

Trove Brands, LLC,  
Petitioner,  
v.  
CamelBak Products, LLC,  
Patent Owner

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IPR2025-00140 (U.S. Patent No. 11,851,250 B2)

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Patent Owner CamelBak Products, LLC's Demonstratives

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Oral Argument – March 10, 2026

# Grounds

- 1) **Ground 1:** Claims 1, 2, and 4-6 would have been obvious over **Nakajima** in view of the knowledge of a POSITA
- 2) **Ground 2:** Claims 1, 2, 4-8, 10-14, and 16-18 would have been obvious over **Ribarits** in view of **Panicci** and/or the knowledge of a POSITA
- 3) **Ground 3:** Claims 3, 9, and 15 would have been obvious over **Ribarits** in view of **Panicci** and/or the knowledge of a POSITA and in further view of Hughes

# Issues

- 1) The proper construction of the following terms:
  - a) “mouthpiece”
  - b) “two joints that define a pivotal axis for pivotal movement of the pivotal mount”
  - c) “a mouthpiece [coupled to the mount outlet of]/[disposed on] the pivotal mount for pivotal movement with the pivotal mount”
- 2) Whether Nakajima fails to disclose the mouthpiece’s required “pivotal movement with the pivotal mount” (Ground 1)
- 3) Whether Ribarits fails to disclose a “mouthpiece” that defines the “dispensing outlet” (Grounds 2-3)
- 4) Whether Ribarits fails to disclose the mouthpiece being “coupled to” (claim 1) or “disposed on” (claims 7 & 13) the pivotal mount (Grounds 2-3) (Grounds 2-3)

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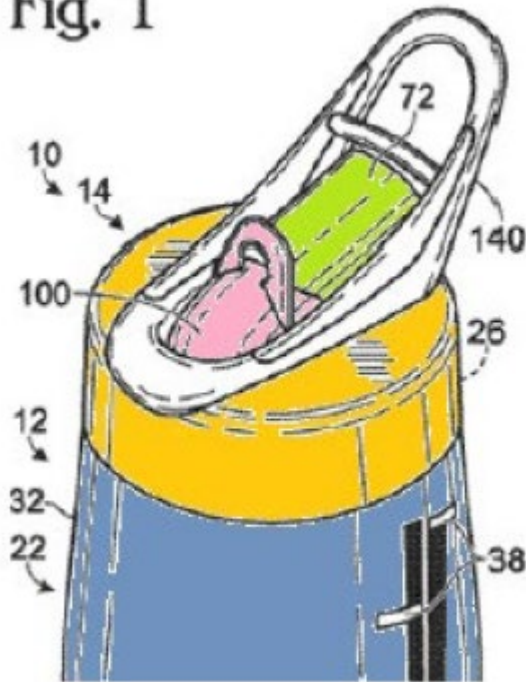
# '250 Patent Overview

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# '250 Patent Overview

## “stowed position”

Fig. 1



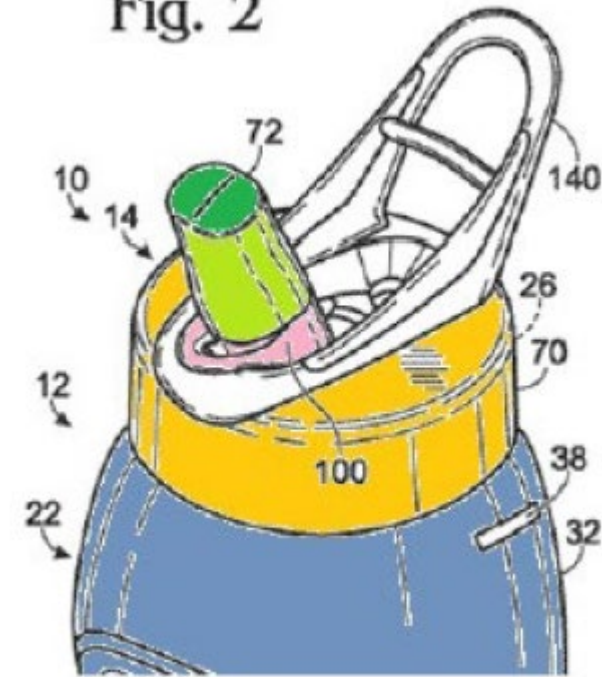
resilient mouthpiece 72

pivotal mount 100

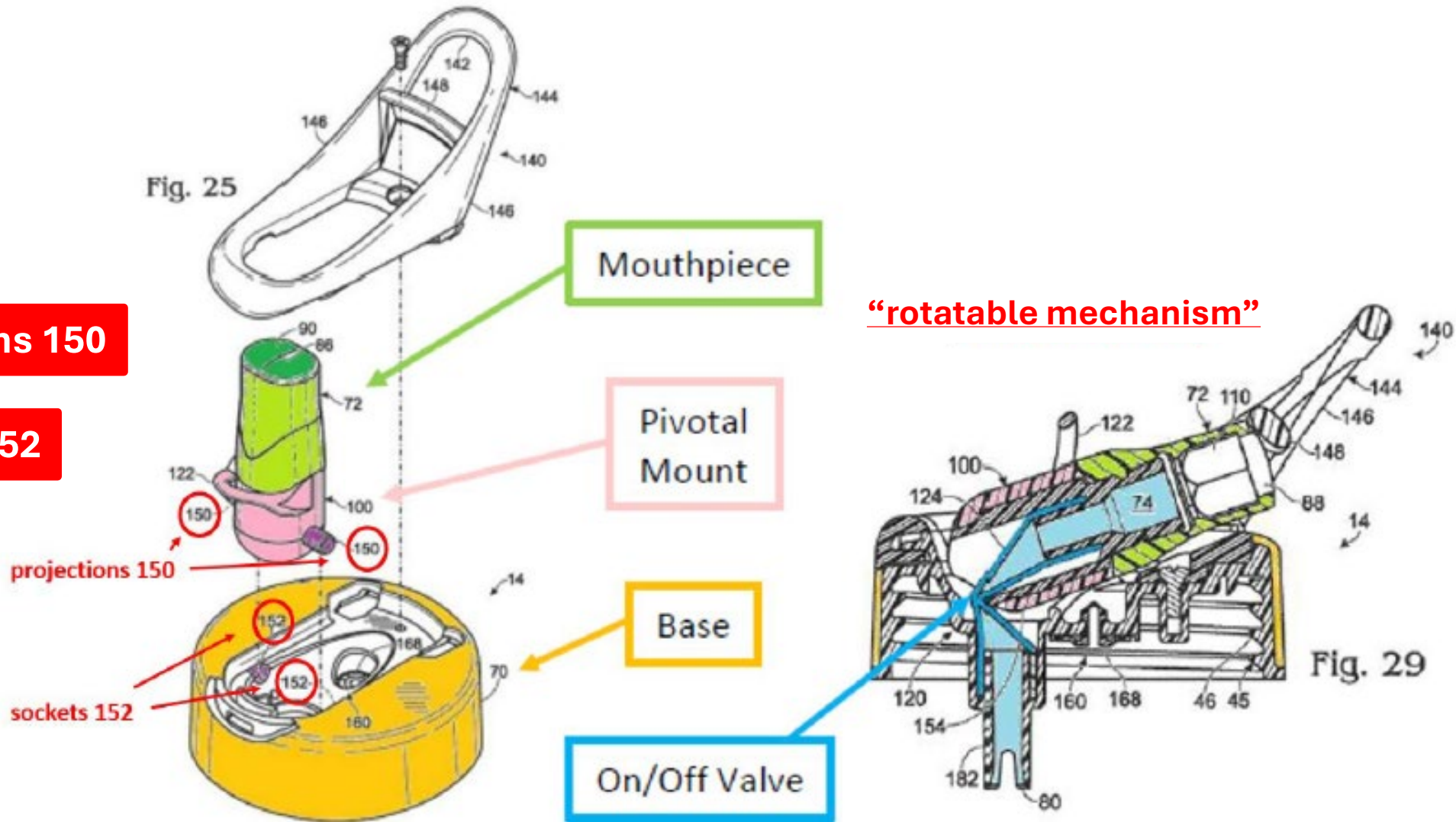
cap assembly base 70

## “dispensing position”

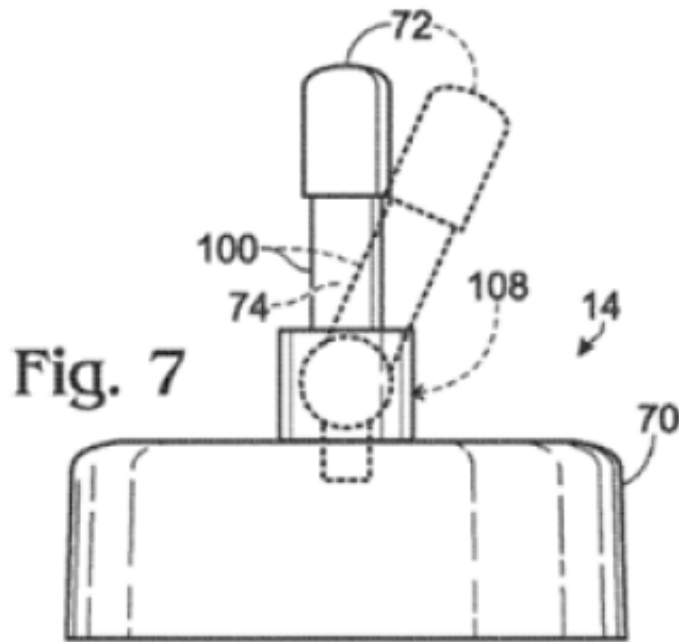
Fig. 2



# '255 Patent Overview



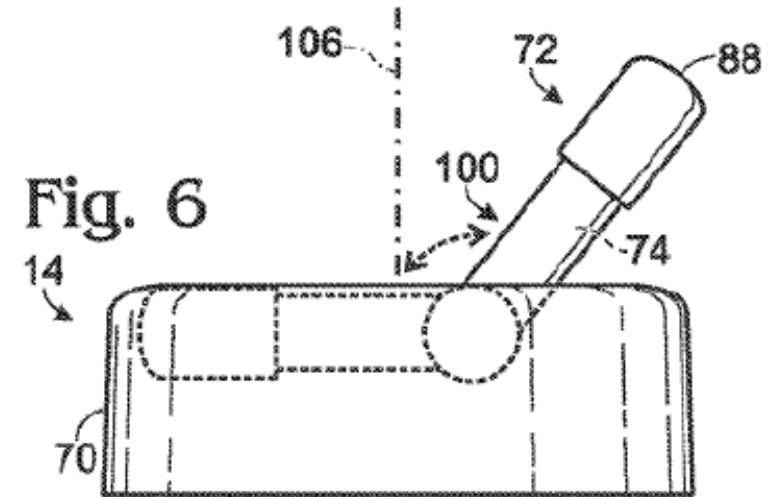
# '255 Patent Overview



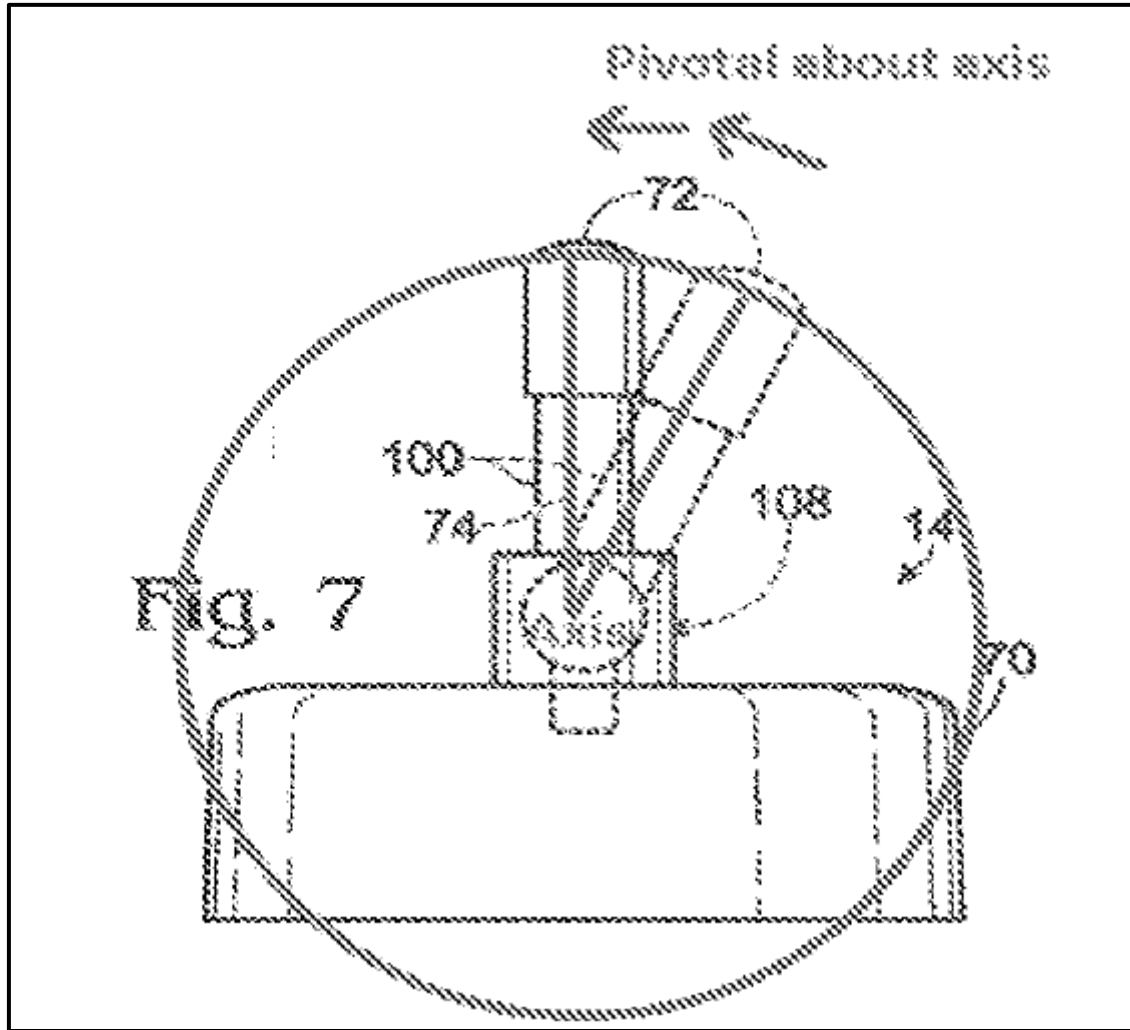
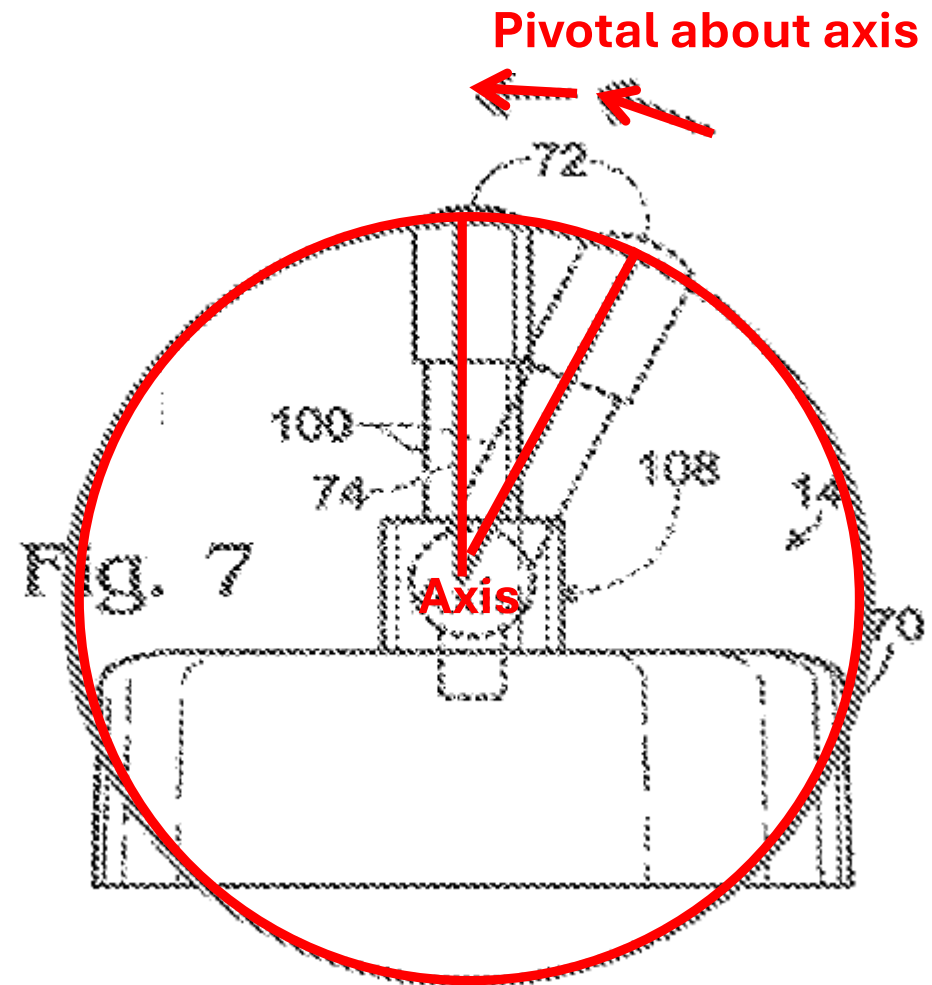
resilient mouthpiece 72

pivotal mount 100

cap assembly base 70



# '255 Patent Overview



# Claim 1

1. A drink container, comprising:

a **fluid container** having a neck with an opening and having an internal compartment sized to hold a volume of potable drink fluid;

a **cap assembly** removably coupled to the fluid container to cover the opening, wherein the cap assembly defines a fluid conduit for drink fluid to flow from the fluid container and through the cap assembly to a user, wherein the fluid conduit includes an inlet through which drink fluid from the fluid container may enter the fluid conduit, and a dispensing outlet through which drink fluid in the fluid conduit may be dispensed from the cap assembly to a user, and further wherein the cap assembly comprises:

a **cap assembly base** removably coupled to the neck of the fluid container, wherein the cap assembly base is configured to be selectively and repeatedly decoupled from and re-coupled to the neck of the fluid container;

a **pivotal mount** coupled to the cap assembly base at **two joints that define a pivotal axis for pivotal movement of the pivotal mount** relative to the cap assembly base, the pivotal mount defining a hollow passage, the hollow passage having a mount outlet on a distal end of the pivotal mount;

a **mouthpiece coupled to the mount outlet of the pivotal mount for pivotal movement with the pivotal mount** relative to the cap assembly base;

wherein **the mouthpiece defines a portion of the fluid conduit, including the dispensing outlet;**

...

# Claim 1 (cont.)

...

wherein the mouthpiece and the pivotal mount are configured to be selectively pivoted between a stowed position and a dispensing position, wherein the mouthpiece is at least partially covered by a dust cover when the mouthpiece and pivotal mount are in the stowed position, and wherein the dispensing outlet is positioned further away from the cap assembly base when the mouthpiece and the pivotal mount are in the dispensing position than when the mouthpiece and the pivotal mount are in the stowed position; and

an on/off valve having a closed configuration, in which the on/off valve obstructs the fluid conduit to restrict drink fluid from flowing between the inlet and the dispensing outlet, and an open configuration, in which the on/off valve permits drink fluid to flow through the fluid conduit from the inlet to the dispensing outlet; wherein the on/off valve includes a flexible tube that defines a portion of the fluid conduit;

wherein when the on/off valve is in the closed configuration, the tube is crimped to obstruct the flow of drink fluid through the fluid conduit; and

wherein when the on/off valve is in the open configuration, the tube is not crimped and does not obstruct the flow of drink fluid through the fluid conduit.

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## Issue 1: Claim Construction

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“mouthpiece”

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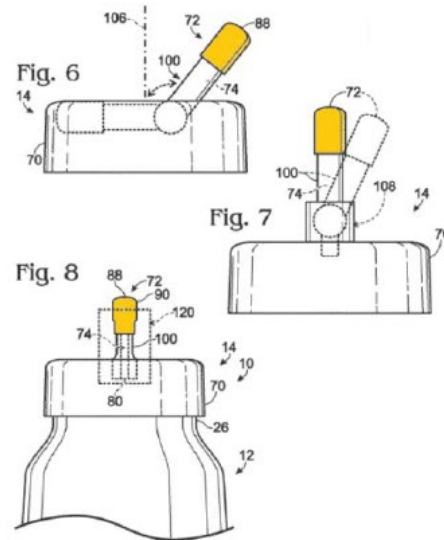
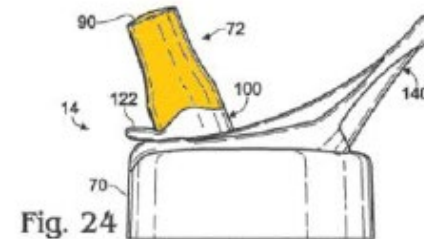
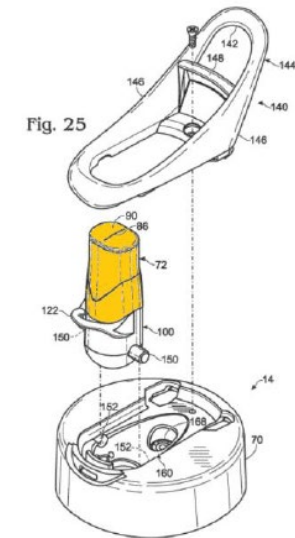
## Claim construction: “mouthpiece”

- Means “a part designed for a user to put his or her mouth on to draw liquid from the container.”

# Claim construction: “mouthpiece”

- Plain claim language: “mouthpiece” = **“mouth”** + “piece”
- Specification
  - 3:14–20 (“the mouthpiece is oriented in a suitable position **from which a user may draw drink fluid** from the drink bottle through mouthpiece 72”)
  - 5:17–24 (describing the user **“drinking from the mouthpiece”**)
  - Figures 6-8, 24, 25

“mouthpiece 72”



# Claim construction: “mouthpiece”

- **Merriam-Webster**: “mouthpiece” - “a part (as of an instrument) that goes in the mouth or to which the mouth is applied” Ex. 2005, at 1.
- **The Board’s institution decision**:

For purposes of this decision on institution, we adopt the proffered dictionary definition of “mouthpiece” as “a part (as of an instrument) that goes in the mouth or to which the mouth is applied” (*see* Ex. 2005), and we construe this as an intended use of this component of the apparatus, because this definition is consistent with the plain and ordinary meaning of the term which is a compound of “mouth” and “piece” and also because this definition is consistent with the Specification. For example, the

Paper 14, at 12

from the container. Prelim. Resp. 67–68 (citing Ex. 2001 ¶ 111). Patent Owner argues that the argued “mouthpiece” (shown in green) is entirely surrounded by Ribarits’s drinking spout 3 and does not extend beyond it, which prevents the user from putting their mouth on it. *Id.* at 68.

Based on our claim construction of “mouthpiece” as “a part (as of an instrument) that goes in the mouth or to which the mouth is applied,” and on this preliminary record, we preliminarily determine that Petitioner does not adequately explain how the end portion of item 2 functions as a mouthpiece where it does not contact the mouth.

Paper 14, at 37

# Claim construction: “mouthpiece”

- **Petitioner:**

As an initial matter, Trove does not dispute the plain meaning encompasses “a part designed for a user to put his or her mouth on to draw liquid from the container.” But there is no basis for requiring that a user’s mouth must contact a particular external surface for the structure to qualify as a “mouthpiece.”

- **Dr. Vallee:**

45. A POSITA would understand a “mouthpiece” to refer to the portion of a dispensing structure that forms the user-facing end of the fluid flow path and is positioned at the drinking interface—i.e., the part that the user places at or near the mouth when consuming fluid. *See, e.g.,* Ex. 2005, 1 (defining mouthpiece as

The key technical feature is that the component is configured to serve as the terminal delivery structure for fluid intake and is intended to be approached by the user’s mouth during use, regardless of whether any surrounding structural features encase it. This understanding is consistent with Mr. Jobin’s deposition testimony that a

“near the mouth”

“approached by the user’s mouth”

## Claim construction: “mouthpiece”

- When Dr. Vallee was asked “how near” is required to be a “mouthpiece”:
  - “I don't think it's an exact measurement”
  - “I don't think it's a term that's construed by a distance. I think it's **a term that's just understood.**”
  - “**I don't think it's some distance.**”
  - “**You know, I don't think it would be an arm's length, or anything like that.** But it's not a -- it's not a fixed distance. I think **it's simply near enough to do its job.**”
  - “I mean, again, it -- **since it's not a distance, it's a perception.**”

# Claim construction: “mouthpiece”

Dr. Vallee:

Q So, let's use your example from earlier. You said arm's length is too far to be a mouthpiece, right?

A I did say that, yes.

Dr. Vallee:

out there. But it's not practical. I mean, you'd have to be really good to try to -- I wouldn't do it. I would get soaking wet.

A No, because I get soaking wet.

don't think it's hard to do. I mean, you're more talented than I because I would get soaking wet, I guarantee that.

**NOT a mouthpiece**



**Mouthpiece**



## Claim construction: “mouthpiece”

- Petitioner’s “near” construction that does not require contact with the mouth would improperly render “mouthpiece” **indefinite**
  - Dr. Vallee admits “near” is not a defined distance that can be measured
  - The ’250 patent does not use the term “near” nor provide any objective guidance for what “near” might mean
  - Dr. Vallee contends a POSITA would simply know it when they see it
  - Under their theory, Ribarits’ bottle would have a “mouthpiece” if held near the user’s mouth but that same bottle would not have a “mouthpiece” if held at arm’s length
- Proposed constructions that would render a claim term indefinite should be rejected.
  - ***Geneva Pharms., Inc. v. GlaxoSmithKline PLC*, 349 F.3d 1373, 1384 (Fed. Cir. 2003)** (rejecting proposed construction that would result in an embodiment that “would simultaneously infringe and not infringe the claims, depending on the particular bacteria chosen for analysis”).

## Claim construction: “mouthpiece”

- Claims already recite”
  - a “fluid conduit” that “includes . . . **a dispensing outlet through which drink fluid in the fluid conduit may be dispensed** from the cap assembly to a user”
- The claims then recite:
  - **“a mouthpiece . . . wherein the mouthpiece defines a portion of the fluid conduit, including the dispensing outlet”**
- The “dispensing outlet” and “mouthpiece” are separately claimed elements, so a mouthpiece cannot be simply any dispensing outlet held near the mouth
  - ***Bicon, Inc. v. Straumann Co.*, 441 F.3d 945, 950 (Fed. Cir. 2006)** (cannot render claim terms “superfluous”)
  - ***Bd. of Regents of the Univ. of Tex. Sys. v. BENQ Am. Corp.*, 533 F.3d 1362, 1371 (Fed. Cir. 2008)** (“Different claim terms are presumed to have different meanings.”).

## Claim construction: “mouthpiece”

- Petitioner’s reliance on the incorporated **Gardner** (Ex. 1014) reference supports Patent Owner’s construction

### ’250 Patent:

Additional illustrative examples of suitable bite-actuated mouthpieces, including external and internal constructions of which that may be selectively utilized (in whole or in part) with mouthpieces 72 according to the present disclosure are disclosed in U.S. Pat. Nos. 6,070,767 and 6,032,831, the complete disclosures of which are hereby incorporated by reference for all purposes. In the illustrated examples,

### Gardner:

in a mouthpiece at the other end. The hose is long enough to allow the mouthpiece to be carried in the user’s mouth to enable the user to draw water from the reservoir at will.

The other end 24 of hose 22 is connected to a mouthpiece 26, which is sized to be received within the user’s mouth to deliver fluid to the user. Mouthpiece 26 is shown in more

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“two joints that define a pivotal axis for pivotal movement of the pivotal mount”

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“a mouthpiece [coupled to the mount outlet of]/[disposed on] the pivotal mount for pivotal movement with the pivotal mount”

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**Claim construction: “two joints that define a pivotal axis for pivotal movement of the pivotal mount”**

a **pivotal mount** coupled to the cap assembly base at **two joints that define a pivotal axis for pivotal movement of the pivotal mount** relative to the cap assembly base, the pivotal mount defining a hollow passage, the hollow passage having a mount outlet on a distal end of the pivotal mount;

a **mouthpiece** **coupled to the mount outlet of the pivotal mount for pivotal movement with the pivotal mount** relative to the cap assembly base;

**Claim construction: “two joints that define a pivotal axis for pivotal movement of the pivotal mount”**

- Means “two joints that define an **axis of rotation for rotational motion** of the pivotal mount about the axis **such that a constant distance/radius from the pivotal mount to the axis is maintained**”

**Claim construction: “a mouthpiece [coupled to the mount outlet of]/[disposed on] the pivotal mount for pivotal movement with the pivotal mount”**

- Means “a mouthpiece [coupled to the mount outlet of]/[disposed on] the pivotal mount **that moves with rotational motion about the same axis of rotation defined by the two joints as the pivotal mount in the same direction as the pivotal mount such that a constant distance/radius from the mouthpiece to the axis is maintained.**”

# Rotational motion required

- **Board's construction at institution:**

For purposes of this decision on institution, we adopt Patent Owner's proposed construction of "two joints that define a pivotal axis for pivotal movement of the pivotal mount" as "two joints that define an axis of rotation for rotational motion of the pivotal mount about the axis." This construction is consistent with the Specification, which describes pivoting in the context of rotating. For example, in discussing lateral projections 150 that are

- **"Pivotal movement" = rotational motion**

# The Board determined rotational motion (and constant radius) required in parent '255 patent FWD

- Board's Final Written Decision in IPR2024-01137 (Paper 34) (January 15, 2026) regarding parent '255 patent:

'250 Patent:

**Related U.S. Application Data**  
continuation of application No. 16/035,418, filed on Jul. 13, 2018, now **Pat. No. 10,676,255**, which is a

'255 FWD:

Indisputably, then, the claimed pivotal axis defined by the pair of lateral projections is an axis of rotation, and the claimed pivotal movement about that axis is rotational motion. That being the case, the only issue left to decide is whether such rotational motion, as claimed, requires maintaining a constant distance or radius relative to the axis of rotation defined by the pivotal mount's lateral projections, as CamelBak advocates. We find that both the specification and prosecution history of the '255 patent support such a construction.

- *In re Katz Interactive Call Processing Pat. Litig.*, 639 F.3d 1303, 1325 (Fed. Cir. 2011) (“[W]e ordinarily interpret claims consistently across patents having the same specification ...”);
- *Abtox, Inc. v. Exitron Corp.*, 131 F.3d 1009, 1010 (Fed. Cir. 1997) (“Although these claims have since issued in separate patents, it would be improper to construe this term differently in one patent than another, given their common ancestry.”).

- “Pivotal movement” = rotational motion = constant radius to axis of rotation

# Rotational motion required

- Specification:

- “The projections are **rotatable** within the sockets, and thereby function as **rotatable** supports, or axles, upon which the mount and any attached mouthpiece may be pivotally moved” (Ex. 1001, 16:50-60)
- “...the **rotational** position of the valve assembly...” (Ex.1001, 5:9-17)
- “...the mouthpiece, and at least a portion of the mount, may be coupled to the base of the cap assembly by a joint (and/or valve) 108, such as may take the form of a **pivotal joint**, a ball joint, or other suitable structure **that provides for adjusting the angular and/or rotational orientation of the mount** relative to the base of the cap assembly.” (Ex.1001, 7:47-53)
- “...a **rotatable mechanism**, in which a portion of the fluid conduit upstream from the internal chamber of the mouthpiece (such as the inlet, outlet, or an intermediate portion of the mount) is selectively obstructed until the mouthpiece (and typically at least a portion of the mount and/or fluid conduit) is **rotated** to a position in which the obstruction no longer prevents drink fluid from passing through the fluid conduit.” (Ex.1001, 12:13-21)

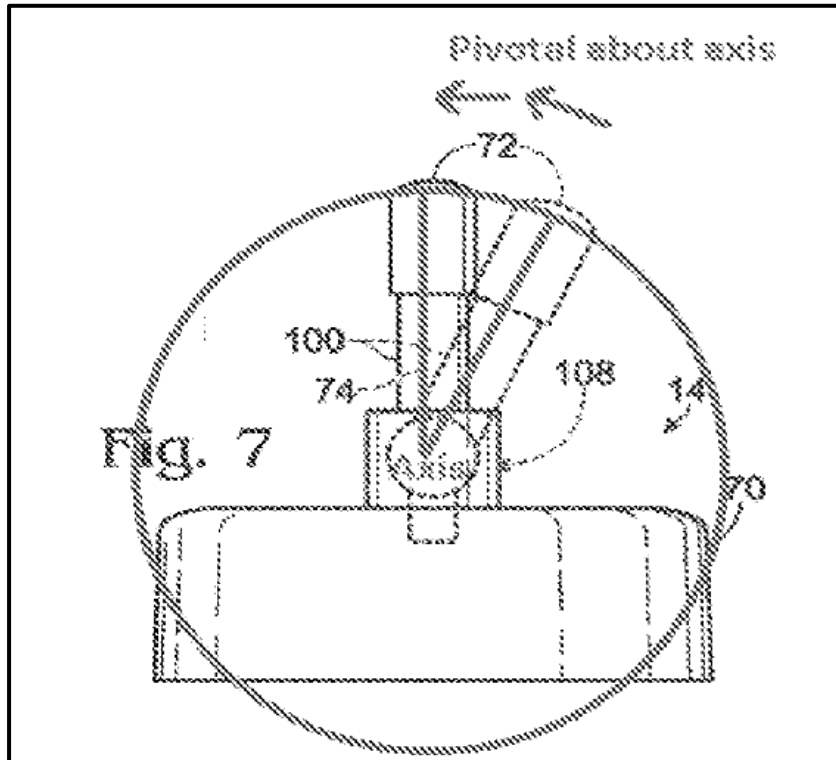
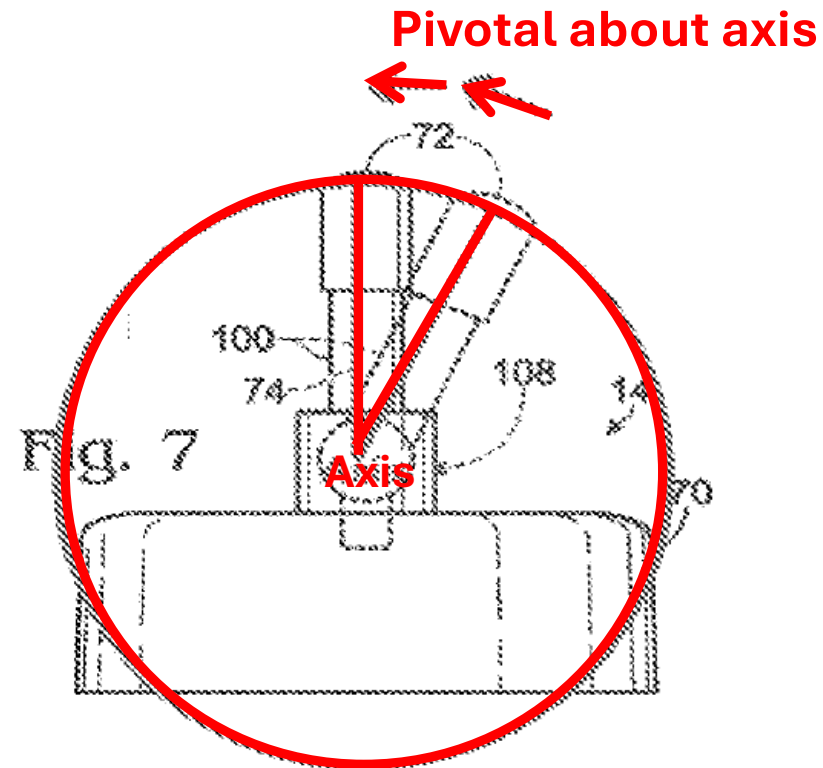
# Rotational motion required

- **Petitioner's Declarant, Dr. Vallee:**

- The pivot axis is “analogous with the **axis of rotation** of the pivotal mount” (Ex.2018 (Vallee Tr.), at 104:16-21)
- “[T]here is a spout that **rotates** from a stowed position to an unstowed position” (Ex.2018, at 22:5-13 )
- Referred to the “**rotation**” of the mouthpiece between dispensing and stowed configurations (Ex.2018, at 32:2-12)
- Describing the pivotal mount which “**rotate[s]** around” an “axis” (Ex.2018, at 38:1-19)
- “Q. So when the claims used the term pivotal about an axis, do you understand that to mean **rotational about an axis of rotation**? A. I think that's correct. . . .” (Ex.2018, at 56:19-57:1)
- “Q. So would you agree that the lateral projections define an axis of rotation as the lateral projections rotate within the pair of sockets? A. **Yes. It is an axis of rotation.**” (Ex,2018, at 58:16-59:7)

# Rotational motion required

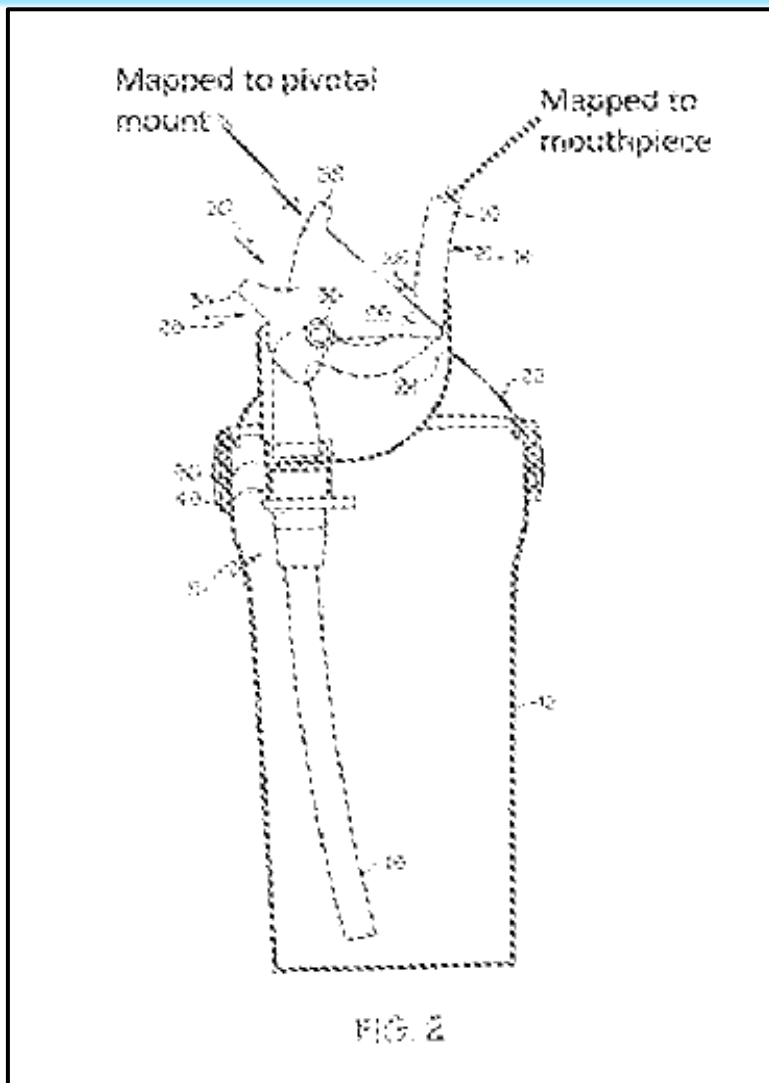
## Reexam History:



As shown above, the mouthpiece 72 is pivotal about an axis defined by the pair of lateral projections as they **rotate**. In the Office Action, the Examiner maps the recited mouthpiece to the end portion 16 of straw 14, shown:

# Rotational motion required

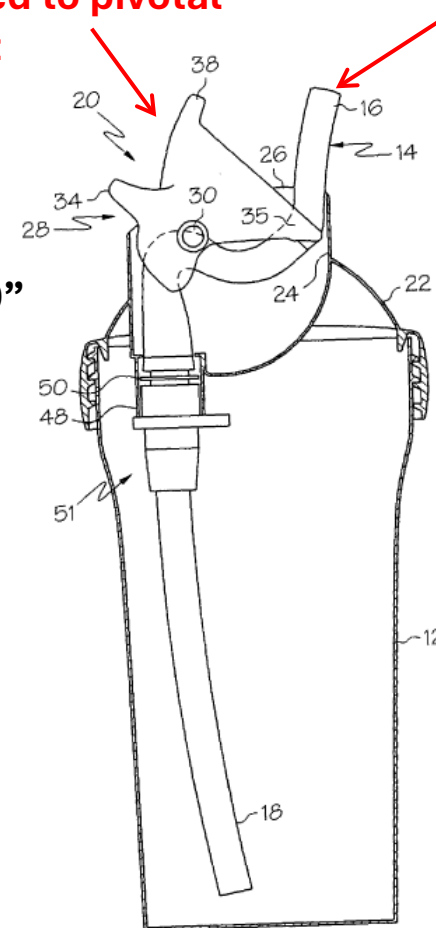
## Reexam History:



“straw positioning  
mechanism 20”

“axle projections 30”  
(pivotal axis)

Mapped to pivotal  
mount

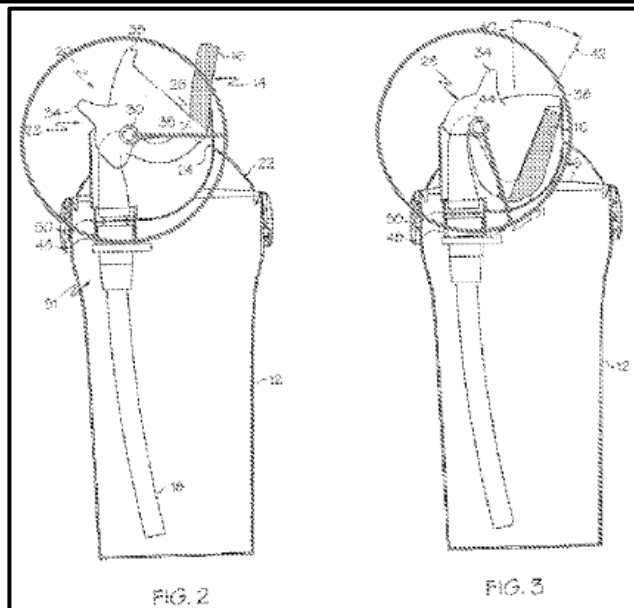


Mapped to  
mouthpiece  
“drinking end 16”

# Rotational motion required

## Reexam History:

However, portion 16 of the straw in McDonough (mapped to the resilient mouthpiece) is not pivotal about an axis defined by the pair of lateral projections as the pair of lateral projections rotate within the pair of sockets, as required by the claims. This is shown, for example, in Figs. 2-3 of McDonough:



As shown in the figures above, when the straw positioning member 20 is pivoted about a pivotal axis, the end portion 16 of straw 14 is pulled downwards. The end portion 16 of the straw (mapped to the resilient mouthpiece) is not “*pivotal about an axis defined by the pair of lateral projections*” as required by the claims.

# Rotational motion required

Reexam  
History:

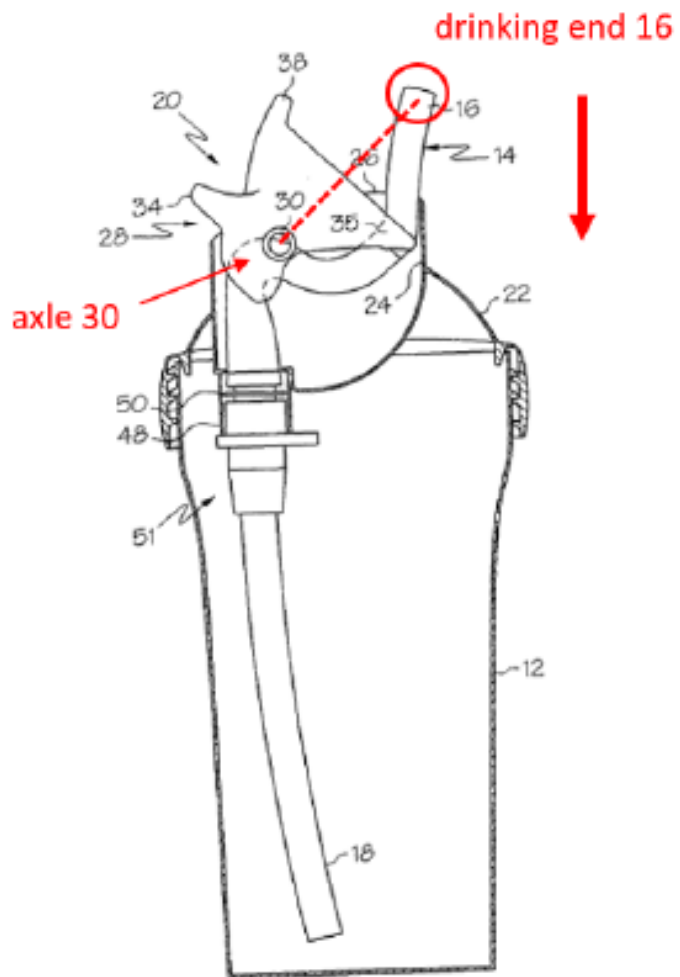


FIG. 2

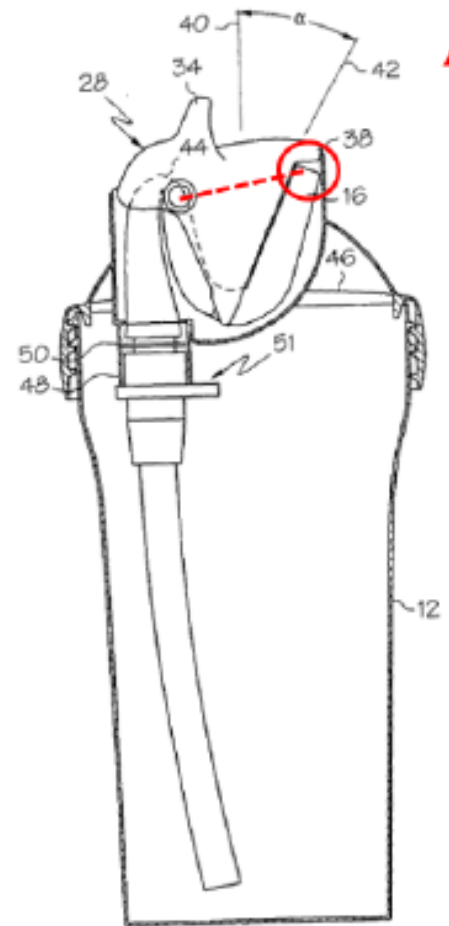


FIG. 3

# Rotational motion required

## Patent Owner's Expert, Michael Jobin:

for claim 1). As shown below, a POSITA would have understood from Patent Owner's arguments that the mouthpiece and the pivotal mount rotate together about the same axis of rotation in the same direction, rather than engaging in up and down translational movement.

is pulled downwards." *Id.* (underline added). Thus, Patent Owner was distinguishing the upward and downward translational movement of the alleged mouthpiece (i.e., portion 16 of the straw) in McDonough from the claimed pivotal movement about an axis, which would have required rotational movement of the mouthpiece about the alleged pivotal axis (i.e., axles 30), not mere upward and downward translational movement.

# '255 parent patent reexamination history applies

**'250 Patent:**

**Related U.S. Application Data**

continuation of application No. 16/035,418, filed on Jul. 13, 2018, now **Pat. No. 10,676,255**, which is a

- ***Elkay Mfg. Co. v. EBCO Mfg. Co.*, 192 F.3d 973, 980 (Fed. Cir. 1999)** (“When multiple patents derive from the same initial application, the prosecution history regarding a claim limitation in any patent that has issued applies with equal force to subsequently issued patents that contain the same claim limitation.”).

# Definition of rotational motion

## Patent Owner's Expert, Michael Jobin:

69. The concept of rotational movement occurring about an axis of rotation would have been well understood by a POSITA at the time of the '250 patent. An

physics course, wherein “[R]otational motion . . . is a type of motion in which all points of a rigid body maintain a constant distance from an imaginary axis and rotate in circulate paths about a common axis with a common velocity.” Ex.2022, at 1; *see*

particular time interval.” Ex.2023 at 258-259. Rotational motion is distinct from translational motion, “in which an object moves along a straight or curved line.” Ex.2023 at 258. If a rotating body does not maintain a constant distance from the axis of rotation, then its path will cease to be circular and its motion will be translational, not rotational.

# Definition of rotational motion

## Patent Owner's Expert, Michael Jobin:

Ex. 2019, at 308-310. Accordingly, in my opinion, even in combined translation and rotation, any rotational component must still have a fixed distance/radius to the axis of rotation to be considered rotational, as Dr. Vallee conceded. Ex. 2019, at 308; Ex.2018 at 64:4-18. Such combined motion, therefore, such as the rolling motion of

Figure 10.13 The motion of a rolling wheel is the sum of the translational motion of the center of mass and the rotational motion of the wheel around the center of mass.

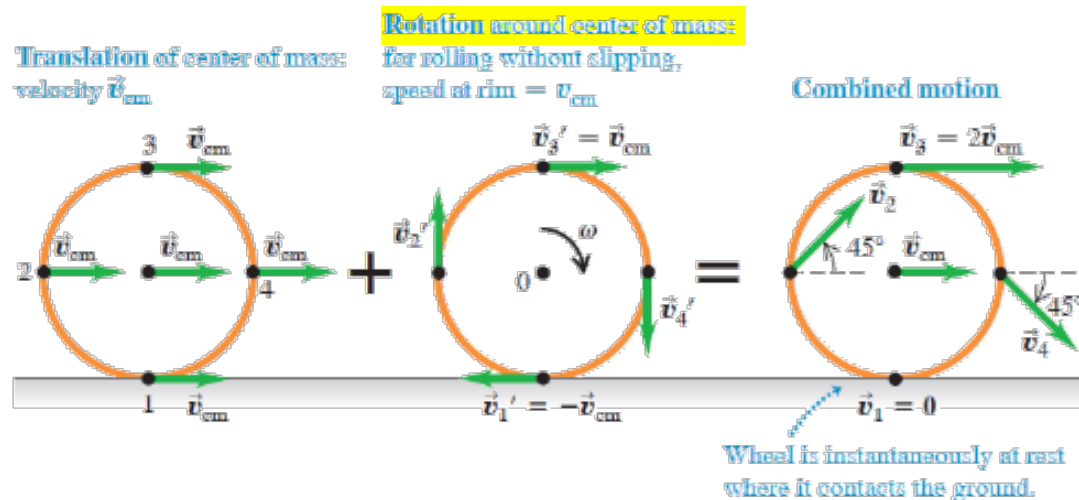
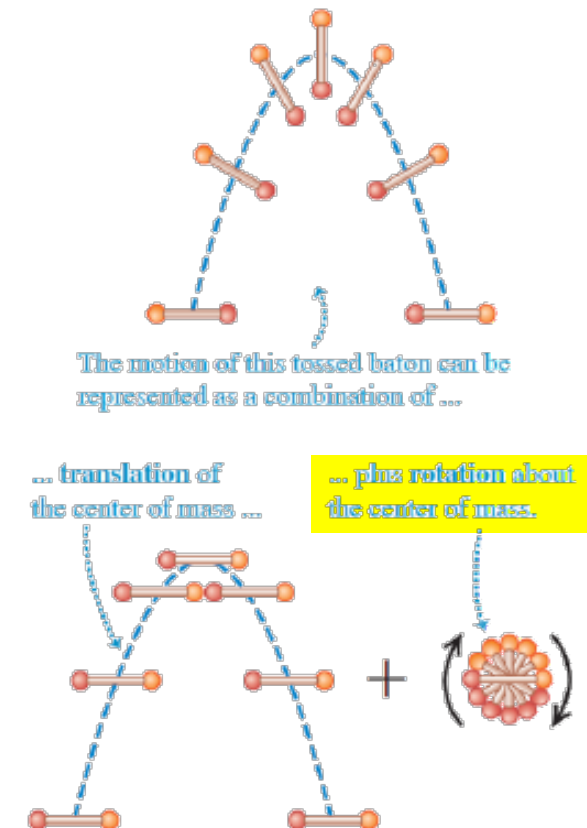


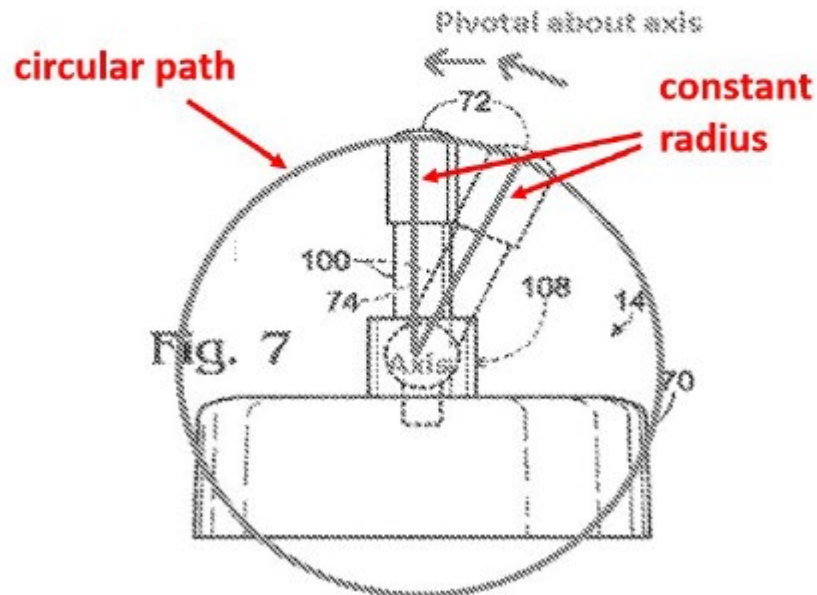
Figure 10.11 The motion of a rigid body is a combination of translational motion of the center of mass and rotation around the center of mass.



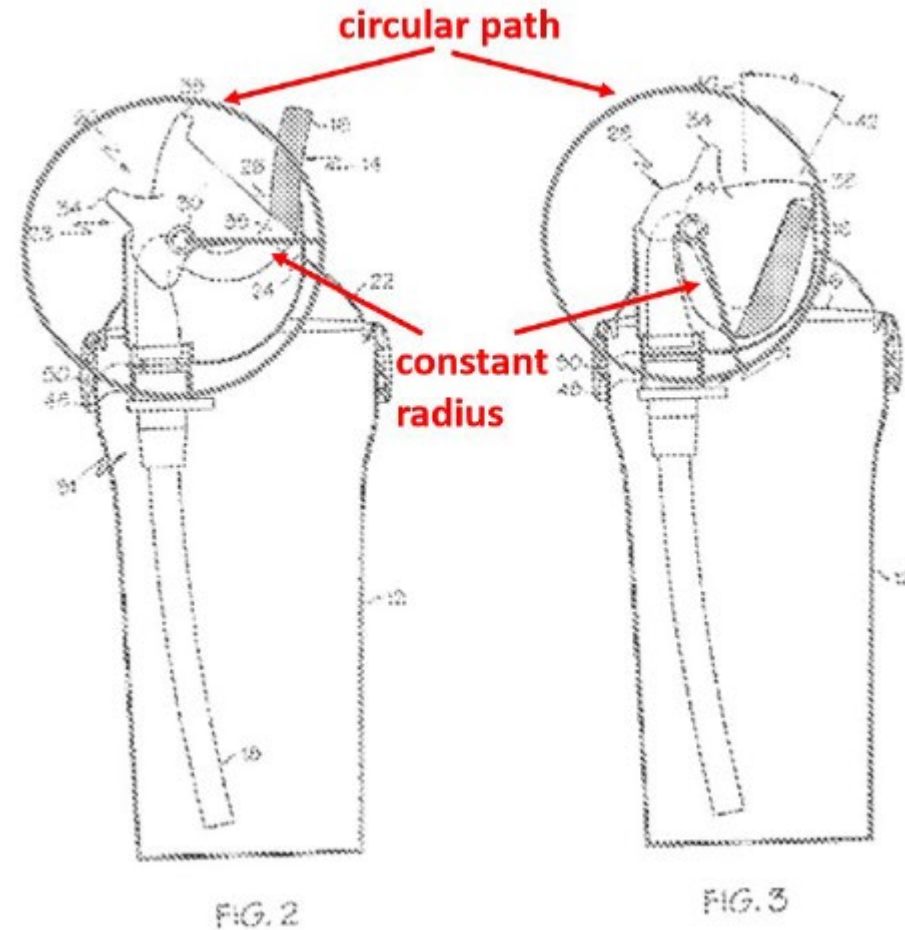
# Mouthpiece moves in circular path with fixed radius

## '255 Reexam History:

Fig. 7 of 255 patent:



Figs. 2-3 of McDonough:



# The “mouthpiece” is a rigid body

## '250 patent:

dispensed from the drink bottle. Mouthpiece 72 may be referred to as a self-sealing valve, or valve assembly, because the mouthpiece is constructed to automatically return to its closed, or sealed, configuration when the compressive forces, such as may be applied by a user's teeth or mouth, are no longer applied to maintain the mouthpiece in its dispensing configuration. Therefore, unless forces are being exerted to the mouthpiece to deform the mouthpiece to a dispensing configuration, the mouthpiece will be in its closed, or sealed, configuration.

## Patent Owner's Declarant, Michael Jobin:

velocity. In this case, all points of a rigid body (such as the mouthpiece and pivotal mount) maintain a constant distance from the axis of rotation, because if they did not maintain a constant distance from the axis, the path would not be circular and therefore the motion would be translational instead of rotational.

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“a mouthpiece [coupled to the mount outlet of]/[disposed on] the pivotal mount for pivotal movement with the pivotal mount”

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# Claim construction: “a mouthpiece [coupled to the mount outlet of]/[disposed on] the pivotal mount for pivotal movement with the pivotal mount”

## Institution Decision:

Although the construction of this limitation may be helpful in deciding the issues of unpatentability, we determine that the construction of this term would benefit from further briefing during the trial phase of this proceeding, and we invite the parties to continue to brief this issue. Therefore, we do not provide a preliminary construction of the term at this time.

Paper 14, at 14

We, therefore, determine that Petitioner has made an adequate showing for this limitation based on the record at this stage of the proceeding. The parties are encouraged to continue to brief this issue at trial, along with the construction of the term “with” in “pivotal movement with the pivotal mount relative to the cap assembly base.”

Paper 14, at 28

**Claim construction: “a mouthpiece [coupled to the mount outlet of]/[disposed on] the pivotal mount for pivotal movement with the pivotal mount”**

- Requires that the mouthpiece and pivotal mount must engage in rotational motion **in the same direction about the same axis of rotation** defined by the lateral projections

- **Claim 1:**

a **mouthpiece** coupled to the mount outlet of the pivotal mount **for pivotal movement with the pivotal mount** relative to the cap assembly base;

a **pivotal mount** coupled to the cap assembly base at **two joints that define a pivotal axis for pivotal movement of the pivotal mount** relative to the cap assembly base;

- 1) **“pivotal movement” = rotational movement = constant radius**
- 2) **“with” ≠ away from**

**Claim construction: “a mouthpiece [coupled to the mount outlet of]/[disposed on] the pivotal mount for pivotal movement with the pivotal mount”**

- **Parent '255 FWD: “pivotal movement” = rotational movement = constant radius**

- *In re Katz Interactive Call Processing Pat. Litig.*, 639 F.3d 1303, 1325 (Fed. Cir. 2011) (“[W]e ordinarily interpret claims consistently across patents having the same specification ...”);
- *Abtox, Inc. v. Exitron Corp.*, 131 F.3d 1009, 1010 (Fed. Cir. 1997) (“Although these claims have since issued in separate patents, it would be improper to construe this term differently in one patent than another, given their common ancestry.”).

- **Parent '255 Reexamination: rotational movement = constant radius**

- *Elkay Mfg. Co. v. EBCO Mfg. Co.*, 192 F.3d 973, 980 (Fed. Cir. 1999) (“When multiple patents derive from the same initial application, the prosecution history regarding a claim limitation in any patent that has issued applies with equal force to subsequently issued patents that contain the same claim limitation.”).

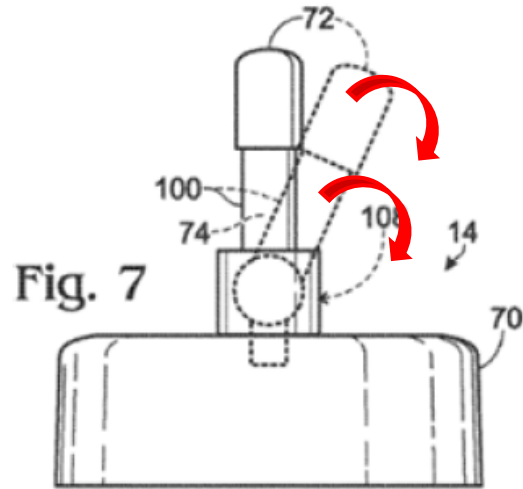
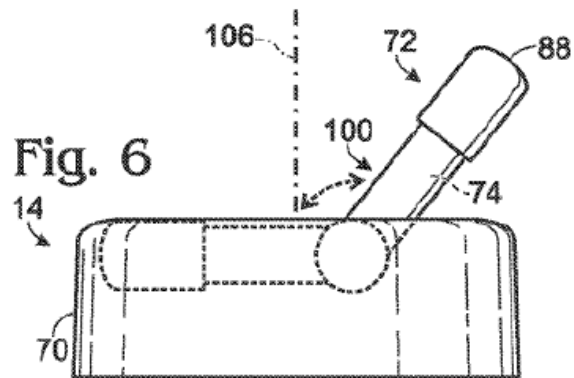
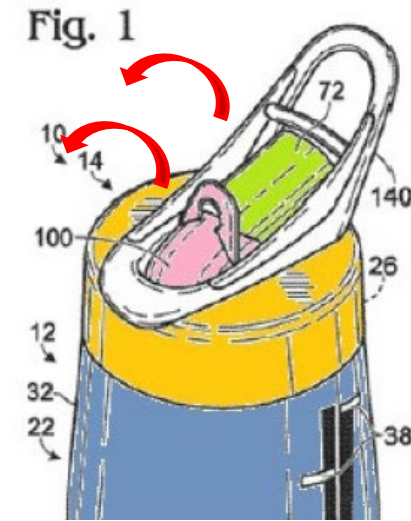
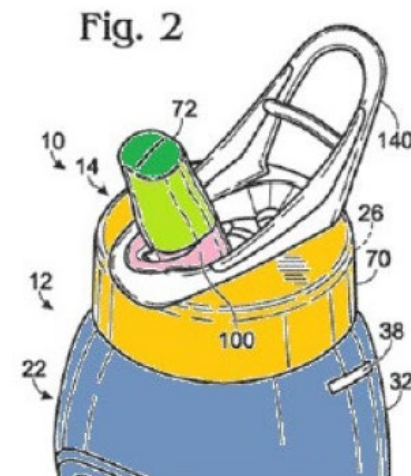
**Claim construction: “a mouthpiece [coupled to the mount outlet of]/[disposed on] the pivotal mount for pivotal movement with the pivotal mount”**

- **Meriam-Webster**: defines “with” as meaning “**in the direction of**” and “**to indicate a participant in an action, transaction, or arrangement.**” Ex. 2017.
- In every embodiment described in the '250 patent specification, the mouthpiece and pivotal mount rotate together in the same direction about the same axis defined by the two joints
  - **'250 patent**: “The projections [of the pivotal mount] are rotatable within the sockets, and thereby function as rotatable supports, or axles, upon which **the mount and any attached mouthpiece may be pivotally moved** relative to the base of the cap assembly, such as between stowed and dispensing configurations.” Ex. 1001, 16:54–60.
- The figures likewise depict the same for every embodiment

**Claim construction: “a mouthpiece [coupled to the mount outlet of]/[disposed on] the pivotal mount for pivotal movement with the pivotal mount”**

**resilient mouthpiece 72**

**pivotal mount 100**

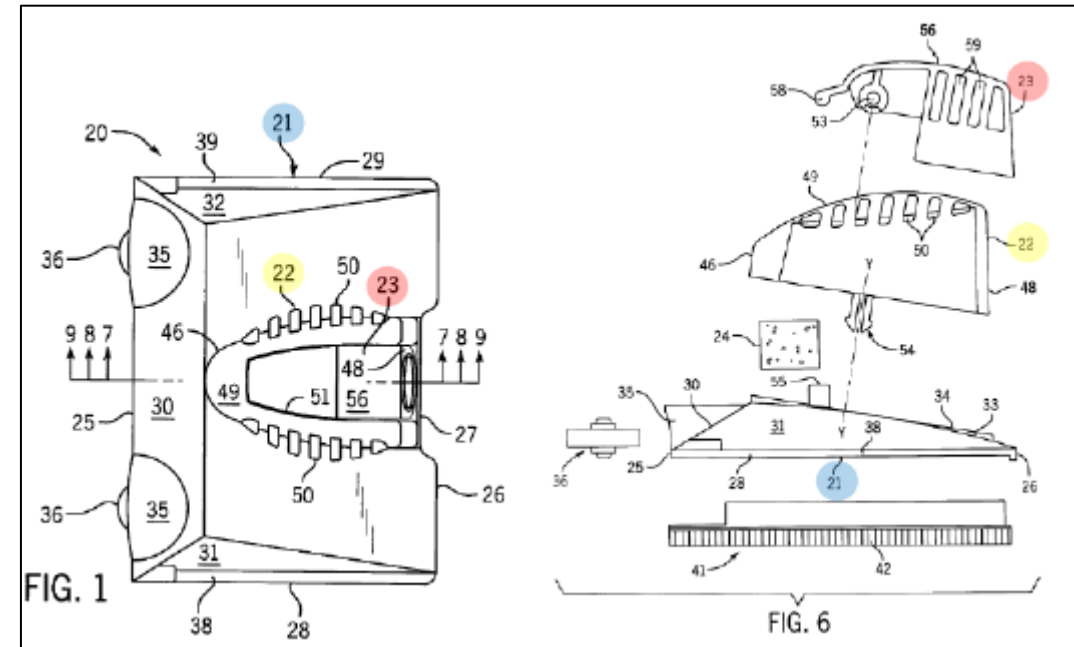


**Claim construction: “a mouthpiece [coupled to the mount outlet of]/[disposed on] the pivotal mount for pivotal movement with the pivotal mount”**

- **Petitioner and Dr. Vallee contend:**
  - “[R]eal-world mechanical linkages often involve multiple joints or **compound linkages**, where distal components undergo local rotations that differ from those at a proximal joint, yet still participate in the overall pivot-driven displacement about that proximal joint.” Paper 24, at 6 (citing Ex.1015, ¶ 8).
  - “[A] POSITA would understand ‘for pivotal movement with the pivotal mount’ to mean that **the mouthpiece participates in the pivot-driven movement of the pivotal mount** relative to the cap assembly base—not that it must exhibit any **particular local rotational behavior about another joint or axis.**” *Id.* at 7 (citing Ex.1015, ¶ 12).
- Their only support is extrinsic evidence: Rosnak (Ex.1016), Simon (Ex.1017), and Francart (Ex.1018).

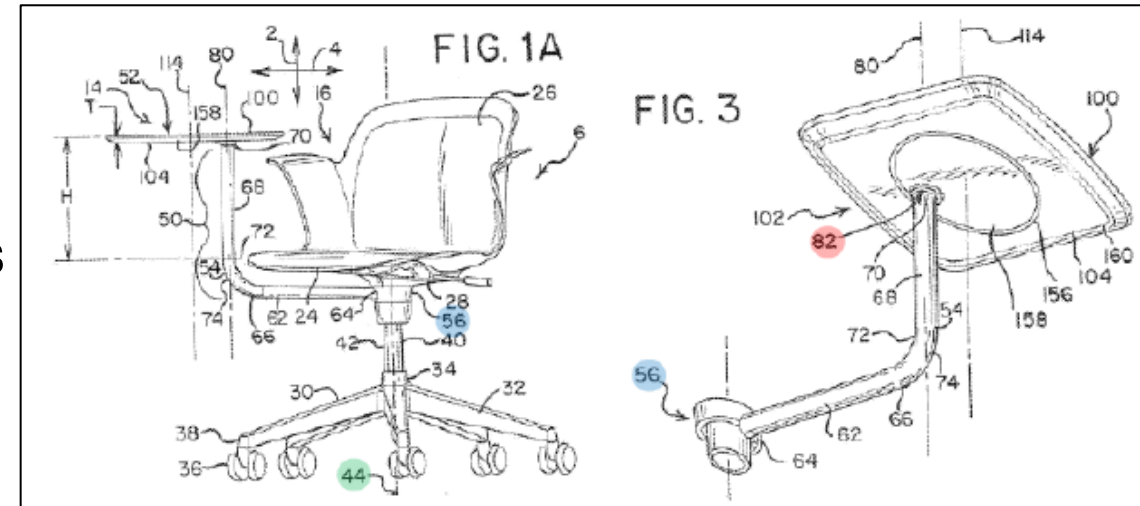
**Claim construction: “a mouthpiece [coupled to the mount outlet of]/[disposed on] the pivotal mount for pivotal movement with the pivotal mount”**

- **Rosnak** describes a paint applicator having a **handle 22 (yellow)** (which Dr. Vallee calls the “proximal component”) that pivots parallel to the surface being painted about a first axis, y-y, as well as an **adapter 23 (red)** (which Dr. Vallee calls the “distal component”) mounted on the handle where the adapter pivots perpendicular to the paint surface about a second axis, z-z. Ex.1015, ¶ 9; Ex.1016, Abstract, 5:29-34; Ex.2022, 112:14-114:2, 117:5-12.
- **Dr. Vallee admits Rosnak never states that the distal component (adapter 23) pivots about the first axis, y-y.** Ex.2022, 120:11-121:8; see also id. at 117:19-118:20.



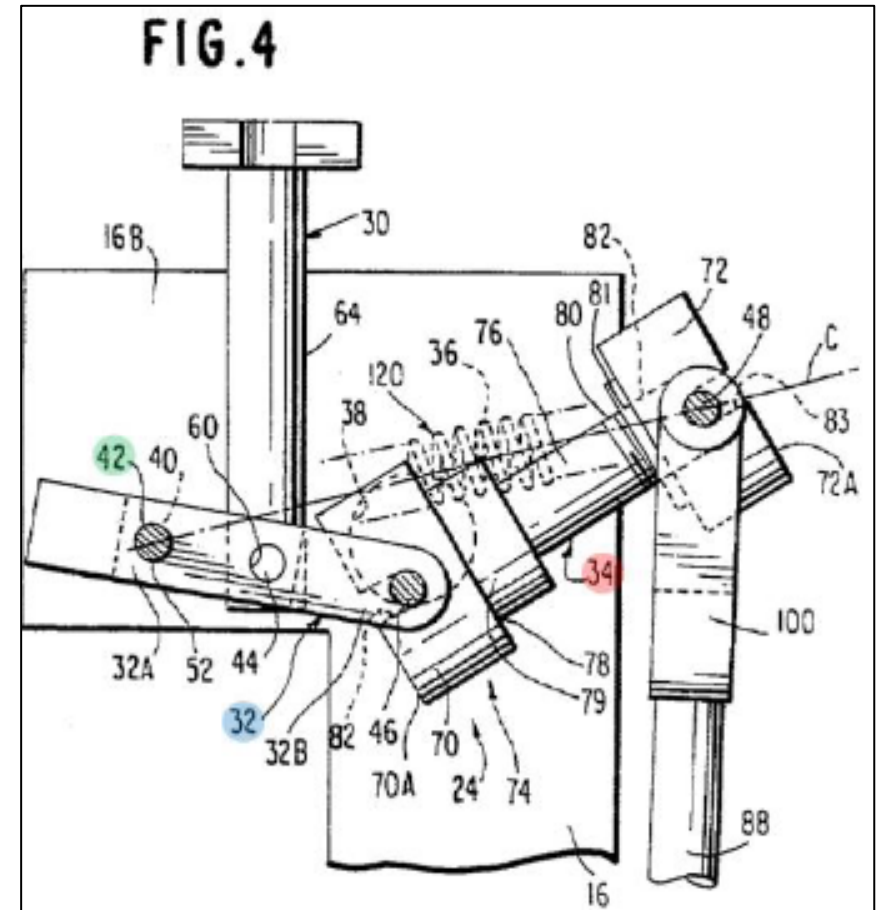
**Claim construction: “a mouthpiece [coupled to the mount outlet of]/[disposed on] the pivotal mount for pivotal movement with the pivotal mount”**

- **Simon** describes a chair having a table connected to it via a support 54 having a **first mounting portion 56 (blue)** that rotates about **a first pivot axis 44 (green)** and **a second mounting portion 82 (red)** that also pivots about the **first pivot axis 44**. Ex.1015, ¶ 10; Ex.1017, [0008]; Ex.2022, 123:6-20.
- The table can rotate about a second pivot axis defined by the **second mounting portion 82 (red)** by pivoting a pivot member of the table about this second pivot axis. Ex.1015, ¶ 10; Ex.1017, [0008]; Ex.2022, 124:7-11.
- ***Dr. Vallee admits Simon never states that the table (distal component) engages in pivotal movement or pivots or rotates about the first pivot axis.*** Ex.2022, 127:14-128:12.



**Claim construction: “a mouthpiece [coupled to the mount outlet of]/[disposed on] the pivotal mount for pivotal movement with the pivotal mount”**

- **Francart** describes a toggle linkage mechanism in which a **first link 32 (blue)** is pivotally coupled at its left end to a fixed support via a **first pin 42 (green)** defining a “second pivot axis” about which it pivots and pivotally coupled at its right end to a **second link 34 (red)** via a second pin 46 defining a “first pivot axis” about which it pivots. Ex.1015, ¶ 11; Ex.1018, Abstract, 4:18-26; Ex.2022, 129:18-131:20.
- ***Dr. Vallee admits Francart never states that the second link (distal component) pivots or rotates or engages in pivotal movement about the first pin (green) pivotally coupled to the first link (proximal component).*** Ex.2022, 135:7-17, 136:9-18.



**Claim construction: “a mouthpiece [coupled to the mount outlet of]/[disposed on] the pivotal mount for pivotal movement with the pivotal mount”**

- Dr. Vallee concedes that “there is no embodiment [in the ‘250 patent] with a linkage.” Ex.2022, 111:10-17.
- Instead, the ‘250 patent claims and describes only a single axis of rotation for both the pivotal mount and attached/coupled mouthpiece.
- Dr. Vallee’s “compound linkage” theory lacks any intrinsic or extrinsic evidentiary support.

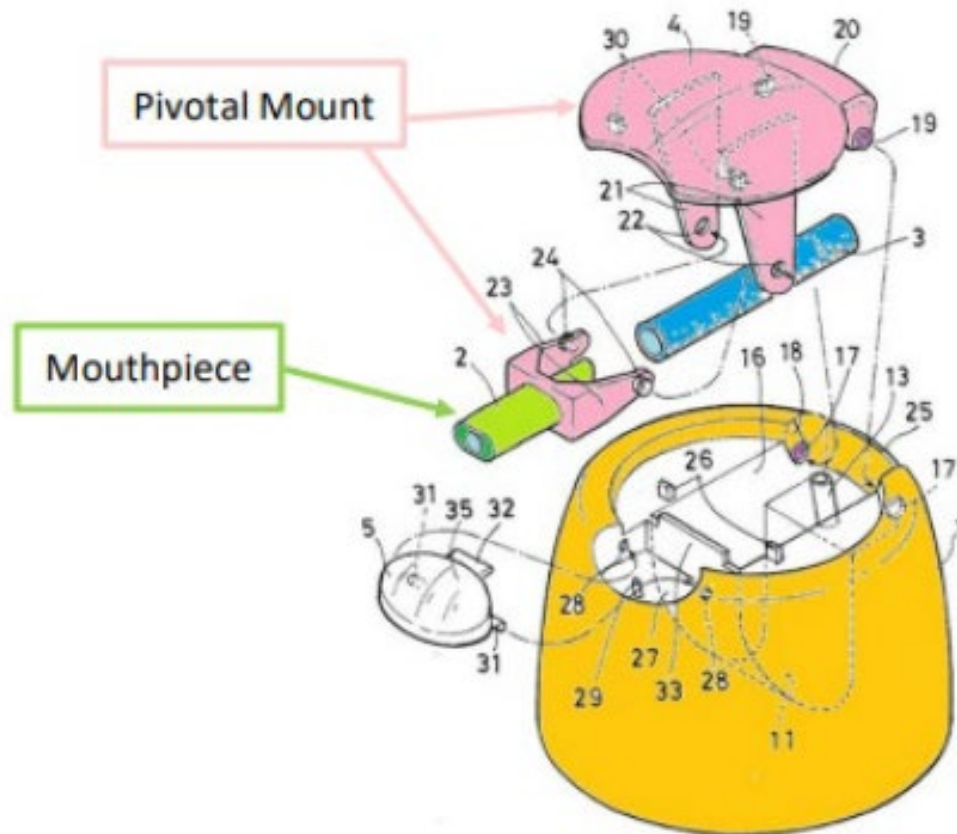
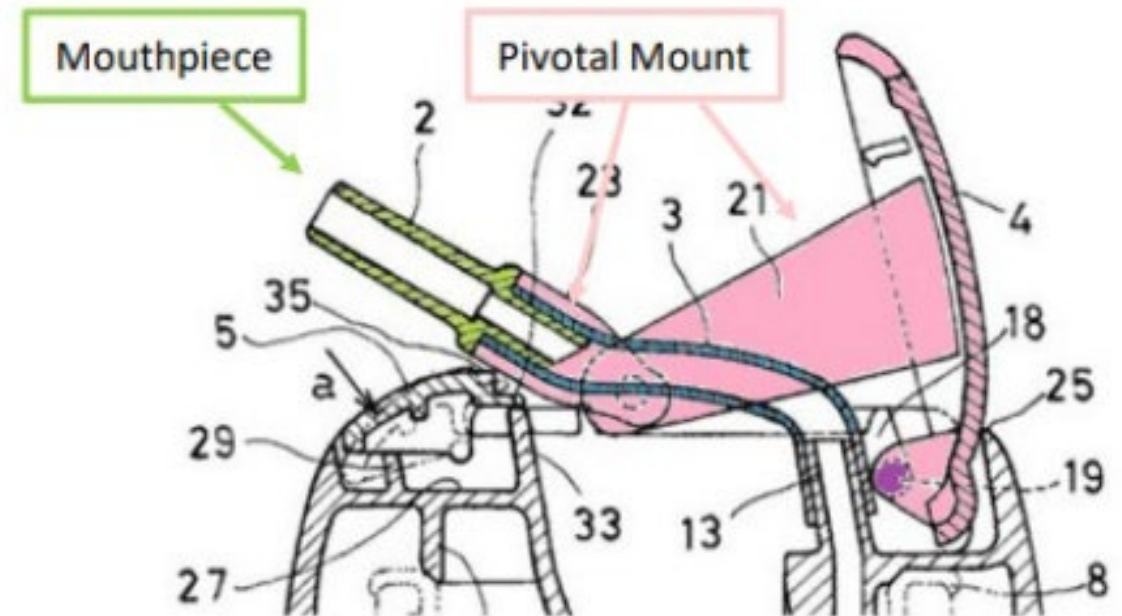
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Issue 2: Nakajima fails to disclose the mouthpiece's required "pivotal movement with the pivotal mount" where "two joints [] define a pivotal axis for pivotal movement of the pivotal mount"

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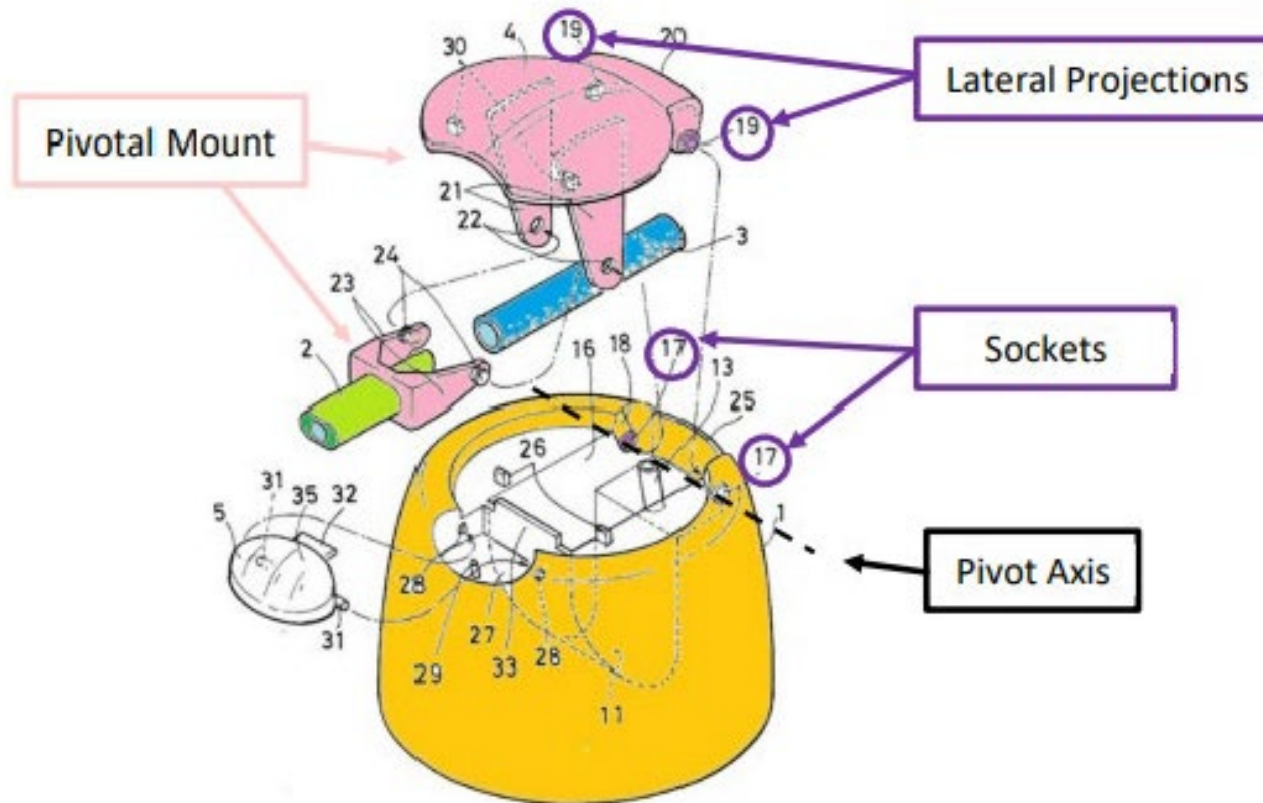
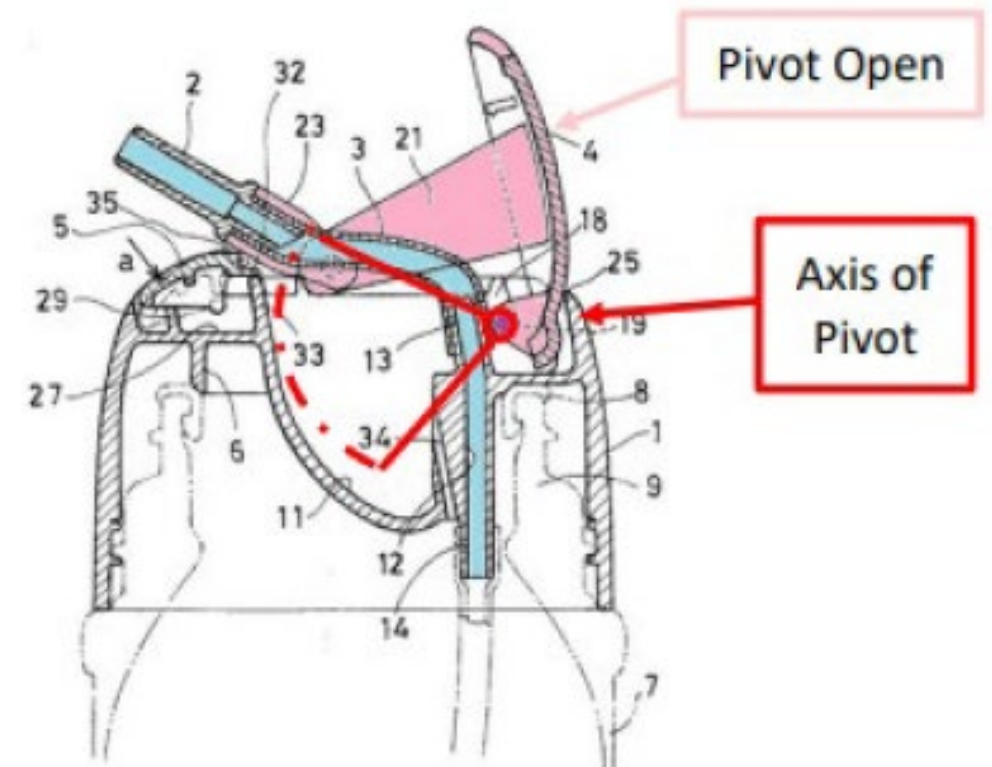
# Nakajima fails to disclose the mouthpiece's required “pivotal movement with the pivotal mount”

- Petitioner identifies only the **green portion** of mouthpiece 2 (not arms 23 or protrusions 24) as being the claimed “mouthpiece”



# Nakajima fails to disclose the mouthpiece's required “pivotal movement with the pivotal mount”

- Petitioner identifies **hinge shafts 19** of the lid as being the claimed “two joints that define a pivotal axis for pivotal movement of the pivotal mount”





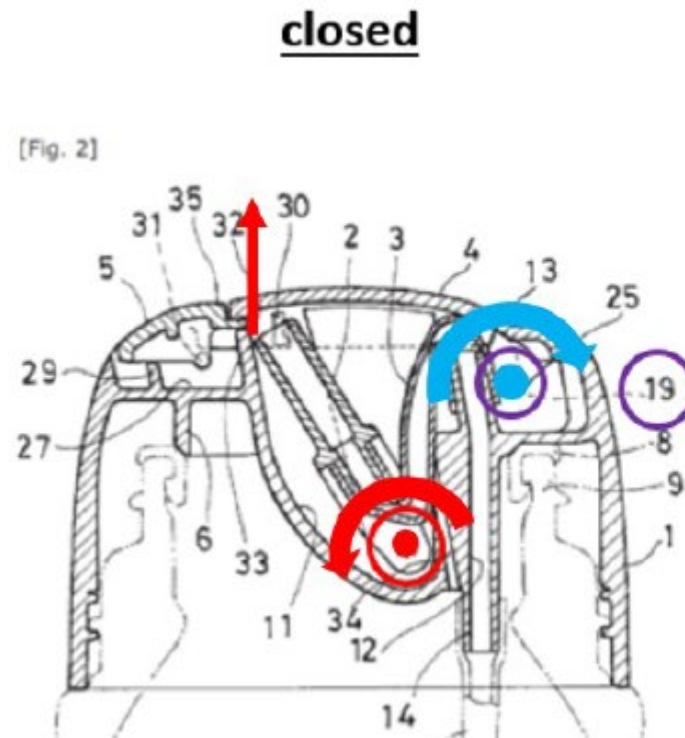
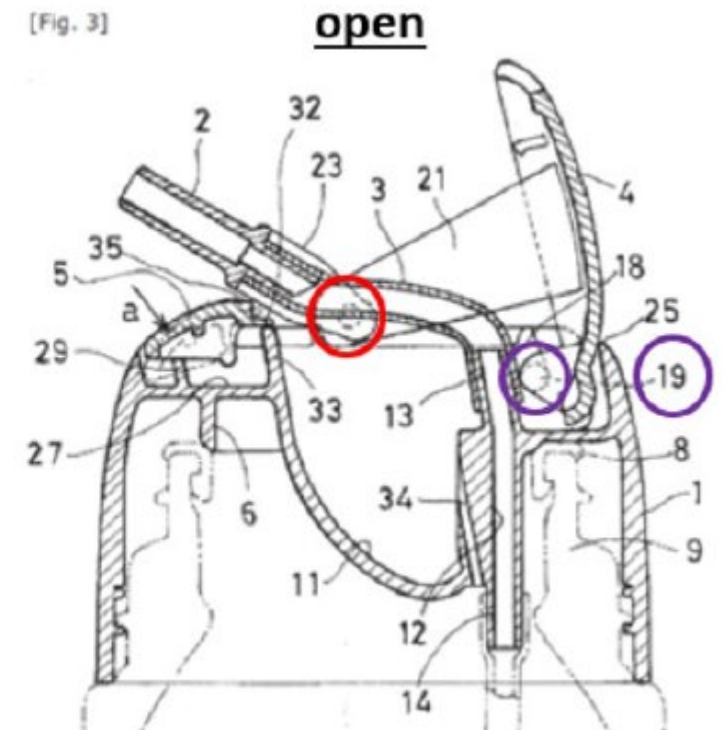
# Nakajima fails to disclose the mouthpiece's required “pivotal movement with the pivotal mount”

[0003] In such a mouthpiece, a lid covering mouthpiece inside when stored in the storage recess is attached so as to open and close freely, and the mouthpiece moves up and down in conjunction with the opening and closing of the lid.

Alleged “**mouthpiece**” moves **up** and rotates **counter-clockwise** about **protrusions 24**

Lid rotates **clockwise** about **hinge shafts 19**

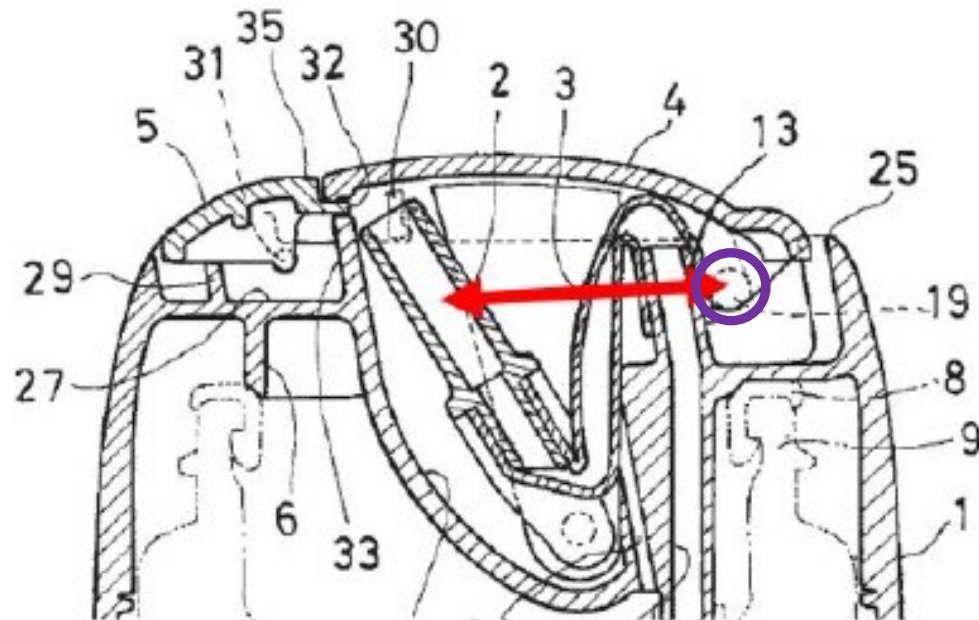
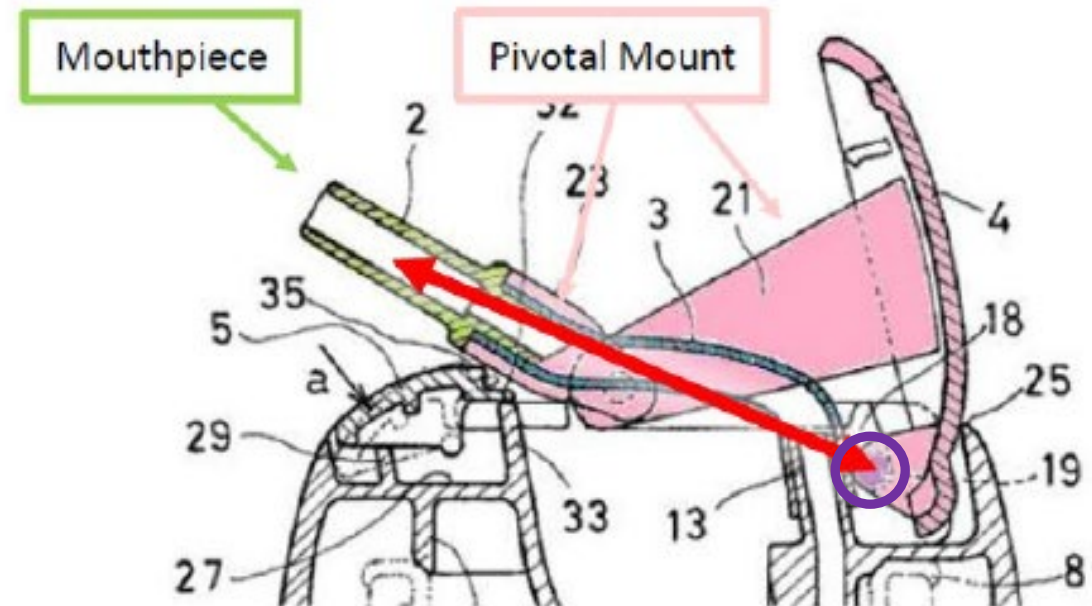
Alleged “**mouthpiece**” **does not** rotate clockwise (or at all) about **hinge shafts 19** – no “additional rotation” about **hinge shafts 19**



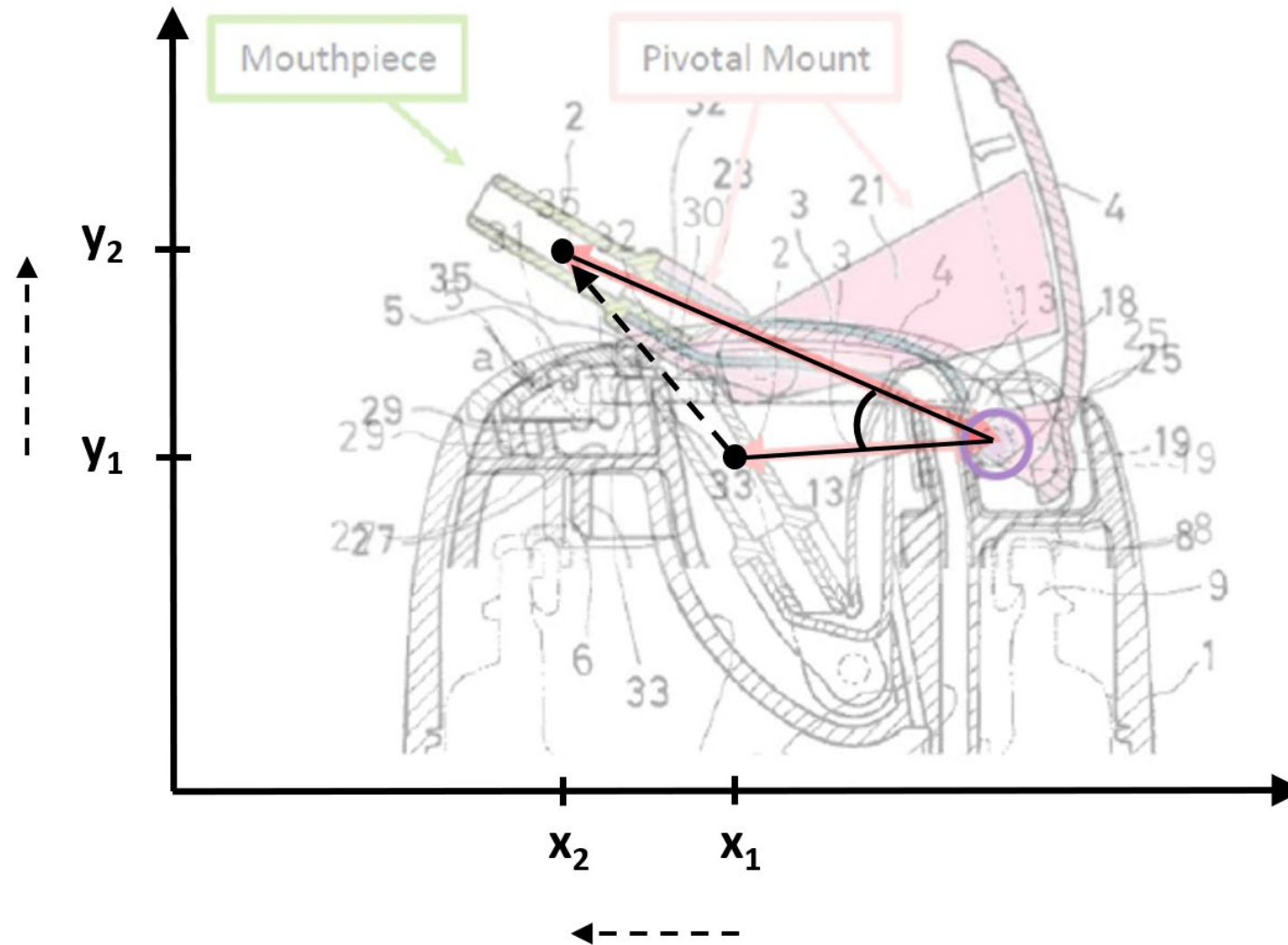
# Nakajima fails to disclose the mouthpiece's required “pivotal movement with the pivotal mount”

- No part of alleged “**mouthpiece**” ever maintains a constant distance/radius from alleged “axis” defined by **hinge shafts 19**

= **NO** rotation of “**mouthpiece**” about **hinge shafts 19**

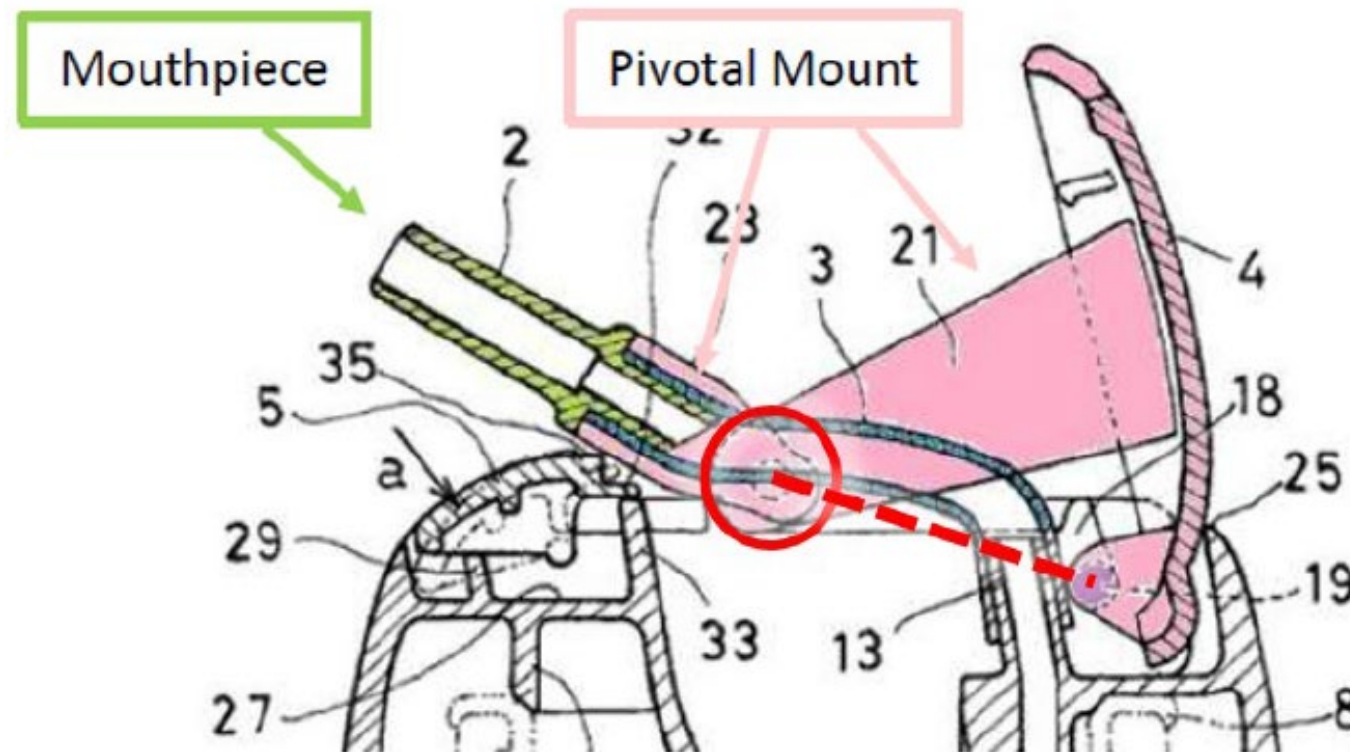


# Nakajima fails to disclose the mouthpiece's required “pivotal movement with the pivotal mount”



# Nakajima fails to disclose the mouthpiece's required “pivotal movement with the pivotal mount”

- Only **protrusions 24** of Nakajima's mouthpiece 2 maintain a constant distance/radius from and, therefore, rotate about **hinge shafts 19**.



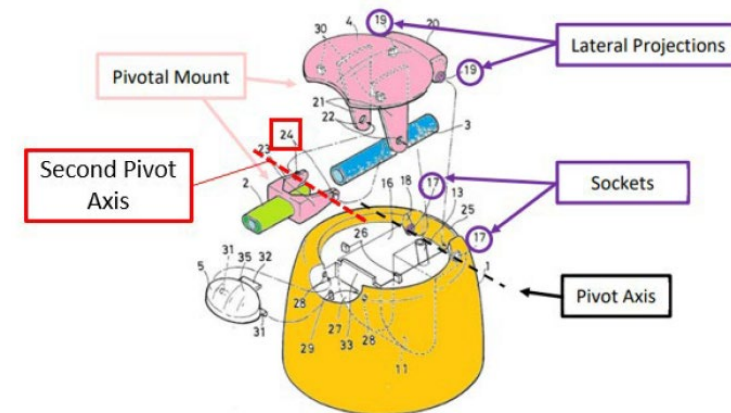
# Nakajima fails to disclose the mouthpiece's required “pivotal movement with the pivotal mount”

- Board’s Final Written Decision in IPR2024-01137 (Paper 34) (January 15, 2026) regarding parent ’255 patent:

projections 19. However, where Nakajima’s lid 4 rotates clockwise about the axis identified by Trove, Nakajima’s mouthpiece 2 (green) moves in an entirely different manner relative to that axis. Importantly, as disclosed and shown, Nakajima’s mouthpiece moves up and forward, i.e., counter-clockwise, when the lid 4 opens. See Ex. 1004 ¶ 14 (“[T]he mouthpiece 2 can protrude diagonally upward and forward . . . when the lid 4 is opened”).

According to CamelBak’s expert, this movement by Nakajima’s mouthpiece “is translational motion,” as opposed to the rotational motion of Nakajima’s lid 4. Ex. 2016 ¶ 88 (citing 1004 ¶ 3). We find this expert testimony reasonable and consistent with Nakajima’s disclosures.

Moreover, to the extent Nakajima’s mouthpiece exhibits any rotational motion, it occurs solely about a second, and different, pivot axis for the mouthpiece. In particular, CamelBak’s expert annotates (in red)



As shown above, the second pivot axis (red dashed line) defined by Nakajima’s protrusions 24 is the axis about which Nakajima’s mouthpiece (green) actually rotates, which is different than the pivotal axis (black) defined by Nakajima’s lateral projections 19 and identified by Trove as the claimed “axis.” See Ex. 2016 ¶ 88 (citing Ex. 1004 ¶ 16). Thus, at best, Nakajima’s mouthpiece is rotatable about a separate axis defined by Nakajima’s protrusions 24, not the axis defined by Nakajima’s lateral projections 19 that Trove concedes is the claimed “axis.”

# Nakajima fails to disclose the mouthpiece's required “pivotal movement with the pivotal mount”

- Board’s Final Written Decision in IPR2024-01137 (Paper 34) (January 15, 2026) regarding parent ’255 patent:

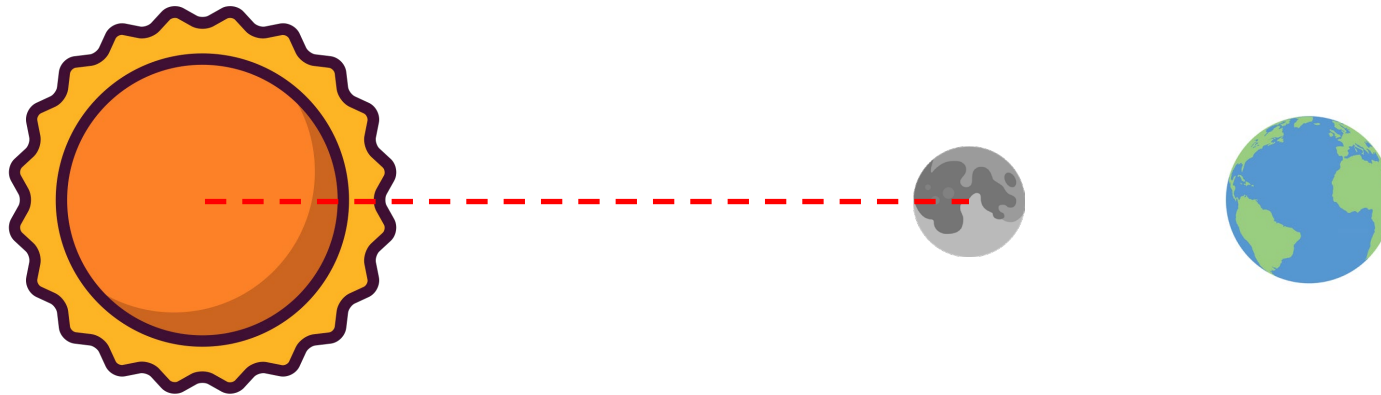
As construed earlier, the requirement that the claimed mouthpiece is “pivotal about an axis defined by the pair of lateral projections as [they] rotate within the pair of sockets” means that it moves with rotational motion along a circular path that maintains a constant radius about the axis defined by the lateral projections. *See supra* § II.B.1. CamelBak’s expert credibly testifies that Nakajima fails to satisfy this construction because its mouthpiece moves in a non-circular, up-and-down translational path relative to that axis of rotation without any point on the mouthpiece ever maintaining a constant distance or radius *from the axis of rotation defined by Nakajima’s lateral projections* 19. *See Ex. 2016 ¶¶ 91–92.* We find that testimony persuasive and consistent with Nakajima’s disclosure.

# The sun, earth, and moon analogy from the institution decision and Dr. Vallee

- **Board's Institution Decision (Paper 14):**

<sup>11</sup> The movement that Patent Owner illustrates might be analogous to the movement of sun, the earth, and the moon, where the earth revolves around the sun, and the moon additionally revolves around the earth. In this analogy, the question would be whether the moon pivots “with” the earth “relative” to the sun.

# The sun, earth, and moon analogy from the institution decision and Dr. Vallee



# The sun, earth, and moon analogy from the institution decision and Dr. Vallee

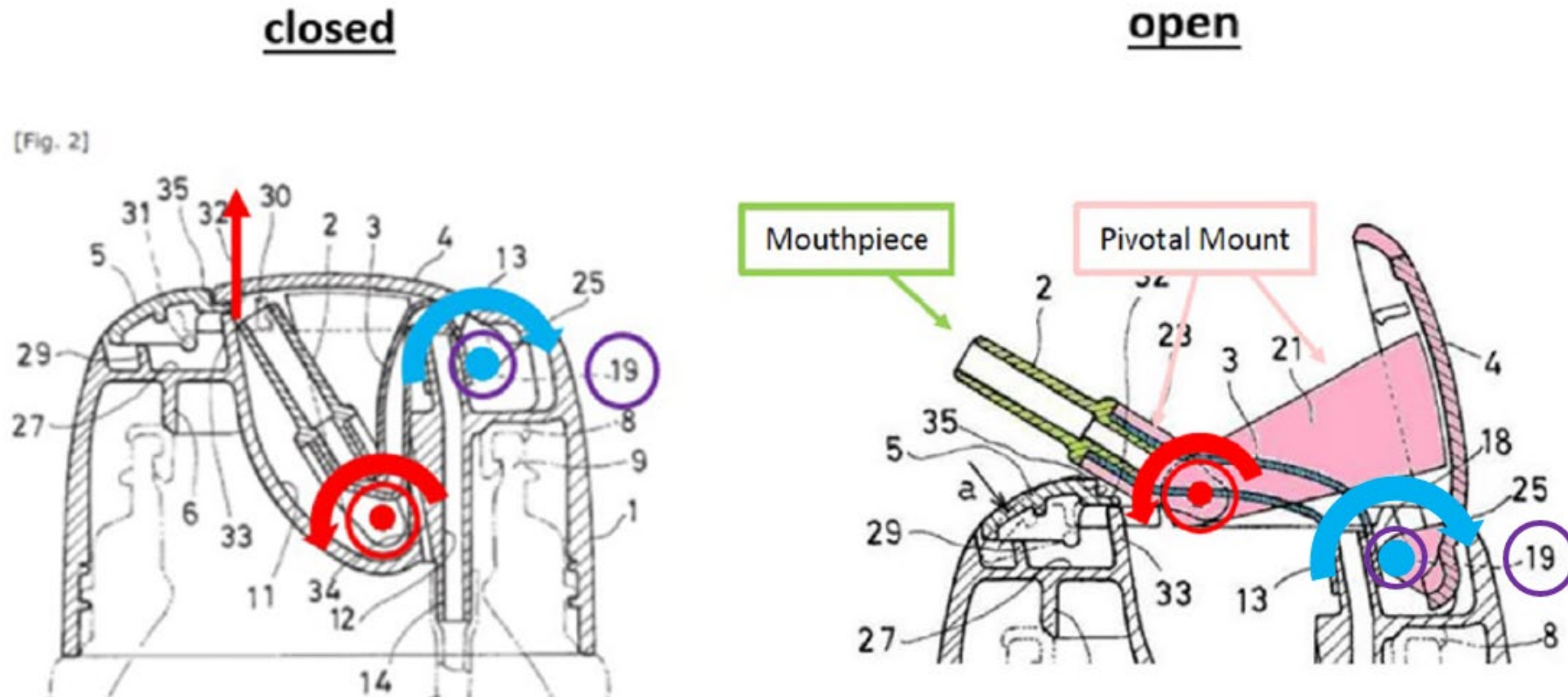
**Dr. Vallee:**

Q So you agree that the moon never maintains a fixed radius with respect to the sun, correct?

A In the light of these claims, it doesn't matter, but that is correct. I agree that the moon -- it varies.

# Nakajima fails to disclose the mouthpiece's required “pivotal movement with the pivotal mount”

- The alleged “**mouthpiece**” rotates **counter-clockwise** about protrusions 24, in the opposite direction of the **pivotal mount (lid)**, which rotates **clockwise** about **hinge shafts 19** (*i.e., about a different axis*).

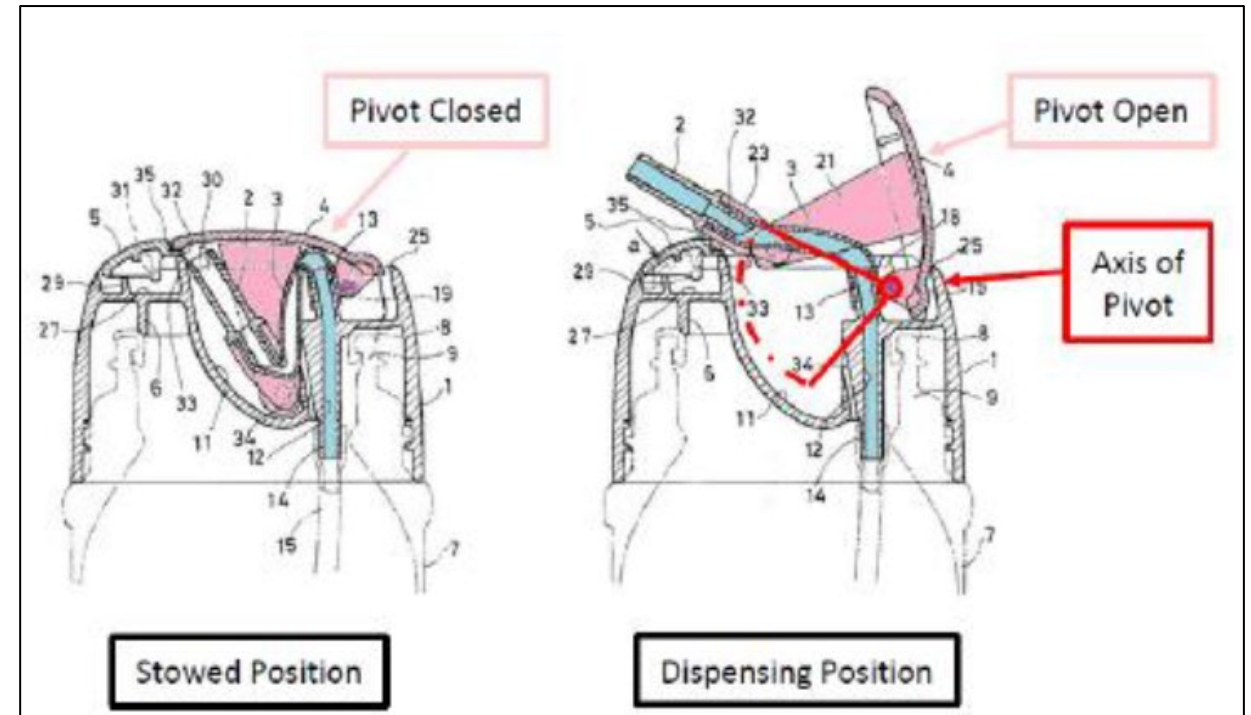


# Nakajima fails to disclose the mouthpiece's required “pivotal movement with the pivotal mount”

- Petitioner's only theory under the proper construction is Petitioner's new “**early opening**” **theory** raised for the first time in their Reply.
- Petitioner made this same new argument at the oral hearing in IPR2024-01137 regarding the parent '255 patent, and the Board found it both untimely and unsupported by the evidence in the FWD. Ex. 2023, at 33, 35.
- Dr. Vallee used “image-manipulation” software to manipulate Figure 2 of Nakajima to attempt to illustrate this “early opening theory.” Paper 24, at 18, 23-24.
- He defined this “initial opening” phase as between zero and five degrees but admitted this definition was arbitrary. Ex. 2022, 150:8-151:18.
- He admits Nakajima never describes any such “initial opening” or “early stage of opening,” much less defines it as from zero to five degrees. Ex. 2022, 152:3-15.

# Nakajima fails to disclose the mouthpiece's required “pivotal movement with the pivotal mount”

- Dr. Vallee admits Nakajima's recess wall 11 does not align with and does not have a curvature that is the same as the red dashed arc path that the linkage (protrusions 24) follows during opening. Ex.2022, 155:3-156:20.
- Dr. Vallee admits the curvature of the wall 11 and red arc would have to be the same for the mouthpiece to move as a rigid component with the lid in a rotational manner that maintains a constant radius to the axis defined by hinge shafts 19 such that no rotation of the mouthpiece occurs about the secondary axis defined by protrusions 24. *Id.*, 156:21-158:20.
- But he concedes Nakajima fails to describe such. *Id.*, 158:6-20



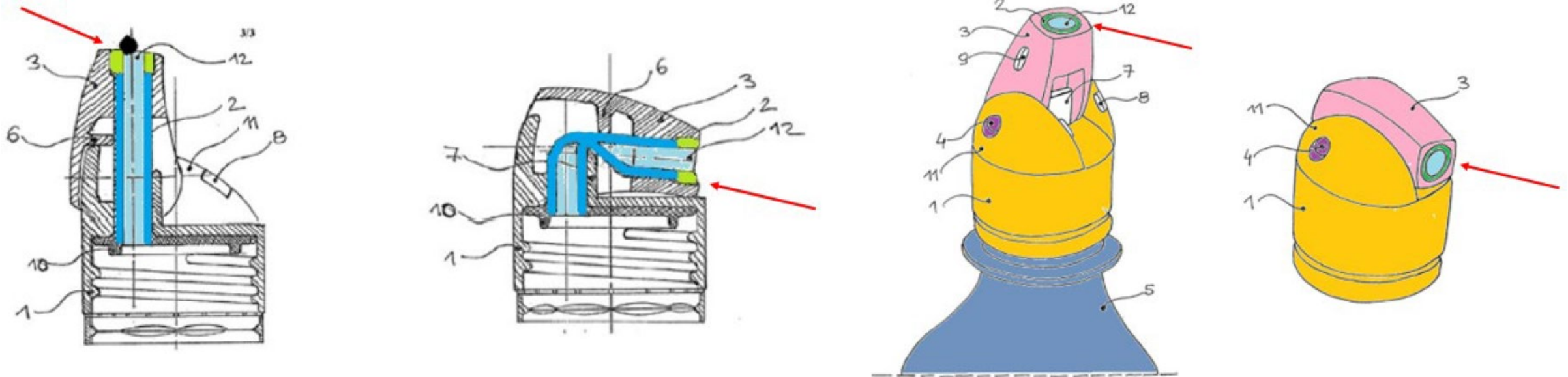
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Issue 3: Ribarits fails to disclose a “mouthpiece” that defines the “dispensing outlet” (Grounds 2-3)

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# Ribarits fails to disclose a “mouthpiece” that defines the “dispensing outlet”

## Petitioner’s alleged “mouthpiece”



# Ribarits fails to disclose a “mouthpiece” that defines the “dispensing outlet”

- Board’s institution decision:

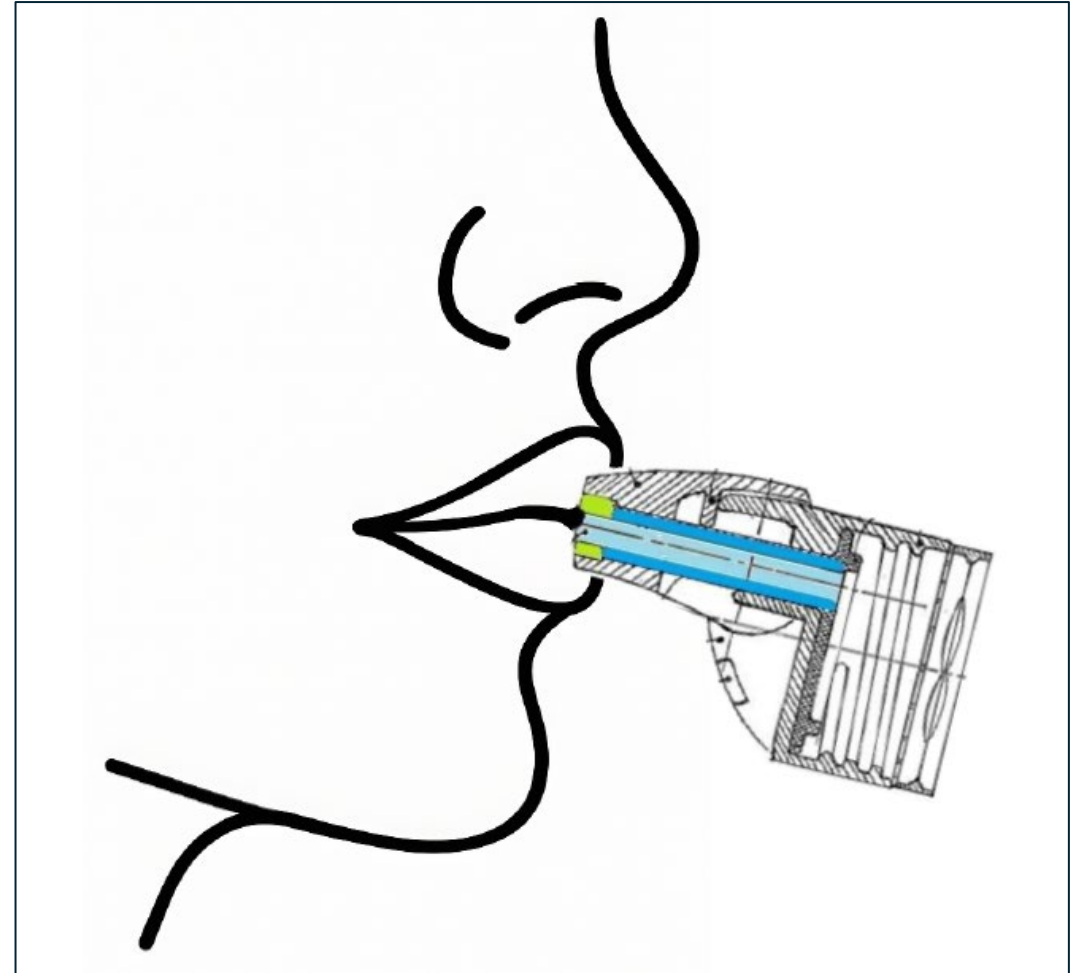
from the container. Prelim. Resp. 67–68 (citing Ex. 2001 ¶ 111). Patent Owner argues that the argued “mouthpiece” (shown in green) is entirely surrounded by Ribarits’s drinking spout 3 and does not extend beyond it, which prevents the user from putting their mouth on it. *Id.* at 68.

Based on our claim construction of “mouthpiece” as “a part (as of an instrument) that goes in the mouth or to which the mouth is applied,” and on this preliminary record, we preliminarily determine that Petitioner does not adequately explain how the end portion of item 2 functions as a mouthpiece where it does not contact the mouth.

Paper 14, at 37

# Ribarits fails to disclose a “mouthpiece” that defines the “dispensing outlet”

- Petitioner’s new “**kissing theory**” offered for first time in Reply should be disregarded
- User’s mouth is closed so user cannot drink
- The lips alone are not the mouth because the mouth is the “opening”
- Ribarits does not disclose it is possible to drink in this configuration



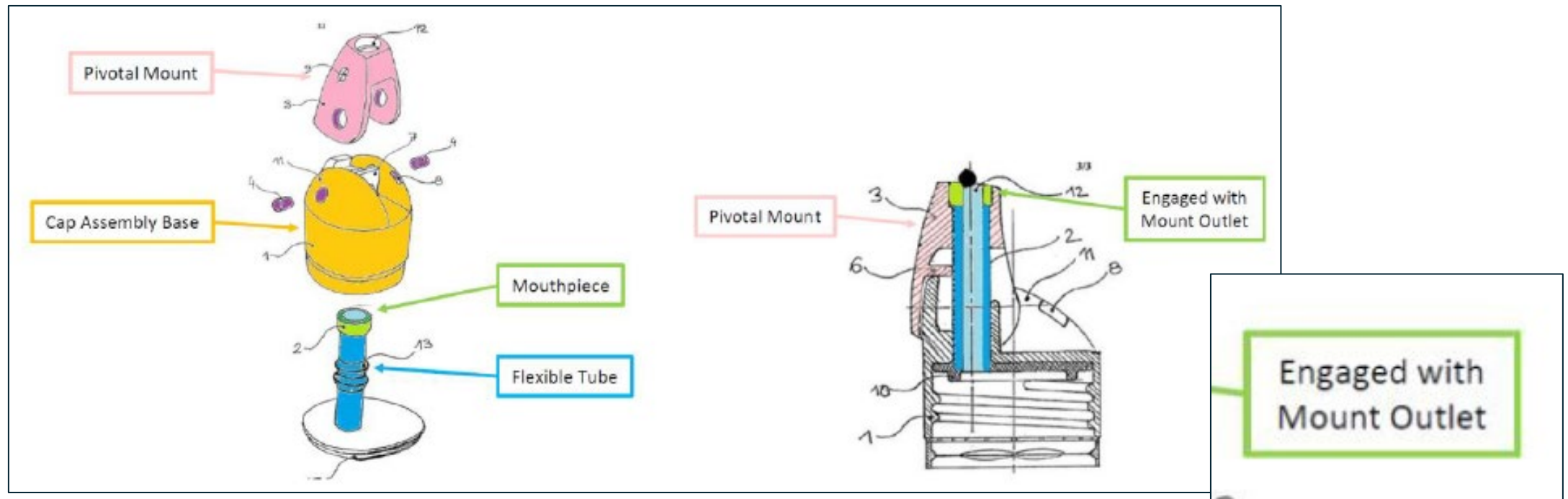
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Issue 4: Ribarits fails to disclose the mouthpiece being  
“coupled to” (claim 1) or “disposed on” (claims 7 &  
13) the pivotal mount (Grounds 2-3)

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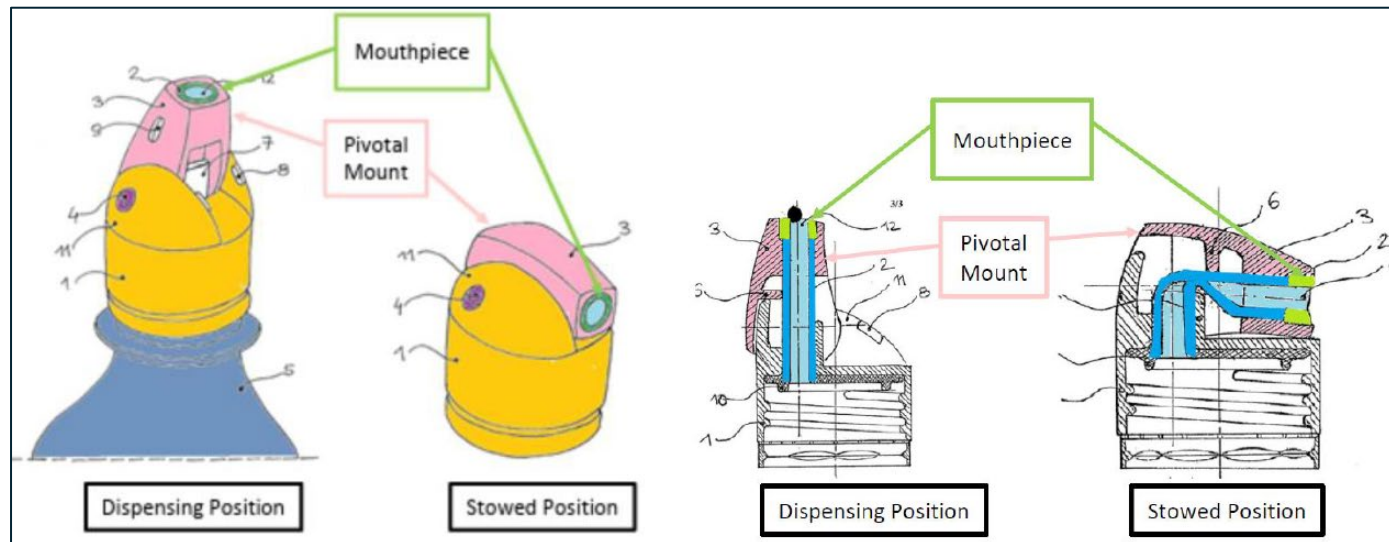
# Ribarits fails to disclose a mouthpiece “coupled to” the pivotal mount (claim 1)

- Petition contends, with no support, that the green mouthpiece portion of tubular element 2 “couples with the mount outlet to hold the tubular element in place.” Petition, 46-47.
- Petition labels green portion as “engaged with mount outlet” with no support.



# Ribarits fails to disclose a mouthpiece “disposed on” the pivotal mount (claims 7 and 13)

- Petition provides no explanation whatsoever of how Ribarits’ green mouthpiece portion is “disposed on” the alleged pivotal mount (drinking spout 3), as required by claims 7 and 13.
- Petition only contends “coupled to” language of claim 1 is met.
- The sealed tubular element 2 (including the green mouthpiece portion) is **completely surrounded by and within** the drinking spout 3 (alleged pivotal mount) and is thus **in** and **not disposed on** the drinking spout 3.



## **Ribarits fails to disclose a mouthpiece “coupled to” (claim 1) or “disposed on” the pivotal mount (claims 7 and 13)**

- Petitioner’s new “snapping” argument made for first time in reply should be disregarded
- Ribarits also fails to explain what it means by “snapping”

Trove Brands, LLC,  
Petitioner,  
v.  
CamelBak Products, LLC,  
Patent Owner

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IPR2025-00140 (U.S. Patent No. 11,851,250 B2)

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Patent Owner CamelBak Products, LLC's Demonstratives

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Oral Argument – March 10, 2026