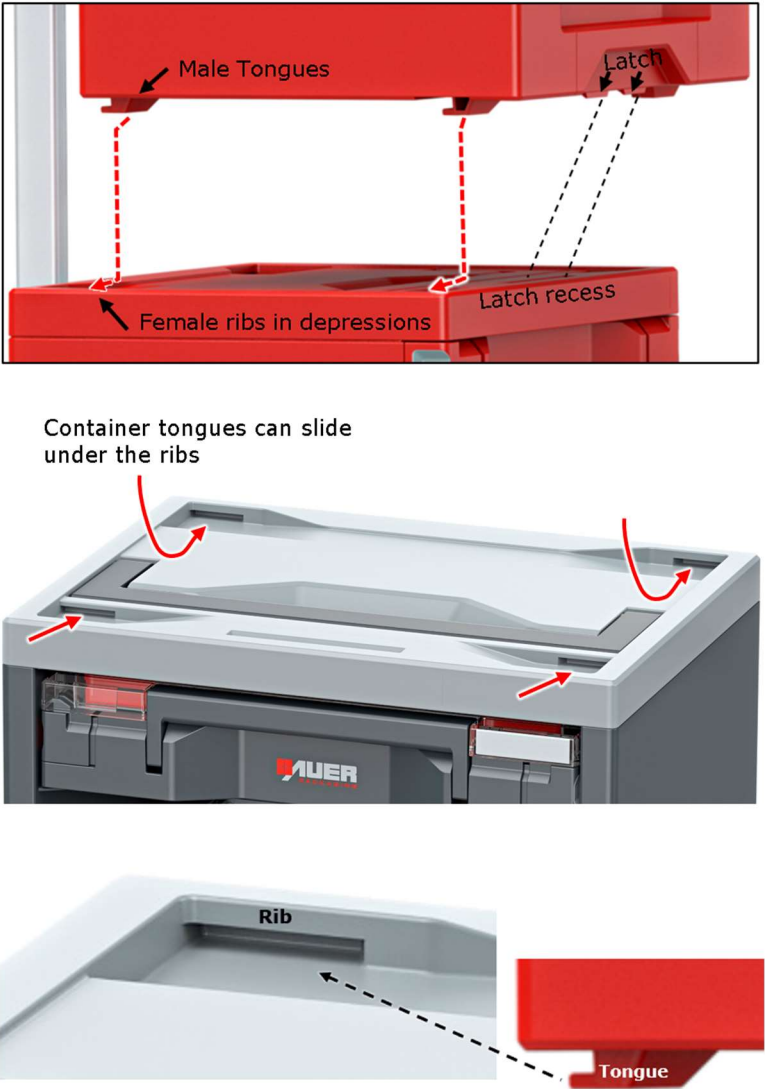
95. Claim 2:

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
2. The container assembly of claim 1,	<i>See Claim 1 (p. 66)</i>
wherein the first and second couplers on the first and second containers, respectively, engage when the first and second containers are slid along a sliding path defined by the rib and the tongue.	<i>[A-2.1]</i> Auer-Male/Female Couplers engage with each other when the containers are slid along a sliding path (AP Fig. 1; AC p. 52):

- 82 -

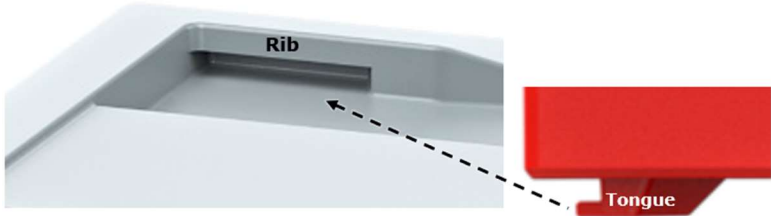
Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 Sliding Direction The sliding path is defined by the rib/tongue, being guided by the shaping/orientation of the tongues/ribs (AP Fig. 1 and 2; AC p. 53 and 56):

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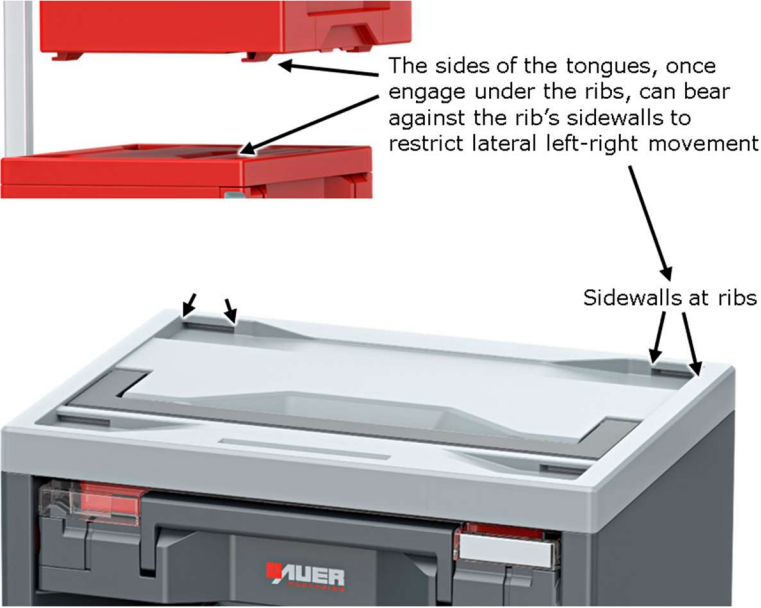
Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 Container tongues can slide under the ribs <i>Papalambros: PP-AP-2.1 (p. 119); PP-AC-2.1 (p. 145)</i> <i>Turriff: DT-AP 2.1 (p. 124); DT-AC 2.1 (p. 143)</i>

96. Claim 3:

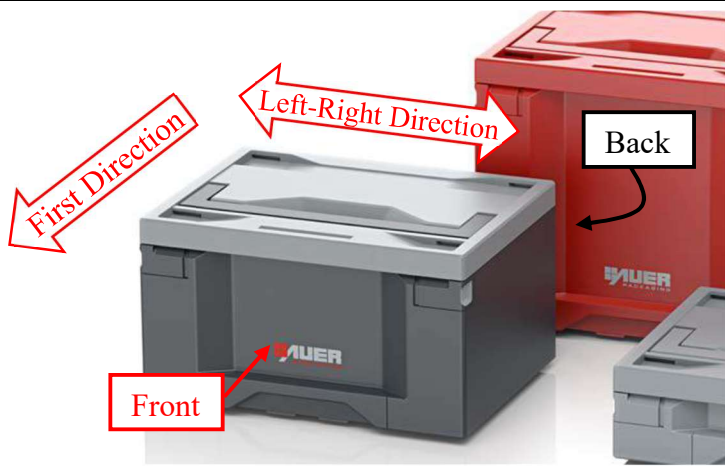
- 84 -

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
3. The container assembly of claim 1,	<i>See Claim 1 (p. 66)</i>
wherein when the tongue and rib are engaged:	[A-3.1] <i>See A-1.12 and A-2.1</i> Tongues are engaged with ribs when the containers are stacked. <i>Papalambros: PP-AP-3.1 (p. 120); PP-AC-3.1 (p. 146)</i> <i>Turriff: DT-AP 3.1 (p. 126); DT-AC 3.1 (p. 145)</i>
a first sidewall of the first coupler and a second sidewall of the second coupler interface to restrict displacement between the first container and the second container in a third direction perpendicular to the first direction and parallel to the first face of the first container.	[A-3.2] When engaged with the ribs, sidewalls of the tongues bear against the female couplers' sidewalls to restrict lateral (relative left-right) movement (AP Fig. 1 and 2; AC p. 53 and 56): 

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 Relative directions (AP Fig. 2):  In AC p. 54:

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 <i>Papalambros: PP-AP-3.2 (p. 121); PP-AC-3.2 (p. 147)</i> <i>Turriff: DT-AP 3.2 (p. 126); DT-AC 3.2 (p. 145)</i>

97. Claim 4:

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
4. The container assembly of claim 1,	<i>See Claim 1 (p. 66)</i>
the first container further comprising:	[A-4.1] <i>See A-1.2 (p. 67)</i> <i>Papalambros: PP-AP-4.1 (p. 122); PP-AC-4.1 (p. 148)</i> <i>Turriff: DT-AP 4.1 (p. 127); DT-AC 4.1 (p. 146)</i>

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
a third coupler extending from a second face of the first container,	[A-4.2] See A-1.10 (p. 74) Each Auer container has both Auer-Male/Female Couplers (Claim 1, “first coupler” of “first container” is female). Claim 4 references the male coupler of the first container (in Auer, male couplers are on the bottom (“second”) face). Claim 4 claims a third container being coupled to the first container. Auer discloses more than 2 containers coupled in a stack (AP Fig. 1):  The image shows three red Auer containers stacked vertically on a hand truck. To the right, a stack of four grey Auer containers is shown. The containers have a distinctive shape with a handle on top and a coupler on the side. The hand truck has a black handle and a large wheel. In AC p. 1:

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 <i>Papalambros: PP-AP-4.2 (p. 122); PP-AC-4.2 (p. 148)</i> <i>Turriff: DT-AP 4.2 (p. 127); DT-AC 4.2 (p. 146)</i>
the third coupler including a tongue that is offset from the second face of the first container and	[A-4.3] See A-1.11 (p. 75) “Third coupler”: male coupler (bottom of “first container”). The design/function of Auer-Male Couplers is the same for all Auer containers, so the analysis in A-1.11 (p. 75) applies to this “third coupler”.

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
extending in the second direction,	<i>Papalambros: PP-AP-4.3 (p. 123); PP-AC-4.3 (p. 149)</i> <i>Turriff: DT-AP 4.2 (p. 127); DT-AC 4.2 (p. 146)</i>
the tongue of the first container configured to engage a rib of a third container,	[A-4.4] See A-1.12 (p. 76) The design/function of Auer-Male/Female Couplers is the same for all Auer containers, whether “first” or “second” container, so the analysis of the Auer-Female Coupler of the “first” container (A-1.12 (p. 76)) applies to this “rib of a third container”. <i>Papalambros: PP-AP-4.4 (p. 123); PP-AC-4.4 (p. 150)</i> <i>Turriff: DT-AP 4.2 (p. 127); DT-AC 4.2 (p. 146)</i>
the first and third containers entering an engaged position by the third container sliding with respect to the first container; and	[A-4.5] See A-2.1 (p. 81) The design/function of the Auer-Male/Female Couplers is the same, whether they are on the “first”, “second” or “third” container. The analysis in A-2.1 (p. 81) applies here. <i>Papalambros: PP-AP-4.5 (p. 124); PP-AC-4.5 (p. 150)</i> <i>Turriff: DT-AP 4.2 (p. 127); DT-AC 4.2 (p. 146)</i>
a latch coupled to the first container,	[A-4.6] See A-1.13 (p. 77)

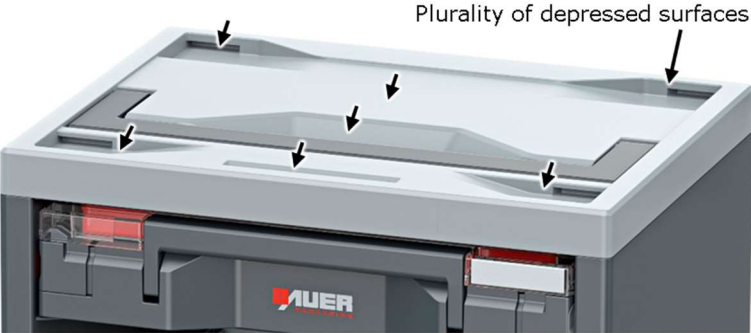
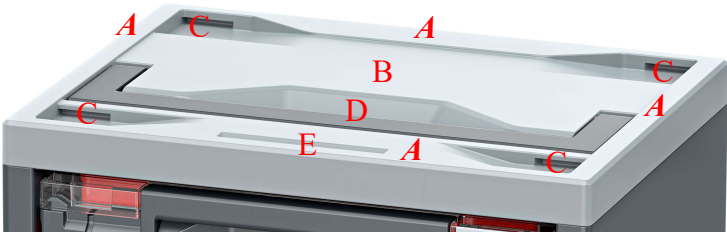
- 90 -

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	Auer latches/latch recesses are all of the same design/function. The analysis in <i>A-1.13 (p. 77)</i> applies here as well. <i>Papalambros: PP-AP-4.6 (p. 124); PP-AC-4.6 (p. 150)</i> <i>Turriff: DT-AP 4.3 (p. 128); DT-AC 4.3 (p. 148)</i>
the latch positionable in a locked position in which the latch prevents disengagement of the first container and the third container when the tongue of the first container and the rib of the third container are engaged.	[A-4.7] See A-1.14 (p. 78) Auer latches/latch recesses are all of the same design/function. The analysis in <i>A-1.14 (p. 78)</i> applies here. <i>Papalambros: PP-AP-4.7 (p. 124); PP-AC-4.7 (p. 150)</i> <i>Turriff: DT-AP 4.4 (p. 128); DT-AC 4.4 (p. 148)</i>

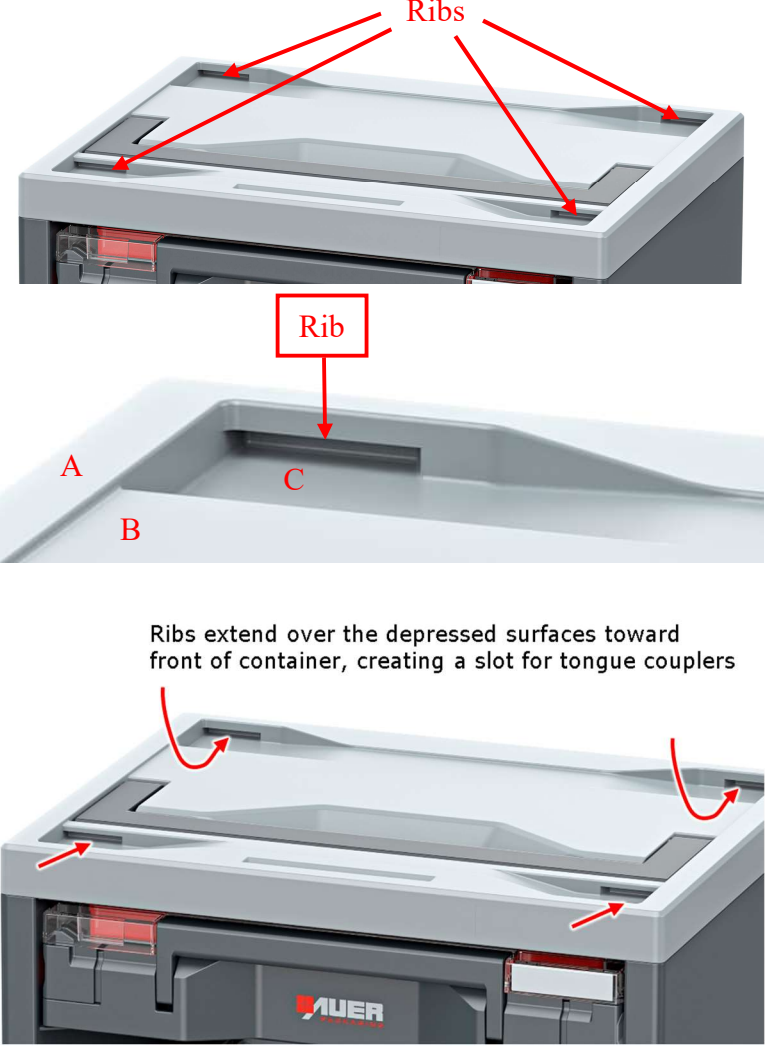
Claim 6

98. Claim 6 (dependent on Claim 1) is anticipated by the Auer-Press (Ex-1004)/Auer-Catalog (Ex-1006).

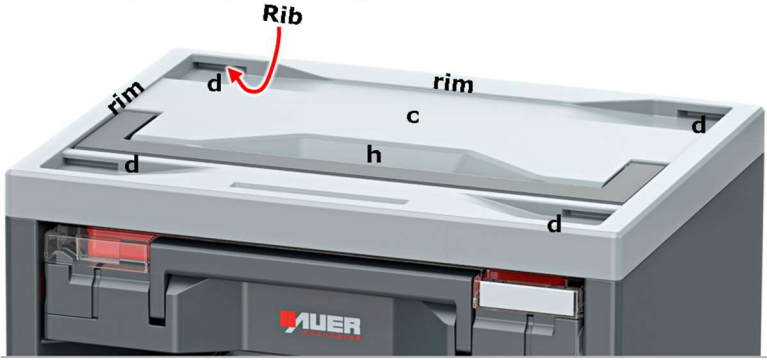
- 91 -

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
6. The first container of claim 1,	<i>See Claim 1 (p. 66)</i>
wherein the first face comprises a plurality of depressed surfaces,	[A-6.1] Top faces have more than 1 depressed surface. AP Fig. 2 and 3; AC p. 56 and 59:  Plurality of depressed surfaces In the image below (AP Fig. 2; AC p. 56), the top surface of the top face is identified as “A”:  Numerous <i>depressed</i> surfaces are present: B: depressed centre face C: Auer-Female Coupler depressed surfaces D: depression for the handle E: latch recess depression

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	<i>Papalambros: PP-AP-6.1 (p. 125); PP-AC-6.1 (p. 151)</i> <i>Turriff: DT-AP 6.1 (p. 129); DT-AC 6.1 (p. 149)</i>
one of which the rib extends above,	[A-6.2] See A-1.7 (p. 72) Numerous ribs extend above depressed surfaces “C” (AP Fig. 2; AC p. 56):  Ribs extend over the depressed surfaces toward front of container, creating a slot for tongue couplers

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	<i>Papalambros: PP-AP-6.2 (p. 126); PP-AC-6.2 (p. 152)</i> <i>Turriff: DT-AP 6.2 (p. 130); DT-AC 6.2 (p. 150)</i>
and wherein the plurality of depressed surfaces of the first face comprise at least 50% of the area of the first face.	[A-6.3] Not all “depressed surface” function as couplers (i.e., with ribs): “<i>a plurality of depressed surfaces, <u>one of which</u> the rib extends above</i>”. The highest surface of the top face is the peripheral rim of the container (i.e., the surface on which the upper container sits when in a stack). Surfaces “c”, “d” and “h” are all depressed relative to this top surface (AP Fig. 2; AC p. 56):  These depressed surfaces occupy well over 50% of the top surface (AP Fig. 2; AC p. 56): 

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 <i>Papalambros: PP-AP-6.3 (p. 126); PP-AC-6.3 (p. 153)</i> <i>Turriff: DT-AP 6.3 (p. 130); DT-AC 6.3 (p. 150)</i>

Claim 12

99. Claim 12 is anticipated by the Auer-Press (Ex-1004)/Auer-Catalog (Ex-1006).

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
12. A container assembly comprising:	<i>[A-12.1]</i> <i>See A-1.1 (p. 66)</i> <i>Papalambros: PP-AP-12.1 (p. 127); PP-AC-12.1 (p. 153)</i> <i>Turriff: DT-AP 12.0 (p. 132); DT-AC 12.0 (p. 152)</i>
a first container comprising:	<i>[A-12.2]</i> <i>See A-1.2 (p. 67)</i>

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	<i>Papalambros: PP-AP-12.2 (p. 127); PP-AC-12.2 (p. 153)</i> <i>Turriff: DT-AP 12.1 (p. 132); DT-AC 12.1 (p. 152)</i>
a first coupler extending from a first face of the first container,	[A-12.3] <i>See A-1.3 (p. 68)</i> <i>Papalambros: PP-AP-12.3 (p. 127); PP-AC-12.3 (p. 154)</i> <i>Turriff: DT-AP 12.2 (p. 132); DT-AC 12.2 (p. 152)</i>
the first coupler comprises two sidewalls, a back wall, and a rib,	[A-12.4] <i>See A-1.4 (p. 70)</i> <i>Papalambros: PP-AP-12.4 (p. 127); PP-AC-12.4 (p. 154)</i> <i>Turriff: DT-AP 12.3 (p. 132); DT-AC 12.3 (p. 152)</i>
the back wall extends between the two sidewalls,	[A-12.5] <i>See A-1.5 (p. 71)</i> <i>Papalambros: PP-AP-12.5 (p. 128); PP-AC-12.5 (p. 154)</i> <i>Turriff: DT-AP 12.3 (p. 132); DT-AC 12.3 (p. 152)</i>
the first face comprises a plurality of depressed surfaces,	[A-12.6] <i>See A-6.1 (p. 91)</i> <i>Papalambros: PP-AP-12.6 (p. 128); PP-AC-12.6 (p. 133)</i> <i>Turriff: DT-AP 12.4 (p. 154); DT-AC 12.4 (p. 152)</i>

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
the back wall and the two sidewalls project from one of the plurality of depressed surfaces,	[A-12.7] See A-1.6 (p. 71) and A-6.1 (p. 91) Each Auer container has numerous female couplers, (see A-6.1 (p. 91)), and each Auer-Female Coupler has a back wall and 2 sidewalls that project from a depressed surface (see A-1.6 (p. 71)). <i>Papalambros: PP-AP-12.7 (p. 128); PP-AC-12.7 (p. 154)</i> <i>Turriff: DT-AP 12.5 (p. 132); DT-AC 12.5 (p. 153)</i>
the rib extends from the back wall in a first direction above the one of the plurality of depressed surfaces,	[A-12.8] See A-1.7 (p. 72), A-6.1 (p. 91) and A-6.2 (p. 92) Each Auer-Female Coupler has a rib that extends frontwards from the back wall, above the depressed surface (A-1.7 (p. 72)). <i>Papalambros: PP-AP-12.8 (p. 128); PP-AC-12.8 (p. 154)</i> <i>Turriff: DT-AP 12.6 (p. 133); DT-AC 12.6 (p. 153)</i>
the plurality of depressed surfaces of the first face cover at least 50% of the first face; and	[A-12.9] See A-6.3 (p. 93) <i>Papalambros: PP-AP-12.9 (p. 128); PP-AC-12.9 (p. 155)</i> <i>Turriff: DT-AP 12.7 (p. 133); DT-AC 12.7 (p. 153)</i>
a latch recess; and	[A-12.10] See A-1.8 (p. 73)

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	<i>Papalambros: PP-AP-12.10 (p. 129); PP-AC-12.10 (p. 155)</i> <i>Turriff: DT-AP 12.8 (p. 133); DT-AC 12.8 (p. 153)</i>
a second container comprising:	[A-12.11] See A-1.9 (p. 73) <i>Papalambros: PP-AP-12.11 (p. 129); PP-AC-12.11 (p. 155)</i> <i>Turriff: DT-AP 12.9 (p. 133); DT-AC 12.9 (p. 153)</i>
a second coupler extending from a second face of the second container,	[A-12.12] See A-1.10 (p. 74) <i>Papalambros: PP-AP-12.12 (p. 129); PP-AC-12.12 (p. 155)</i> <i>Turriff: DT-AP 12.10 (p. 133); DT-AC 12.10 (p. 153)</i>
the second coupler includes a tongue that is offset from the second face and extends in a second direction opposite the first direction,	[A-12.13] See A-1.11 (p. 75) <i>Papalambros: PP-AP-12.13 (p. 129); PP-AC-12.13 (p. 155)</i> <i>Turriff: DT-AP 12.11 (p. 133); DT-AC 12.11 (p. 153)</i>
the tongue of the second	[A-12.14] See A-1.12 (p. 76)

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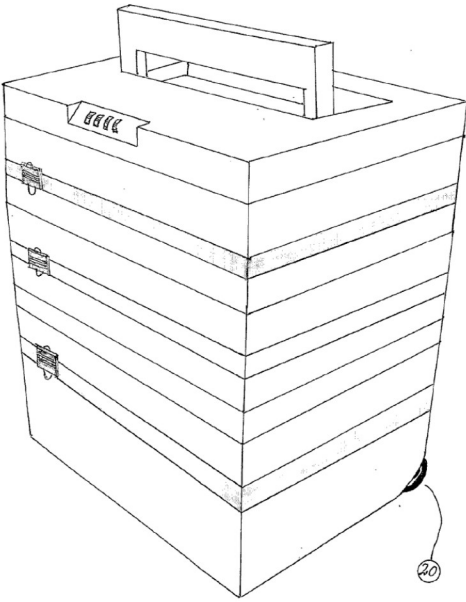
Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
container is engageable with the rib of the first container; and	<i>Papalambros: PP-AP-12.14 (p. 129); PP-AC-12.14 (p. 155)</i> <i>Turriff: DT-AP 12.11 (p. 133); DT-AC 12.11 (p. 153)</i>
a latch coupled to the second container,	[A-12.15] See A-1.13 (p. 77) <i>Papalambros: PP-AP-12.15 (p. 129); PP-AC-12.15 (p. 155)</i> <i>Turriff: DT-AP 12.12 (p. 133); DT-AC 12.12 (p. 154)</i>
the latch positionable in a locked position in which the latch prevents disengagement of the first container and the second container when the tongue and rib are engaged.	[A-12.16] See A-1.14 (p. 78) <i>Papalambros: PP-AP-12.16 (p. 129); PP-AC-12.16 (p. 155)</i> <i>Turriff: DT-AP 12.13 (p. 133); DT-AC 12.13 (p. 154)</i>

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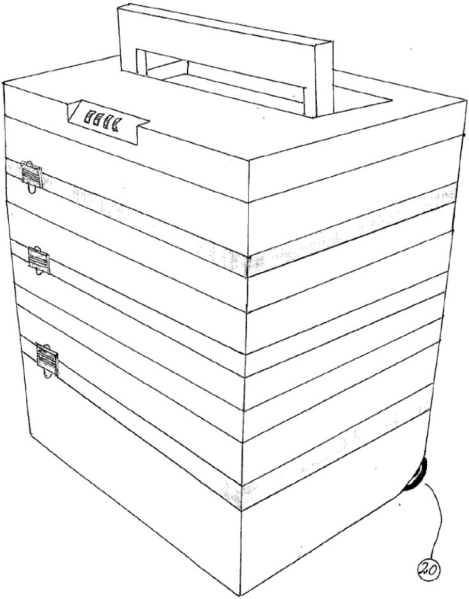
C. Madsen (Ex-1003)

Claim 1

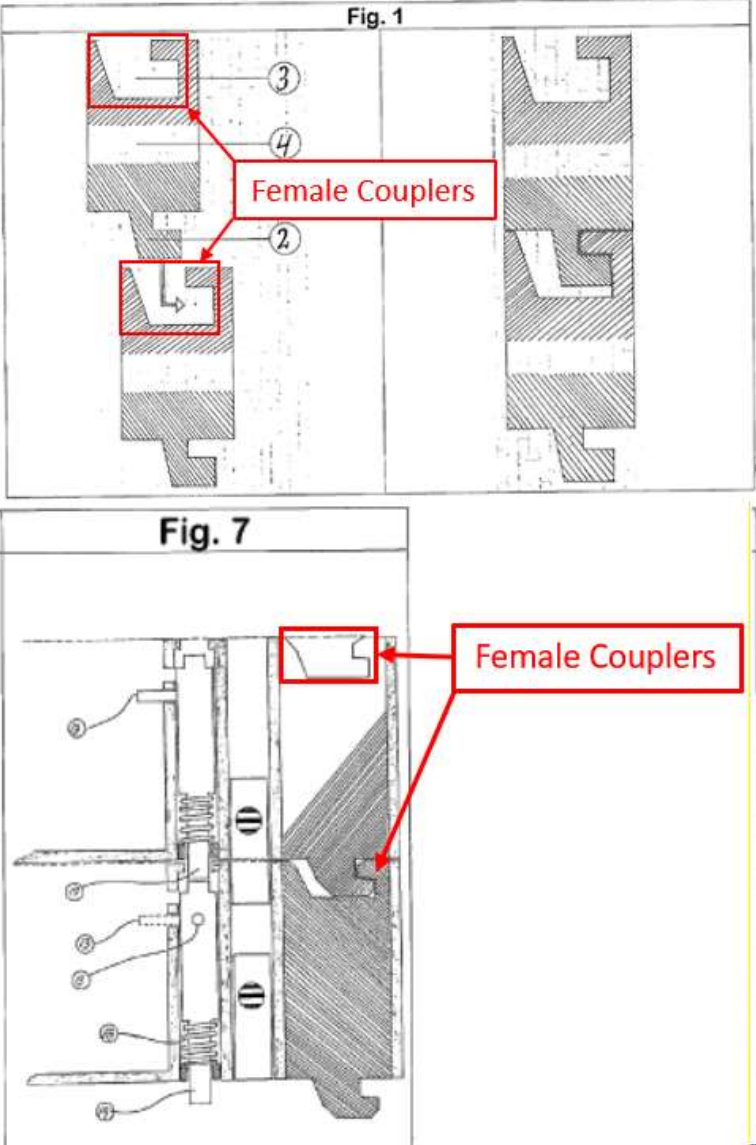
100. Claim 1 is anticipated by Madsen.

Claim	Madsen (Ex-1003)
1. A container assembly comprising:	[M-1.1] A container assembly (e.g., Para. 1-2, Fig. 9 and 10, Claim 1): Fig. 9  <i>Papalambros: PP-M-1.1 (p. 156)</i> <i>Turriff: DT-M 1.0 (p. 154)</i>
a first container comprising:	[M-1.2]

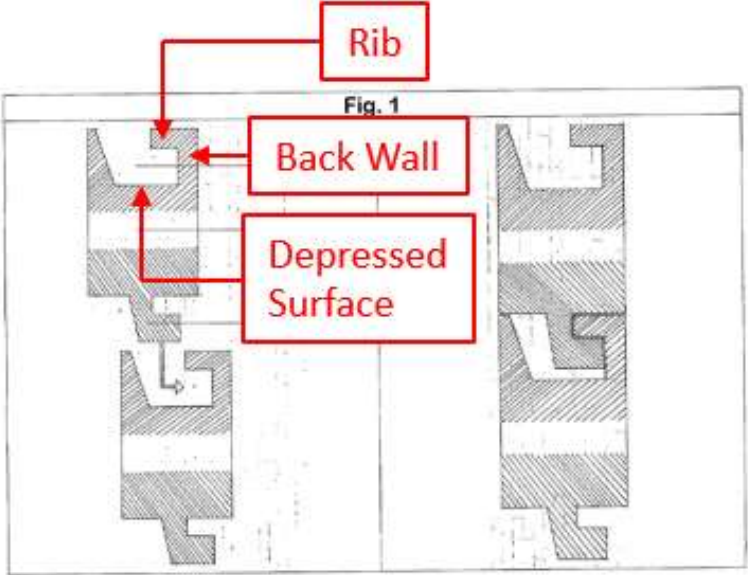
- 100 -

Claim	Madsen (Ex-1003)
	More than 2 containers (e.g., Para. 1-2, Fig. 9 and 10, Claim 1): Fig. 9  <i>Papalambros: PP-M-1.2 (p. 157)</i> <i>Turriff: DT-M 1.1 (p. 155)</i>
a first coupler extending from a first face of the first container,	[M-1.3] Madsen-Female Coupler: “first” coupler, extending from the top (“first”) face of a lower (“first”) container:

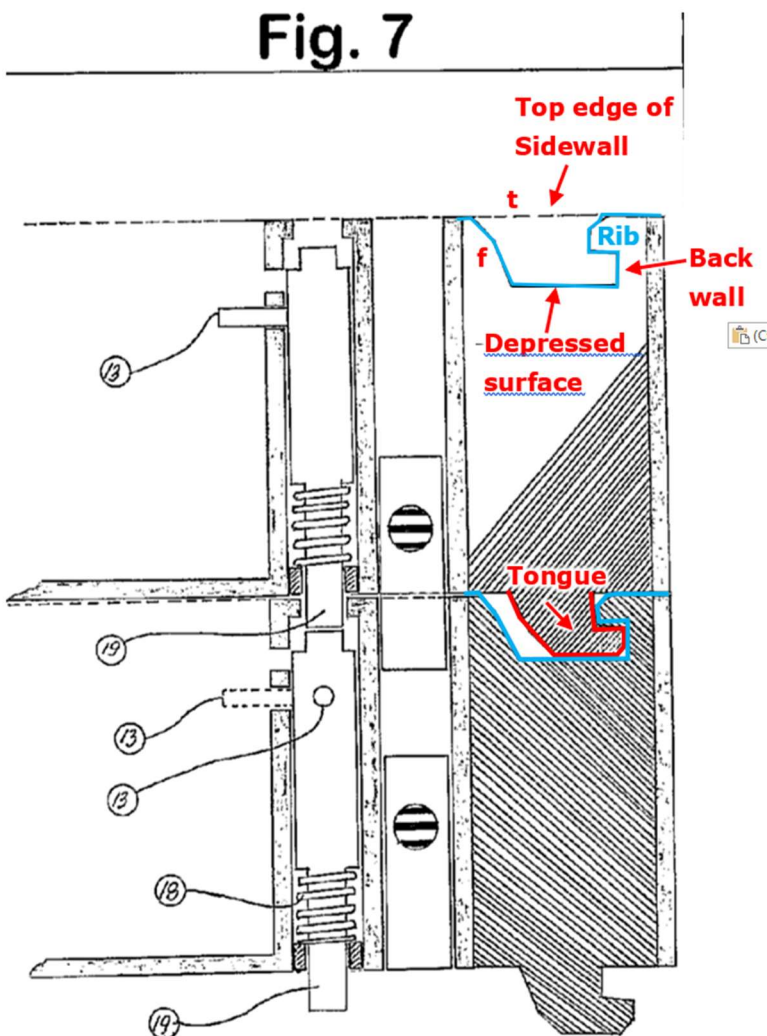
- 101 -

Claim	Madsen (Ex-1003)
	 <i>Papalambros: PP-M-1.3 (p. 158)</i> <i>Turriff: DT-M 1.2 (p. 155)</i>
the first coupler comprises two	[M-1.4] Madsen-Female Coupler: two sidewalls, back wall, and rib:

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Claim	Madsen (Ex-1003)
sidewalls, a back wall, and a rib,	

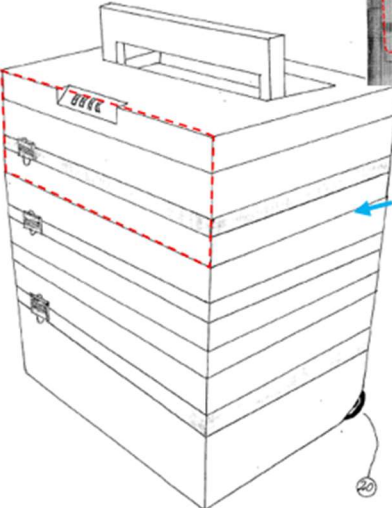
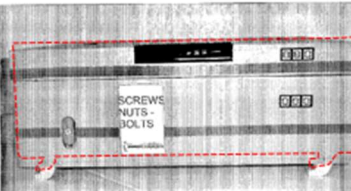
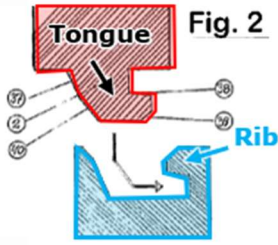
- 103 -

Claim	Madsen (Ex-1003)
	Fig. 7  <i>f</i>: sloped front wall <i>t</i>: top edge of the sidewalls For sidewalls: see discussion in “Madsen Sidewalls” (p. 45). Exterior sidewalls are shown in Fig. 9 and 17 (the front face of the stack of Madsen containers is solid). If there were no exterior sidewalls, a cut-out

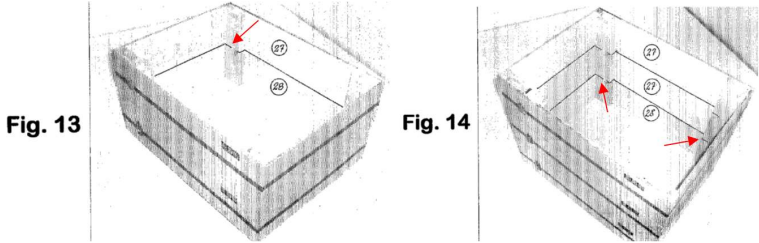
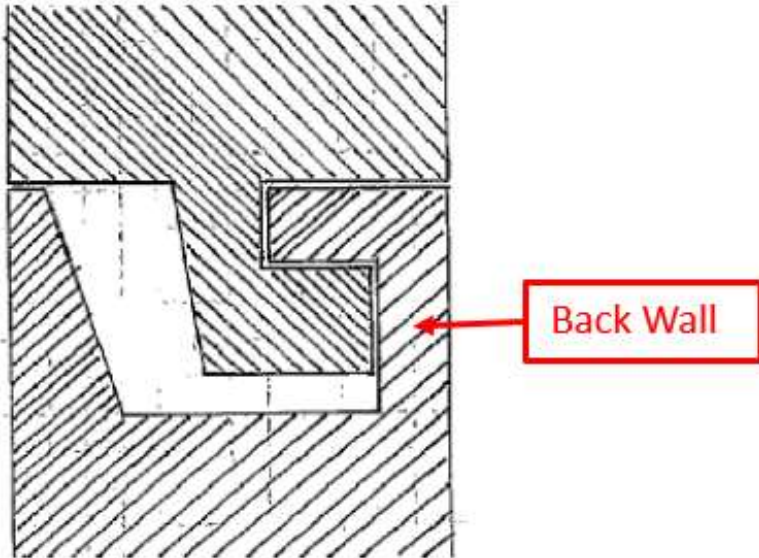
- 104 -

Claim	Madsen (Ex-1003)
	matching the Madsen-Female Coupler's L-shaped profile would be visible, as well as the Madsen-Male Coupler engaged with it.

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Claim	Madsen (Ex-1003)
	Fig. 9  Fig. 17  Side walls of containers conceal rib and tongue couplers engaged between boxes when stacked. When not stacked, the protruding couplers are visible Fig. 2  Cross-sectional 'slice' views show the tongue and rib couplers normally hidden by the sidewalls Tongue Rib Inboard sidewalls are shown in Fig. 13 and 14, which depict extension frames that have the same

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Claim	Madsen (Ex-1003)
	Madsen-Male/Female Couplers. There is no break in the inboard sidewall (if there were no inboard sidewalls, a cut-out matching the Madsen-Female Coupler's L-shaped profile would be visible, as well as the Madsen-Male Coupler engaged with it).  <i>Papalambros: PP-M-1.4 (p. 159)</i> <i>Turriff: DT-M 1.3 (p. 157)</i>
the back wall extends between the two sidewalls,	[M-1.5] The back wall extends between the two sidewalls. 

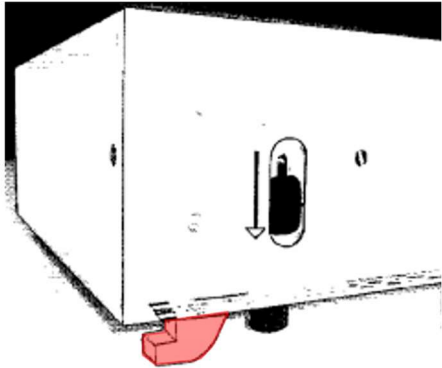
- 107 -

Claim	Madsen (Ex-1003)
	Cross-sectional image (Fig. 7) shows the sidewalls. Back wall extends in/out of the page, intersecting the sidewalls. Fig. 7 Fig. 9 Solid faces/walls hiding couplers inside Back wall Top edge of the sidewalls is shown at 't'. Back wall intersects the solid container side faces (external sidewalls of female couplers) shown in Fig. 9 and 10, since there is no break in the sidewall/any of the solid container faces – they are contiguous and part of the container:

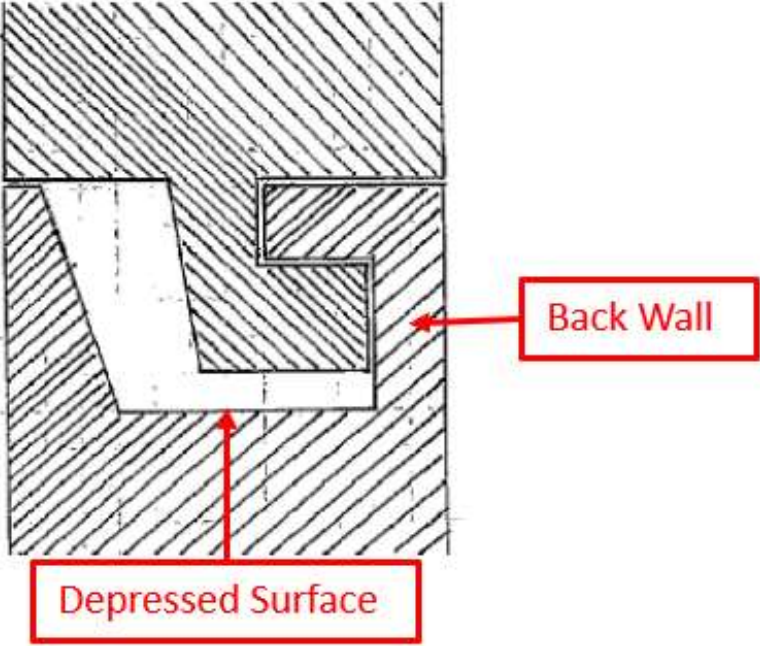
- 108 -

Claim	Madsen (Ex-1003)
	Fig. 7 Fig. 9 Solid faces/walls hiding couplers inside Back wall Based on Fig. 1-7, the shape of the male couplers (flat sides; squared off at the terminal end of the tongue; Fig. 8) and solid side faces of the containers (Fig. 8, 9, 10, 16, 17), the back wall would be oriented substantially perpendicular to the sidewalls.

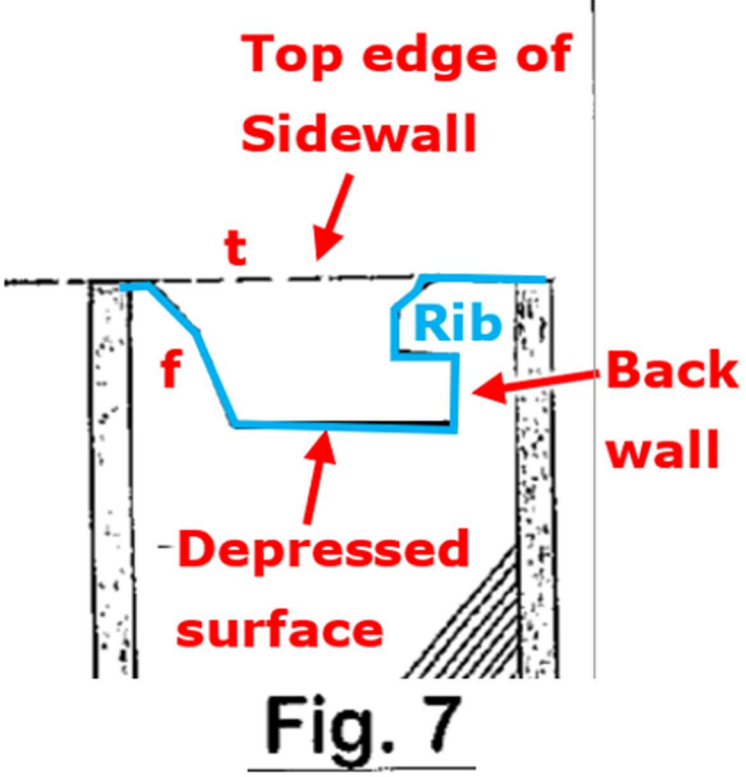
- 109 -

Claim	Madsen (Ex-1003)
	 Male coupler (tongue) See the discussion in “Madsen Sidewalls” (p. 45). Madsen-Female Couplers would have sidewalls that are perpendicular to the back wall, between which the back wall would extend. There is no indication of a gap/break in the back wall – the back wall is contiguous between the two sidewalls. <i>Papalambros: PP-M-1.5 (p. 160)</i> <i>Turriff: DT-M 1.4 (p. 160)</i>
the two sidewalls and the back wall project from a depressed surface of the first face,	[M-1.6] Back wall extends from the depressed surface (detail excerpted from Fig. 1):

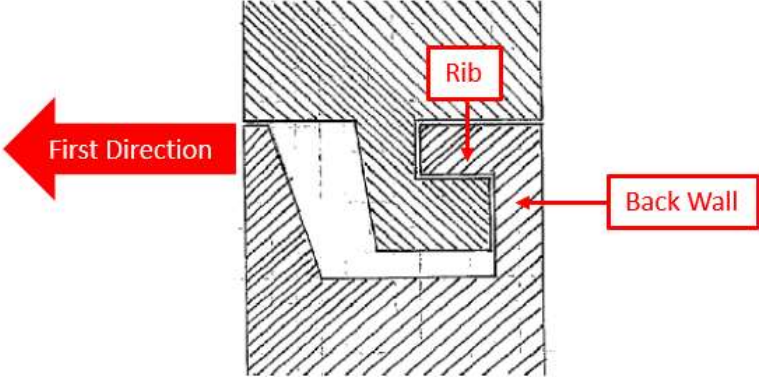
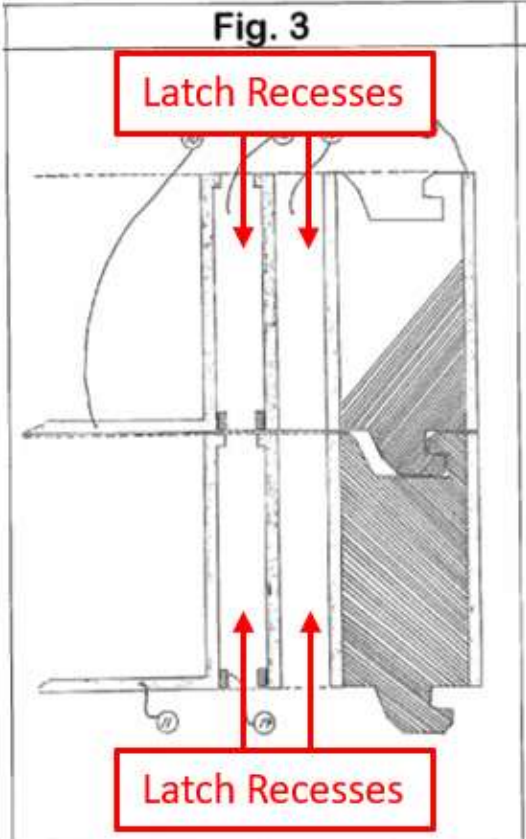
- 110 -

Claim	Madsen (Ex-1003)
	 The diagram shows a cross-section of a mold cavity. A white, L-shaped feature is positioned within a hatched mold material. The bottom horizontal surface of the L-shape is labeled 'Depressed Surface' with a red arrow pointing to it. The vertical back wall of the L-shape is labeled 'Back Wall' with a red arrow pointing to it. Below the diagram, the text 'and Fig. 7:' is present.

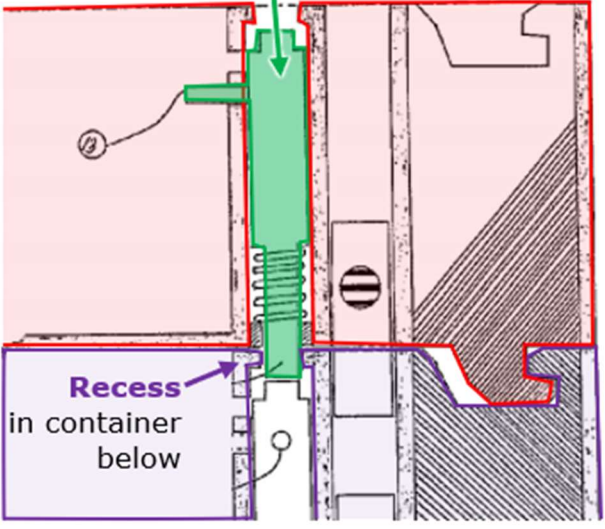
- 111 -

Claim	Madsen (Ex-1003)
	 See the section “Madsen Sidewalls” (p. 45). <i>Papalambros: PP-M-1.6 (p. 162)</i> <i>Turriff: DT-M 1.5 (p. 161)</i>
and the rib extends from the back wall in a first direction above the depressed surface; and	[M-1.7] Rib extends from the back wall in a “first direction”, above the depressed surface (Fig. 1):

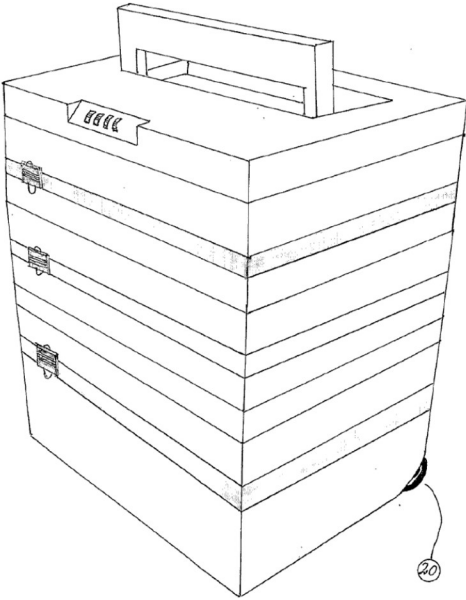
- 112 -

Claim	Madsen (Ex-1003)
	 <i>Papalambros: PP-M-1.7 (p. 162)</i> <i>Turriff: DT-M 1.6 (p. 161)</i>
a latch recess; and	[M-1.8] 

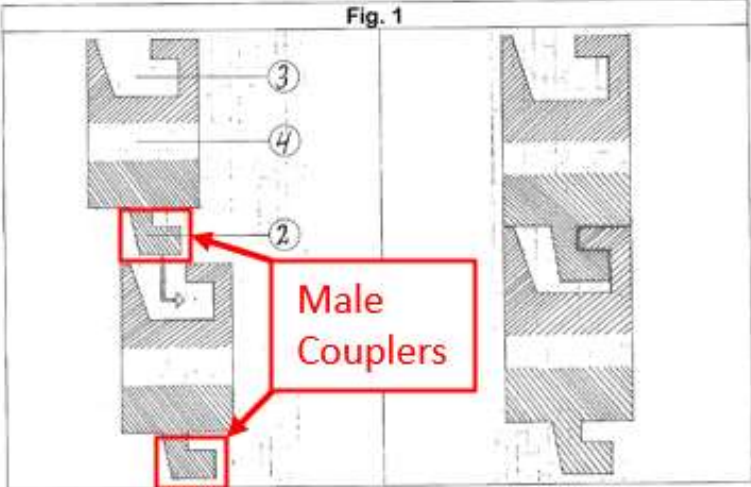
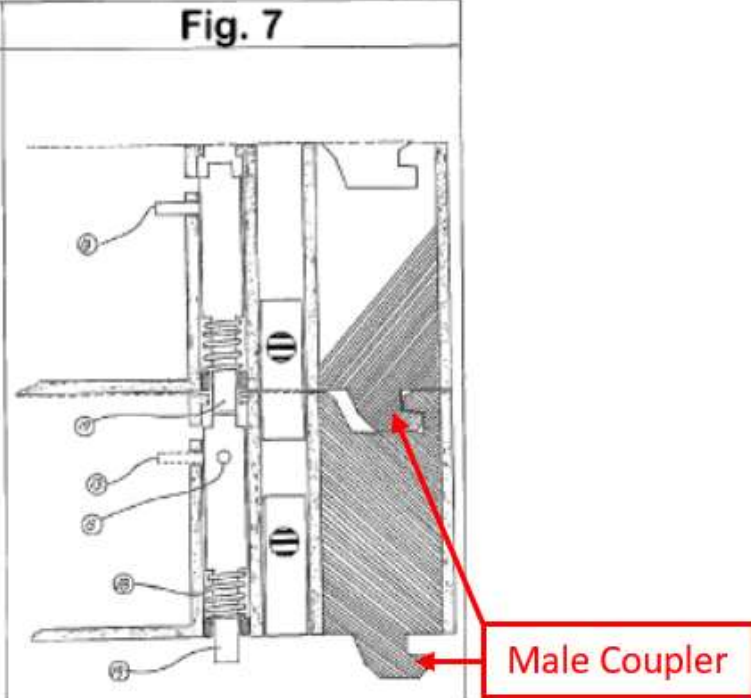
- 113 -

Claim	Madsen (Ex-1003)
	Fig. 7 Latch (sliding plunger) extended down into recess of container below  <i>Papalambros: PP-M-1.8 (p. 163)</i> <i>Turriff: DT-M 1.7 (p. 162)</i>
a second container comprising:	[M-1.9] More than 2 containers (e.g., Para. 1-2, Fig. 9 and 10, Claim 1):

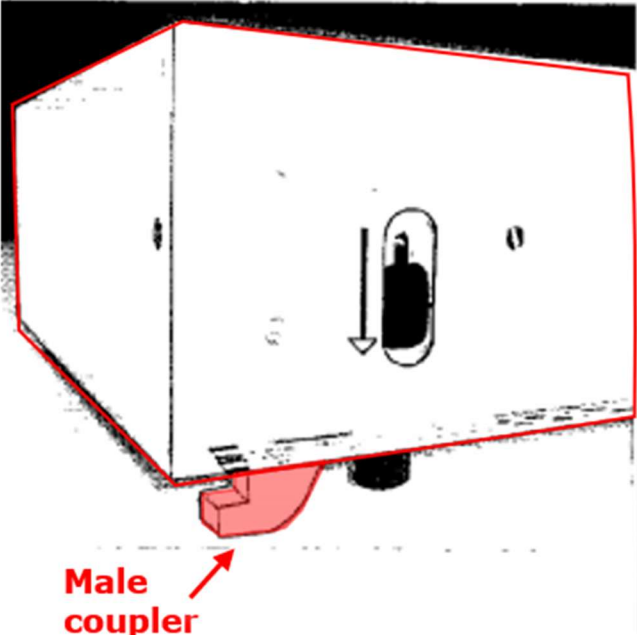
- 114 -

Claim	Madsen (Ex-1003)
	Fig. 9  <i>Papalambros: PP-M-1.9 (p. 163)</i> <i>Turriff: DT-M 1.8 (p. 163)</i>
a second coupler extending from a second face of the second container,	[M-1.10] Madsen-Male Coupler: “second” coupler, extending from the bottom (“second”) face of an upper (“second”) container:

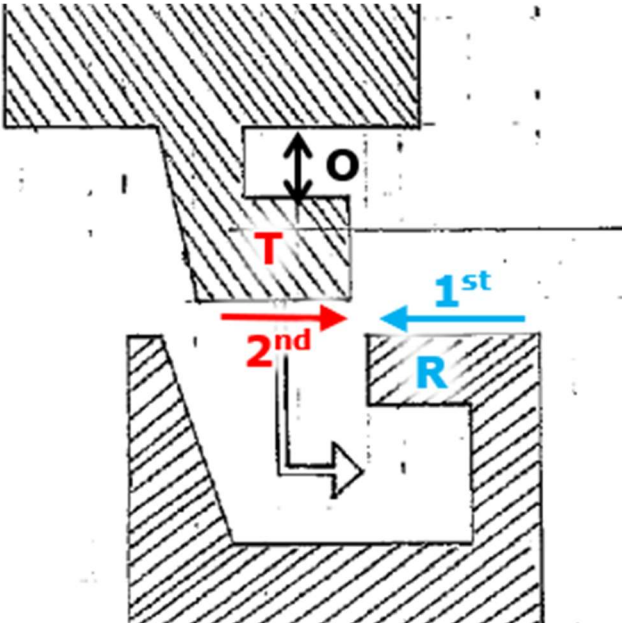
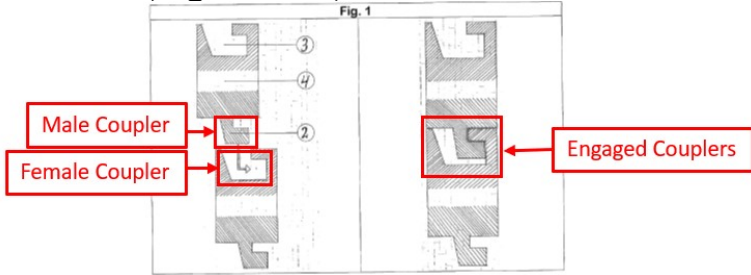
- 115 -

Claim	Madsen (Ex-1003)
	Fig. 1  Fig. 7 

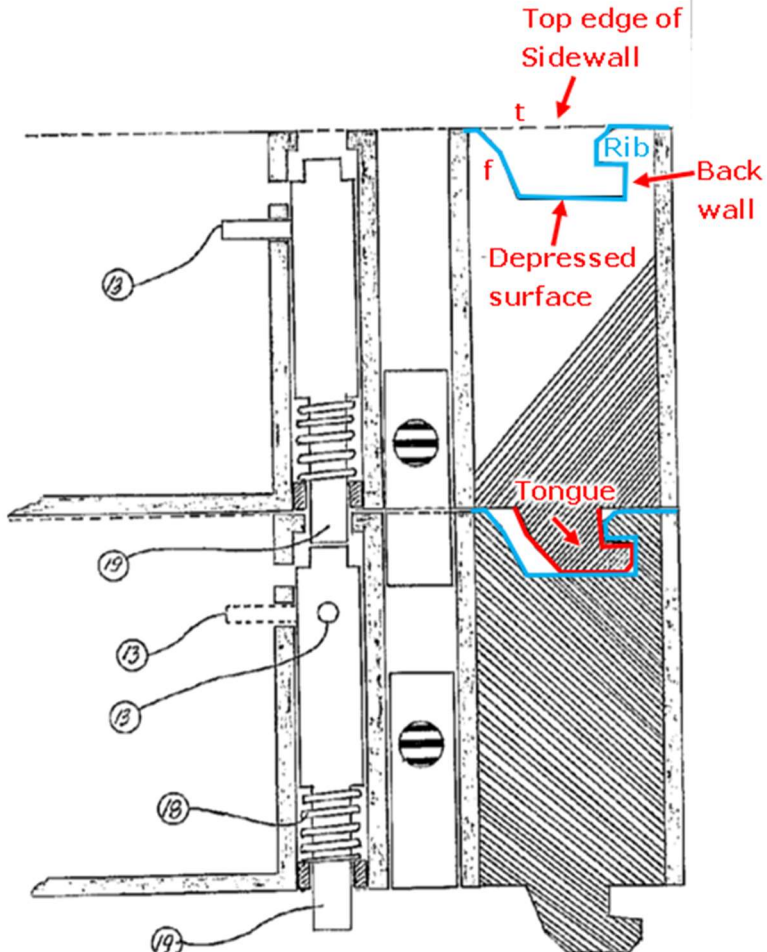
- 116 -

Claim	Madsen (Ex-1003)
	8B  Male coupler <i>Papalambros: PP-M-1.10 (p. 164)</i> <i>Turriff: DT-M 1.9 (p. 164)</i>
the second coupler includes a tongue that is offset from the second face and extends in a second direction	[M-1.11] Tongue, which extends in a “second” direction (opposite the first), is offset from the bottom (“second”) face (Fig. 1-8, 16-17):

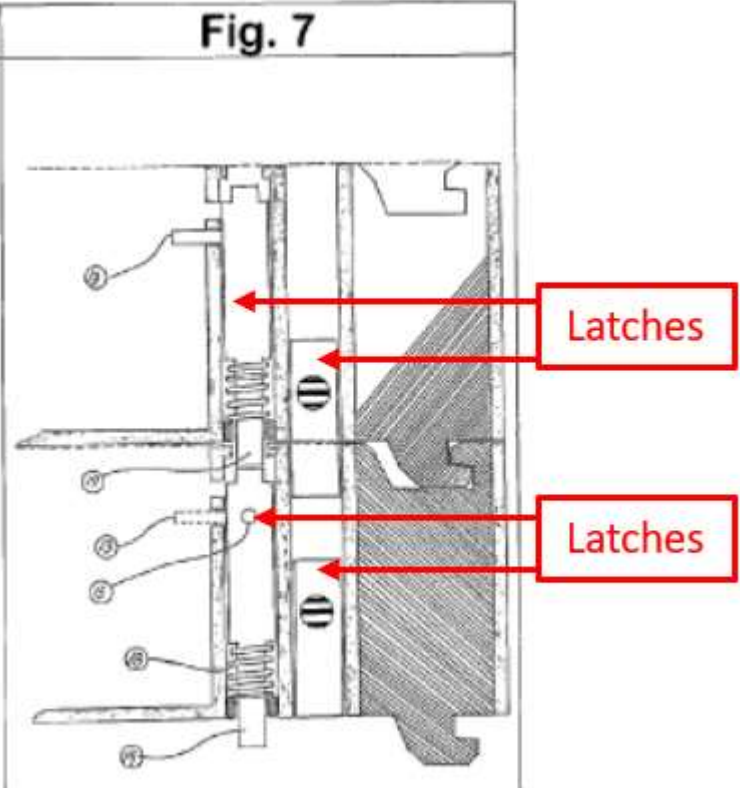
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Claim	Madsen (Ex-1003)
opposite the first direction,	 <i>T</i>: tongue; <i>R</i>: rib; <i>O</i>: offset <i>Papalambros</i>: PP-M-1.11 (p. 165) <i>Turriff</i>: DT-M 1.9 (p. 164)
the tongue of the second container is engageable with the rib of the first container; and	[M-1.12] Tongue of the upper (“second”) container is engageable with the rib of the first (“lower”) container (Fig. 1 and 7): 

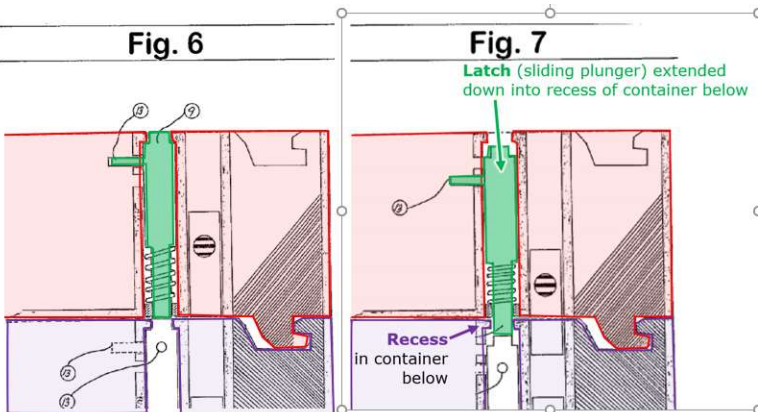
- 118 -

Claim	Madsen (Ex-1003)
	Fig. 7  <i>Papalambros: PP-M-1.12 (p. 165)</i> <i>Turriff: DT-M 1.10 (p. 165)</i>
a latch coupled to the second container,	[M-1.13] 2 latches on the upper (“second”) container:

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Claim	Madsen (Ex-1003)
	 <i>Papalambros: PP-M-1.13 (p. 166)</i> <i>Turriff: DT-M 1.11 (p. 166)</i>
the latch positionable in a locked position in which the latch prevents disengagement of the first container and the second container	[M-1.14] Latches are positionable (locked/unlocked). When Madsen-Male/Female Couplers are engaged, engaged, latches prevent the upper container from separating/disengaging from the lower container:

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Claim	Madsen (Ex-1003)
when the tongue and rib are engaged.	 <i>Papalambros: PP-M-1.14 (p. 167)</i> <i>Turriff: DT-M 1.12 (p. 168)</i>

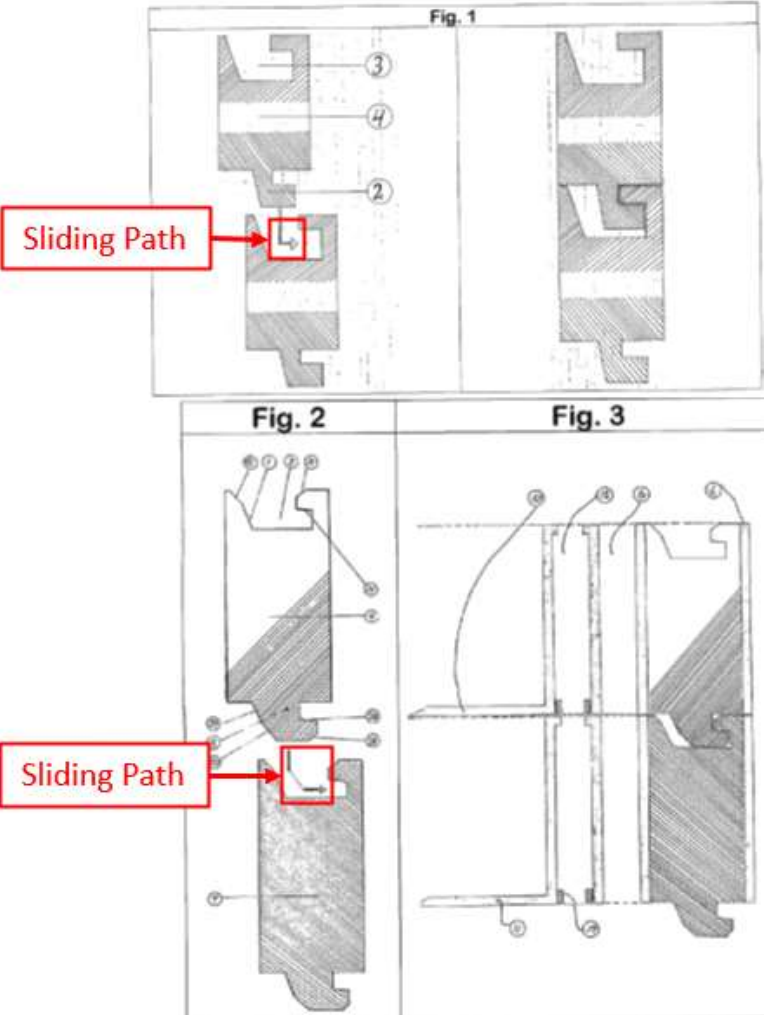
Claims 2-4

101. Claims 2-4 (dependent on Claim 1) are anticipated by Madsen.

102. Claim 2:

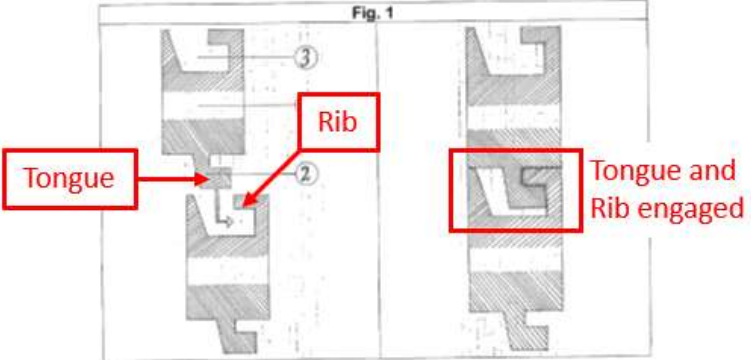
Claim	Madsen (Ex-1003)
2. The container assembly of claim 1,	<i>See Claim 1 (p. 99)</i>
wherein the first and second couplers on the first and second containers, respectively, engage when the first and second containers are slid along a sliding path defined by the rib and the tongue.	[M-2.1] Madsen-Male/Female Couplers are engaged when the containers are slid along a sliding path:

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Claim	Madsen (Ex-1003)
	 This sliding path is defined/guided by the shaping of the rib (female) and the tongue (male). <i>Papalambros: PP-M-2.1 (p. 169)</i> <i>Turriff: DT-M 2.1 (p. 169)</i>

103. Claim 3:

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Claim	Madsen (Ex-1003)
3. The container assembly of claim 1,	<i>See Claim 1 (p. 99)</i>
wherein when the tongue and rib are engaged:	[M-3.1] Tongue/rib in engagement:  <i>Papalambros: PP-M-3.1 (p. 171)</i> <i>Turriff: DT-M 3.1 (p. 171)</i>
a first sidewall of the first coupler and a second sidewall of the second coupler interface to restrict displacement between the first container and the second container in a third direction perpendicular to the first direction and parallel to the first face of the first container.	[M-3.2] See “Madsen Sidewalls” (p. 45). When Madsen-Male/Female Couplers are engaged, sidewalls of the Madsen-Female Couplers are substantially flush with the sidewalls of the Madsen-Male Couplers. Sidewalls of the Madsen-Female Coupler restrict the Madsen-Male Coupler from moving laterally, in a perpendicular direction to the direction of the rib/tongue (when the rib and the tongue are engaged). <i>Papalambros: PP-M-3.2 (p. 171)</i> <i>Turriff: DT-M 3.2 (p. 171)</i>

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104. Claim 4:

Claim	Madsen (Ex-1003)
4. The container assembly of claim 1,	<i>See Claim 1 (p. 99)</i>
the first container further comprising:	<i>[M-4.1]</i> <i>See M-1.2 (p. 100)</i> <i>Papalambros: PP-M-4.1 (p. 172)</i> <i>Turriff: DT-M 4.1 (p. 171)</i>
a third coupler extending from a second face of the first container,	<i>[M-4.2]</i> <i>See M-1.10 (p. 114)</i> Each container has both Madsen-Male/Female Couplers (all having the same structure/function). Claim 4 references a third container being coupled to the first container of Claim 1. The containers in Madsen “can be connected unlimited” (Para. 2). This male “third coupler” has the same structure and function as the male “second coupler” of Claim 1. <i>Papalambros: PP-M-4.2 (p. 172)</i> <i>Turriff: DT-M 4.2 (p. 171)</i>
the third coupler including a tongue that is offset from the second face of the first container and	<i>[M-4.3]</i> <i>See M-1.11 (p. 116)</i> “Third coupler”: Madsen-Male Coupler, bottom of the “first container”. The design/function of Madsen-Male Couplers is the same for all Madsen containers, so the analysis

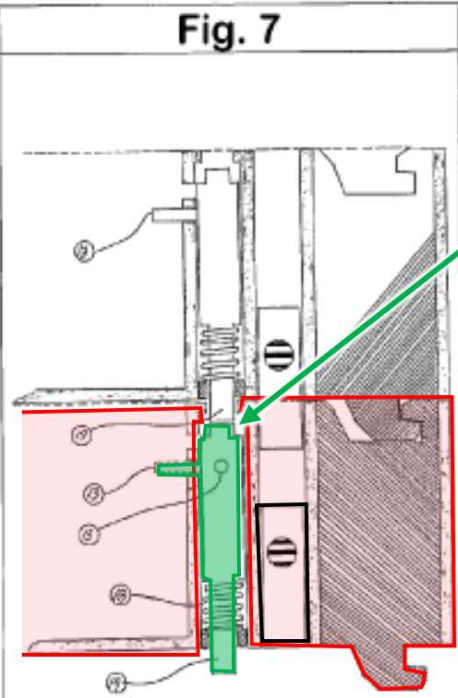
- 124 -

Claim	Madsen (Ex-1003)
extending in the second direction,	of the Madsen-Male Coupler in <i>M-1.11 (p. 116)</i> applies to this “third coupler”. <i>Papalambros: PP-M-4.3 (p. 173)</i> <i>Turriff: DT-M 4.2 (p. 171)</i>
the tongue of the first container configured to engage a rib of a third container,	[M-4.4] See M-1.12 (p. 117) The design/function of Madsen-Male/Female Couplers is the same for all Madsen containers, so the analysis of the Madsen-Male Coupler’s engagement with the Madsen-Female Coupler in <i>M-1.12 (p. 117)</i> applies here. <i>Papalambros: PP-M-4.4 (p. 173)</i> <i>Turriff: DT-M 4.2 (p. 171)</i>
the first and third containers entering an engaged position by the third container sliding with respect to the first container; and	[M4.5] See M-2.1 (p. 120) The design/function of Madsen-Male/Female Couplers is the same for all Madsen containers, so the analysis of the sliding engagement of Madsen containers in <i>M-2.1 (p. 120)</i> applies here:

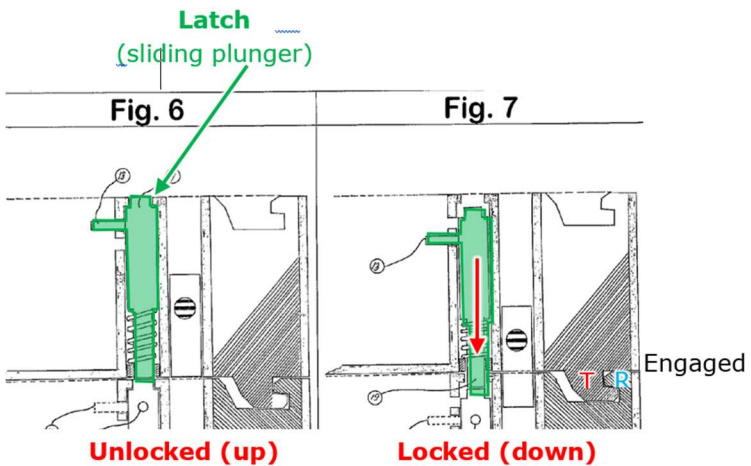
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Claim	Madsen (Ex-1003)
	Fig. 2 Engaged Position Sliding Tongue <i>Papalambros: PP-M-4.5 (p. 173)</i> <i>Turriff: DT-M 4.2 (p. 171)</i>
a latch coupled to the first container,	[M-4.6] See M-1.13 (p. 118) Latches/latch recesses are of the same design/function. The analysis in <i>M-1.13 (p. 118)</i> applies here.

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Claim	Madsen (Ex-1003)
	Fig. 7  Latch (sliding plunger) <i>Papalambros: PP-M-4.6 (p. 174)</i> <i>Turriff: DT-M 4.3 (p. 174)</i>
the latch positionable in a locked position in which the latch prevents disengagement of the first container and the third container when the tongue of the	[M-4.7] <i>See M-1.14 (p. 119)</i> Latches/latch recesses are of the same design/function. The analysis in <i>PP-M-1.14 (p. 119)</i> applies here.

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Claim	Madsen (Ex-1003)
first container and the rib of the third container are engaged.	 <i>Papalambros: PP-M-4.7 (p. 174)</i> <i>Turriff: DT-M 4.4 (p. 175)</i>

XI. OBVIOUSNESS

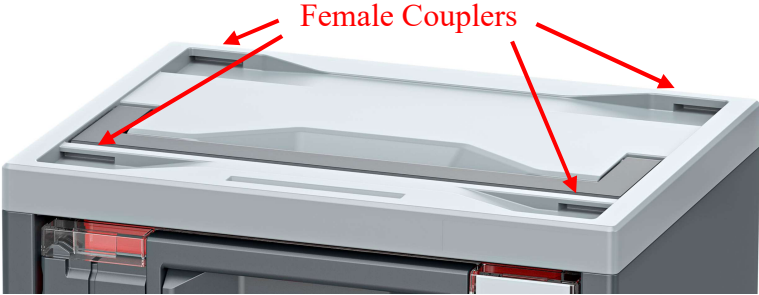
A. Auer-Press (Ex-1004)/Auer-Catalog (Ex-1006)

Claim 5

105. Claim 5 would have been rendered obvious by the Auer-Press (Ex-1004) in view of the Knowledge/Sense of a PHOSITA.

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
5. The first container of claim 1,	<i>See Claim 1 (p. 66)</i>

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
wherein the first coupler extends from a bottom face of the first container,	[A-5.1] See A-1.3 (p. 68), A-1.4 (p. 70), A-1.5 (p. 71), A-1.6 (p. 72) and A-1.7 (p. 73) “First coupler” of Claim 1: “female” coupler (rib) described in A-1.4 (p. 70), A-1.5 (p. 71), A-1.6 (p. 72) and A-1.7 (p. 73). Female couplers are on the top (AP Fig. 2; AC p. 56):  Claim 5 specifies that the female coupler is on the bottom. This configuration is achieved merely by flipping Auer containers upside down. Simply rotating AP Fig. 1/AC p. 52 by 180° discloses the configuration of Claim 5:

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 This is not inventive and would have been an obvious configuration to a PHOSITA. <i>Papalambros: PP-AP-5.1 (p. 175); PP-AC-5.1 (p. 193)</i> <i>Turriff: DT-AP 5.1 (p. 176); DT-AC 5.1 (p. 191)</i>

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
and the second coupler extends from a top face of the second container.	[A-5.2] <i>See A-1.10 (p. 74), A-1.11 (p. 75), A-1.12 (p. 76) and A-5.1 (p. 128)</i> “Second coupler” of Claim 1: “male” coupler (tongue) described in A-1.11 (p. 75) and A-1.12 (p. 76). Auer containers have male couplers on the bottom (AP Fig. 1; AC p. 52): Claim 5 specifies that the male coupler is on the top. This configuration is achieved merely by flipping the Auer containers upside down (see A-5.1 (p. 128)). This is not inventive and would have been an obvious configuration to a PHOSITA. <i>Papalambros: PP-AP-5.2 (p. 177); PP-AC-5.2 (p. 194)</i> <i>Turriff: DT-AP 5.1 (p. 176); DT-AC 5.1 (p. 191)</i>

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Claim 7

106. Claim 7 would have been rendered obvious by the Auer-Press (Ex-1004) in view of either: (i) the Knowledge/Sense of the PHOSITA; or (ii) the Festool Patent (Ex-1007), as set out below.

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
7. A first container configured to be removably coupled to a second container,	[A-7.1] <i>See A-1.10 (p. 74) and A-4.2 (p. 87)</i> Numerous Auer containers can be removably coupled, to stack heights of at least 6 containers (AP Fig. 1/AC p. 1 and 52-53):  The image shows a collection of Auer storage containers. On the left, a red pallet jack is shown with three red containers stacked vertically on its platform. To the right of the pallet jack, three more red containers are shown stacked vertically. On the far right, a stack of four grey containers is shown, with the Auer logo visible on the front of the bottom two units. The containers are designed with interlocking features for stacking.

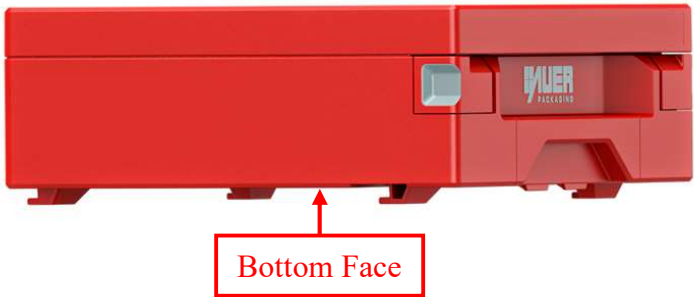
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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 The coupling mechanism is discussed in A-1.10 (p. 74) and A-4.2 (p. 87). <i>Papalambros: PP-AP-7.1 (p. 178); PP-AC-7.1 (p. 196)</i> <i>Turrieff: DT-AP 7.0 (p. 177); DT-AC 7.0 (p. 193)</i>
the first container comprising:	[A-7.2] See A-1.2 (p. 67) <i>Papalambros: PP-AP-7.2 (p. 178); PP-AC-7.2 (p. 196)</i> <i>Turrieff: DT-AP 7.1 (p. 178); DT-AC 7.1 (p. 193)</i>

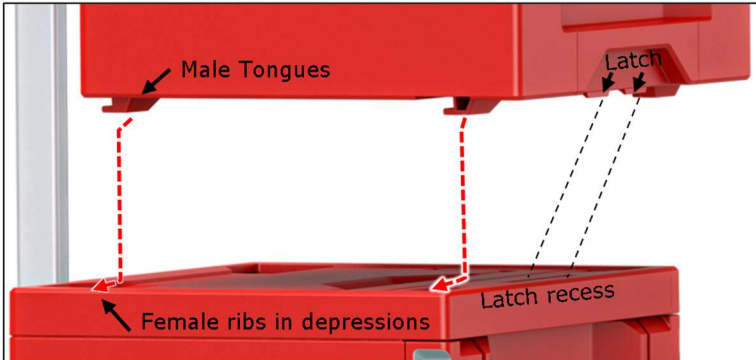
- 133 -

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
a top face;	[A-7.3] Top faces (AP Fig. 2):  (AC p. 54):  <i>Papalambros: PP-AP-7.3 (p. 178); PP-AC-7.3 (p. 196)</i> <i>Turriff: DT-AP 7.2 (p.178); DT-AC 7.2 (p. 193)</i>
a bottom face; and	[A-7.4] <i>See A-7.3 (above)</i> Bottom faces (AP Fig. 1; AC p. 52):

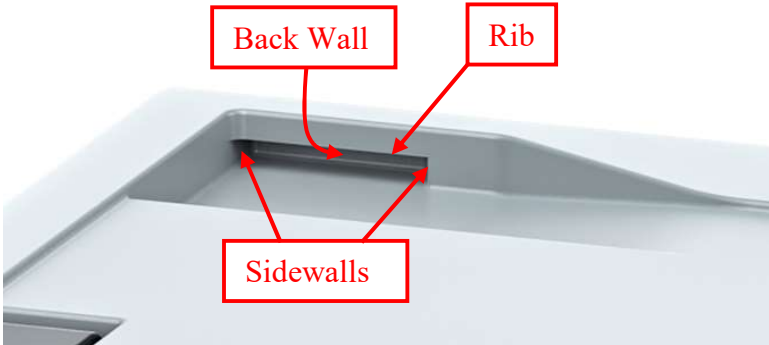
- 134 -

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 <i>Papalambros: PP-AP-7.4 (p. 179); PP-AC-7.4 (p. 197)</i> <i>Turriff: DT-AP 7.2 (p. 178); DT-AC 7.2 (p. 193)</i>
a first coupler extending from a first face of the first container that is one of the top face and the bottom face,	[A-7.5] See A-1.10 (p. 74) Auer-Male Couplers (“first coupler”): on the bottom (“first”) face. <i>Papalambros: PP-AP-7.5 (p. 179); PP-AC-7.5 (p. 197)</i> <i>Turriff: DT-AP 7.3 (p. 178); DT-AC 7.3 (p. 193)</i>
the first coupler comprises a tongue that is offset from the first face and extends in a first direction;	[A-7.6] See A-1.11 (p. 75) Auer-Male Couplers: tongues, which are offset from the bottom face, and extend in a backwards direction (AP Fig. 1; AC p. 52):

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 <i>Papalambros: PP-AP-7.6 (p. 179); PP-AC-7.6 (p. 197)</i> <i>Turriff: DT-AP 7.3 (p. 178); DT-AC 7.3 (p. 193)</i>
a second coupler extending from a second face of the first container that is the other of the top face and the bottom face,	[A-7.7] See A-1.3 (p. 68) Auer-Female Couplers (“second coupler”) extend from the top (“second”) face of the containers (AP Fig. 1; AC p. 52):  <i>Papalambros: PP-AP-7.7 (p. 179); PP-AC-7.7 (p. 198)</i> <i>Turriff: DT-AP 7.4 (p. 179); DT-AC 7.4 (p. 194)</i>

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
the second face comprising a plurality of depressed surfaces,	[A-7.8] See A-6.1 (p. 91) <i>Papalambros: PP-AP-7.8 (p. 180); PP-AC-7.8 (p. 198)</i> <i>Turriff: DT-AP 7.4 (p. 179); DT-AC 7.4 (p. 194)</i>
the second coupler comprises a back wall, two sidewalls, and a rib,	[A-7.9] See A-1.4 (p. 70) AP Fig. 2; AC p. 56:  <i>Papalambros: PP-AP-7.9 (p. 180); PP-AC-7.9 (p. 198)</i> <i>Turriff: DT-AP 7.5 (p. 180); DT-AC 7.5 (p. 195)</i>
the back wall and the two sidewalls project from one of the plurality of depressed surfaces of the second face,	[A-7.10] See A-1.6 (p. 74) <i>Papalambros: PP-AP-7.10 (p. 180); PP-AC-7.10 (p. 198)</i> <i>Turriff: DT-AP 7.5 (p. 180); DT-AC 7.5 (p. 195)</i>

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
the rib offset from the second face and extends above the one of the plurality of depressed surfaces in a second direction opposing the first direction,	[A-7.11] <i>See A-1.7 (p. 72), A-6.1 (p. 91), A-6.2 (p. 92) and P-7.6 (p. 134)</i> The rib of the Auer-Female Coupler extends above the depressed surface in a frontward (“second”) direction (opposite to backward (“first”) direction of the tongue, (<i>cf.</i> A-7.6 (p. 134)). There are numerous Auer-Female Couplers on the tops of each container: at least one rib extending above one of the depressed surfaces. This limitation specifically provides for “the rib offset from the second face”. It appears that there is a missing verb that should precede “offset”. This Claim would be read by a PHOSITA with the understanding that the verb “is” precedes “offset”, such that this part of the Claim would read “the rib <u>is</u> offset from the second face”. This is consistent with all of the other instances in which “offset” appears in Claims 1, 4, 7 (earlier in the Claim), and 12 of the ’962 Patent. The rib being “offset” means the rib (i.e., that portion of the rib which engages the tongue of the Auer-Male Coupler) is not coplanar with the top (“second”) face of the container. The rib may be above or below the second face. The ribs are offset from the top faces of the containers (AP Fig. 2; AC p. 56):

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	The rib (the surface of which engages the tongue) is offset from the top surface (A), the central depressed surface (B), and the Auer-Female Coupler depressed surfaces (C). <i>Papalambros: PP-AP-7.11 (p. 180); PP-AC-7.11 (p. 199)</i> <i>Turriff: DT-AP 7.6 (p. 180); DT-AC 7.6 (p. 196)</i>
the rib engageable with a second tongue coupled to a second container,	[A-7.12] See A-1.12 (p. 75) <i>Papalambros: PP-AP-7.12 (p. 182); PP-AC-7.12 (p. 200)</i> <i>Turriff: DT-AP 7.7 (p. 182); DT-AC 7.7 (p. 197)</i>

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
the first container enters an engaged position with the second container by the first and second containers sliding with respect to each other,	[A-7.13] See A-2.1 (p. 81) <i>Papalambros: PP-AP-7.13 (p. 182); PP-AC-7.13 (p. 200)</i> <i>Turriff: DT-AP 7.8 (p. 182); DT-AC 7.8 (p. 197)</i>
wherein the plurality of depressed surfaces of the second face cover at least 50% of the second face;	[A-7.14] See A-6.3 (p. 93) <i>Papalambros: PP-AP-7.14 (p. 182); PP-AC-7.14 (p. 201)</i> <i>Turriff: DT-AP 7.9 (p. 182); DT-AC 7.9 (p. 198)</i>
a latch recess; and	[A-7.15] See A-1.8 (p. 73) <i>Papalambros: PP-AP-7.15 (p. 183); PP-AC-7.15 (p. 201)</i> <i>Turriff: DT-AP 7.10 (p. 183); DT-AC 7.10 (p. 198)</i>
a latch,	[A-7.16] See A-1.13 (p. 77)

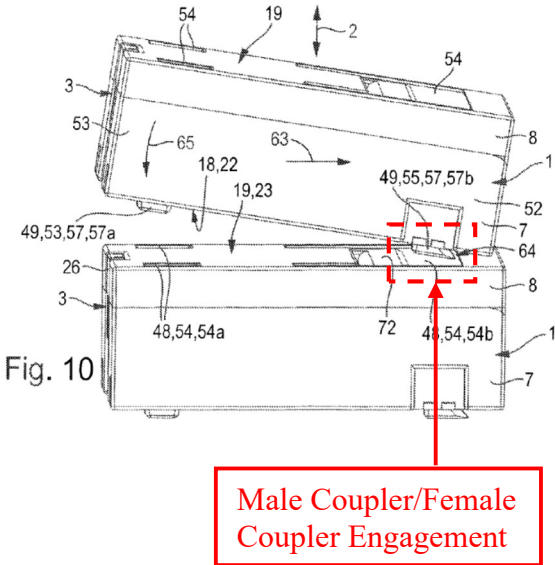
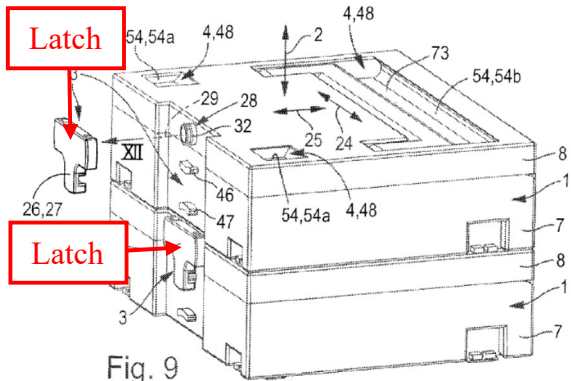
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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	<i>Papalambros: PP-AP-7.16 (p. 183); PP-AC-7.16 (p. 201)</i> <i>Turriff: DT-AP 7.11 (p. 183); DT-AC 7.11 (p. 198)</i>
the latch positionable in a locked position in which the latch interlocks with a second latch recess in the second container restricting displacement between the first container and the second container.	[A-7.17] See A-1.14 (p. 78) Locking engagement of the latch/latch recess: A-1.14 (p. 78). This limitation describes the inverse orientation of the latch/latch recess (from what is disclosed in Auer). In Claim 7, the rib (female) of the first container engages the tongue (male) of the second container (<i>cf. A-7.12 (p. 138)</i>). Here, this limitation states that the latch of the first container engages the latch recess of the second container: <i>the latch projects from the face that also has the ribs</i> (as opposed to projecting from the face with the tongues). Referencing Auer, the difference is that the latch would project upwards into a latch recess on the bottom of the upper container. Auer discloses a latch which projects downwards and engage the latch recess on the top of the lower container. This inverted latch configuration would have been obvious to a PHOSITA. <u>(i) Knowledge/Sense of the PHOSITA</u>

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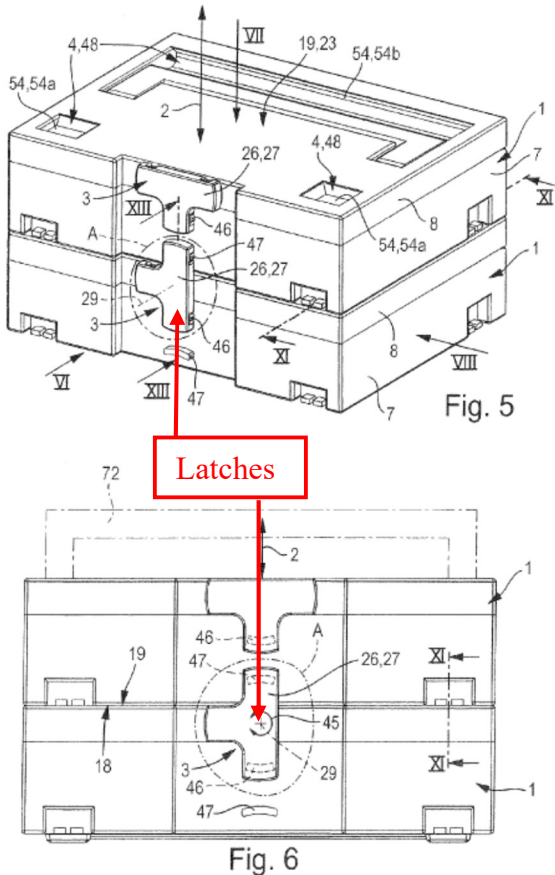
Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	Latch function is the same, as in Auer containers. Only the orientation of the latch/latch recess is slightly different: a mere inverting the orientation of the latch, from pointing downwards to pointing upwards. There is nothing inventive about merely changing the orientation of the latch. <u>(ii) Festool Patent (Ex-1007)</u> A latch which is located on a lower container and is positionable to secure an upper container was disclosed in U.S. Patent No. 8,875,888 (Ex-1007, “Festool Patent”). The latch in Festool Patent is located on the lower container and engages an upper container to secure the upper and lower containers so they cannot slide out of the coupler-engaged position. Stacking of containers (Fig. 10):

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 Fig. 10 Male Coupler/Female Coupler Engagement Latch: shown in Fig. 9; the engagement of the latch from the lower container to the upper container is shown in Fig. 5 and 6; the engagement of the latch is shown in Fig. 14:  Fig. 9

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	Latch on lower container Can rotate and engage upper container Fig. 14 Fig. 5

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 Fig. 5 Fig. 6 Latches Latch (3) on the lower box is rotatable and engages with a protrusion (47) on the upper box. When engaged, it prevents the containers from moving vertically and in a front-back direction. A latch which is attached to a lower container and engages an upper container is disclosed in the Festool Patent. The Festool Patent is in the same field as Auer and the '962 Patent. Replacing the latch disclosed by Auer with an upward projecting latch, as in the Festool Patent,

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	is a simple substitution of a known element and technique which would yield predictable result. It is one of the two known predictable solutions with regard to the latch (i.e., latch going from the lower container to the upper container, or <i>vice versa</i>). It would have been obvious to a PHOSITA that Auer containers could also be secured in the engaged position by a latch going from the lower container to the upper container. This is not inventive. <i>Papalambros: PP-AP-7.17 (p. 183); PP-AC-7.17 (p. 201)</i> <i>Turriff: DT-AP 7.12 (p. 183); DT-AC 7.12 (p. 198)</i>

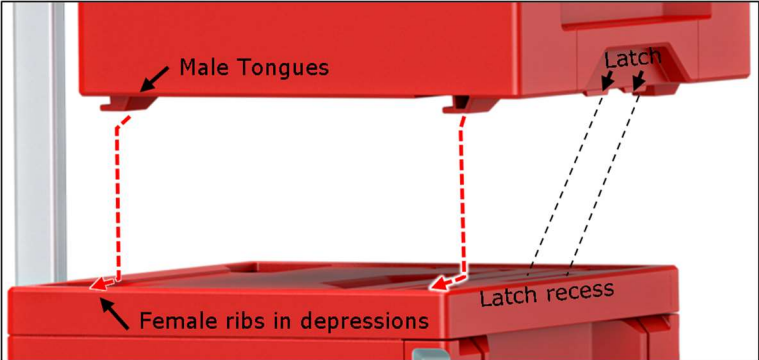
Claims 8-11

107. Claims 8-11 (dependent on Claim 7) would have been rendered obvious on the same grounds as Claim 7. All of the additional limitations in Claims 8-11 are disclosed in the Auer-Press (Ex-1004)/Auer-Catalog (Ex-1006).

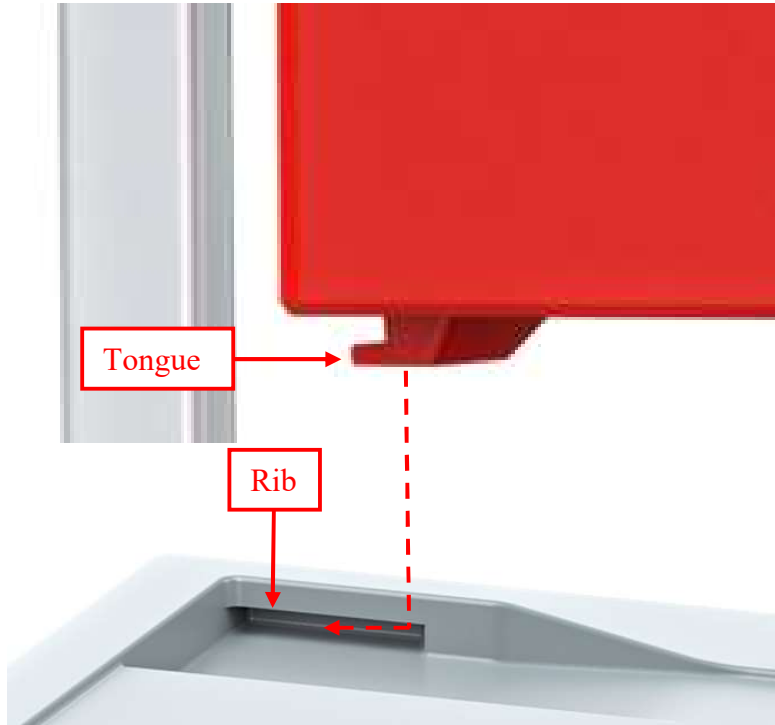
108. Claim 8:

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
8. The first container of claim 7,	<i>See Claim 7 (p. 131)</i>

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
wherein the rib is engaged between the second tongue of the second container and a first face of the second container when the first container is removably coupled to the second container.	[A-8.1] When coupled, the female coupler rib (top of the lower container) is engaged between the male tongue (bottom of the upper container) and the bottom face of the upper container. The tongue is inserted under the rib: (AP Fig. 1; AC p. 52):  (AP Fig. 1 and 2; AC p. 52 and 56):

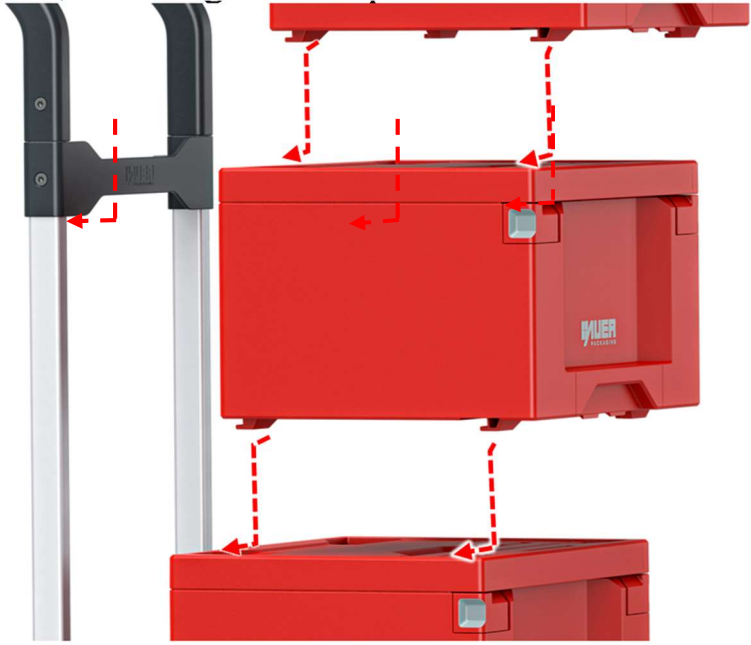
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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 <i>Papalambros: PP-AP-8.1 (p. 188); PP-AC-8.1 (p. 207)</i> <i>Turriff: DT-AP 8.1 (p. 186); DT-AC 8.1 (p. 203)</i>

109. Claim 9:

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
9. The first container of claim 7,	<i>See Claim 7 (p. 131)</i>
the first coupler of the first container engageable with	<i>[A-9.1]</i> <i>See A-1.12 (p. 75), A-4.2 (p. 87), A-4.4 (p. 89) and A-7.2 (p. 132)</i>

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
a second rib of a third container.	Auer-Male Couplers are engageable with the rib of another container (see A-1.12 (p. 75)) (AP Fig. 1; AC p. 52):  The Auer-Male/Female Couplers and latches/latch recesses have the same designs/functionality (see A-4.4 (p. 89)). The number of Auer containers that can be stacked in this way is not limited, and stacks of at least 3 or 4 containers high are attainable (AP Fig. 1):

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 (AC p. 1):

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	 The image shows three Auer storage containers. On the left is a tall, narrow grey stack of four containers. In the center is a grey unit with three drawers at the top, each with a red handle, and a larger storage compartment below. On the right is a red rolling bin with a handle and a single wheel. All units have the Auer logo. Claim 9 merely describes the first container's male coupler engaging a female coupler on a third container (see A-4.2 (p. 87)) in a stack of 3 or more containers. Thus, this Claim would be obvious (similar to Claim 7). <i>Papalambros: PP-AP-9.1 (p. 190); PP-AC-9.1 (p. 209)</i> <i>Turriff: DT-AP 9.1 (p. 187); DT-AC 9.1 (p. 204)</i>

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110. Claim 10:

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
10. The first container of claim 9,	<i>See Claim 9 (p. 151)</i>
the latch recess of the first container engageable with a second latch of the third container.	<i>[A-10.1]</i> <i>See A-1.14 (p. 78), A-7.17 (p. 140) and A-9.1 (p. 109)</i> This limitation merely describes the latch of a third container engaging with the latch recess of the first container (as referenced in Claims 7 and 9). Latch/latch recess engagement disclosed by Auer is described in A-1.14 (p. 78). It is the same for all Auer containers. Claim 9 follows Claim 7: the orientation of the latch/latch recesses of Claim 7 is the inverse of the orientation disclosed by Auer (see A-7.17 (p. 140)). Claim 10 merely describes the engagement of a latch recess on the first container to a latch on another (third) container in a stack of 3 or more containers. Auer disclose stacks of up to 6 Auer containers (see A-9.1 (p. 109)). Thus, this Claim would be obvious (similar to Claims 7 and 9).

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Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
	<i>Papalambros: PP-AP-10.1 (p. 191); PP-AC-10.1 (p. 210)</i> <i>Turriff: DT-AP 10.1 (p. 188); DT-AC 10.1 (p. 205)</i>

111. Claim 11:

Claim	AP: Auer-Press (Ex-1004) AC: Auer-Catalog (Ex-1006)
11. The first container of claim 7,	<i>See Claim 7 (p. 131)</i>
wherein the first face of the first container is the bottom face of the first container, and the second face of the first container is the top face of the first container.	<i>[A-11.1]</i> <i>See A-1.3 (p. 68), A-1.10 (p. 74), A-7.6 (p. 134), A-7.7 (p. 135) and A-7.9 (p. 136)</i> “First face”: face with the tongue (male coupler) (see A-7.6 (p. 134)) “Second face”: face with the rib (female coupler) (see A-7.7 (p. 135) and A-7.9 (p. 136)). In Claim 11, the first face (male couplers) is specified to be the bottom face of the container, while the second face (female couplers) is the top face. Auer discloses this configuration (see A-1.3 (p. 68) and A-1.10 (p. 74)). <i>Papalambros: PP-AP-11.1 (p. 192); PP-AC-11.1 (p. 211)</i> <i>Turriff: DT-AP 11.1 (p. 190); DT-AC 11.1 (p. 206)</i>

B. Madsen (Ex-1003)

Claims 1-4

112. In the alternative to anticipation, if it is determined that the sidewalls of the Madsen-Female Couplers were not expressly or inherently disclosed, Claims 1-4 would have been rendered obvious by Madsen (Ex-1003) in view of either (i) the Knowledge/Sense of a PHOSITA; or (ii) Auer-Press (Ex-1004)/Auer-Catalog (Ex-1006).

113. All the remaining limitations of Claim 1 (and dependent Claims 2-4) are expressly disclosed in Madsen.

114. The presence of both sidewalls for female couplers would have been obvious to a PHOSITA.

115. It was known to a PHOSITA that sidewalls on female couplers having the same or similar shape as the Madsen-Female Coupler increase the rigidity/strength of the coupling (see “**Madsen Sidewalls**” (p. 45)). To increase rigidity/strength of the coupling and stability of the container stack, a PHOSITA would have known that both sidewalls on each female coupler was required, to restrict movement of the

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couplers laterally and to reduce the risk of twisting in the stack. (Papalambros, para. 192; Turriff, para. 183)

116. The addition of both sidewalls to Madsen-Female Couplers would have been obvious in view of either (i) the Auer-Press (Ex-1004); or (ii) the Auer-Catalog (Ex-1006).

117. The Auer-Female Couplers have both sidewalls (Ex-1004, AP Fig. 2; Ex-1006, AC p. 56):



118. A PHOSITA could have, without any ingenuity or inventiveness, incorporated the both sidewalls from Auer in the Madsen-Female Couplers. A PHOSITA would have known that doing so would provide additional strength and rigidity to the Madsen-Female Couplers and, for this reason, a PHOSITA would have been motivated to add both sidewalls. (Papalambros, para. 195; Turriff, para. 186)

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119. The subject matter of the Auer-Press/Auer-Catalog is the same as the '962 Patent. Incorporating sidewalls would have been a simple addition of a known element and technique which would yield predictable result. Thus, it would have been obvious to a PHOSITA that sidewalls could be incorporated into the Madsen-Female Couplers. This would not have been inventive. (Papalambros, para. 196; Turriff, para. 187)

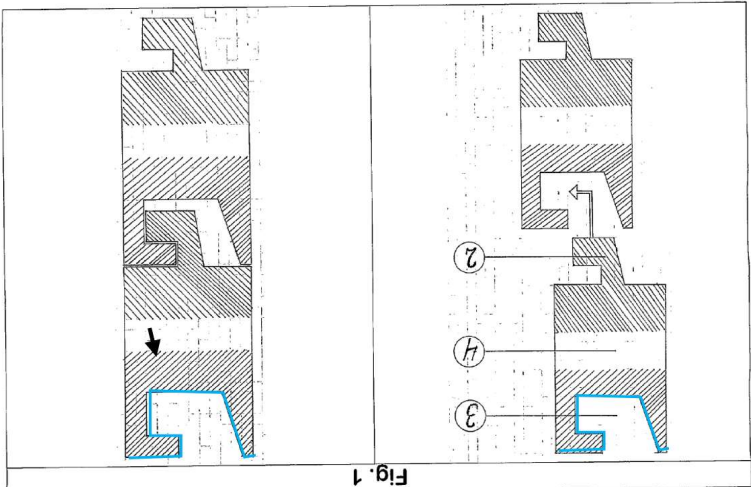
120. Therefore, it would have been obvious for a PHOSITA to include both sidewalls in female couplers having the design set out in Madsen (Ex-1003).

Claim 5

121. Claim 5 would have been rendered obvious by Madsen (Ex-1003) in view of the Knowledge/Sense of a PHOSITA. There is nothing inventive in the additional limitation found in Claim 5.

Claim	Madsen (Ex-1003)
5. The first container of claim 1,	<i>See Claim 1 (p. 99)</i>
wherein the first coupler extends from a bottom face of the first container,	<i>[M-5.1] See M-1.3 (p. 100), M-1.4 (p. 101), M-1.5 (p. 106), M-1.6 (p. 109) and M-1.7 (p. 111)</i>

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Claim	Madsen (Ex-1003)
	The “first coupler” of Claim 1 is the female (rib) coupler (see M-1.4 (p. 101), M-1.5 (p. 106), M-1.6 (p. 109) and M-1.7 (p. 111). The Madsen-Female Coupler is on the top face. Claim 5 specifies that the “first coupler” (female) be on the bottom. This configuration would be achieved merely by flipping the containers described in Madsen upside down. Simply rotating Fig. 1-7 of Madsen by 180° would achieve the configuration of Claim 5 (e.g., Fig. 1):  This is not inventive and would have been an obvious configuration to a PHOSITA. <i>Papalambros: PP-M-5.1 (p. 215)</i> <i>Turriff: DT-M 5.1 (p. 212)</i>

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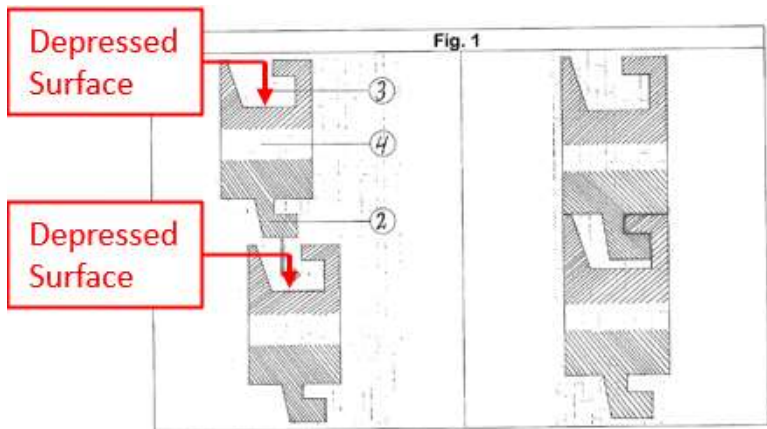
Claim	Madsen (Ex-1003)
and the second coupler extends from a top face of the second container.	[M-5.2] <i>See M-1.10 (p. 114), M-1.11 (p. 116), M-1.12 (p. 117) and M-5.1 (p. 155)</i> The “second coupler” of Claim 1 is the “male” coupler (tongue) described in M-1.11 (p. 116) and M-1.12 (p. 117). The Madsen-Male Coupler is on the bottom. Claim 5 specifies that the male coupler is on the top. This configuration is achieved by flipping the Madsen containers upside-down (see M-5.1 (p. 155)). Fig. 1 <i>Papalambros: PP-M-5.2 (p. 216)</i> <i>Turriff: DT-M 5.2 (p. 212)</i>

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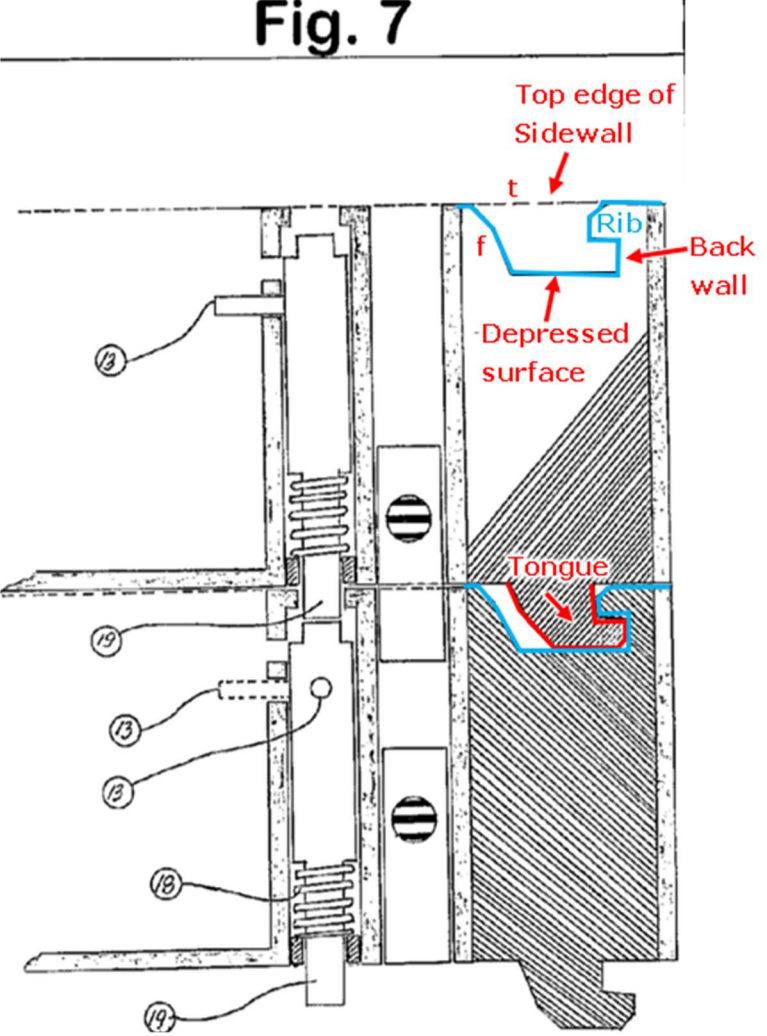
Claim 6

122. Claim 6 would have been rendered obvious by Madsen (Ex-1003) in view of either (i) the Knowledge/Sense of a PHOSITA; or (ii) the Festool Design (Ex-1008).

There is nothing inventive in the additional limitation found in Claim 6.

Claim	Madsen (Ex-1003)
6. The first container of claim 1,	<i>See Claim 1 (p. 99)</i>
wherein the first face comprises a plurality of depressed surfaces,	[M-6.1] Madsen discloses top faces of containers which contain more than 1 depressed surface. Each Madsen-Female Coupler is a depressed surface and there is one at each corner (para. 2; Fig. 1-7):  <i>Papalambros: PP-M-6.1 (p. 217)</i> <i>Turriff: DT-M 6.1 (p. 213)</i>
one of which the rib extends above,	[M-6.2] <i>See M-1.7 (p. 162)</i>

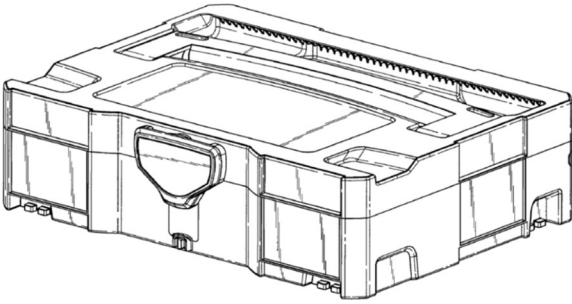
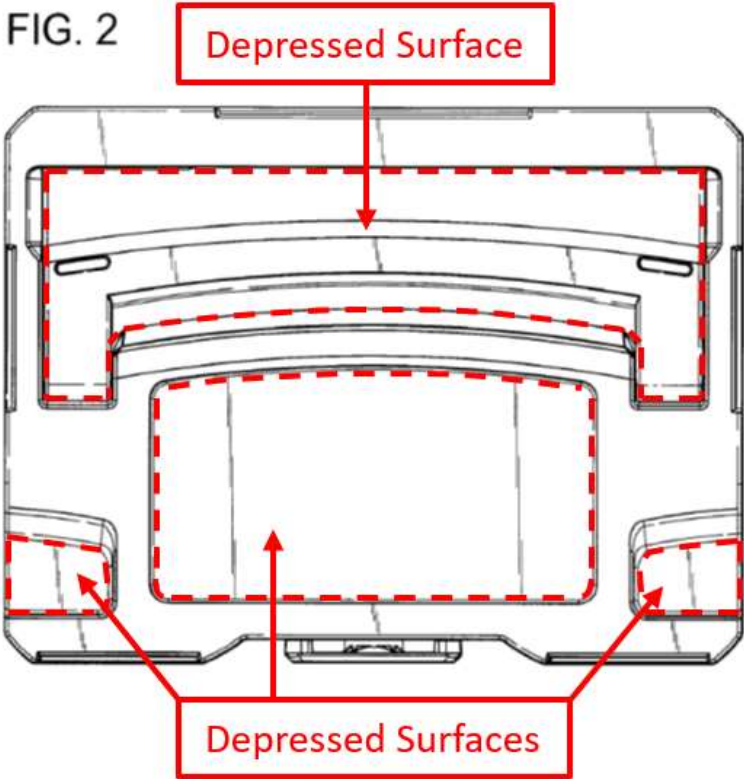
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Claim	Madsen (Ex-1003)
	Each Madsen-Female Coupler has a rib (see M-1.7 (p. 162)), which extends above a depressed surface. Fig. 7  <i>Papalambros: PP-M-6.2 (p. 218)</i> <i>Turriff: DT-M 6.1 (p. 213)</i>
and wherein the plurality of depressed surfaces of	[M-6.3] This would have been obvious to a PHOSITA.

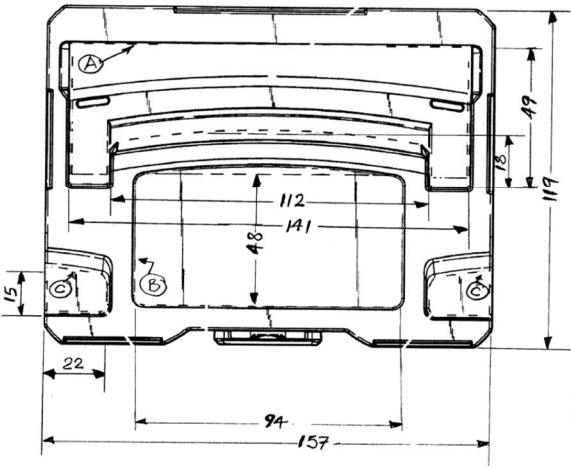
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Claim	Madsen (Ex-1003)
the first face comprise at least 50% of the area of the first face.	<u>(i) Knowledge/Sense of the PHOSITA</u> It would have been obvious to include numerous couplers in addition to the 4 couplers disclosed in Madsen. A PHOSITA would have known that (i) increasing the number or the sizes of couplers (and the combined depressed surface area) would increase the strength/stability of the stack of containers (see <i>Knowledge/Sense-Multiple Couplers (p. 70)</i>). These teachings would provide motivation to a PHOSITA. Claim 6 does not require that each “depressed surface” be associated with a coupler. The limitation referred in <i>M-6.2 (p. 158)</i> requires that the rib only extend above <i>one of the</i> depressed surfaces. It would have been obvious to and not inventive for a PHOSITA to increase the number/area of depressed surfaces. It was known that there could be benefit (structural and aesthetic) in increasing number of depressed surfaces (increasing the aggregate depressed surface area). See <i>Knowledge/Sense-Rigidity (p. 67)</i> and <i>Knowledge/Sense-Distortion (p. 69)</i>. These teachings would provide motivation to a PHOSITA. <u>(ii) Festool Design (Ex-1008)</u> This limitation is satisfied in another stacking box system that has a similar coupling mechanism: US Design Patent US D627,967 S (Ex-1008, “Festool Design”).

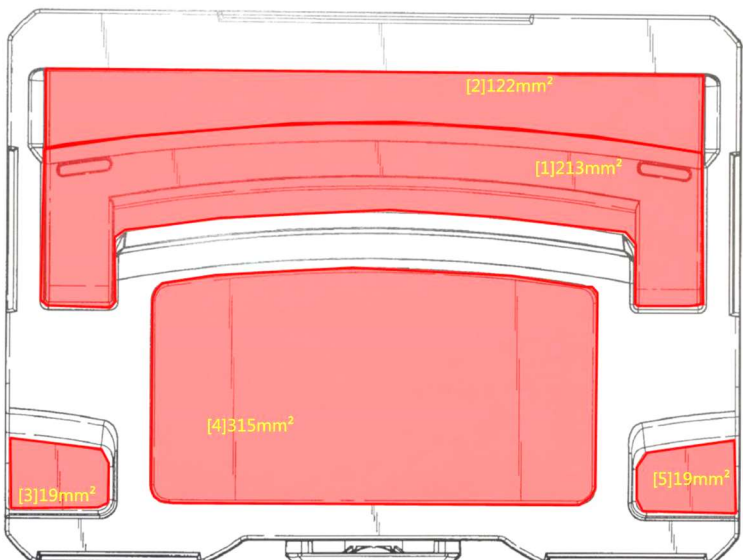
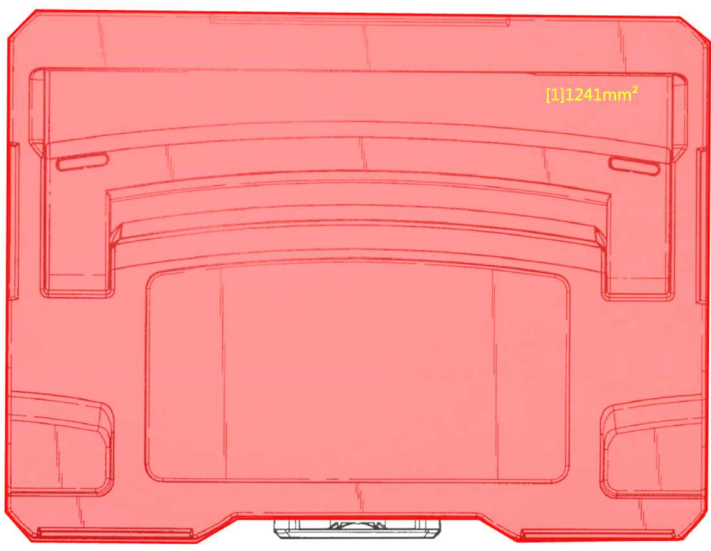
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Claim	Madsen (Ex-1003)
	FIG. 1  Fig. 1 discloses the depressed surfaces on top. Fig. 2 shows the top-down view: FIG. 2  Depressed Surface Depressed Surfaces

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Claim	Madsen (Ex-1003)
	The depressed surfaces collectively comprise around 50% or more of the surface area. Papalambros: approximately 54% FIG. 2  QUICK APPROXIMATION OF DEPRESSED AREA Total Area: $157 \times 119 = 18683$ Depressed Area $\textcircled{A} (141 \times 49) - (112 \times 18) = 4893$ $\textcircled{B} 48 \times 94 = 4512$ $\textcircled{C} 2 \times 15 \times 22 = 660$ Total depressed: 10065 Ratio $\frac{\text{total depressed}}{\text{total}} = \frac{10065}{18683} = 53.9\% \approx 54\%$ Turriff: approximately 55%:

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Claim	Madsen (Ex-1003)
	FIG. 2  FIG. 2  Festool Design is in the same field as Madsen and the'962 Patent, with similar coupling mechanisms.

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Claim	Madsen (Ex-1003)
	Combining depressed surfaces (Festool Design) with Madsen is the simple addition of a known element to obtain predictable results and could improve the Madsen containers both in terms of aesthetics and strength. A PHOSITA could, without any inventiveness, combine such additional depressed surfaces with Madsen. <i>Papalambros: PP-M-6.3 (p. 218)</i> <i>Turriff: DT-M 6.1 (p. 213)</i>

Claim 7

123. Claim 7 would have been rendered obvious by Madsen (Ex-1003) in view of the combinations of ***one of*** each of (a), (b), and (c) below:

- (a) (i) the Knowledge/Sense of a PHOSITA; (ii) the Auer-Press (Ex-1004);
or (iii) the Auer-Catalog (Ex-1006) (see **M-1.4 (p. 101)** and **M-1.6 (p. 109)**);
- (b) (i) the Knowledge/Sense of a PHOSITA; ***or*** (ii) the Festool Design (Ex-1008) (see **M-6.3 (p. 159)**); ***and***
- (c) (i) the Knowledge/Sense of a PHOSITA; ***or*** (ii) the Festool Patent (Ex-1007) (see **M-7.17 (p. 176)**).

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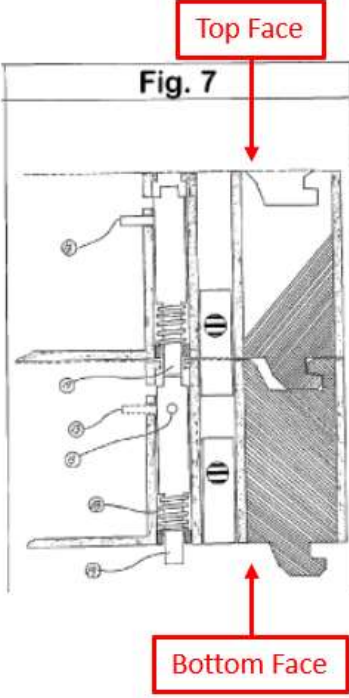
124. Regarding the limitation in **M-7.9 (p. 171)** and **M-7.10 (p. 172)** (i.e., sidewalls on the female couplers, etc.), this is addressed in the discussions above (see **M-1.4 (p. 101)** and **M-1.6 (p. 109)**).

125. Regarding the limitation in **M-7.14 (p. 175)** that “the plurality of depressed surfaces... cover at least 50% of the... face”, see **M-6.3 (p. 159)**.

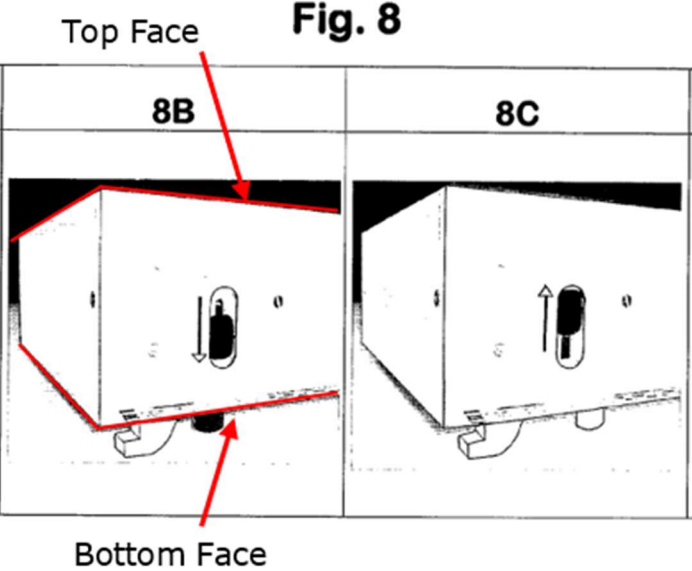
126. The other difference between the limitations of Claim 7 and Madsen is the orientation of the latch/latch recess. In Madsen, (i) the latches protrude from the same face as the Madsen-Male Couplers; and (ii) the latch recesses are located on the same face as the Madsen-Female Couplers. The orientation of the latch and latch recess is inverted in Claim 7 (**M-7.17 (p. 176)**). It would have been obvious to a PHOSITA to combine Madsen with either (i) the Knowledge/Sense of a PHOSITA; or (ii) the Festool Patent (Ex-1007) to achieve this inversed latch configuration.

Claim	Madsen (Ex-1003)
7. A first container configured to be removably coupled to a second container,	<i>[M-7.1]</i> <i>See M-1.10 (p. 114) and M-4.2 (p. 123)</i> <i>Papalambros: PP-M-7.1 (p. 224)</i> <i>Turriff: DT-M 7.0 (p. 222)</i>

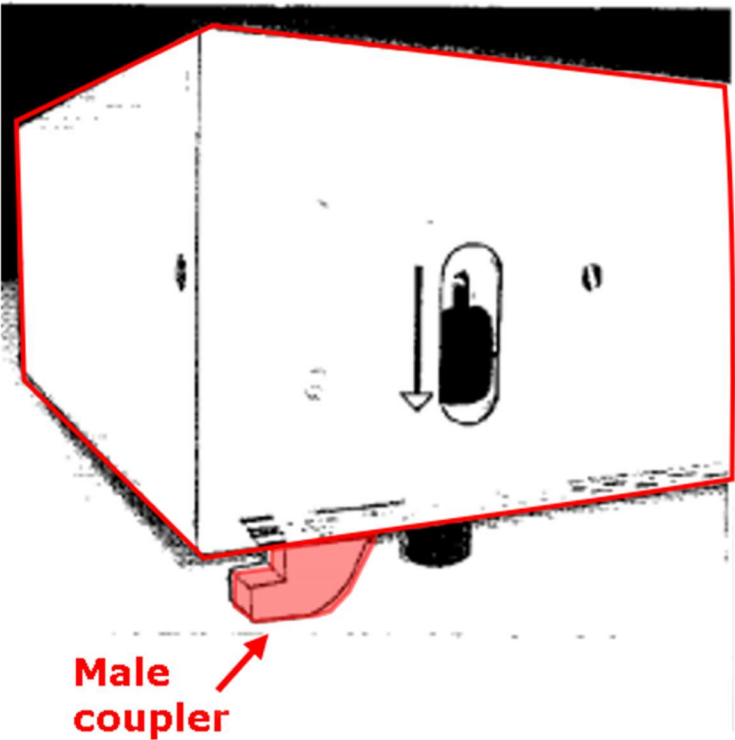
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Claim	Madsen (Ex-1003)
the first container comprising:	[M-7.2] <i>See M-1.2 (p. 99)</i> <i>Papalambros: PP-M-7.2 (p. 224)</i> <i>Turriff: DT-M 7.1 (p. 223)</i>
a top face;	[M-7.3] 

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Claim	Madsen (Ex-1003)
	Fig. 8  Top Face Bottom Face <i>Papalambros: PP-M-7.3 (p. 224)</i> <i>Turriff: DT-M 7.2 (p. 223)</i>
a bottom face; and	[M-7.4] See M-7.3 (p. 167) <i>Papalambros: PP-M-7.4 (p. 225)</i> <i>Turriff: DT-M 7.2 (p. 223)</i>
a first coupler extending from a first face of the first container that is one of the top face and the bottom face,	[M-7.5] See M-1.10 (p. 114) “First Coupler”: male coupler extending from the bottom (“first”) face.

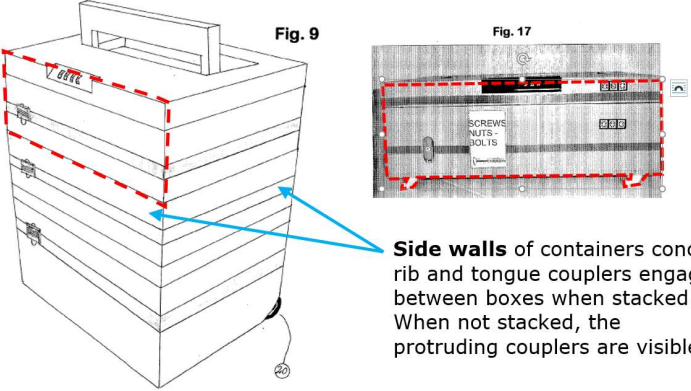
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Claim	Madsen (Ex-1003)
	8B  Male coupler <i>Papalambros: PP-M-7.5 (p. 225)</i> <i>Turriff: DT-M 7.3 (p. 223)</i>
the first coupler comprises a tongue that is offset from the first face and extends	[M-7.6] See M-1.11 (p. 116) Madsen-Male Coupler: tongue, offset from the bottom face, extending towards the “left” side of the stack of containers.

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Claim	Madsen (Ex-1003)
in a first direction;	<i>T</i>: tongue; <i>R</i>: rib; <i>O</i>: offset Fig. 9 Tongues point to the left of the stack:

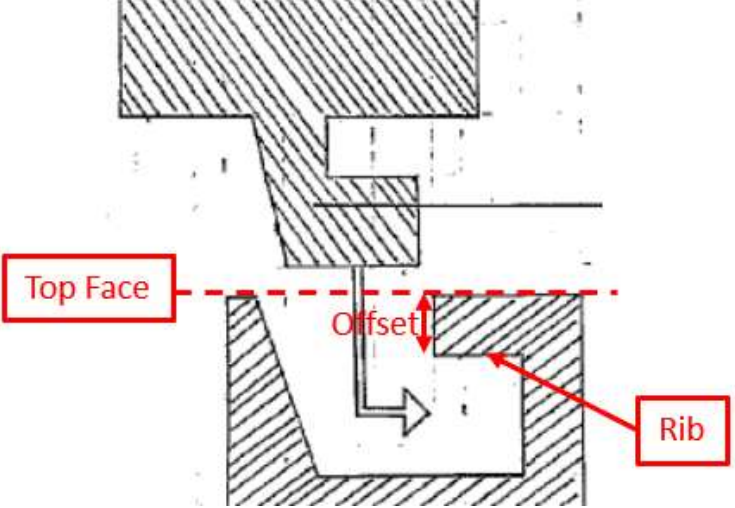
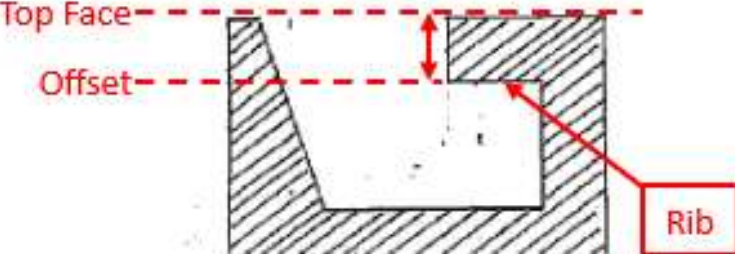
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Claim	Madsen (Ex-1003)
	 Fig. 9 Fig. 17 Side walls of containers conceal rib and tongue couplers engaged between boxes when stacked. When not stacked, the protruding couplers are visible <i>Papalambros: PP-M-7.6 (p. 226)</i> <i>Turriff: DT-M 7.3 (p. 223)</i>
a second coupler extending from a second face of the first container that is the other of the top face and the bottom face,	[M-7.7] See M-1.3 (p. 100) “Second coupler”: female coupler, extending from the top face. <i>Papalambros: PP-M-7.7 (p. 226)</i> <i>Turriff: DT-M 7.4 (p. 224)</i>
the second face comprising a plurality of depressed surfaces,	[M-7.8] See M-6.1 (p. 158) Top (“second”) faces have at least 4 Madsen-Female Couplers (para. 2), each with a depressed surface. <i>Papalambros: PP-M-7.8 (p. 226)</i> <i>Turriff: DT-M 7.5 (p. 224)</i>
the second coupler comprises a	[M-7.9] See M-1.4 (p. 101)

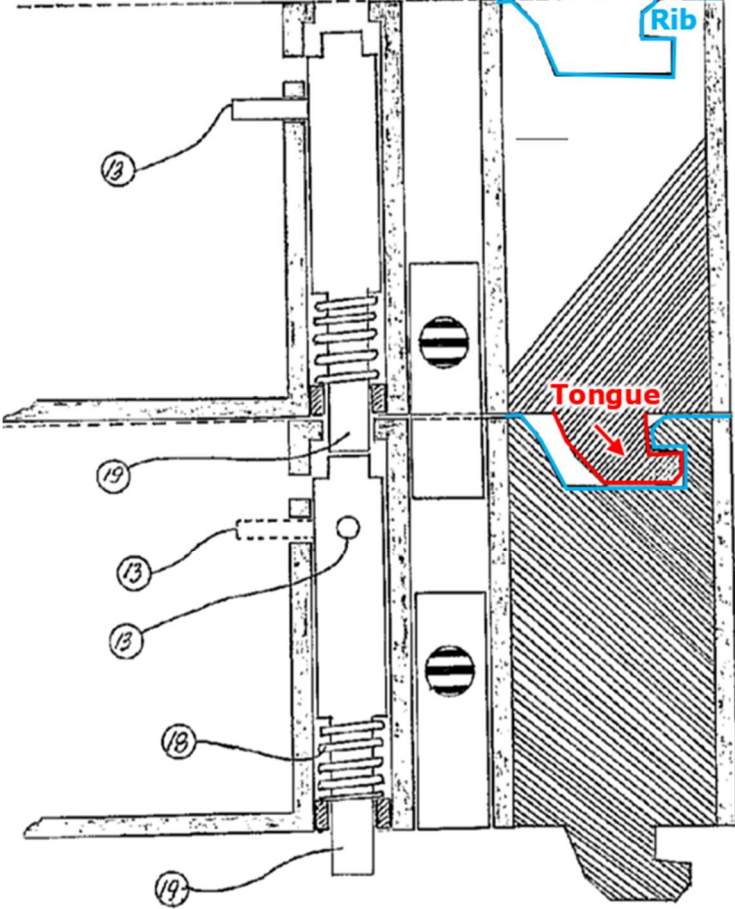
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Claim	Madsen (Ex-1003)
back wall, two sidewalls, and a rib,	Madsen-Female Coupler: back wall, two sidewalls and rib. <i>Papalambros: PP-M-7.9 (p. 226)</i> <i>Turriff: DT-M 7.6 (p. 224)</i>
the back wall and the two sidewalls project from one of the plurality of depressed surfaces of the second face,	[M-7.10] See M-1.6 (p. 109) <i>Papalambros: PP-M-7.10 (p. 226)</i> <i>Turriff: DT-M 7.7 (p. 225)</i>
the rib offset from the second face and extends above the one of the plurality of depressed surfaces in a second direction opposing the first direction,	[M-7.11] See M-1.7 (p. 111), M-6.1 (p. 158) and M-6.2 (p. 158) The Madsen-Female Coupler rib extends above the depressed surface. Since there are at least 4 Madsen-Female Couplers on each container top, there is at least one rib extending above one of the depressed surfaces, which extends in a direction opposite to the tongue's extension (<i>cf. M-7.6 (p. 169)</i>). See A-7.11 (p. 137) regarding “offset”. A PHOSITA would understand that this part of the Claim to read “the rib <u>is</u> offset from the second face”. “Offset” (re: rib): the rib is not coplanar with the second (top) face (may be above/below) (Fig. 1):

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Claim	Madsen (Ex-1003)
	 The surface of the rib which engages the tongue of the Madsen-Male Coupler (i.e., the functional part of the rib) is not co-planar with the top surface:  <i>Papalambros: PP-M-7.11 (p. 226)</i> <i>Turriff: DT-M 7.8 (p. 225)</i>
the rib engageable with a second tongue coupled to a second container,	[M-7.12] See M-1.12 (p. 117)

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Claim	Madsen (Ex-1003)
	Fig. 7  <i>Papalambros: PP-M-7.12 (p. 228)</i> <i>Turriff: DT-M 7.9 (p. 226)</i>
the first container enters an	[M-7.13] See M-2.1 (p. 120)

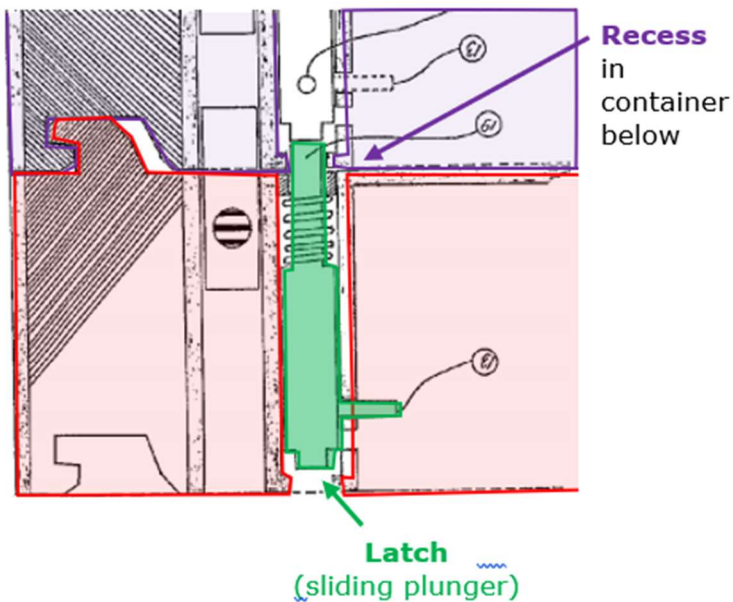
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Claim	Madsen (Ex-1003)
engaged position with the second container by the first and second containers sliding with respect to each other,	Fig. 2 Engaged Position Sliding <i>Papalambros: PP-M-7.13 (p. 228)</i> <i>Turriff: DT-M 7.10 (p. 226)</i>
wherein the plurality of depressed surfaces of the second face cover at	[M-7.14] See M-6.3 (p. 159) <i>Papalambros: PP-M-7.14 (p. 229)</i> <i>Turriff: DT-M 7.11 (p. 227)</i>

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Claim	Madsen (Ex-1003)
least 50% of the second face;	
a latch recess; and	[M-7.15] See M-1.8 (p. 112) <i>Papalambros: PP-M-7.15 (p. 229)</i> <i>Turriff: DT-M 7.12 (p. 227)</i>
a latch,	[M-7.16] See M-1.13 (p. 118) <i>Papalambros: PP-M-7.16 (p. 229)</i> <i>Turriff: DT-M 7.12 (p. 227)</i>
the latch positionable in a locked position in which the latch interlocks with a second latch recess in the second container restricting displacement between the first container and the second container.	[M-7.17] See M-1.14 (p. 167) Latch/latch recess engagement is discussed in M-1.14 (p. 119). In Claim 7, the rib (female) of the <i>first</i> container engages the tongue (male) of the <i>second</i> container (M-7.12 (p. 173)). Here, this limitation states that the <i>latch of the first</i> container engages the <i>latch recess of the second</i> container. The latch projects from same face as the ribs (female) and the latch recess is located on the same face as the tongues (male). This limitation describes an orientation of the latch/latch recess which would be the inverse of what is seen in Madsen.

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Claim	Madsen (Ex-1003)
	This difference in orientation of the latch/latch recess would have been obvious to a PHOSITA. <u>(i) Knowledge/Sense of the PHOSITA</u> It is not inventive to simply invert the direction of the latch. The functionality is the same.  Fig. 7 <u>(ii) Festool Patent (Ex-1007)</u> See A-7.2 (ii) (p. 132) regarding Festool Patent. The Festool Patent is in the same field as Madsen and the '962 Patent. Replacing the Madsen latch with the latch going from the lower container to the upper

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Claim	Madsen (Ex-1003)
	container, as disclosed in the Festool Patent, is a simple substitution of a known element and technique which would yield predictable result. It is one of the two known predictable solutions with regard to the latch (i.e., latch going from the lower container to the upper container, or <i>vice versa</i>). <i>Papalambros: PP-M-7.17 (p. 229)</i> <i>Turriff: DT-M 7.13 (p. 227)</i>

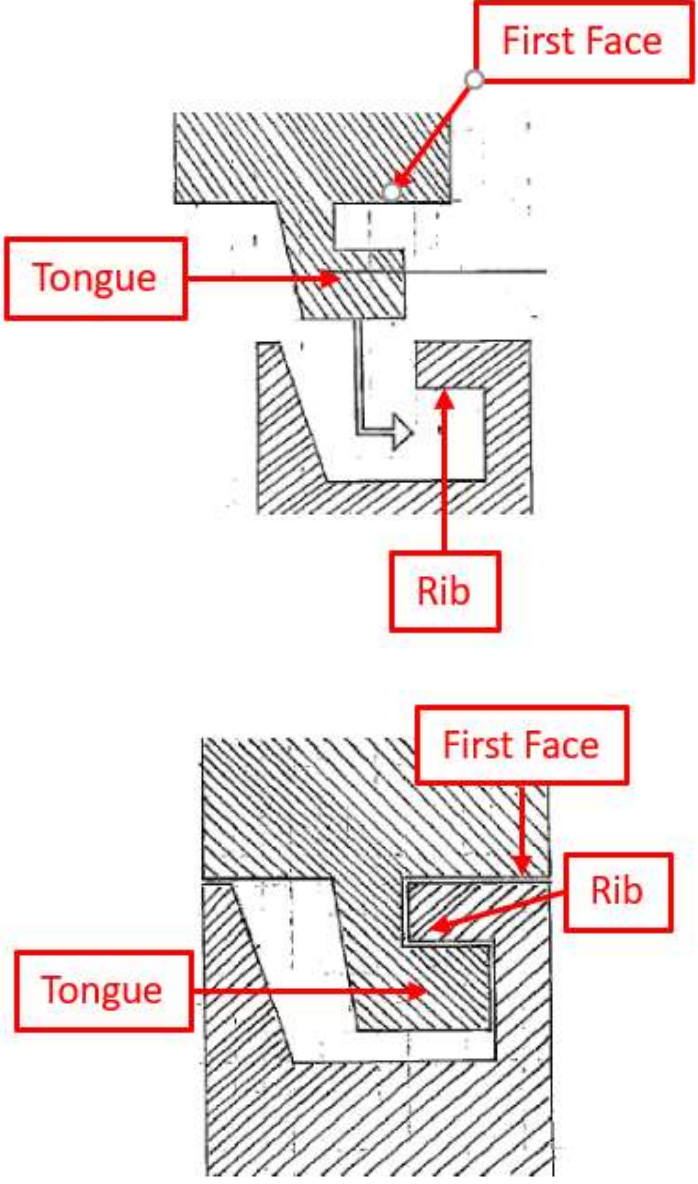
Claims 8-11

127. Claims 8-11 (which are dependent on Claim 7) would have been rendered obvious on the same grounds as Claim 7. All of the additional limitations in Claims 8-11 are disclosed in Madsen (Ex-1003). There is nothing inventive and there is no ingenuity in the additional limitation found in Claims 8-11.

128. For Claim 8:

Claim	Madsen (Ex-1003)
8. The first container of claim 7,	<i>See Claim 7 (p. 165)</i>
wherein the rib is engaged between the second tongue of the second container and a first face of the second container when the first	<i>[M-8.1]</i> The rib on one container is engaged between the tongue and the bottom face of another container (Fig. 1):

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Claim	Madsen (Ex-1003)
container is removably coupled to the second container.	 <i>Papalambros: PP-M-8.1 (p. 234)</i> <i>Turriff: DT-M 8.1 (p. 230)</i>

129. For Claim 9:

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Claim	Madsen (Ex-1003)
9. The first container of claim 7,	<i>See Claim 7 (p. 165)</i>
the first coupler of the first container engageable with a second rib of a third container.	[M-9.1] <i>See M-1.12 (p. 117), M-4.2 (p. 123), M-4.4 (p. 124) and M-7.2 (p. 166)</i> Madsen-Male Coupler is engageable with the rib (Madsen-Female Coupler) in another container (see M-1.12 (p. 117)). The Madsen-Male/Female Couplers and latches/latch recesses all have the same designs and function (see M-4.4 (p. 124)). Claim 9 merely describes the engagement of a Madsen-Male Coupler with a Madsen-Female Coupler to a <i>third</i> container (see M-4.2 (p. 123)), which is disclosed in the unlimited Madsen stack (Para. 2). <i>Papalambros: PP-M-9.1 (p. 235)</i> <i>Turriff: DT-M 9.1 (p. 232)</i>

130. For Claim 10:

Claim	Madsen (Ex-1003)
10. The first container of claim 9,	<i>See Claim 9 (see above)</i>
the latch recess of the first container engageable with a second latch of the third container.	[M-10.1] <i>See M-1.14 (p. 119) and M-7.17 (p. 176)</i> This limitation merely describes the latch of a third container engaging with the latch recess of the first

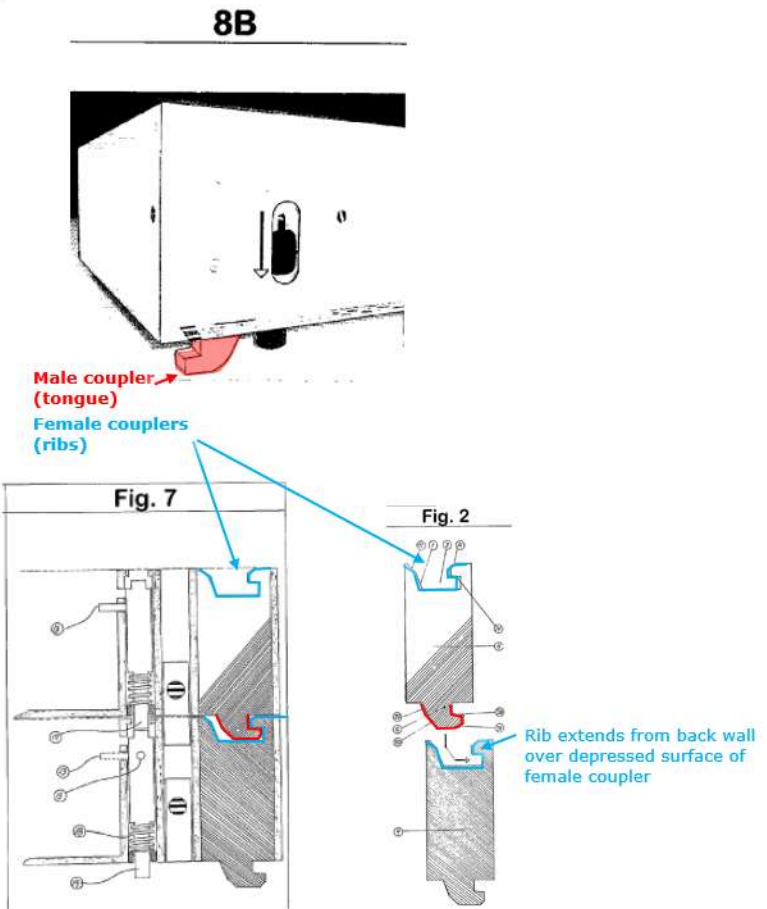
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Claim	Madsen (Ex-1003)
	container (as they are referenced in Claims 7/9). The latch/latch recess engagement is described in M-1.14 (p. 119). The orientation of the latch/latch recesses is discussed in M-7.17 (p. 176). Coupling with a third container is disclosed in the unlimited Madsen stack (para. 2). <i>Papalambros: PP-M-10.1 (p. 236)</i> <i>Turriff: DT-M 10.1 (p. 233)</i>

131. For Claim 11:

Claim	Madsen (Ex-1003)
11. The first container of claim 7,	<i>See Claim 7 (p. 166)</i>
wherein the first face of the first container is the bottom face of the first container, and the second face of the first container is the top face of the first container.	<i>[M-11.1]</i> <i>See M-1.3 (p. 100), M-1.10 (p. 114), M-7.6 (p. 169), M-7.7 (p. 171) and M-7.9 (p. 171)</i> In Claim 7, the “first face” has the tongues (male), see M-7.6 (p. 169)) and the “second face” has the ribs (female) (see M-7.7 (p. 171) and M-7.9 (p. 171)). In Claim 11, the first face is the bottom; the second face is the top. Madsen discloses this configuration (see M-1.3 (p. 100) and M-1.10 (p. 114)).

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Claim	Madsen (Ex-1003)
	 <i>Papalambros: PP-M-11.1 (p. 236)</i> <i>Turriff: DT-M 12.1 (p. 234)</i>

Claim 12

132. Claim 12 would have been rendered obvious by Madsen (Ex-1003) in view of:

- (a) the Knowledge/Sense of a PHOSITA;

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- (b) the Auer-Press (Ex-1004)/Auer-Catalog (Ex-1006) and the Knowledge/Sense of a PHOSITA;
- (c) the Knowledge/Sense of a PHOSITA and the Festool Design (Ex-1008);
or
- (d) the Auer-Press (Ex-1004)/Auer-Catalog (Ex-1006) and the Festool Design (Ex-1008).

133. Regarding the limitation in **M-12.4 (p. 184)**, **M-12.5 (p. 184)** and **M-12.7 (p. 185)** (i.e., sidewalls on the female couplers, etc.), this is addressed in the discussions in **M-1.4 (p. 101)**, **M-1.5 (p. 106)** and **M-1.6 (p. 109)**.

134. Regarding the limitation in **M-12.9 (p. 185)** that “the plurality of depressed surfaces... cover at least 50% of the... face”, this is discussed in **M-6.3 (p. 159)**.

135. There is nothing inventive and there is no ingenuity in the additional limitation found in Claim 12.

Claim	Madsen (Ex-1003)
12. A container assembly comprising:	<i>[M-12.1]</i> <i>See M-1.1 (p. 99)</i> <i>Papalambros: PP-M-12.1 (p. 238)</i>

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Claim	Madsen (Ex-1003)
	<i>Turriff: DT-M 12.0 (p. 236)</i>
a first container comprising:	[M-12.2] See M-1.2 (p. 99) <i>Papalambros: PP-M-12.1 (p. 238)</i> <i>Turriff: DT-M 12.1 (p. 236)</i>
a first coupler extending from a first face of the first container,	[M-12.3] See M-1.3 (p. 100) <i>Papalambros: PP-M-12.3 (p. 238)</i> <i>Turriff: DT-M 12.2 (p. 236)</i>
the first coupler comprises two sidewalls, a back wall, and a rib,	[M-12.4] See M-1.4 (p. 101) <i>Papalambros: PP-M-12.4 (p. 238)</i> <i>Turriff: DT-M 12.3 (p. 236)</i>
the back wall extends between the two sidewalls,	[M-12.5] See M-1.5 (p. 106) <i>Papalambros: PP-M-12.5 (p. 239)</i> <i>Turriff: DT-M 12.4 (p. 237)</i>
the first face comprises a plurality of depressed surfaces,	[M-12.6] See M-6.1 (p. 158) <i>Papalambros: PP-M-12.6 (p. 239)</i> <i>Turriff: DT-M 12.5 (p. 237)</i>

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Claim	Madsen (Ex-1003)
the back wall and the two sidewalls project from one of the plurality of depressed surfaces,	<i>[M-12.7]</i> <i>See M-1.6 (p. 109) and M-6.1 (p. 158)</i> <i>Papalambros: PP-M-12.7 (p. 239)</i> <i>Turriff: DT-M 12.6 (p. 237)</i>
the rib extends from the back wall in a first direction above the one of the plurality of depressed surfaces,	<i>[M-12.8]</i> <i>See M-1.7 (p. 111), M-6.1 (p. 158) and M-6.2 (p. 158)</i> <i>Papalambros: PP-M-12.8 (p. 239)</i> <i>Turriff: DT-M 12.7 (p. 237)</i>
the plurality of depressed surfaces of the first face cover at least 50% of the first face; and	<i>[M-12.9]</i> <i>See M-6.3 (p. 159)</i> <i>Papalambros: PP-M-12.9 (p. 239)</i> <i>Turriff: DT-M 12.8 (p. 237)</i>
a latch recess; and	<i>[M-12.10]</i> <i>See M-1.8 (p. 112)</i> <i>Papalambros: PP-M-12.10 (p. 239)</i> <i>Turriff: DT-M 12.9 (p. 237)</i>
a second container comprising:	<i>[M-12.11]</i> <i>See M-1.9 (p. 113)</i>

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Claim	Madsen (Ex-1003)
	<i>Papalambros: PP-M-12.11 (p. 239)</i> <i>Turriff: DT-M 12.10 (p. 237)</i>
a second coupler extending from a second face of the second container,	[M-12.12] <i>See M-1.10 (p. 114)</i> <i>Papalambros: PP-M-12.12 (p. 240)</i> <i>Turriff: DT-M 12.11 (p. 237)</i>
the second coupler includes a tongue that is offset from the second face and extends in a second direction opposite the first direction,	[M-12.13] <i>See M-1.11 (p. 116)</i> <i>Papalambros: PP-M-12.13 (p. 240)</i> <i>Turriff: DT-M 12.12 (p. 237)</i>
the tongue of the second container is engageable with the rib of the first container; and	[M-12.14] <i>See M-1.12 (p. 117)</i> <i>Papalambros: PP-M-12.14 (p. 240)</i> <i>Turriff: DT-M 12.13 (p. 238)</i>
a latch coupled to the second container,	[M-12.15] <i>See M-1.13 (p. 118)</i> <i>Papalambros: PP-M-12.15 (p. 240)</i>

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Claim	Madsen (Ex-1003)
	<i>Turriff: DT-M 12.14 (p. 238)</i>
the latch positionable in a locked position in which the latch prevents disengagement of the first container and the second container when the tongue and rib are engaged.	[M-12.16] <i>See M-1.14 (p. 119)</i> <i>Papalambros: PP-M-12.16 (p. 240)</i> <i>Turriff: DT-M 12.15 (p. 238)</i>

IX. CONCLUSION

136. The Petitioner respectfully requests that *inter partes* review of the '962 Patent be instituted and Claims 1-12 of the '962 Patent be canceled as unpatentable pursuant to 35 U.S.C. §§ 102, 103 and 318(b).

Dated: December 24, 2020

By: /Steven R. Lazar/
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CERTIFICATE OF WORD COUNT

Pursuant to 37 C.F.R. § 42.24(d), Petitioner hereby certifies, in accordance with and reliance on the word count provided by the word-processing system used to prepare this Petition, that the number of words in this paper is 13,809. Pursuant to 37 C.F.R. § 42.24(d), this word count excludes the table of contents, table of authorities, mandatory notices under § 42.8, certificate of service, certificate of word count, appendix of exhibits, and any claim listing.

Dated: December 24, 2020

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