

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BABY GENERATION, INC., d/b/a MOCKINGBIRD;
EVENFLO COMPANY, INC.; and
MONAHAN PRODUCTS, LLC, d/b/a UPPABABY,
Petitioner,

v.

BABY JOGGER, LLC,
Patent Owner.

IPR2025-01095
U.S. Patent No. 11,505,231

PETITION FOR *INTER PARTES* REVIEW

CHALLENGING CLAIMS 1-17 AND 19-22
UNDER 35 U.S.C. § 312 AND 37 C.F.R § 42.104

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EXHIBIT LIST

Exhibit	Description
EX1001	Declaration of Douglas S. Prairie, P.E.
EX1002	U.S. Provisional Patent Application No. 61/119,920 File History
EX1003	U.S. Patent Application Publication No. 2010/0140902 ("Zehfuss")
EX1004	U.S. Patent No. 8,955,869
EX1005	U.S. Patent No. 9,403,550
EX1006	U.S. Provisional Patent Application No. 62/311,224 File History
EX1007	U.S. Patent No. 9,944,305
EX1008	U.S. Patent No. 10,730,543
EX1009	U.S. Patent No. 11,192,568
EX1010	U.S. Patent No. 11,731,682
EX1011	U.S. Patent No. 11,577,771
EX1012	U.S. Patent No. 11,505,231 ("231 Patent")
EX1013	U.S. Patent No. 11,878,729
EX1014	U.S. Patent Application No. 12/631,375 File History
EX1015	U.S. Patent Application No. 14/261,558 File History
EX1016	U.S. Patent Application No. 14/597,420 File History
EX1017	U.S. Patent Application No. 15/225,326 File History
EX1018	U.S. Patent Application No. 15/912,901 File History
EX1019	U.S. Patent Application No. 16/832,429 File History
EX1020	U.S. Patent Application No. 16/903,292 File History

EX1021	U.S. Patent Application No. 17/876,492 File History
EX1022	U.S. Patent Application No. 17/877,323 File History
EX1023	U.S. Patent Application No. 18/051,053 File History
EX1024	U.S. Patent Application No. 18/448,417 File History
EX1025	Samuel J. Sewell, <i>The History of Children's and Invalids' Carriages</i> , J. OF THE ROYAL SOC'Y OF ARTS, Vol. 71, No. 3694 (Sep. 7, 1923)
EX1026	U.S. Patent No. 405,600
EX1027	U.S. Patent No. 510,355
EX1028	RESERVED
EX1029	U.S. Patent No. 4,191,397
EX1030	U.S. Patent No. 6,513,827
EX1031	Declaration of Hollie Schultz
EX1032	Declaration of Greg Allen
EX1033	U.S. Patent No. 7,641,216
EX1034	U.S. Patent No. 4,398,748
EX1035	U.S. Patent Application Publication No. 2008/0238042
EX1036	RESERVED
EX1037	U.S. Patent No. 6,086,087
EX1038	Contours Options Tandem Stroller Instruction Sheet
EX1039	French Publication FR2615155A1
EX1040	U.S. Patent No. 6,209,892 (“Schaaf”)
EX1041	EP Patent Application Publication No. EP0980810

EX1042	U.S. Patent No. D514,036
EX1043	Evenflo CitiTour Manual
EX1044	U.S. Patent No. 6,045,145
EX1045	U.S. Patent No. 5,794,951
EX1046	Comparison of Specifications of U.S. Patent Application No. 12/631,375 and U.S. Patent Application No. 15/225,326
EX1047	Plaintiff Baby Jogger, LLC’s Opening Claim Construction Brief
EX1048	U.S. Patent Application Publication No. 2009/0127810 (“Dotsey”)
EX1049	U.S. Provisional Application No. 60/988,635 File History
EX1050	U.S. Patent Application Publication No. 2007/0194545 (“Van Dijk”)
EX1051	U.S. Patent No. D593,459 (“Liao”)
EX1052	U.S. Patent Application Publication No. 2007/0126206
EX1053	Certified English Translation of TW Design Patent No. D129880
EX1054	Merriam-Webster, Parallel, https://www.merriam-webster.com/dictionary/parallel (last visited Feb. 21, 2025)
EX1055	<i>McGraw-Hill Dictionary of Scientific and Technical Terms</i> (6th ed. 2003), Definition of “parallel”
EX1056	<i>Barron’s Dictionary of Mathematics Terms</i> (3d ed. 2009), Definition of “parallel”
EX1057	Second Amended Complaint in <i>Baby Jogger, LLC v. Evenflo Company, Inc.</i> , No. 24-723-GBW (D. Del.)
EX1058	First Amended Complaint in <i>Baby Jogger, LLC v. Baby Generation, Inc. d/b/a Mockinbird</i> , No 24-725-GBW (D. Del.)
EX1059	Baby Jogger’s Infringement Contentions for the ’231 Patent in <i>Baby Jogger, LLC v. Monahan Products, LLC d/b/a UPPAbaby</i> ,

	No. 1:24-cv-11582-ADB (D. Mass)
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LIST OF ABBREVIATIONS

Abbreviation	Definition
'231 Patent	U.S. Patent No. 11,505,231
'292 Application	U.S. Application No. 16/903,292
'323 Application	U.S. Application No. 17/877,323
'326 Application	U.S. Application No. 15/225,326
AIA	Leahy-Smith America Invents Act
Challenged Claims	Claims 1-17 and 19-22
Dotsey	U.S. Publication No. 2009/0127810
EOS	Expectation of Success
EFD	Effective Filing Date
Evenflo	Evenflo Company, Inc.
IPR	<i>Inter Partes</i> Review
Liao	U.S. Patent No. D593,459
MPEP	Manual of Patent Examining Procedure
MTC	Motivation to Combine
Mockingbird	Baby Generation, Inc. d/b/a Mockingbird
NOA	Notice of Allowance
Petitioner	Baby Generation, Inc. d/b/a Mockingbird; Evenflo Company, Inc.; and Monahan Products, LLC d/b/a UPPAbaby
PO	Baby Jogger, LLC
POSITA	Person of Ordinary Skill in the Art

Priority Applications	Applications to which the '323 Application and '231 Patent Claim Priority
Schaaf	U.S. Patent No. 6,209,892
UPPAbaby	Monahan Products, LLC d/b/a UPPAbaby
Van Dijk	U.S. Publication No. 2007/00194545
Zehfuss	U.S. Publication No. 2010/0140902

LIST OF CHALLENGED CLAIMS

Claim 1	
[1.pre]	A stroller system for supporting a front stroller seat and a rear stroller seat, the system comprising:
[1.a]	a pair of rear wheels;
[1.b]	a pair of front wheels;
[1.c.i]	a frame including a handle portion, a rear wheel support portion, a front wheel support portion and a folding mechanism connecting the front wheel support portion and the handle portion in both an unfolded configuration and in a folded configuration,
[1.c.ii]	wherein the folding mechanism connects the rear wheel support portion to the front wheel support portion and the handle portion,
[1.c.iii]	wherein the frame includes a stroller seat support portion positioned at a first vertical position adjacent the handle portion, and
[1.c.iv]	wherein the front wheel support portion and the handle portion are substantially parallel when the frame is in the unfolded configuration; and
[1.d]	a front seat attachment configured for attachment to the front wheel support portion at a second vertical position substantially lower than the first vertical position,
[1.e]	wherein the front seat attachment is configured to releasably connect to and support the front stroller seat in either a forward-facing configuration or a backward-facing configuration,
[1.f]	wherein the front seat attachment is configured to support the front stroller seat substantially over the front wheels so that a center of gravity of the stroller system is between the front wheels and the rear wheels;
[1.g]	wherein the rear wheel support portion extends diagonally from the front wheel support portion when the frame is in the unfolded configuration, and the rear wheel support portion is disposed adjacent to both the front wheel support portion and the handle portion when the

	frame is in the folded configuration; and
[1.h]	wherein the stroller seat support portion positioned at the first vertical position and the front seat attachment at the second vertical position create an inline descending configuration of the rear stroller seat and the front stroller seat.
Claim 2	
[2]	The stroller system of claim 1, wherein the folding mechanism includes at least one pivot point.
Claim 3	
[3]	The stroller system of claim 1, wherein the stroller seat support portion is configured to support the rear stroller seat substantially over the rear wheels.
Claim 4	
[4]	The stroller system of claim 1, wherein the front seat attachment includes a first connector portion and a second connector portion, the first connector portion configured to removably attach to a left side of the front wheel support portion, and the second connector portion configured to removably attach to a right side of the front wheel support portion.
Claim 5	
[5]	The stroller system of claim 4, wherein the front seat attachment includes a pair of seat attachment elements configured to releasably support the front stroller seat in either the forward-facing configuration or in the backward-facing configuration.
Claim 6	
[6]	The stroller system of claim 5, wherein the front wheel support portion includes a first attachment portion and a second attachment portion, the first attachment portion on the left side and configured to support the first connector portion, and the second attachment portion on the right side and configured to support the second connector portion.

Claim 7	
[7]	The stroller system of claim 6, wherein the front seat attachment includes at least one attachment frame member.
Claim 8	
[8]	The stroller system of claim 4, wherein the front wheel support portion includes a pair of parallel support members.
Claim 9	
[9]	The stroller system of claim 8, wherein the parallel support members include a pair of attachment portions configured to support the first connector portion and the second connector portion.
Claim 10	
[10]	The stroller system of claim 9, wherein the attachment portions include left and right slots in the parallel support members configured to receive the first connector portion and the second connector portion.
Claim 11	
[11]	The stroller system of claim 8, wherein the parallel support members include a pair of tubular structures, each of the tubular structures having a rounded cross-section.
Claim 12	
[12]	The stroller system of claim 8, wherein the rear wheel support portion includes a pair of parallel support members connected by the folding mechanism to the parallel support members of the front wheel support portion.
Claim 13	
[13]	The stroller system of claim 12, wherein the folding mechanism includes a pair of pivots spaced apart and configured to connect corresponding ones of the parallel support members of the rear and front wheel support portions.

Claim 14	
[14]	The stroller system of claim 13, wherein the handle portion includes a pair of parallel support members and a crossbar, wherein the parallel support members of the handle portion connect to the parallel support members of the front wheel support portion via the folding mechanism, and wherein the parallel support members of the handle portion and of the front wheel support portion extend diagonally downwards from the crossbar of the handle portion.
Claim 15	
[15]	The stroller system of claim 1, wherein the stroller seat support portion is configured to releasably support the rear stroller seat.
Claim 16	
[16]	The stroller system of claim 1, wherein the stroller seat support portion is configured to support the rear stroller seat in either a forward-facing configuration or a backward-facing configuration.
Claim 17	
[17]	The stroller system of claim 1, wherein the front seat attachment is further configured to connect to one or more sides of the front stroller seat.
Claim 19	
[19]	The stroller system of claim 1, wherein the pair of front wheels includes only two front wheels.
Claim 20	
[20]	The stroller system of claim 19, wherein the only two front wheels are laterally spaced apart from each other on a left side and a right side of the front wheel support portion.
Claim 21	
[21]	The stroller system of claim 1, wherein the folded configuration

	includes at [least] ¹ partially overlapping the front wheel support portion and the handle portion.
Claim 22	
[22]	The stroller system of claim 1 wherein the front seat attachment is configured to releasable attach to the front wheel support portion.

¹ This listing of claims incorporates the '231 Patent's Certificate of Correction.
EX1012, p.30.

I. INTRODUCTION

Baby Generation, Inc. d/b/a Mockingbird (“Mockingbird”); Evenflo Company, Inc. (“Evenflo”); and Monahan Products, LLC d/b/a UPPAbaby (“UPPAbaby”) (collectively, “Petitioner”) respectfully requests *inter partes* review (“IPR”) of claims 1-17 and 19-22 (“Challenged Claims”) of Patent 11,505,231 (“’231 Patent”), purportedly assigned to Baby Jogger, LLC (“PO”).

Claim 1, which is the only independent claim of the ’231 Patent, is directed to a double children’s stroller with a handle portion and front wheel support portion that are “substantially parallel.” The “substantially parallel” claim limitation was added through an Examiner’s amendment and is not supported by any application to which the ’231 Patent claims priority. Consequently, as demonstrated in Ground 1 below, the Challenged Claims are obvious in view of a reference disclosing a frame satisfying the “substantially parallel” limitation in combination with the 2010 publication of an application to which the ’231 Patent claims priority. Additionally, Grounds 2-3 establish that other prior art combinations render the Challenged Claims obvious regardless of whether the claims are entitled to their claimed priorities.

Petitioner respectfully requests that the Board institute IPR and cancel all Challenged Claims.

II. STANDING

Petitioner certifies that the '231 Patent is available for IPR and that Petitioner is not barred or estopped from requesting IPR challenging the claims on the grounds herein.

III. CHALLENGE AND RELIEF REQUESTED

This Petition relies on the following prior art:

Exhibit	Reference	Date	Section ²
EX1048	Publication 2009/0127810 (“Dotsey”)	2008-11-17 (Filed)	§ 102(a)(2)
EX1003	Publication 2010/0140902 (“Zehfuss”)	2010-06-10 (Published)	§ 102(a)(1)
EX1050	Publication 2007/0194545 (“Van Dijk”)	2007-08-23 (Published)	§§ 102(a)(1)&(2)
EX1040	Patent 6,209,892 (“Schaaf”)	2001-04-03 (Published)	§§ 102(a)(1)&(2)
EX1051	Patent D593,459 (“Liao”)	2008-09-05 (Filed)	§ 102(a)(2)

This Petition, supported by the declaration of Douglas Prairie, P.E. (EX1001), requests cancellation of the Challenged Claims pursuant to the following grounds:

² The Leahy-Smith America Invents Act (“AIA”) applies. *See infra* §VII.B. If the Board concludes otherwise, then the corresponding pre-AIA provisions apply.

Ground	Claims	§103
1	1-17, 19-22	Dotsey-Zehfuss
2	1-17, 19-22	Van Dijk-Schaaf
3	1-17, 19-22	Liao-Schaaf

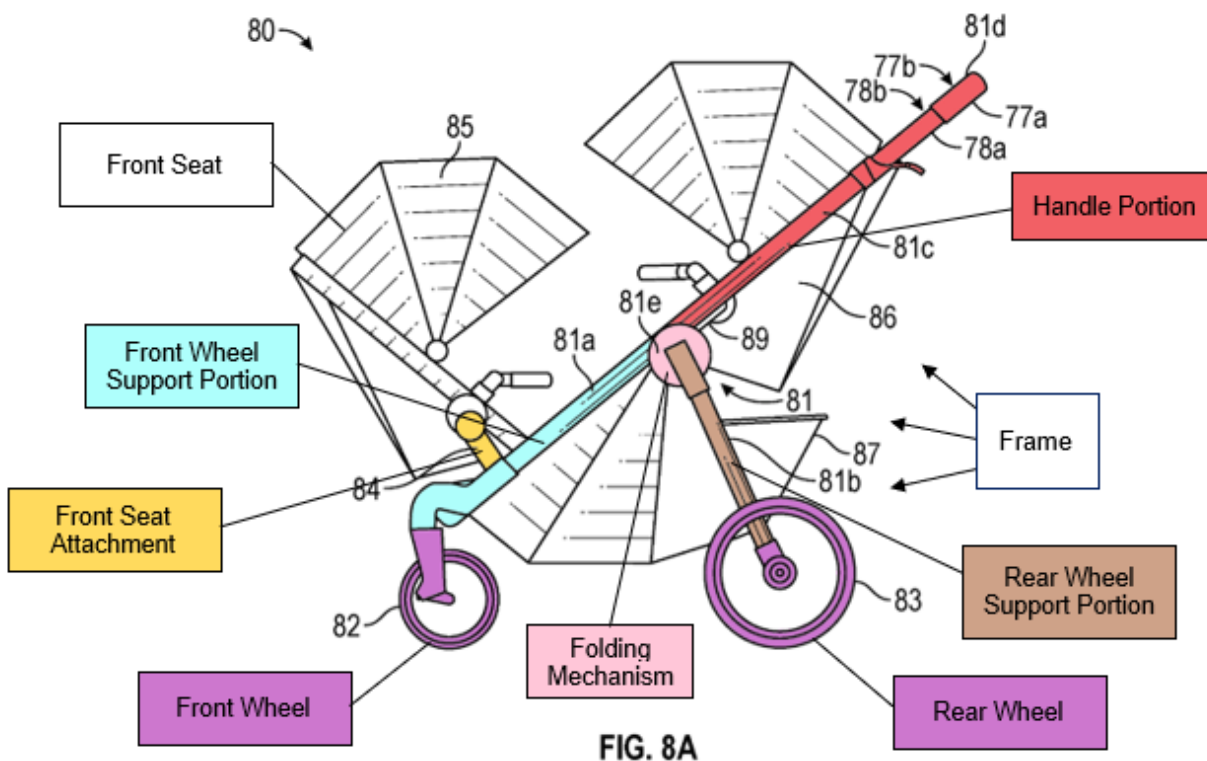
Ground 1 is dependent on finding that Zehfuss constitutes prior art. *See infra* §VII.A. All references for Grounds 2-3 pre-date the earliest potential effective filing date (“EFD”) of the ’231 Patent, December 4, 2008.

IV. THE ’231 PATENT

A. Overview

The ’231 Patent is generally directed towards children’s strollers capable of supporting one or two seats. EX1012, 3:10-13. Figure 8A of the ’231 Patent illustrates a side view of a stroller:³

³ All annotations added, unless indicated otherwise.



EX1012, FIG.8A; EX1001, ¶133.

Referring to the labels above, claim 1 is directed to a stroller for supporting a front stroller seat and a rear stroller seat. EX1012, 17:10-47. The claim requires a pair of front wheels, a pair of rear wheels, and a frame. *Id.*, 17:10-14. The frame includes a handle portion, a rear wheel support portion, a front wheel support portion, a folding mechanism connecting the front wheel support portion and the handle portion, and a stroller seat support portion (not shown) positioned adjacent

to the handle portion.⁴ *Id.*, 17:14-23.

Claim 1 also requires the front wheel support portion and handle portion to be “substantially parallel” when the frame is in the unfolded configuration. *Id.*, 17:23-25. This limitation is not illustrated in Figure 8A, nor is it supported by any application to which the ’231 Patent claims priority. *See infra* §VII.A.

Claim 1 further requires a front seat attachment that attaches to the front wheel support portion and releasably connects to and supports the front stroller seat in either a forward-facing or backward-facing configuration. EX1012, 17:26-32.

B. Prosecution History

The ’231 Patent issued from Application 17/877,323 (“’323 Application”) filed on July 29, 2022, claiming priority to several applications (“Priority Applications”) dating back to December 4, 2008. EX1012.

Because PO provided an incorrect 37 C.F.R. §1.55/1.78 statement in an

⁴ In the ’231 Patent’s pre-2016 priority applications, components 81c and 81d in FIG. 8A above *together* were called the “handle portion.” *E.g.*, EX1003, [0043]. In applications filed on or after March 21, 2016, 81d *alone* became the “handle portion,” and 81c became “upper tube support frames.” *E.g.*, EX1012, 9:15. The ’231 Patent’s claims apparently apply the pre-2016 terminology of “handle portion.” EX1001, ¶¶131-132.

Application Data Sheet, the '323 Application was incorrectly examined under pre-AIA law. EX1022, pp.183, 233; *see infra* §VII.B.

The Examiner allowed the '323 Application without any rejections. The Notice of Allowance (“NOA”) reflects that the following limitation, *inter alia*, was added to claim 1 through an Examiner’s amendment: “wherein the front wheel support portion and the handle portion are *substantially parallel* when the frame is in the unfolded configuration.” EX1022, pp.247-49, 25.⁵ No such limitation was previously recited in any claims. *Id.*, pp.25-29.

In the same Examiner’s amendment, PO cancelled original claim 19, recited below:

19. The stroller system of claim 18, wherein the front wheel support portion and the handle portion extend linearly within a common plane when the frame is in the unfolded configuration.

Id., pp.247, 27.

V. LEVEL OF ORDINARY SKILL

The '231 Patent is directed to children’s strollers. A person of ordinary skill in the art (“POSITA”) would have had a bachelor’s degree in a relevant field (*e.g.*, mechanical engineering or industrial design), and at least two years of product

⁵ All emphases herein are added, unless indicated otherwise.

design experience and/or industry experience with juvenile products. EX1001, ¶36.

More education can replace product design experience, and vice versa. *Id.*

VI. CLAIM CONSTRUCTION

Although there are several §112 issues with the Challenged Claims, none preclude the Board from evaluating validity based on the grounds asserted herein. *Intel Corp. v. Qualcomm Inc.*, 21 F.4th 801, 813 (Fed. Cir. 2021) (“[I]ndefiniteness ... precludes a patentability determination only when the indefiniteness renders it logically impossible for the Board to reach such a decision.”). This Petition applies constructions that PO has implicitly or explicitly applied in litigation and, in certain instances, alternative constructions. Petitioner reserves the right to argue different constructions in other actions. *See Western Digital Corp. v. Spex Techs., Inc.*, IPR2018-00082, Paper 11, at *11-12 (PTAB Apr. 25, 2018) (petition based on claim constructions urged by patent owner satisfies claim construction requirements); *Cambridge Mobile Telematics, Inc. v. Sfara, Inc.*, IPR2024-00952, Paper 12, at *8 (PTAB Dec. 13, 2024) (informative) (“[O]ur rules do not necessarily prohibit petitions from taking inconsistent claim construction positions before the Board and a district court.”) Except for the terms below, no formal construction currently appears necessary for IPR. *See* 37 C.F.R. § 42.100(b).

A. “releasably connect” (claim 1) and “releasably attach” (claim 22)

The ’231 Patent states:

As used herein, “releasably connected” or “releasably attached” means the connection is not a permanent connection and that the connection is capable of being connected and disconnected by the user of the stroller 10 without requiring special tools or special skills.

EX1012, 4:26-30. *ParkerVision, Inc. v. Vidal*, 88 F.4th 969, 976-77 (Fed. Cir. 2023) (“as used herein” is definitional). This Petition applies that definition for these terms.

B. “substantially parallel” (claim 1)

The ’231 Patent states:

As used herein, the term ‘substantially parallel’ indicates that the parallel relationship is not a strict relationship and does not exclude functionally similar variations therefrom.

EX1012, 3:52-55. The term “substantially parallel” and this definition are absent from all Priority Applications filed before 2016. They were added in Provisional Application 62/311,224, filed March 21, 2016. EX1006, pp.7-8.

In district court litigation, PO argues that “substantially parallel” means “the parallel relationship is not a strict relationship” and that “‘substantially parallel’ permits some deviation from exactly parallel.” EX1047, pp.29-32.⁶ This Petition

⁶ In litigation, PO contends the words in “substantially parallel” “mean exactly what they say” and that construction “requires nothing more than the application of the widely accepted meaning of commonly understood words.” EX1047, p.29.

applies PO's assertions and construes "substantially parallel" as meaning "the parallel relationship is not a strict relationship, such that some deviation from exactly parallel is permitted." Alternative interpretations are also applied in grounds below.

VII. PRIORITY AND AIA STATUS

A. The Effective Filing Date for All Challenged Claims Is July 29, 2022.

The EFD of all Challenged Claims is no earlier than the filing date of the '231 Patent, because no Priority Application has written description for at least claim limitation [1.c.iv] ("the front wheel support portion and the handle portion are *substantially parallel* when the frame is in the unfolded configuration").⁷ EX1012, 17:23-25; 35 U.S.C. §100(i). This limitation first appeared by an Examiner's amendment in the NOA (EX1022, pp.247-48), and it does not have support in the originally-filed '323 Application or any Priority Application.

The '231 Patent purports to be a continuation of Application 16/903,292 ("'292 Application"). Although the '292 Application's specification includes the definition for "substantially parallel" discussed *supra* VI.B (EX1020, pp.13-14), that language does not refer to the relationship between a front wheel support portion and handle portion and, thus, does not provide support for [1.c.iv]. That language was

⁷ The claim limitation designators in the List of Challenged Claims (*supra* p.xii) are used throughout this Petition.

also absent from all Priority Applications filed before 2016 and, therefore, cannot disqualify Zehfuss from being prior art.

The '292 Application's specification describes embodiments of a stroller frame. EX1020, pp.20-25. However, there is no disclosure of a substantially parallel front wheel portion and handle portion. EX1001, ¶¶157-158.

The '292 Application incorporates by reference other Priority Applications (EX1020, p.3), but they also lack description of a front wheel support portion and handle portion being substantially parallel. EX1001, ¶¶157-158. Thus, the Priority Applications' specifications fail to support [1.c.iv].

If PO argues that any drawings support [1.c.iv], PO would be incorrect. Figure 8A of the '292 Application is representative:⁸

⁸ PO contends in litigations that a side view of a stroller would depict the claimed “substantially parallel” arrangement. EX1057, 32 (¶103); EX1058, 51 (¶137); EX1059, 9.

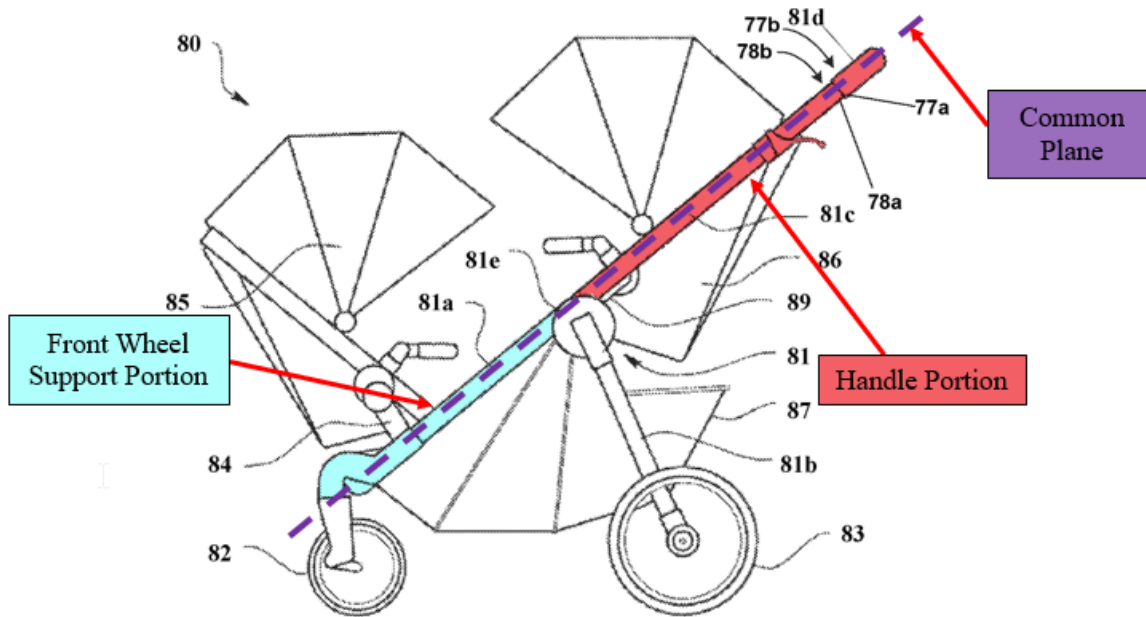


FIGURE 8A

EX1020, p.66.

The front wheel support portion and handle portion above are not “substantially parallel,” as this is the opposite of a parallel relationship—even when permitting some deviation from exact parallelism. EX1001, ¶¶159-160. The front wheel support portion and handle portion are perfectly in-line relative to each other (when viewed from the side). EX1001, ¶¶161-164. This arrangement is antithetical to “substantially parallel.” *Id.*

In general, for things to be parallel, they must at least maintain a constant distance apart and never intersect. EX1001, ¶¶150-153; EX1054, p.1 (parallel: “... *everywhere equidistant ... and not meeting*”); EX1055, p.5 (planes and lines are

“parallel ... *if they do not intersect.*” “A curve is parallel from C if it consists of points that *are a fixed distance* from C along lines perpendicular to C.”); EX1056, p.5 (“[L]ines are parallel ... *if they never intersect.*” “[P]lanes are parallel *if they never intersect.*”). To illustrate, the lines and planes below are parallel because they are a constant distance apart and never intersect. EX1001, ¶¶151-152.



Thus, for things to be considered “substantially parallel,” there must be at least (1) *some* degree of separation and (2) *some* lack of intersection between them. EX1001, ¶153.

By contrast, because the front wheel support portion and handle portion in Figure 8A both extend perfectly in a straight line, there is (1) *no* degree of separation and (2) *infinite* intersection at *infinite* points. EX1001, ¶161. Thus, FIG. 8A above depicts two frame portions that are the exact opposite of “substantially parallel.” EX1001, ¶¶162-163.

The prosecution history of the '231 Patent is also instructive. Originally-filed claim 19 was directed to the front wheel support portion and handle portion illustrated in the drawings:

19. The stroller system of claim 18, wherein the front wheel support portion and the handle portion *extend linearly within a common plane when the frame is in the unfolded configuration*.

EX1022, p.27. However, when PO amended claim 1 to recite “the front wheel support portion and the handle portion are *substantially parallel* when the frame is in the unfolded configuration,” PO cancelled original claim 19—because it would be contrary have a dependent claim require the front wheel support portion and handle portion to “extend linearly within a common plane” when independent claim 1 required them to be “substantially parallel.”

At bottom, no Priority Application supports [1.c.iv]. The EFD of all Challenged Claims is no earlier than the filing date of the '231 Patent—July 29, 2022.

B. The '231 Patent Is Subject to the AIA.

Because the '231 Patent was filed after March 16, 2013 and claims priority to pre-AIA applications, the '231 Patent issued from a “transition application.” Manual of Patent Examining Procedure (“MPEP”), §2159.04 (9th ed. Rev. 10.2019, June 2020). Such a patent is subject to AIA law if it or any application to which it claims priority has, or ever had, at least one claim with an EFD on or after March 16, 2013. *Id.*, §2159.02.

As discussed *supra* §VII.A, the EFD of all Challenged Claims is after March 16, 2013. Therefore, the '231 Patent is subject to AIA law.

Additionally, the '231 Patent claims priority to Application 15/225,326 (“’326 Application”), a purported continuation-in-part application filed August 1, 2016. Originally-filed claims 2-5 of the ’326 Application were directed to an “adapter receiving cavity” with “a door.” EX1017, pp.23-24. The earliest potential support for these claim limitations is in Application 62/311,224, filed March 21, 2016. EX1006, pp.12-19, 29-35. Accordingly, the ’231 Patent is also subject to AIA law because it claims priority to the ’326 Application with claims having an EFD after March 16, 2013.

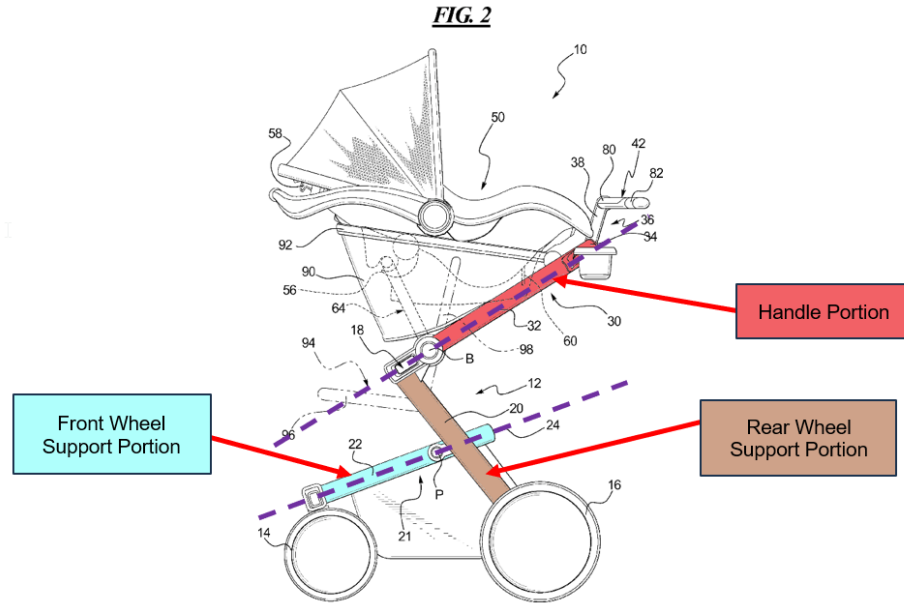
VIII. GROUND 1: DOTSEY-ZEHFUSS

A. Dotsey

Dotsey was filed on November 17, 2008, published on May 21, 2009, and constitutes prior art under §102(a)(2) even if the Challenged Claims are entitled to the earliest claimed priority date.⁹

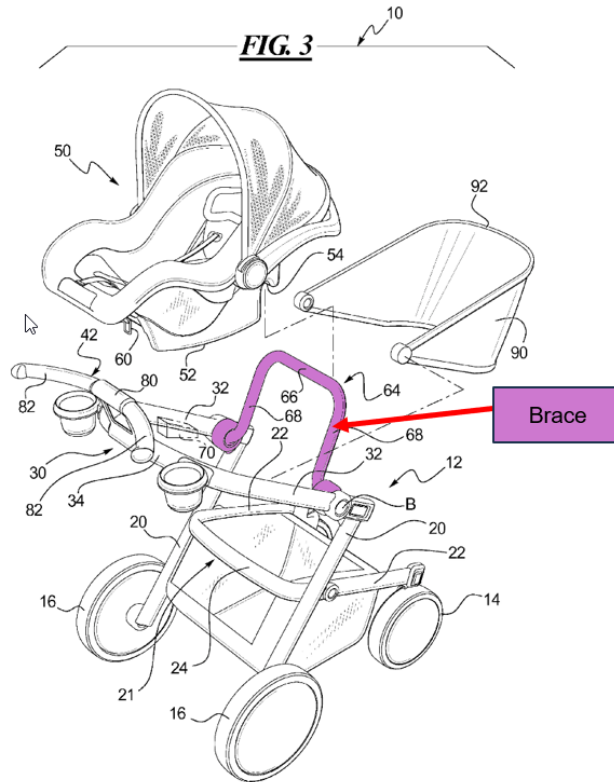
Dotsey is directed to a stroller having a collapsible frame with a front wheel support portion, rear wheel support portion, and handle portion. EX1001, ¶¶166-170.

⁹ If the ’231 Patent is found to be a subject to pre-AIA law, then Dotsey is prior art under at least §102(e).



EX1048, FIG.2. As shown above, the front wheel support portion and handle portion are substantially parallel. EX1001, ¶170.

Dotsey's stroller frame includes a pivotable brace 64 that supports an infant carrier 50. EX1048, [0026]; EX1001, ¶169.



EX1048, FIG.3. The brace 64 “can take on a number of forms and configurations,” including “a removable adapter.” EX1048, [0027].

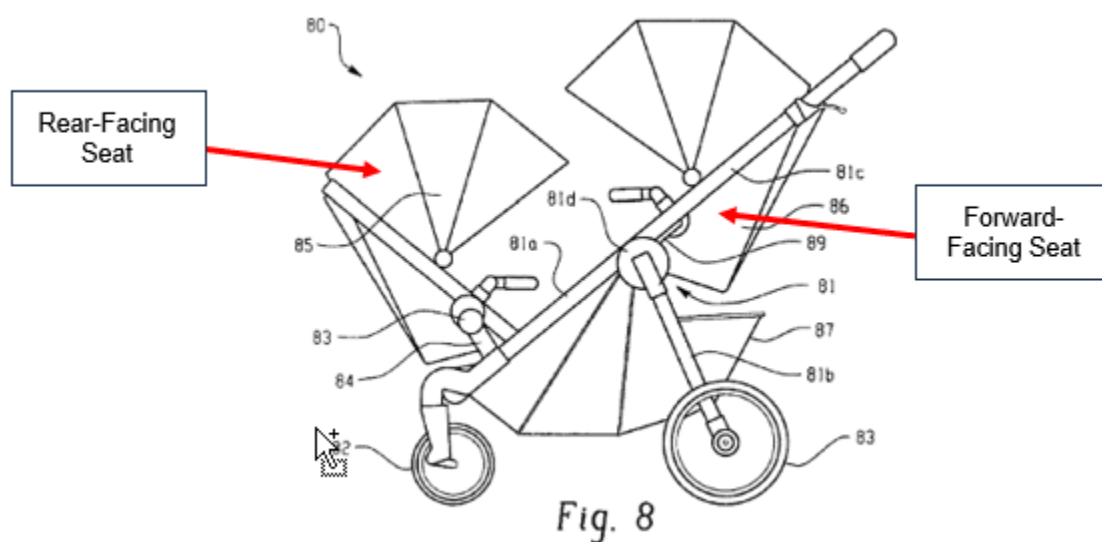
Dotsey is analogous art to the '231 Patent because it is directed to strollers, which is in the same field of endeavor as the Challenged Claims. EX1001, ¶166. Dotsey was not cited during prosecution of the '231 Patent.

B. Zehfuss

Zehfuss is the publication of an application to which the '231 Patent claims priority. Zehfuss published on June 10, 2010 and constitutes prior art under

§102(a)(1)¹⁰ if the Challenged Claims are not entitled to the '231 Patent's priority claims.

Zehfuss discloses mounting two seats onto a stroller frame in either a forward-facing or backward-facing position. EX1003, [0008], [0036], [0044], [0048], FIG.3, FIGS.9A-9F. Zehfuss also discloses it is preferable to position seats such that the stroller's center of gravity is between the front and rear wheels. *Id.*, [0046].



Id., FIG. 8.

Zehfuss is analogous art to the '231 Patent because it is directed to strollers, which is in the same field of endeavor as the Challenged Claims. EX1001, ¶173. Zehfuss was not considered by the Examiner during prosecution of the '231 Patent.

¹⁰ If the '231 Patent is found to be a subject to pre-AIA law, then Zehfuss is prior art under at least pre-AIA §102(b).

C. Obviousness in view of Dotsey and Zehfuss

As discussed *supra* §VIII.A, Dotsey teaches mounting a seat onto a stroller frame having substantially parallel front wheel support and handle portions. Dotsey does not disclose mounting an additional seat on the frame's front wheel support portion or that the front seat should be supported substantially over the front wheels such that the stroller's center of gravity is between the front wheels and rear wheels. However, a POSITA would have been motivated to combine the teachings of Dotsey and Zehfuss, rendering the Challenged Claims obvious. EX1001, ¶¶190-195.

First, a POSITA would have been motivated to mount an additional seat to the front wheel support portion of Dotsey's frame using a front seat attachment that allows the seat to be supported in either forward-facing or rear-facing configurations, as disclosed in Zehfuss. EX1001, ¶192. A POSITA would have known there was demand for double-strollers, and Zehfuss teaches that its front seat attachment provides the ability to conveniently convert a single-stroller into a double-stroller. *Id.*; EX1003, [0007], [0027].

Second, a POSITA would have been motivated to position the front seat substantially over the front wheels such that the stroller's center of gravity is between the front and rear wheels, as discussed in Zehfuss. EX1001, ¶194. A POSITA would have known it was desirable to design a stroller to resist tipping over and that making the stroller's center of gravity between the front and rear wheels, as described in

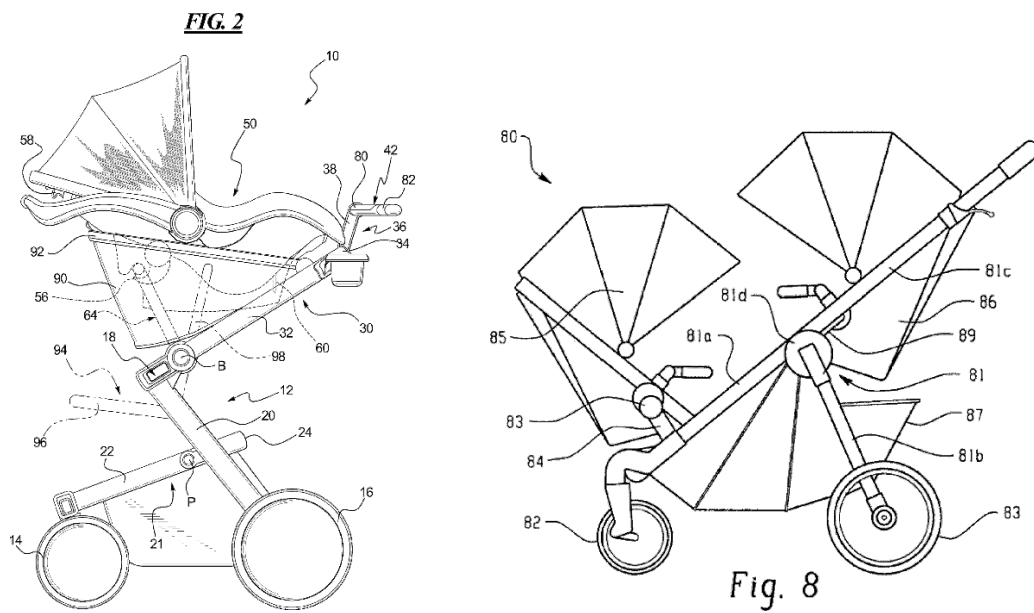
Zehfuss, is generally the best design to avoid tipping. *Id.*; EX1003, [0046].

A POSITA would have reasonably expected success when combining Dotsey and Zehfuss because both references disclose stroller systems that use conventional design components, and applying Zehfuss' teachings to Dotsey would have been a straight-forward integration of known components and well-within the skill of a POSITA. EX1001, ¶195.

The following sections provide a limitation-by-limitation analysis of the Challenged Claims. Below, "Dotsey/Zehfuss" refers to the combination of Dotsey and Zehfuss.

1. Claim 1

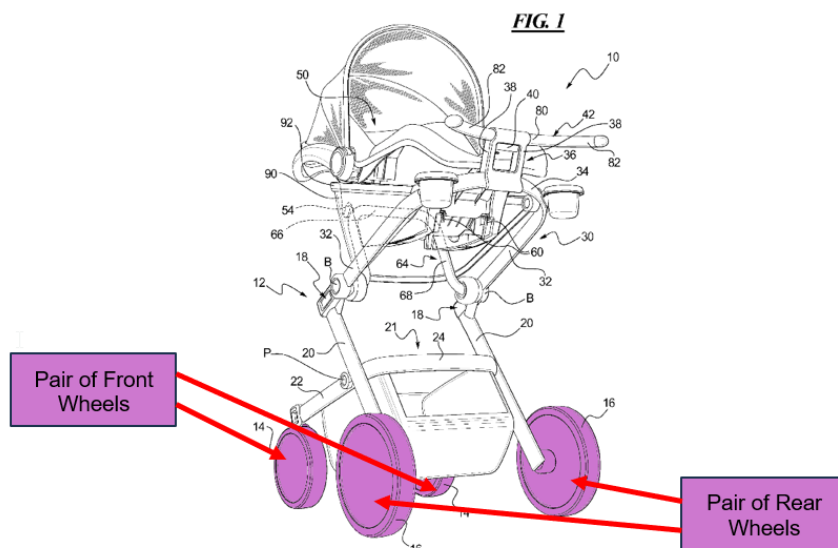
[1.pre]. Dotsey discloses a stroller seat mounted at the handle portion of the frame, and Zehfuss discloses mounting an additional seat at the front wheel support portion of the frame. EX1048, [0019]; EX1003, Abstract. The stroller of Dotsey/Zehfuss satisfies [1.pre]. EX1001, ¶¶197-200.



EX1048, FIG.2; EX1003, FIG.8;

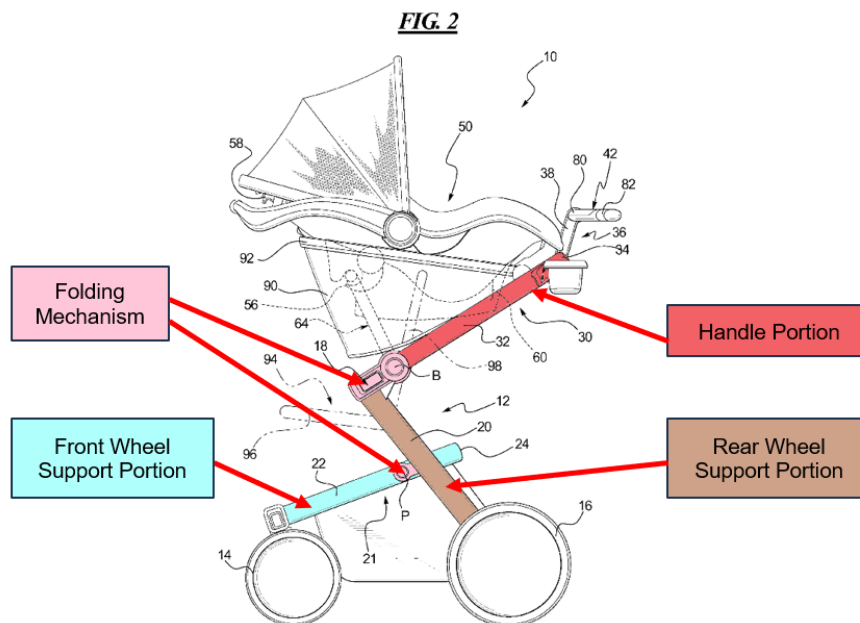
Motivation to combine (“MTC”) and expectation of success (“EOS”) are discussed *supra* §VIII.C. Dotsey and Zehfuss render obvious [1.pre].

[1.a]-[1.b]. Dotsey discloses a pair of rear wheels (wheels 16) and a pair of front wheels (wheels 14). EX1048, [0020]; EX1001, ¶¶201-202.



EX1048, FIG.1.

[1.c.i]. Dotsey discloses a frame that includes a handle portion (handle assembly 30), a rear wheel support portion (rear legs 20), a front wheel support portion (front leg tube assembly 21), and a folding mechanism (fold joints 18 and pivots P. EX1048, [0020]-[0023]; EX1001, ¶¶203-206.

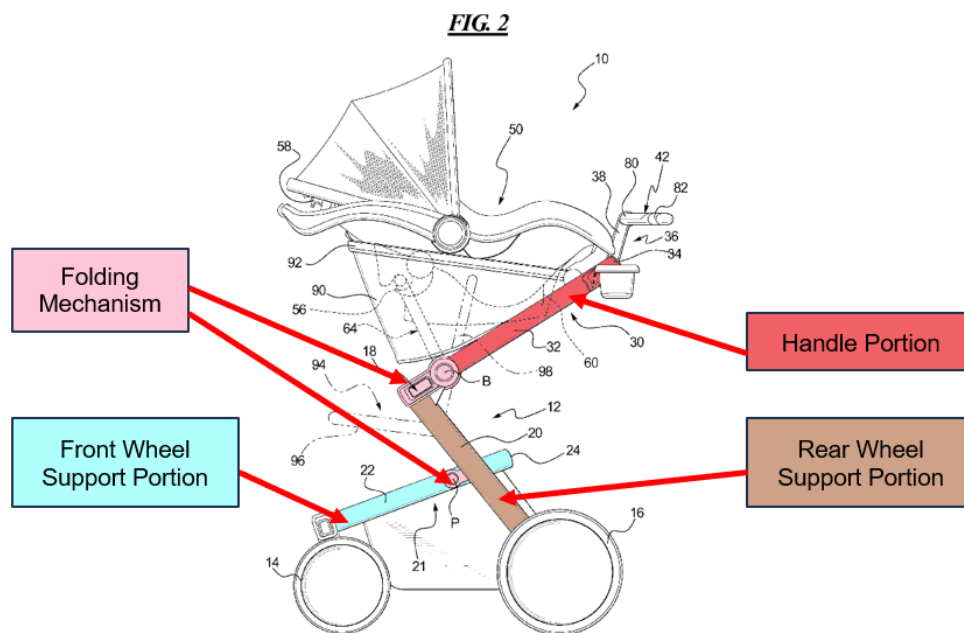


EX1048, FIG.2.

Dotsey's front leg tube assembly 21 (front wheel support portion) is "pivotally connected" to the rear legs 20 via the pivots P, and the rear legs 20 are "pivotally coupled" to the handle assembly 30 (handle portion) via the fold joints 18. EX1048, [0021]-[0022]. Thus, Dotsey's fold joints 18 and pivots P (together, the folding mechanism) connect the front wheel support portion and handle portion (using the rear legs). EX1001, ¶207. The folding mechanism connects the front wheel support portion and handle portion when the frame is folded and unfolded. EX1048, [0023];

EX1001, ¶208. Limitation [1.c.i] does not require the folding mechanism to *directly* connect the front wheel support portion and the handle portion to each other. EX1012, 9:23-28 (“each folding mechanism 81e can be coupled, *either directly or indirectly*[,] to the corresponding [frame element]”); EX1001, ¶207. Thus, Dotsey discloses [1.c.i]. EX1001, ¶¶207-209.

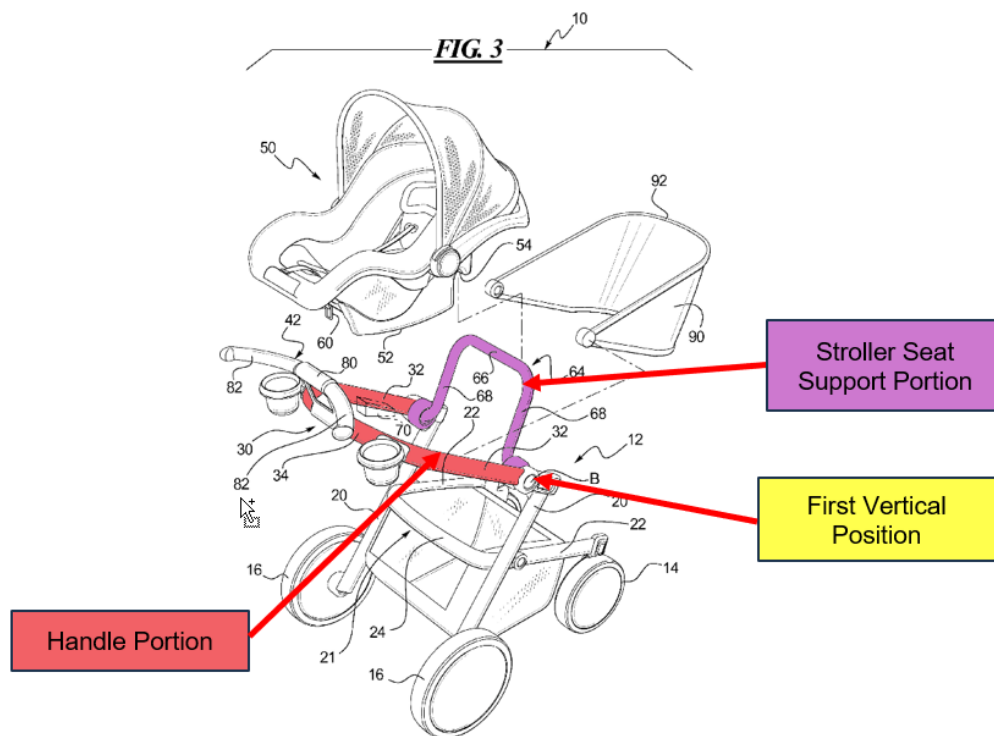
[1.c.ii]. Dotsey’s pivots P “pivotally connect[.]” the rear legs 20 (rear wheel support portion) to the leg tube assembly 21 (front wheel support portion). EX1048, [0021]. Similarly, the fold joints 18 “pivotally couple[.]” the rear legs 20 (rear wheel support portion) to the handle assembly 30 (handle portion). EX1048, [0022]; EX1001, ¶¶210-213.



EX1048, FIG.2. Thus, Dotsey discloses [1.c.ii].

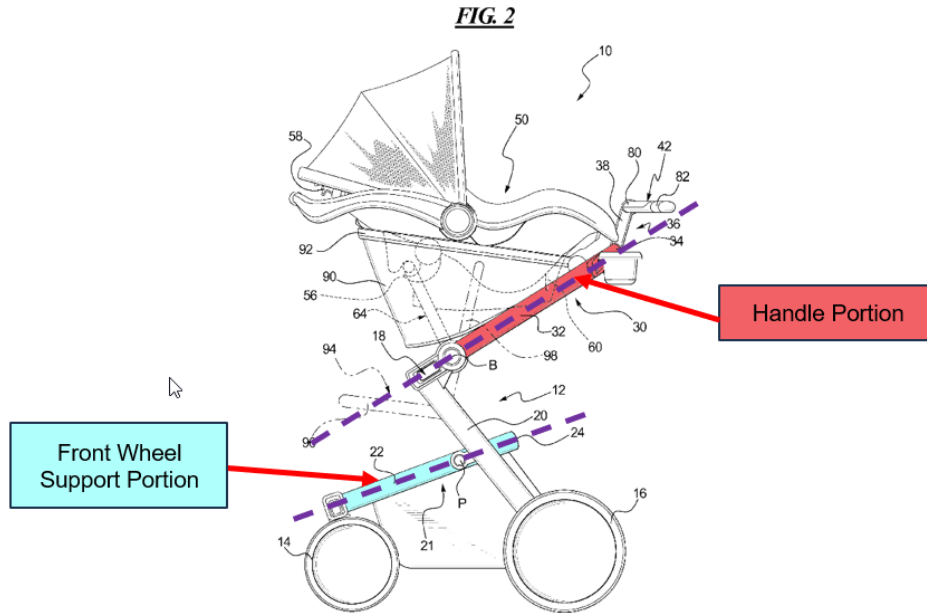
[1.c.iii]. Dotsey’s frame includes a pivotable brace 64 that can be placed into

a “support position” to “support the rear or head end of the infant carrier 50 when installed on the stroller assembly 10.” EX1048, [0026]-[0027]. The brace 64 constitutes the claimed “stroller seat support portion” and is positioned at a first vertical position adjacent the handle portion, as shown below. EX1001, ¶214-216.



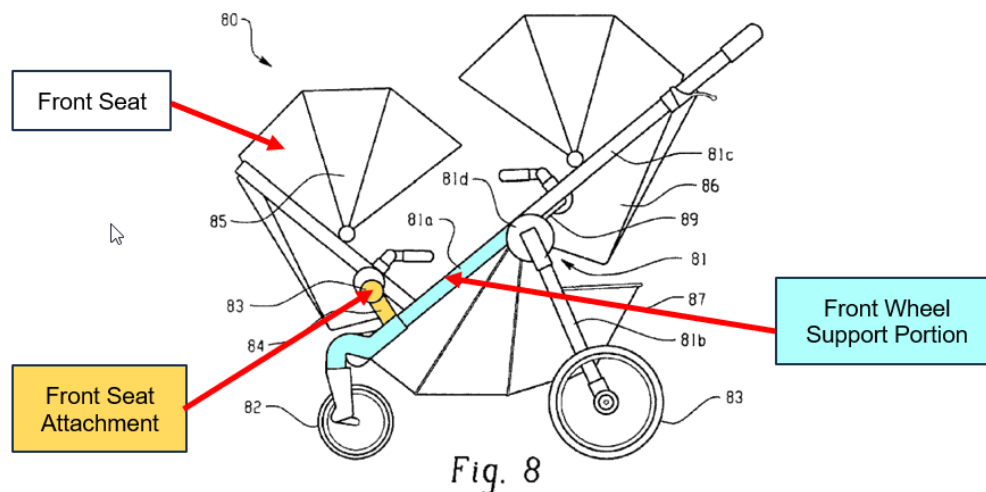
EX1048, FIG.3.Thus, Dotsey discloses [1.c.iv].

[1.c.iv]. When Dotsey’s frame is in the unfolded configuration, the front wheel support portion and the handle portion are substantially parallel. EX1001, ¶¶217-218.



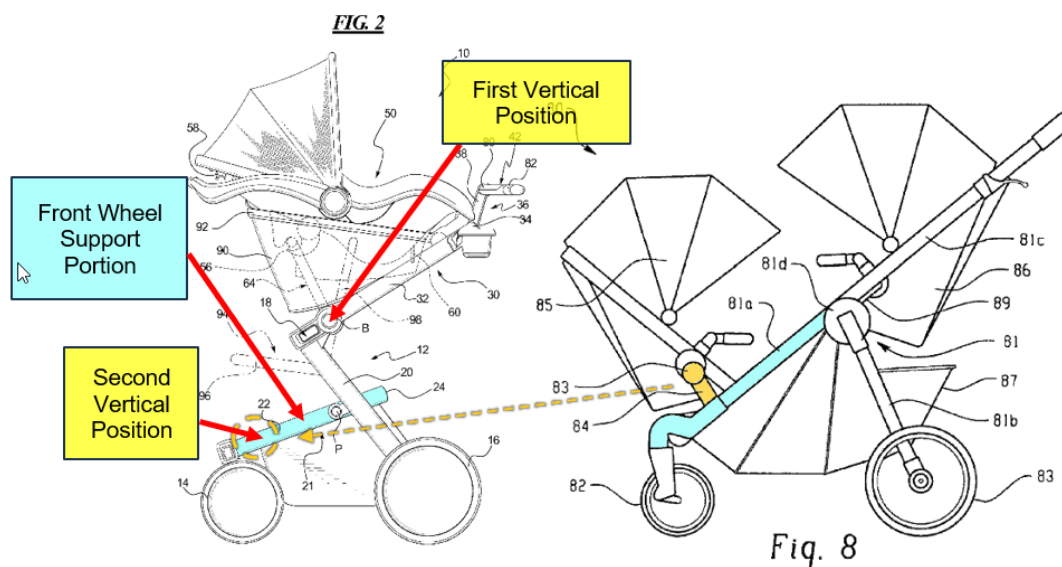
EX1048, FIG.2. As shown above, the handle portion and front wheel support portion lie in two separate planes that are offset from each other, and the relative angle of the planes (when viewed from the side) is small, resulting in a “substantially parallel” relationship. EX1001, ¶¶218-219. Thus, Dotsey discloses [1.c.iv].

[1.d]. Zehfuss discloses a seat support element 84 that may be “fixedly attached or removably attached to the front wheel support portion 81a” and “capable of supporting [a front] seat above the front wheel 82[.]” EX1003, [0046], [0048]. Zehfuss’s seat support element 84 constitutes a “front seat attachment.” EX1001, ¶220.



EX1003, FIG.8.

As discussed *supra* §VIII.C, a POSITA would have been motivated to mount a seat to the front wheel support portion of Dotsey's frame using Zehfuss' front seat attachment. In the resulting stroller, the front seat attachment is configured for attachment to the front wheel support portion at a second vertical position substantially lower than the first vertical position, shown below. EX1001, ¶¶221-223.



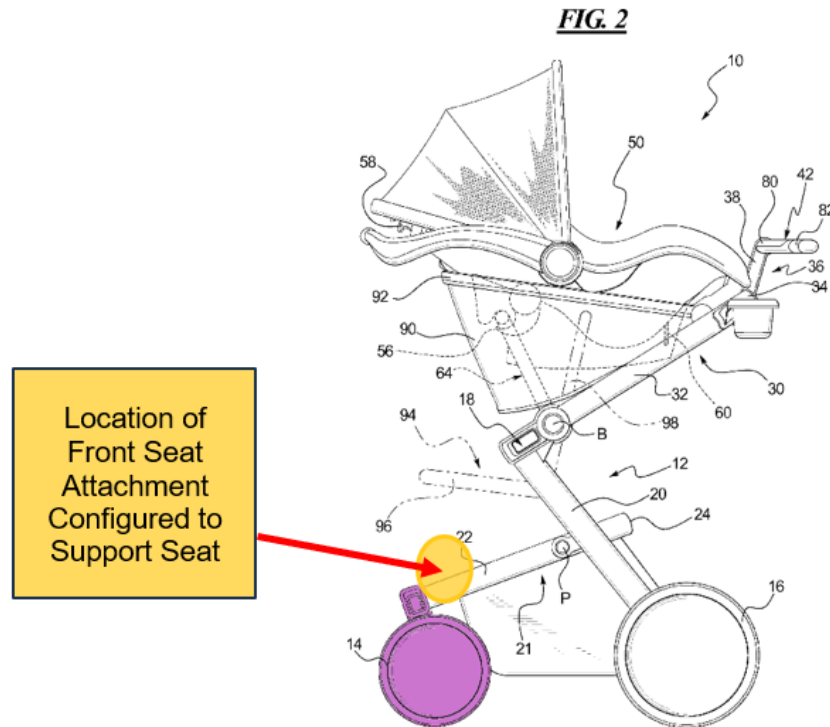
EX1048, FIG.2; EX1003, FIG.8.

MTC and EOS are discussed *supra* §VIII.C. Dotsey and Zehfuss render obvious [1.d].

[1.e]. Zehfuss discloses that its seat support element 84 (front seat attachment) may support a front stroller seat in either a forward or backward position (EX1003, [0036], [0044], [0048], FIGS.3, 9A-9F) and that a seat may be “releasably connected” to a stroller (*id.*, [0029]). EX1001, ¶¶224-227.

As discussed *supra* §VIII.C a POSITA would have been motivated to mount a seat to the front wheel support portion of Dotsey’s frame using Zehfuss’ front seat attachment that allows the seat to be supported in either a forward-facing or a rear-facing configuration. MTC and EOS are discussed *supra* §VIII.C. Dotsey and Zehfuss render obvious [1.e].

[1.f]. Zehfuss discloses supporting a front stroller seat “substantially over the front wheels so that the stroller remains stable.” EX1003, [0046], FIGS. 8, 9A-9F. The stroller of Dotsey/Zehfuss is likewise configured to support the front stroller seat substantially over the front wheels, as shown below. EX1001, ¶¶228-229.



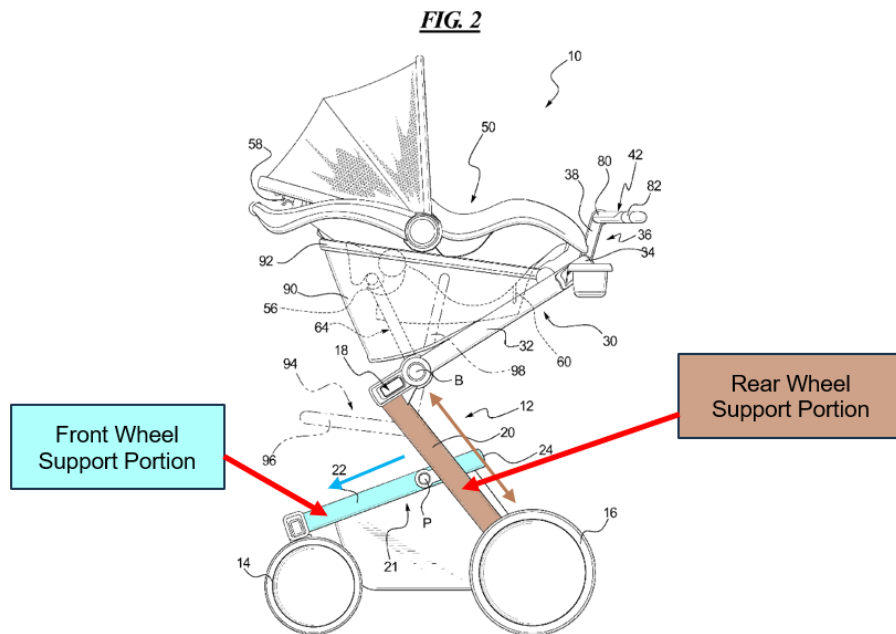
EX1048, FIG.2; EX1003, FIG.8.

Zehfuss also discloses that “seats should be positioned such that the center of gravity of the stroller is between the front and rear wheels.” EX1003, [0046].

Therefore, the stroller of Dotsey/Zehfuss satisfies [1.f]. EX1001, ¶¶230-231.

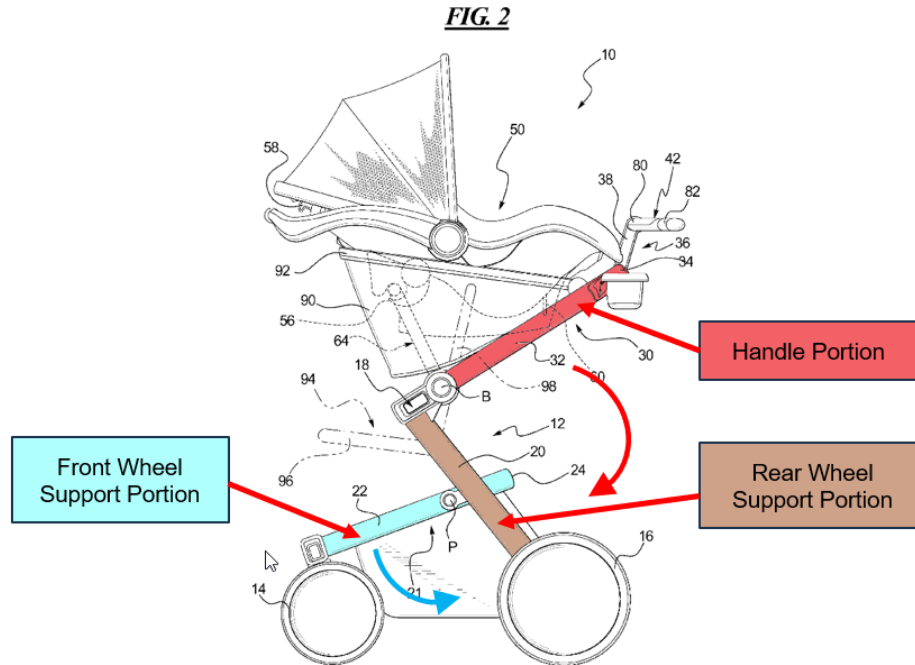
MTC and EOS are discussed *supra* §VIII.C. Dotsey and Zehfuss render obvious [1.f].

[1.g]. As shown below, the rear wheel support portion of Dotsey’s frame extends diagonally from the front wheel support portion when the frame is in the unfolded configuration. EX1001, ¶232.



EX1048, FIG.2.

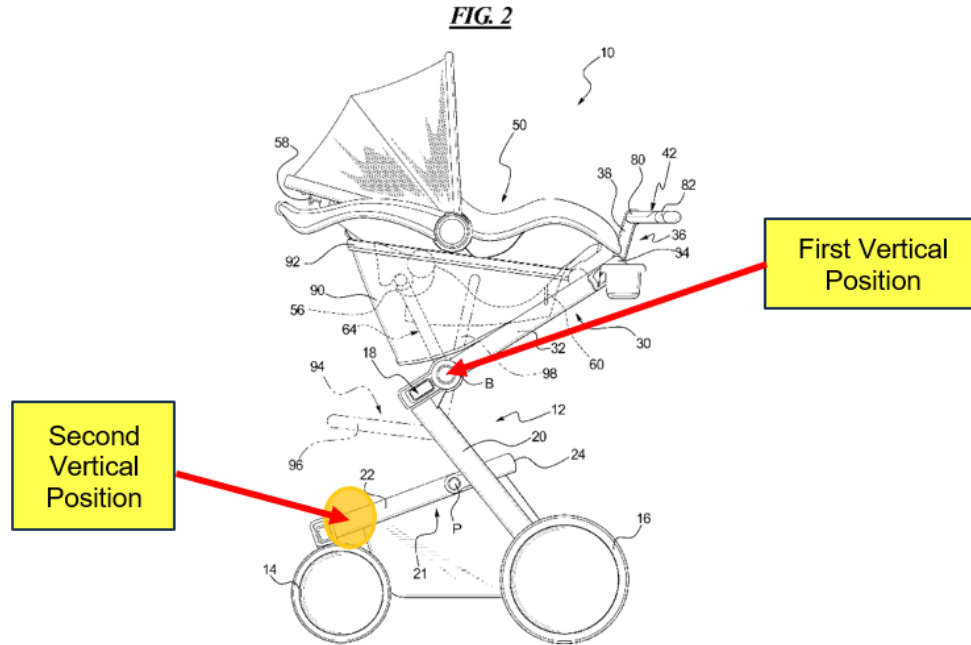
Dotsey’s frame “can be folded to a folded configuration as is known in the art.” EX1048, [0023]. To fold the stroller, the handle assembly 30 (handle portion) is “pivoted downward toward the rear legs 20” (rear wheel support portion), and the front tube assembly 21 (front wheel support portion) pivots downward about the pivot points P, shown below. EX1048, [0023]; EX1001, ¶¶233-234.



EX1048, FIG.2. When is in the folded configuration, the rear wheel support portion is disposed adjacent to both the front wheel support portion and the handle portion when the frame is in the folded configuration. EX1001, ¶¶235-236.

Dotsey discloses [1.g].

[1.h]. In the stroller of Dotsey/Zehfuss, the stroller seat support portion being positioned at the first vertical position and the front seat attachment at the second vertical position create an inline descending configuration of the rear stroller seat and the front stroller seat, shown below. EX1001, ¶¶237-239.

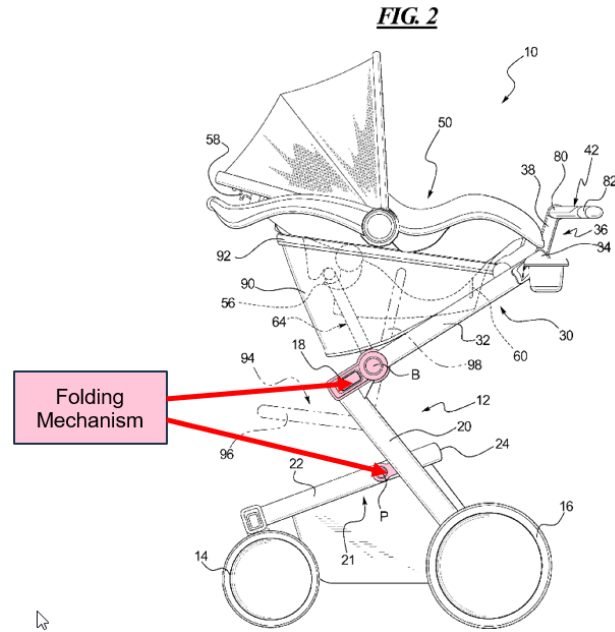


EX1048, FIG.2. Thus, the stroller of Dotsey/Zehfuss satisfies [1.h], and claim 1 is obvious.

2. Claim 2

Dotsey's folding mechanism includes "pivot points B" and "pivot points P."

EX1048, [0023], [0026]; EX1001, ¶¶240-242.



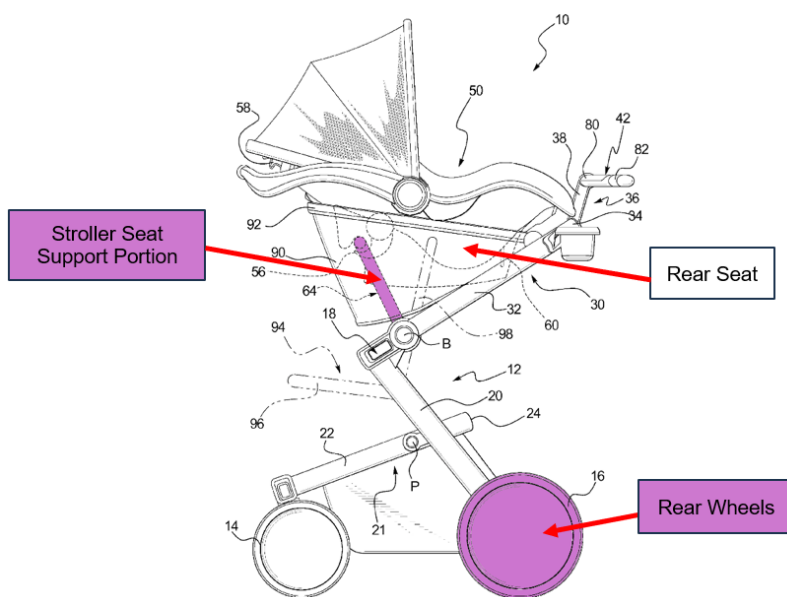
EX1048, FIG.2.

Therefore, Dotsey/Zehfuss satisfies claim 2.

3. Claim 3

Dotsey's brace 64 (stroller seat support portion) is configured to support the rear stroller seat substantially over the rear wheels, as shown below. EX1001, ¶¶243-244.

FIG. 2

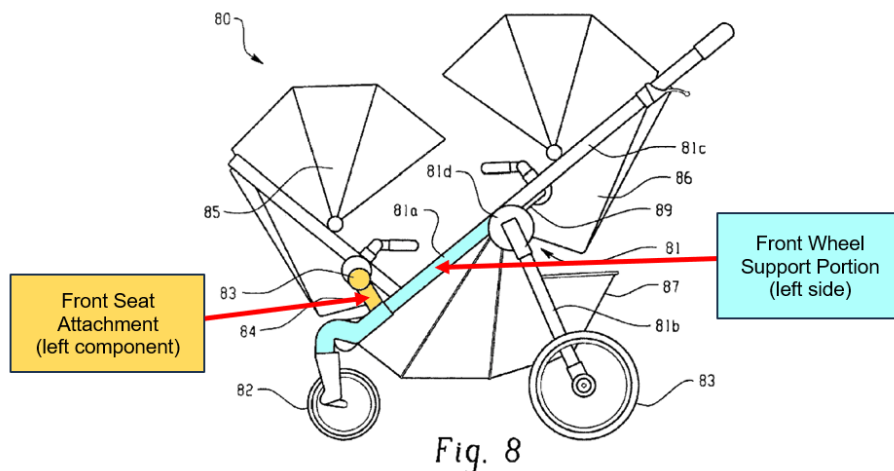


EX1048, FIG.2.

Therefore, Dotsey/Zehfuss satisfies claim 3.

4. Claim 4

As discussed *supra* §VIII.C, a POSITA would have been motivated to use Zehfuss's front seat attachment with Dotsey's frame. Zehfuss discloses that "seat attachments may comprise two seat connector portions for supporting the seat on both sides" and that connector portions can be removably attached to portions of the frame. EX1003, [0013], [0009]. Additionally, the seat attachment 84 illustrated in Zehfuss's figures comprises two components, with one component attaching to the left side of the front wheel support portion (visible below) and another component attaching to the right side of the front wheel support portion (not visible below). EX1001, ¶¶245-247.



EX1003, FIG.8. Therefore, the front seat attachment in Dotsey/Zehfuss includes a first connector portion and a second connector portion, the first connector portion configured to removably attach to a left side of the front wheel support portion, and the second connector portion configured to removably attach to a right side of the front wheel support portion. EX1001, ¶¶245-248.

Therefore, Dotsey/Zehfuss satisfies claim 4.

5. Claim 5

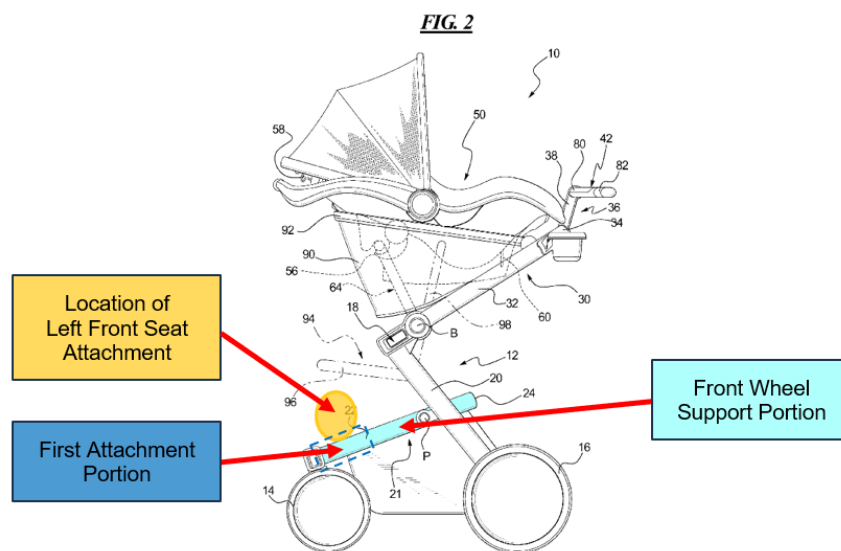
As discussed *supra* §VIII.C, a POSITA would have been motivated to use Zehfuss’s front seat attachment with Dotsey’s frame. Zehfuss’ seat attachments are capable of “releasably supporting” and may include “seat attachment elements” capable of supporting a seat “in either a forward or backward position.” EX1003, ¶¶[0013], [0031], [0036]; EX1001, ¶¶249-252.

Dotsey/Zehfuss satisfies claim 5.

6. Claim 6

The '231 Patent calls the segments of the stroller frame where a seat attachment is attached “attachment portions.” EX1012, 4:52-65; EX1001, ¶253. Zehfuss discloses left and right attachment portions of the front wheel support portion that support left and right connector portions. EX1003, [0030]; EX1001, ¶254.

The location of the first (left) attachment portion of the left side of the front wheel support portion of Dotsey/Zehfuss is identified below (a corresponding second (right) attachment portion of the right side of the wheel support portion is located on the other side). EX1001, ¶¶255-256.



EX1048, FIG.2.

Therefore, Dotsey/Zehfuss satisfies claim 6.

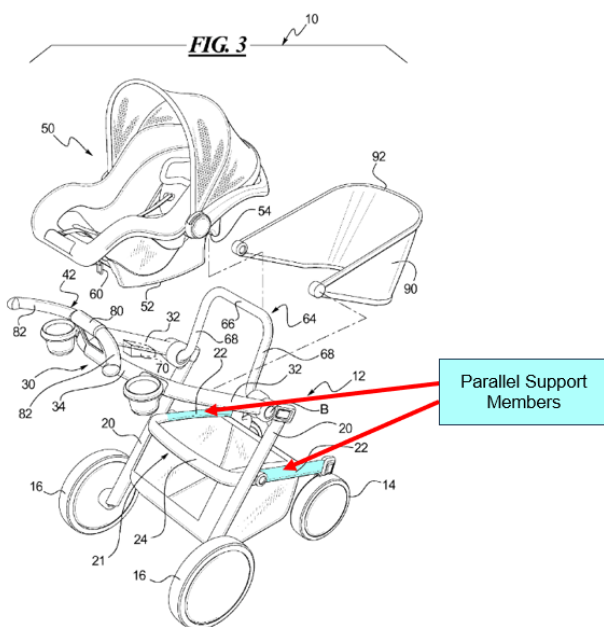
7. Claim 7

The '231 Patent calls the portion of the seat attachment 20 that connects to the stroller frame and the seat support element the “attachment frame members 24.” EX1012, 5:25-49. EX1001, ¶257. The front seat attachment of Zehfuss includes the same attachment frame members 24. EX1003, [0032], [0044]; EX1001, ¶¶258-259.

Therefore, Dotsey/Zehfuss satisfies claim 7.

8. Claim 8

The front wheel support portion of Dotsey’s frame is U-shaped and includes a pair of front legs 22, which are parallel and constitute a pair of parallel support members. EX1048, [0020]; EX1001, ¶¶260-261.



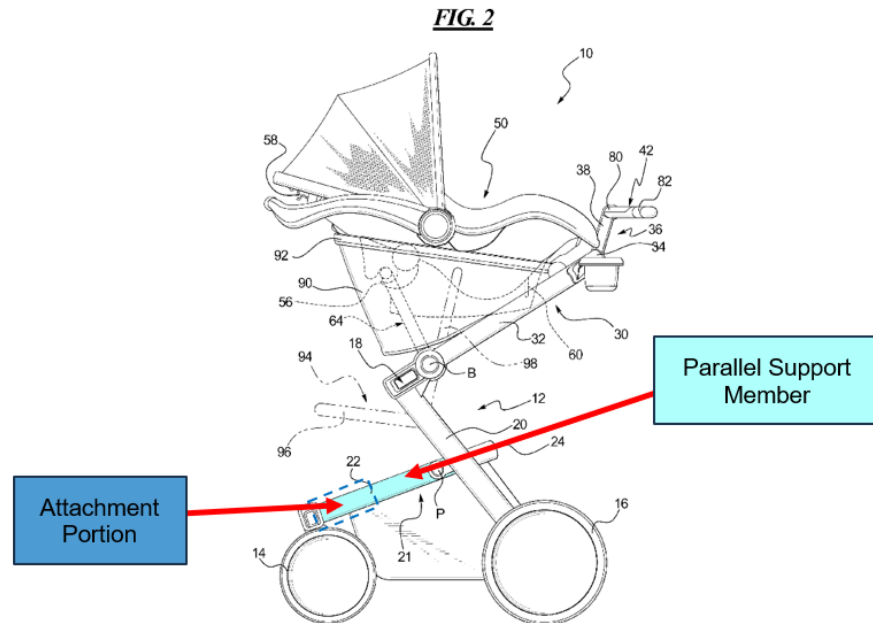
Dotsey, Fig. 3

EX1048, FIG.3.

Therefore, Dotsey/Zehfuss satisfies claim 8.

9. Claim 9

As discussed *supra* §VIII.C.6, the front wheel support portion of Dotsey/Zehfuss has a pair of attachment portions. The attachment portions are part of the front legs 22 (pair of parallel support members). EX1001, ¶¶262-263.



EX1048, FIG.2.

Therefore, Dotsey/Zehfuss satisfies claim 9.

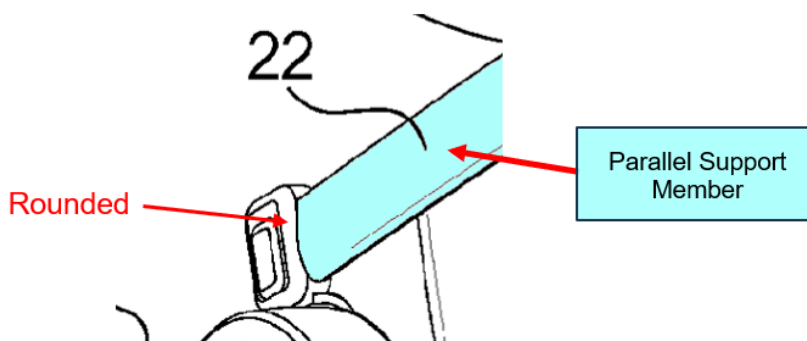
10. Claim 10

Zehfuss discloses including slots in attachment portions for receiving the connector portions of the front seat attachment. EX1003, [0034]; EX1001, ¶264. A POSITA would have been motivated to incorporate such slots into Dotsey's attachment portions to allow the front seat attachment to secure to the frame using a locking mechanism. EX1001, ¶264. A POSITA would have reasonably expected

success in this modification because Dotsey and Zehfuss use conventional design components that were well-known in the industry, and applying Zehfuss's teachings to Dotsey would have been a straight-forward integration of known components and well-within the skill of a POSITA. EX1001, ¶¶265-266. Therefore, Dotsey and Zehfuss render obvious claim 10.

11. Claim 11

Dotsey's front legs 22 (parallel support members) are part of a "leg tube assembly 21," which Dotsey also calls a "leg tube 21" EX1048, [0020]-[0021]; EX1001, ¶267. The front legs 22 have a rounded cross section. EX1001, ¶¶268-269.

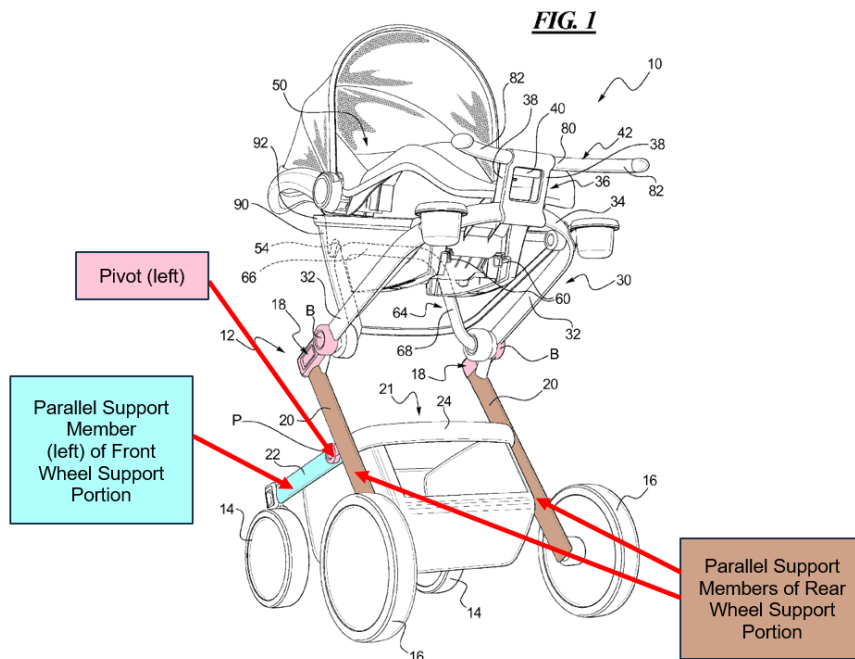


EX1048, FIG.1.

Therefore, Dotsey/Zehfuss satisfies claim 11.

12. Claim 12

The rear wheel support portion of Dotsey's frame includes a pair of parallel rear legs 20, which constitute a pair of parallel support members. EX1048, [0020]; EX1001, ¶270.

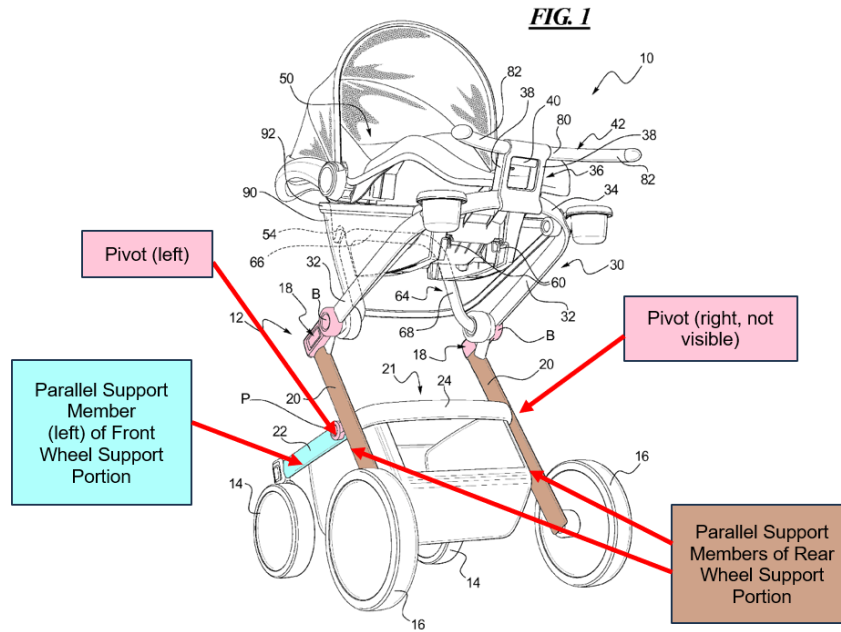


EX1048, FIG.1. The rear legs 20 (parallel support members of the rear wheel support portion) are connected by the pivots P (a portion of the folding mechanism) to the front legs 22 (parallel support members of the front wheel support portion). EX1048, [0021]; EX1001, ¶¶271-272.

Therefore, Dotsey/Zehfuss satisfies claim 12.

13. Claim 13

Dotsey's folding mechanism includes a pair of pivots (pivots P) spaced apart and configured to connect corresponding ones of the parallel support members of the rear and front wheel support portions. EX1048, [0021]; EX1001, ¶¶273-274.



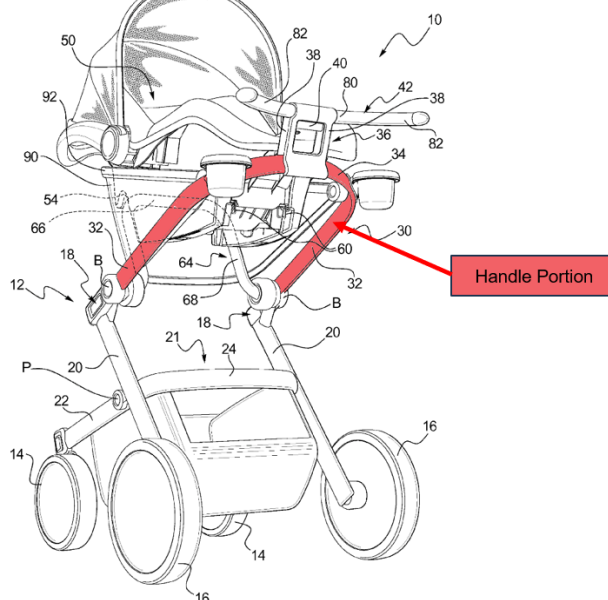
EX1048, FIG.1.

Therefore, Dotsey/Zehfuss satisfies claim 13.

14. Claim 14

Dotsey's handle portion includes a pair of parallel support members (push bars 32) and a cross bar (connecting section 34). EX1048, [0022]; EX1001, ¶275.

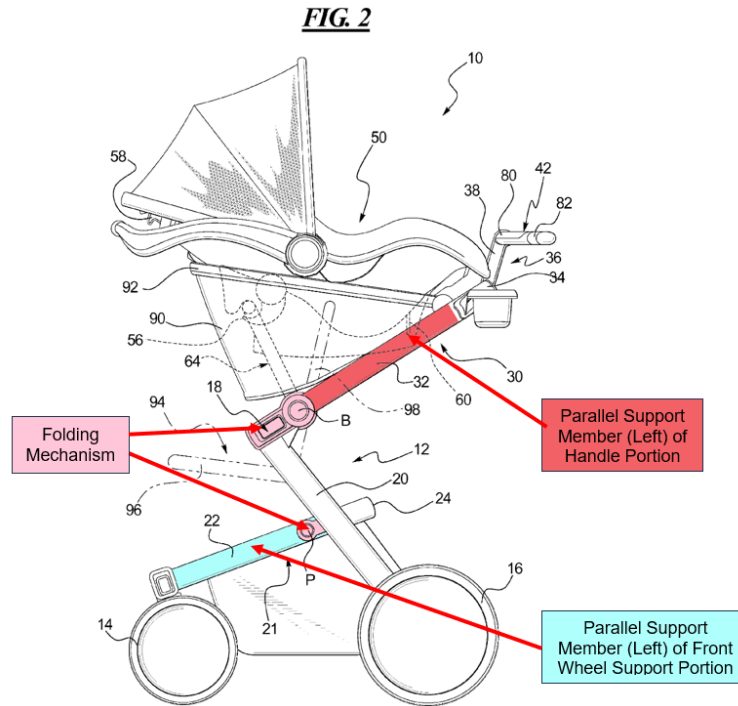
FIG. 1



EX1048, FIG. 1.

The parallel support members of the handle portion connect to the parallel support members of the front wheel support portion via the folding mechanism.

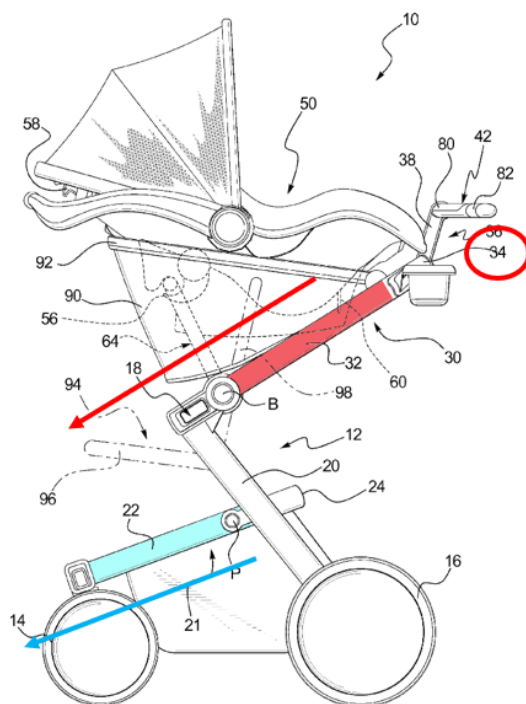
EX1001, ¶276.



EX1048, FIG.2.

The parallel support members of the handle portion and the front wheel support portion extend diagonally downwards from the crossbar (connecting section 34) in Dotsey. EX1001, ¶¶277-278.

FIG. 2



EX1048, FIG.2.

Therefore, Dotsey/Zehfuss satisfies claim 14.

15. Claim 15

Dotsey's brace 64 (stroller seat support portion) is designed to "support" a stroller seat and allow it to be "release[d]." EX1048, [0026]; EX1001, ¶¶279-280.

Therefore, Dotsey/Zehfuss satisfies claim 15.

16. Claim 16

Dotsey teaches that, instead of the brace 64, an "adapter" or "other like structure" can be used to support a rear-facing seat. EX1048, [0027]. Dotsey also discusses using a forward-facing seat with the stroller. EX1048, [0041].

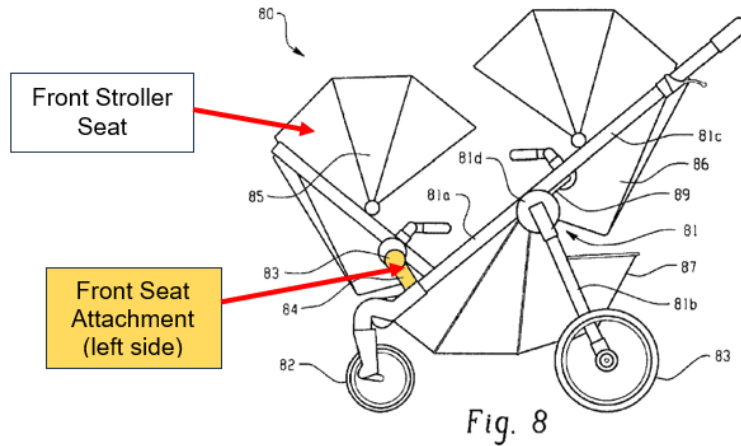
Zehfuss discloses a seat support element 89 that allows a rear seat to be

supported in either a forward-facing or a backward-facing configuration. EX1003, [0045], FIG.8, FIG. 9A.

A POSITA would have been motivated to make Dotsey's brace 64, "adapter," and/or "other like structure" configured to support the rear stroller seat in either a forward-facing configuration or a backward-facing configuration, as disclosed in Zehfuss, because it was known that it was beneficial to be able to support a seat in either a forward-facing configuration (so the child could observe the environment in front of the stroller) or a backward-facing configuration (so the child could observe the caregiver pushing the stroller). EX1001, ¶¶281-283. A POSITA would have reasonably expected success because Dotsey and Zehfuss use conventional design components that were well-known in the industry, and applying Zehfuss's teachings to Dotsey would have been a straight-forward integration of known components and well-within the skill of a POSITA. EX1001, ¶¶284-285. Therefore, Dotsey and Zehfuss render obvious claim 16.

17. Claim 17

Zehfuss's seat support element 84 (front seat attachment) is configured to connect to two sides of the front stroller seat. EX1001, ¶¶286-287.



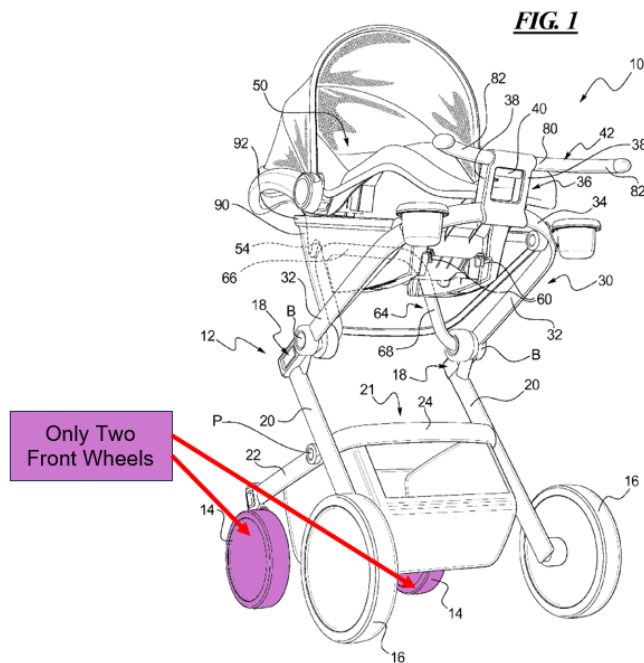
EX1048, FIG.8.

Therefore, Dotsey/Zehfuss satisfies claim 17.

18. Claim 19

Dotsey's pair of front wheels includes only two front wheels (wheels 14).

EX1048, [0020]; EX1001, ¶¶288-289.



EX1048, FIG.1.

Therefore, Dotsey/Zehfuss satisfies claim 19.

19. Claim 20

Dotsey states that each front leg 22 (a portion of the front wheel support portion) “terminates at a lower end attached to one of the front wheels 14[.]” EX1048, [0020], FIG.1. Thus, the only two front wheels are laterally spaced apart from each other on a left side and a right side of the front wheel support portion. EX1001, ¶¶290-292.

Therefore, Dotsey/Zehfuss satisfies claim 20.

20. Claim 21

The '231 Patent states that the stroller can be folded into a compact size, but there is no description or illustration of a folded configuration including at least partially overlapping the front wheel support portion and the handle portion. EX1012, 9:38. Dotsey's frame can be similarly folded into a compact size. EX1048, [0023]. Thus, Dotsey/Zehfuss satisfies this limitation to the same extent it is disclosed in the '231 Patent. EX1001, ¶¶293-296.

21. Claim 22

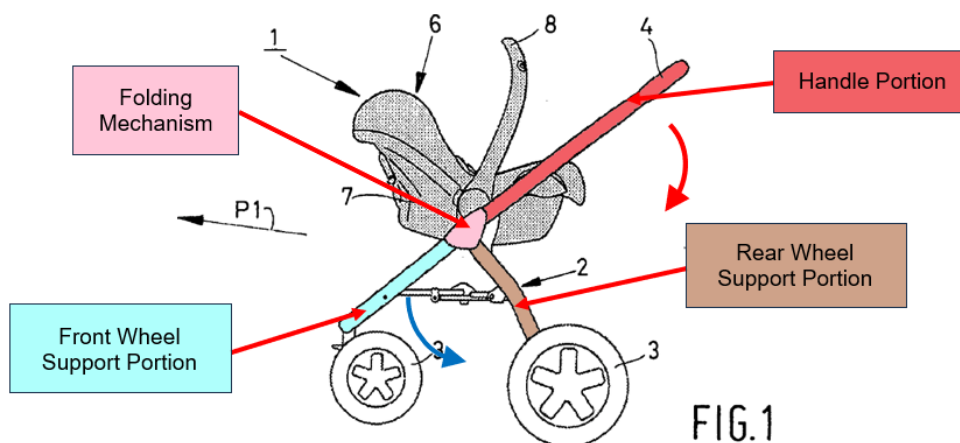
Zehfuss' seat support element 84 may be “removably attached to the front wheel support portion[.]” EX1003, [0046]. Thus, Dotsey/Zehfuss satisfies claim 22. EX1001, ¶¶298-299.

IX. GROUND 2: VAN DIJK-SCHAAF

A. Van Dijk

Van Dijk published on August 23, 2007 and constitutes prior art under §102(a)(1)-(2) even if the Challenged Claims are entitled to the earliest claimed priority date.¹¹

Van Dijk discloses a stroller system that uses seat mounting mechanisms comprising “connecting pieces” and “adapters” to allow different types of seats to attach to a stroller frame. EX1050, Abstract, [0037]. Van Dijk’s stroller frame 2 includes a front wheel support portion, a rear wheel support portion, and a handle portion. EX1001, ¶175.



EX1050, FIG.1 Van Dijk describes its frame 2 as being collapsible, but does not

¹¹ If the '231 Patent is found to be subject to pre-AIA law, then Van Dijk is prior art under at least pre-AIA §102(b).

describe how it collapses. EX1050, [0037]. A POSITA would understand that the folding mechanism labeled above is the mechanism that allows the frame 2 to collapse. EX1001, ¶175.

As shown in Figure 2 below, Van Dijk's stroller system includes adapters 5 that can be put into a first position, which allow a first type of stroller seat to removably connect to the adapters 5. EX1050, [0037]. The adapters 5 can be put into a second position, shown in Figure 5 below, which allows a second type of stroller seat to removably connect to connecting pieces 10. EX1050, [0039].

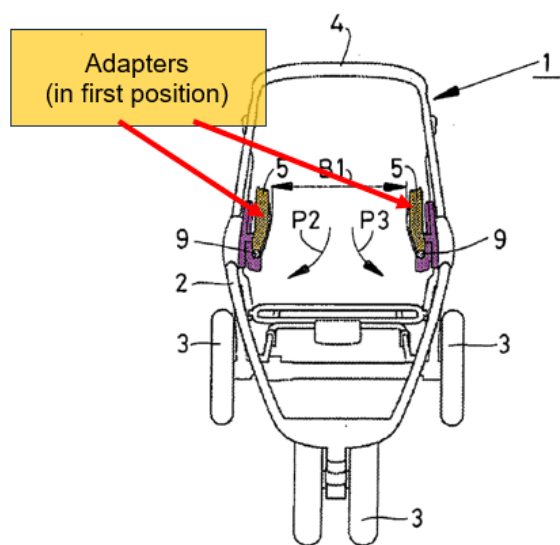


FIG. 2

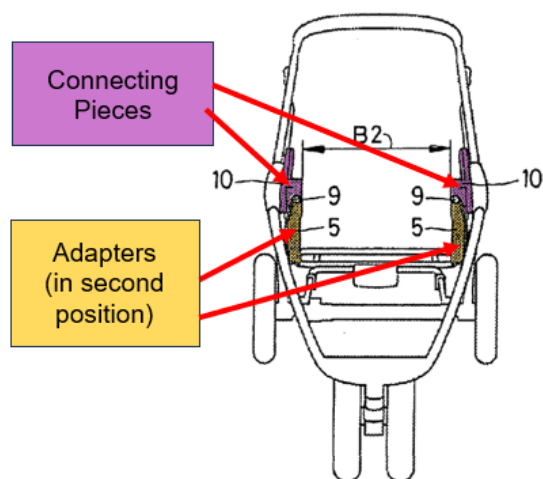
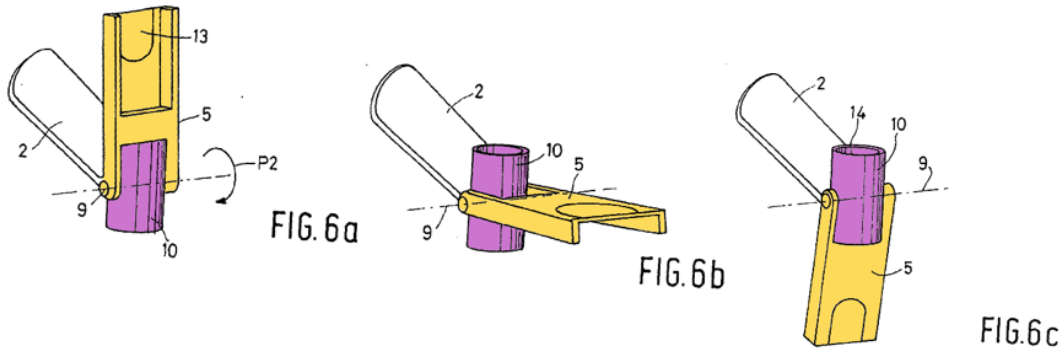
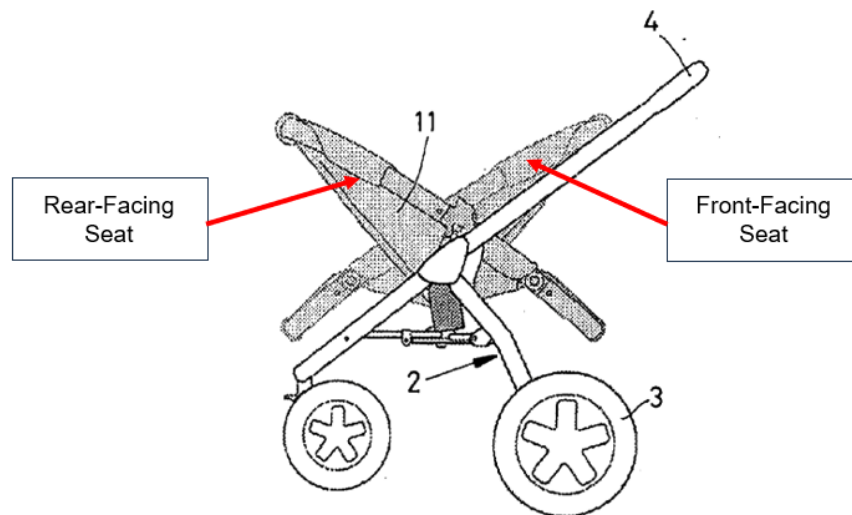


FIG. 5

EX1050, FIGS. 2, 5. The adapters 5 are pivotally connected to the stroller frame 2 so they can pivot about axis 9 from the first position (FIG. 6A) to the second position (FIG. 6C). EX1050, [0042]-[0044].



EX1050, FIGS.6A-6C. Van Dijk's seats can also connect in forward-facing or rear-facing configurations. EX1050, [0052], FIG.3. EX1001, ¶178.



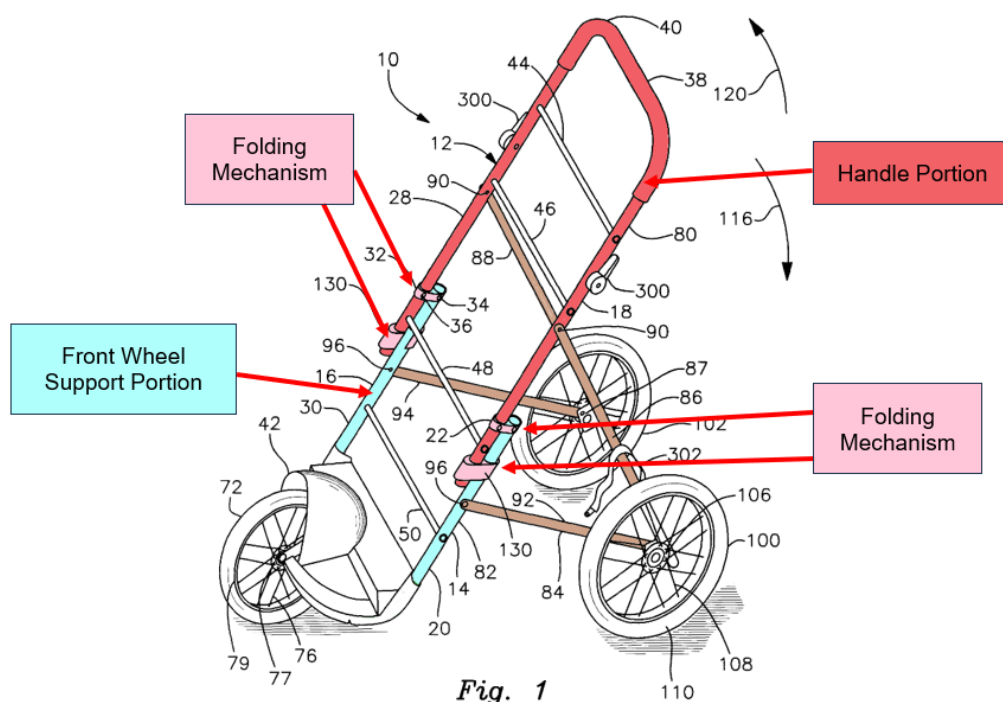
EX1050, FIG.3.

Van Dijk is analogous art to the '231 Patent because it is directed to strollers, which is in the same field of endeavor as the Challenged Claims. EX1001, ¶175. Van Dijk was not cited during prosecution of the '231 Patent.

B. Schaaf

Schaaf issued in 2001 and constitutes prior art under § 102(a)(1)-(2).¹²

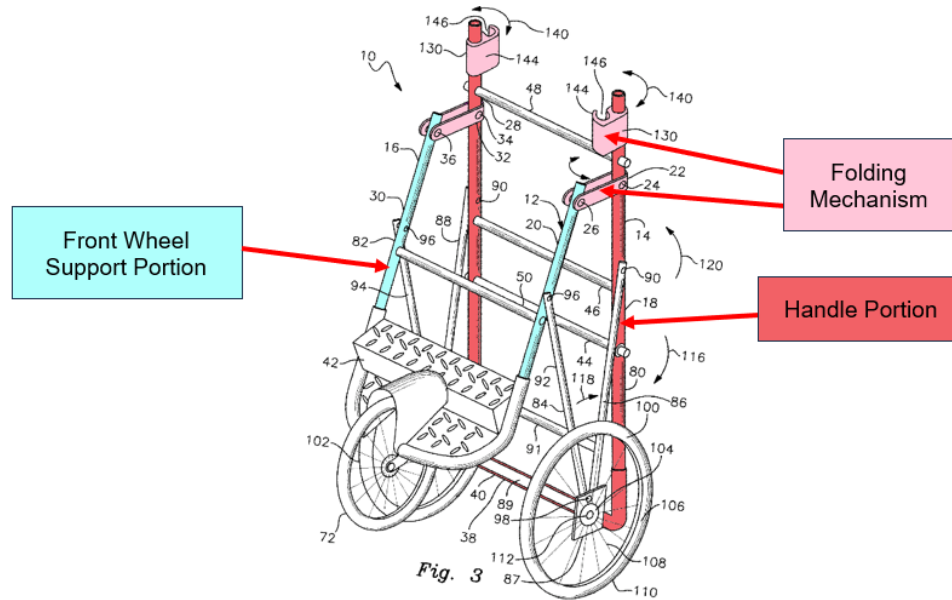
Schaaf discloses a collapsible stroller configured to support two seats in an inline configuration. EX1040, FIG.10. Schaaf's stroller frame includes a front wheel support portion (lower frame portion 82) and a handle portion (upper frame portion 80). EX1040, 6:10-18; EX1001, ¶¶180-181.



EX1040, FIG.1. Schaaf's stroller system also includes a folding mechanism comprising U-shaped brackets 22/32 and clips 130, which allow the frame to fold

¹² If the '231 Patent is found to be subject to pre-AIA law, then Shaaf is prior art under at least pre-AIA §102(b).

and unfold by rotating downward about a pivot axis formed by pins 26/36. EX1040, 6:10-8:29; EX1001, ¶182.



EX1040, FIG.3

Schaaf's front and rear seats are located proximate the front wheel support portion and the handle portion of the frame, respectively, as shown below. EX1001, ¶181.

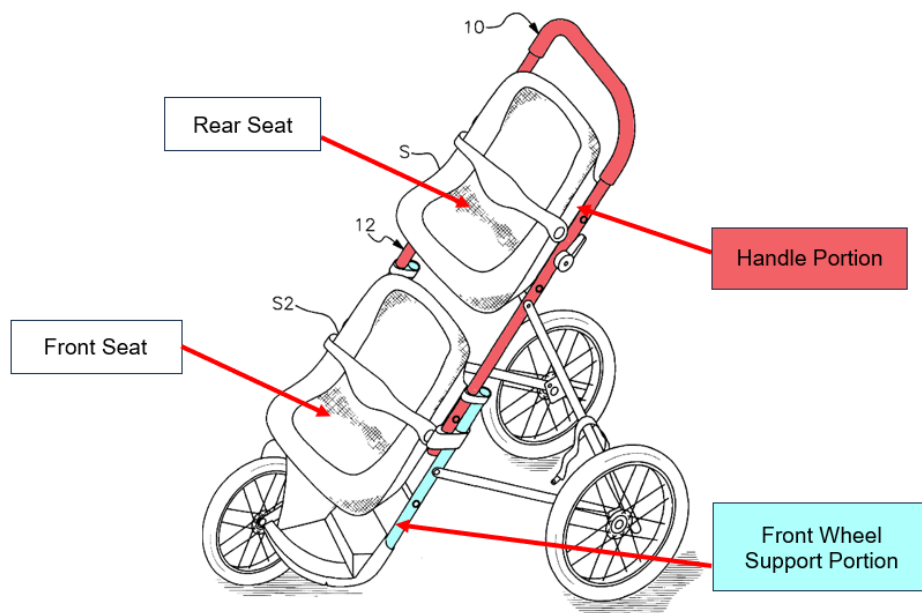
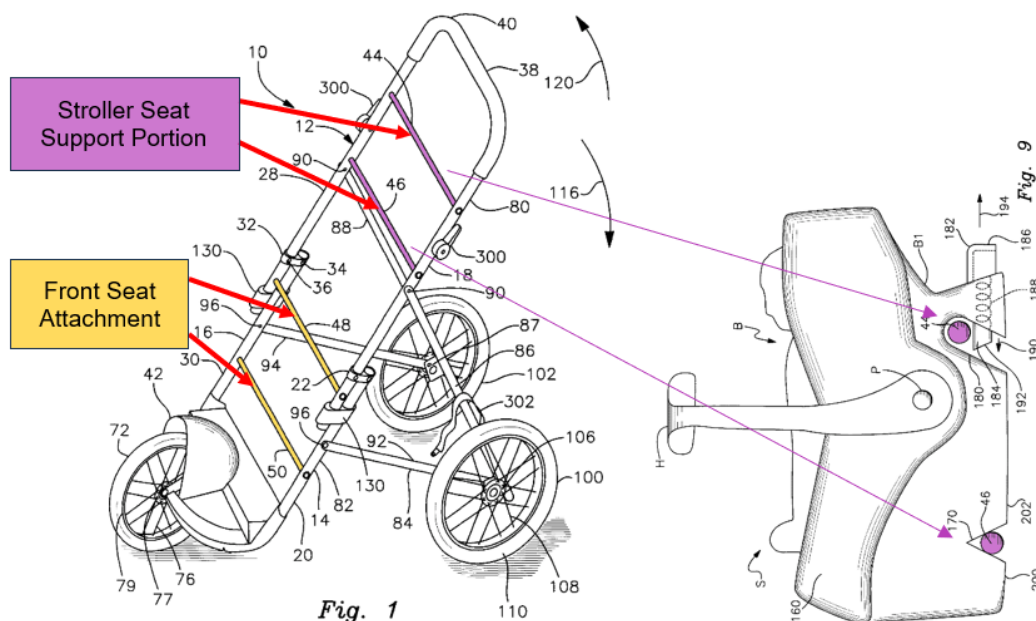


Fig. 10

EX1040, FIG.10. The seats releasably connect to crossbar members 48/50 (“front seat attachment” of [1.d.]) and crossbar members 44/46 (“stroller seat support portion” of [1.c.iii]) of the frame. EX1040, 9:22-47; EX1001, ¶13. As illustrated in the figure below depicting the connection of the rear seat, the crossbar members 44, 46 are retained in slots 170/180 in the base of the seat. EX1040, 9:22-47.



EX1040, FIGS. 1, 9.

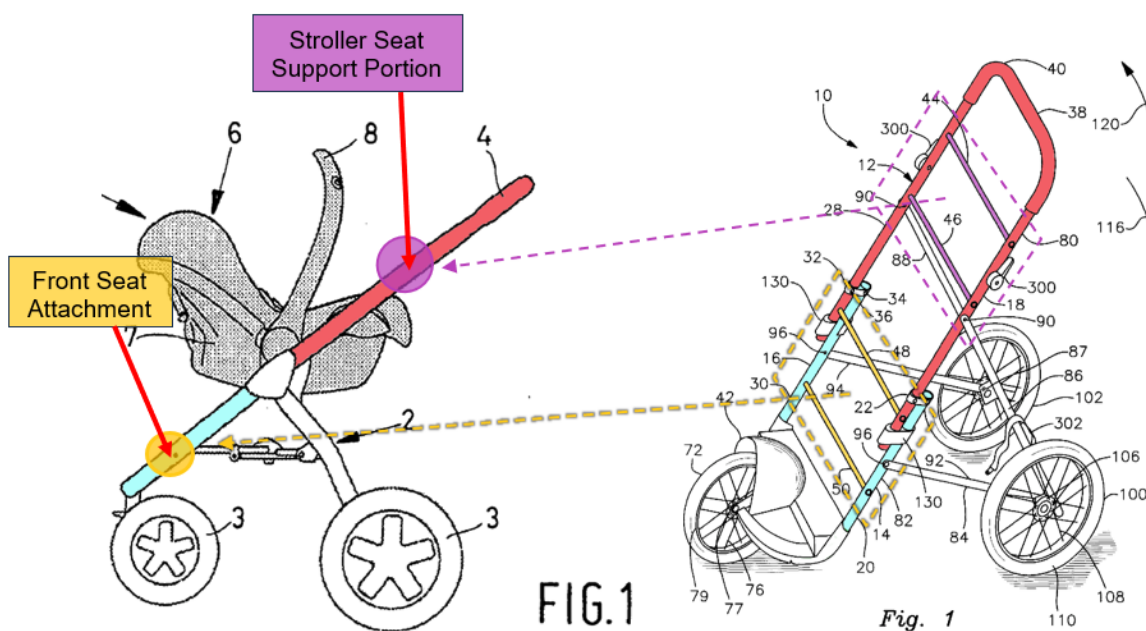
Schaaf is analogous art to the '231 Patent because it is directed to strollers, which is in the same field of endeavor as the Challenged Claims. EX1001, ¶180. Schaaf was cited during prosecution of the '231 Patent, but not discussed or relied upon in any rejections.

C. Obviousness in view of Van Dijk and Schaaf

As discussed *supra* §IX.A, Van Dijk teaches use of mounting mechanisms comprising “adapters” and “connecting pieces” to mount various types of seats to a stroller frame in forward-facing and rear-facing configurations. Van Dijk does not disclose mounting two seats to the stroller frame in an inline configuration or explicitly describe a frame that folds by its front wheel support portion and/or handle portion rotating downward about a pivot axis of the folding mechanism. However,

Schaaf teaches these features. *See supra* §IX.B. A POSITA would have been motivated to combine the teachings of Van Dijk and Schaaf, rendering the Challenged Claims obvious. EX1001, ¶¶300-307.

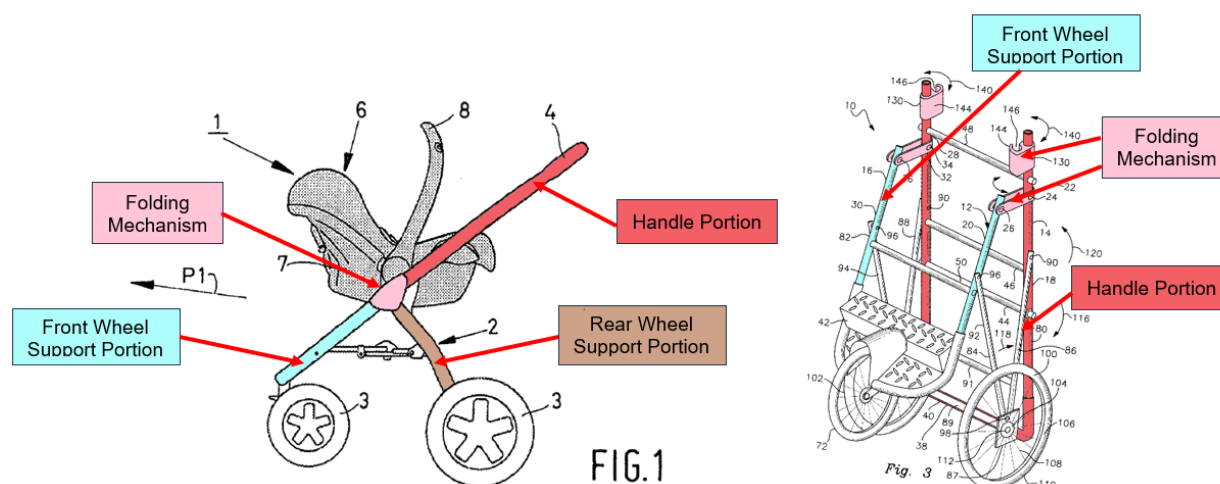
First, a POSITA would have been motivated to modify Van Dijk's stroller system such that two seats mount to the frame at the locations taught in Schaaf. EX1001, ¶¶302-303. A POSITA would have been motivated to use two sets of Van Dijk's seat mounting mechanisms, with one set on the handle portion and one set on the front wheel support portion, so that the seats mount at the locations taught in Schaaf, as depicted below. *Id.*



EX1050, FIG.1; EX1040, FIG. 1. A POSITA would have been motivated to make these modifications because there was a known demand for stroller systems that could transport multiple children. EX1001, ¶¶302-303; EX1040, 1:32-24;

Therefore, a POSITA would have been motivated to incorporate the two-seat seating arrangement of Schaaf into Van Dijk's stroller.

Second, if not already disclosed in Van Dijk, a POSITA would have been motivated to make Van Dijk's folding mechanism allow the front wheel support portion and/or handle portion to rotate downwards towards the rear wheel, as taught in Schaaf. EX1001, ¶¶304-305, ¶¶321-322.



EX1050, FIGS.1, 3. A POSITA would have desired making this modification because it is a simple, reliable way to make the frame collapsible and would have been cheaper to design and manufacture than other folding mechanisms that would make the frame collapsible in other manners. EX1001, ¶¶304-305. Accordingly, a POSITA would have been motivated to make Van Dijk's folding mechanism allow the front wheel support portion and handle portion to rotate downward towards the rear wheels, as taught in Schaaf. EX1001, ¶¶304-305.

A POSITA would have reasonably expected success because both references

disclose stroller systems that use conventional design components that were well-known in the industry. EX1001, ¶306. Applying Van Dijk's teachings to Schaaf would have been a straight-forward integration of known components and well-within the skill of a POSITA. *Id.*

The following sections provide a limitation-by-limitation analysis of the Challenged Claims. In the discussion below, "Van Dijk/Schaaf" refers to the combination of Van Dijk and Schaaf.

1. Claim 1

[1.pre]. Van Dijk discloses a stroller system for supporting a stroller seat. EX1050, [0002]. Schaaf discloses a stroller system for supporting a front and rear stroller seat. EX1040, 4:32-42; EX1001, ¶309.

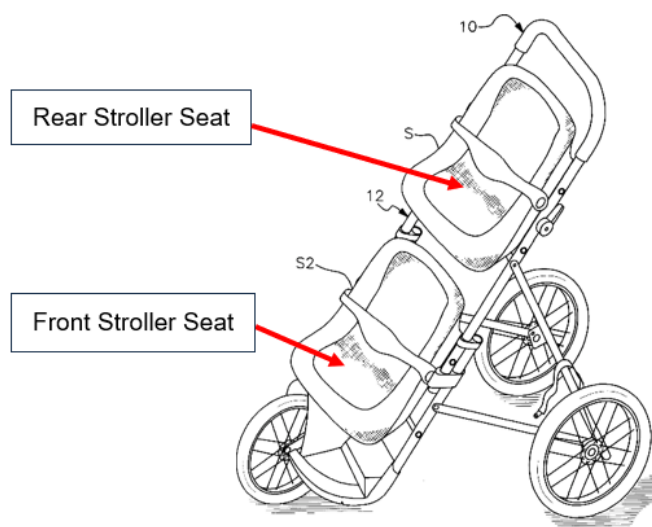


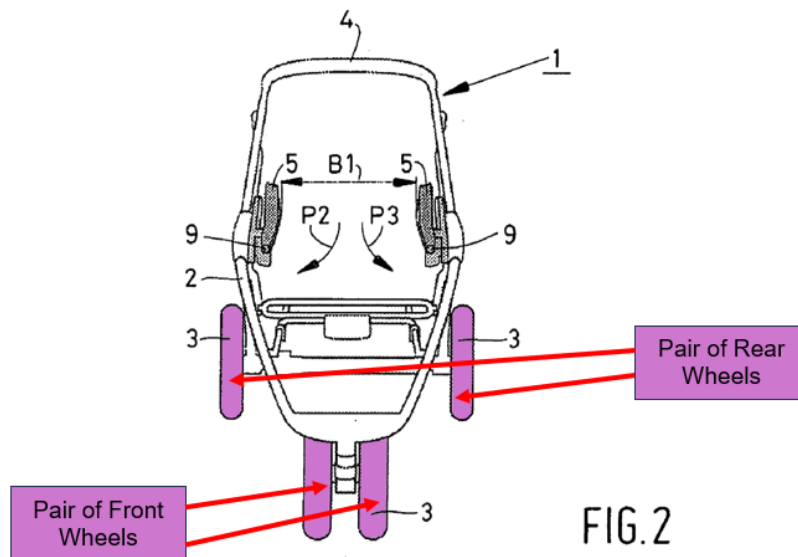
Fig. 10

EX1040, FIG.10; When Van Dijk is combined with Schaaf as discussed herein, the resulting stroller supports a front stroller seat and a rear stroller seat. EX1001, ¶¶308-

311.

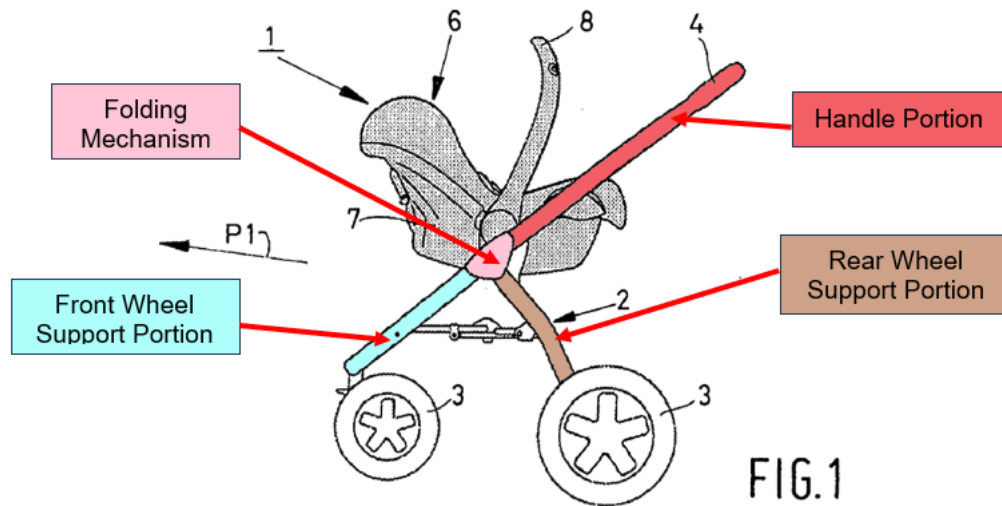
MTC and EOS are discussed *supra* §IX.C. Van Dijk and Schaaf render obvious [1.pre].

[1.a]-[1.b]. Van Dijk discloses a stroller with a pair of rear wheels and a pair of front wheels. EX1050, [0037]; EX1001, ¶¶312-313.



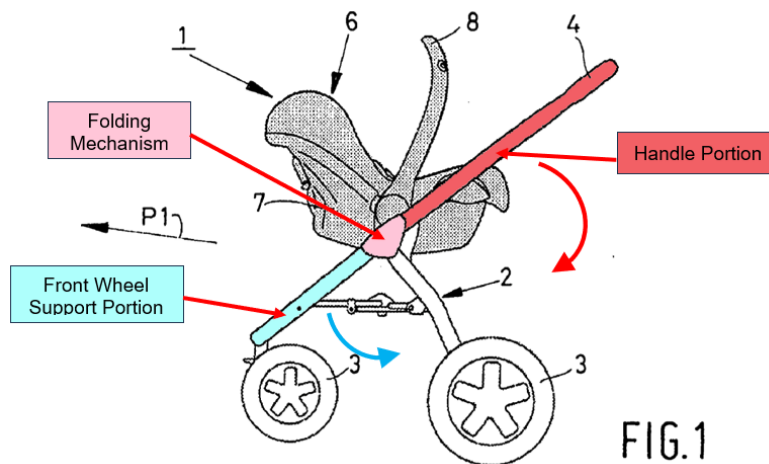
EX1050, FIG.2.

[1.c.i]. Van Dijk discloses a frame 2 including a handle portion, a rear wheel support portion, a front wheel support portion, and a folding mechanism. EX1001, ¶¶314-318.



EX1050, FIG.1.

Van Dijk describes its frame as “collapsible,” but does not describe how it collapses. EX1050, [0037]. A POSITA would understand that Van Dijk’s frame folds by the handle portion and/or front wheel support portion rotating towards the rear wheels, as shown below. EX1001, ¶¶317-318.

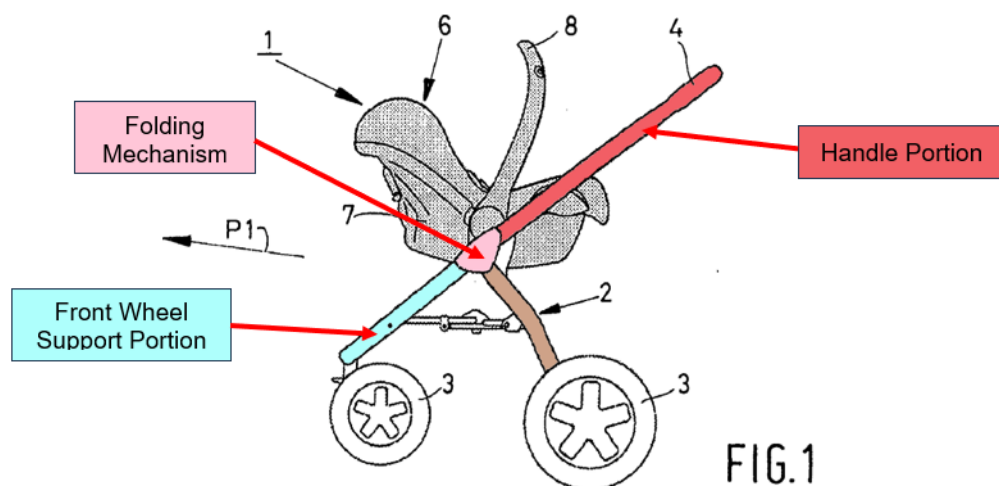


EX1050, FIG.1. Alternatively, as discussed *supra* § IX.C it would have been obvious in view of Schaaf to make Van Dijk’s folding mechanism allow the frame to fold in

this way. In either case, the folding mechanism connects the front wheel support portion and the handle portion in both an unfolded configuration and in a folded configuration. EX1001, ¶¶319-323.

MTC and EOS are discussed *supra* §IX.C. Van Dijk and Schaaf render obvious [1.c.i].

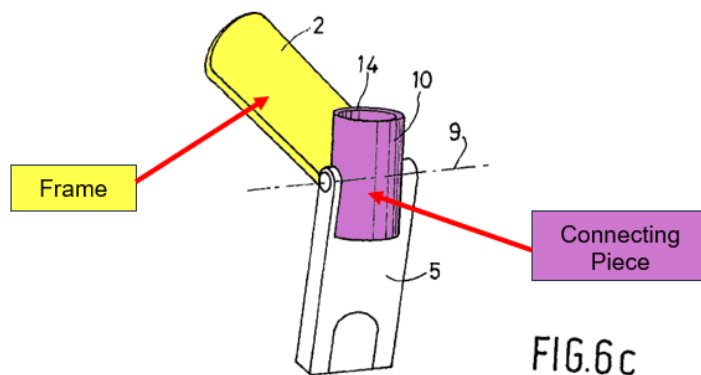
[1.c.ii]. Van Dijk's folding mechanism, labeled below, connects the rear wheel support portion to the front wheel support portion and the handle portion. EX1001, ¶¶324-325.



EX1050, FIG.1.

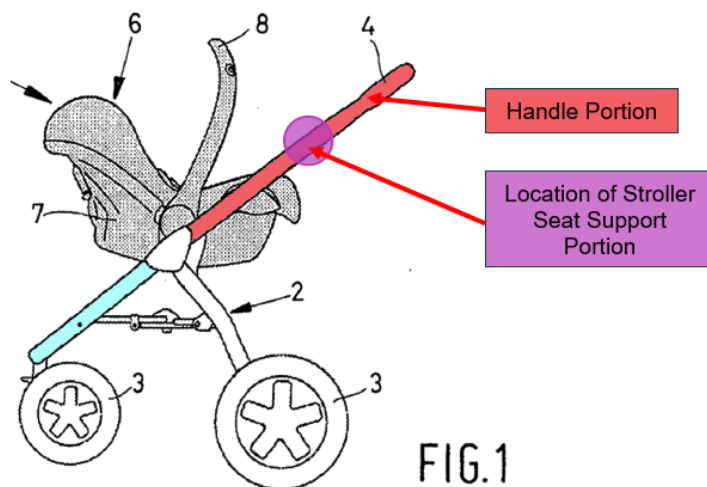
Van Dijk discloses [1.c.ii].

[1.c.iii]. Van Dijk's seat mounting mechanisms include “connecting pieces” that detachably connect to and support stroller seats. EX1050, [0002], [0038]; EX1001, ¶326.



EX1050, FIG. 6C. The connecting pieces constitute the claimed “stroller seat support portion” recited in [1.c]. EX1001, ¶327.

As discussed *supra* §IX.C, a POSITA would have been motivated to have a set of Van Dijk’s seat mounting mechanisms located at a first vertical position adjacent the handle portion so that a rear seat would be located proximate the handle portion at a first vertical position, as taught in Schaaf. EX1001, ¶¶328-239.

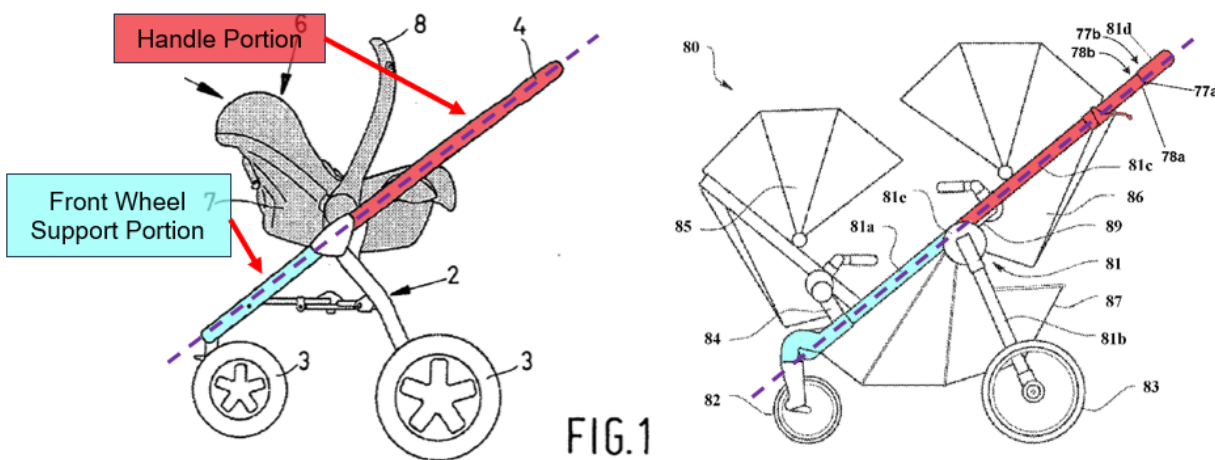


EX1050, FIG. 1; EX1040, FIG. 1.

MTC and EOS are discussed *supra* §IX.C. Van Dijk and Schaaf render

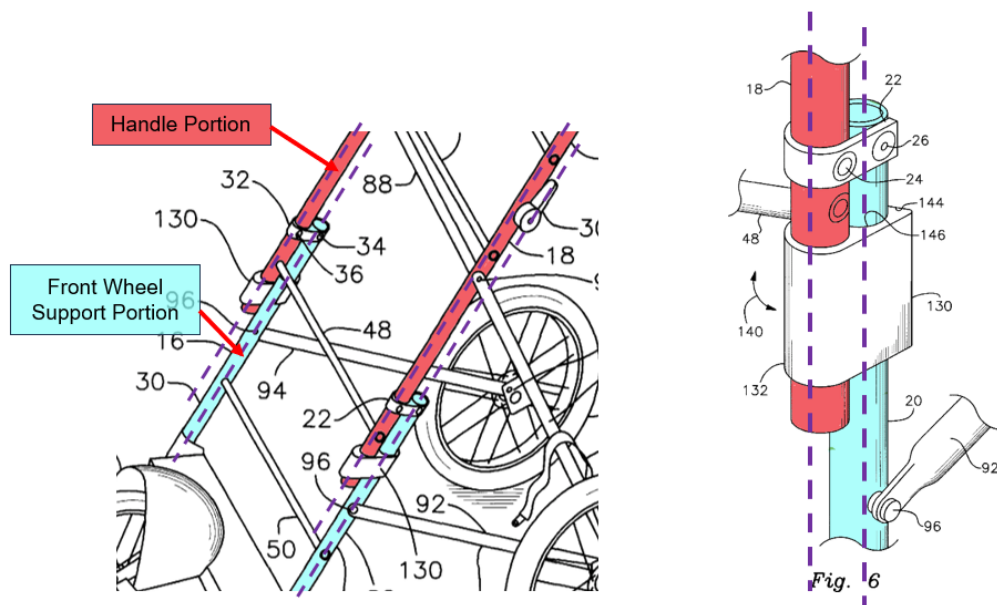
obvious [1.c.iii].

[1.c.iv]. If the Board finds that the '292 Application discloses [1.c.iv] (*see supra* §VII.A), then Van Dijk also discloses [1.c.iv]. Van Dijk illustrates the front wheel support portion and handle portion extending perfectly in line, in the same way depicted in the '292 Application. EX1001, ¶¶330-331.



EX1050, FIG.1; EX1020, FIG. 8A.

Otherwise, Van Dijk and Schaaf render obvious [1.c.iv]. Schaaf's upper segments 18/28 and lower segments 20/30 (which form part of Schaaf's front wheel support portion and handle portion, respectively) are "axially parallel to one another." EX1040, 7:46-51; EX1001, ¶332. This parallel relationship is illustrated below. EX1001, ¶333



EX1040, FIGS. 1, 6.

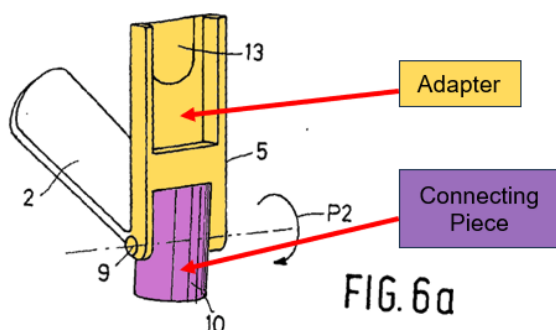
A POSITA would have been motivated to make Van Dijk's frame portions substantially parallel, as taught in Schaaf, because of the benefits it would provide. EX1001, ¶334. By making these components substantially parallel, the handle portion would be higher and provide additional space between the two seats and/or accessories. *Id.* Such a modification is also a simple substitution of one known type of frame arrangement (a front wheel support portion and handle portion that extend in a common plane) with another known frame arrangement (a parallel front wheel support portion and handle portion) to achieve a predictable result (a collapsible stroller frame). *Id.*

A POSITA would have reasonably expected success because both references disclose stroller systems that use conventional design components that were well-known in the industry. EX1001, ¶335. Applying Schaaf's teachings to Van Dijk

would have been a straight-forward integration of known components and well-
within the skill of a POSITA. *Id.*, ¶¶335-336.

Van Dijk and Schaaf render obvious [1.c.iv].

[1.d]. The adapters 5 of Van Dijk’s mounting mechanisms are on both sides
of the stroller frame 2 and detachably connect to stroller seats. EX1050, [0037];
EX1001, ¶337.

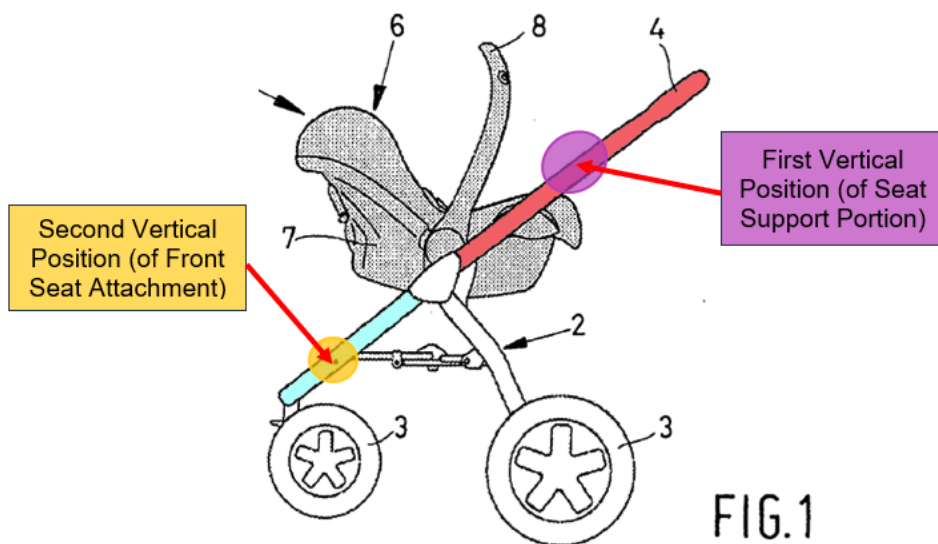


EX1050, FIG.6A. The adapters 5 of Van Dijk’s seat mounting mechanisms
constitute a “seat attachment,” as recited in [1.d]. EX1001, ¶337.

Schaaf also teaches a front seat attachment (crossbars 48/50) that is mounted
(at least partially) on the front wheel support portion towards the bottom of the
frame. EX1040, FIG.1; EX1001, ¶338.

As discussed *supra* §IX.C, a POSITA would have been motivated to use two
sets of Van Dijk’s seat mounting mechanisms (which include “adapters” and
“connecting pieces”), with one located on the handle portion and one located on the
front wheel support portion, so that two seats can mount at the locations taught in
Schaaf. The adapters of the mounting mechanisms located on the front wheel support

portion constitute the “front seat attachment” in [1.d]. EX1001, ¶339.



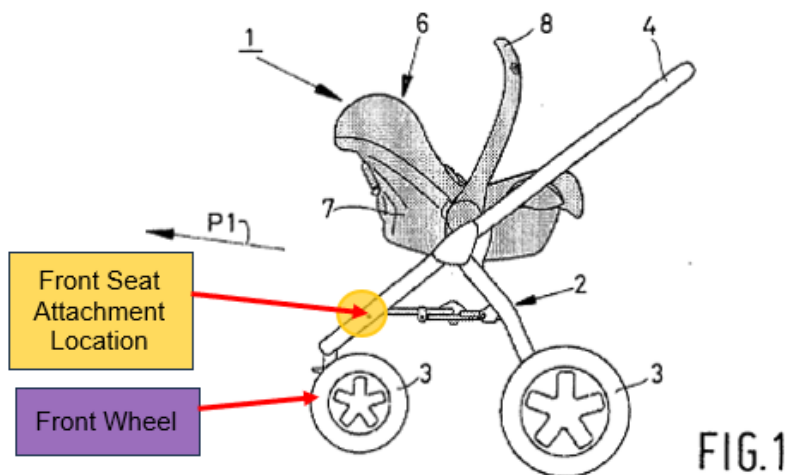
EX1050, FIG.1; EX1040, FIG. 1. As illustrated above, when this modification is implemented, the adapters for the front seat are attached to the front wheel support portion at a second vertical position that is substantially lower than the first vertical position. EX1001, ¶¶340-341.

MTC and EOS are discussed *supra* §IX.C. Van Dijk and Schaaf render obvious [1.d].

[1.e]. Van Dijk's stroller seats "detachably connect[]" to the adapters 5 (front seat attachment) without use of special tools. EX1050, [0037]; EX1001, ¶¶342-343. The adapters can support seats in either a forward-facing or backward-facing position. EX1050, [0052], FIG.3; EX1001, ¶¶344-345. Van Dijk/Schaaf satisfies [1.e].

[1.f]. Shown below is the location of the front seat attachment relative to the

front wheels in Van Dijk/Schaaf. EX1001, ¶¶346-347.



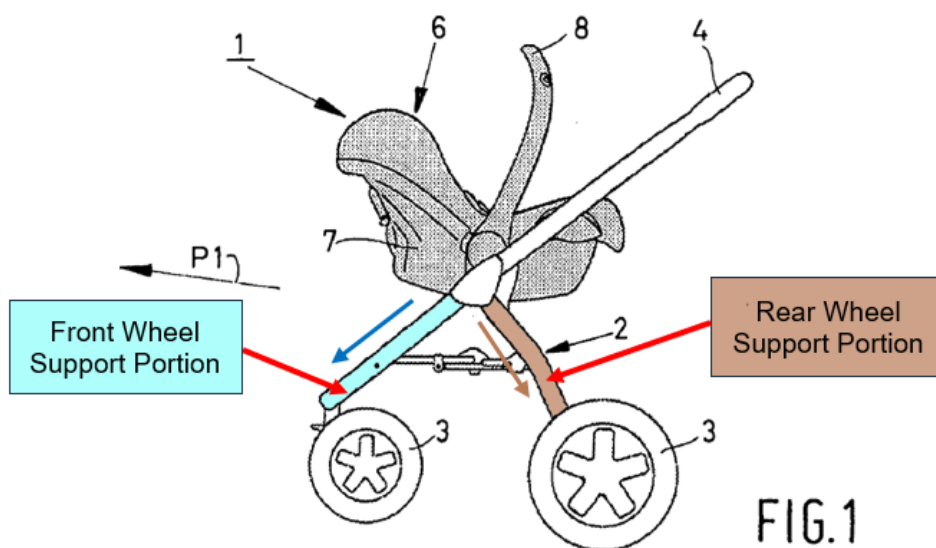
EX1050, FIG.1. As can be seen above, the seat would be supported substantially over the front wheels in Van Dijk/Schaaf. EX1001, ¶347.

Schaaf discloses supporting a front stroller seats substantially over the front wheels so that the stroller's center of gravity is between the front and rear wheels. EX1040, FIG. 10; EX1001, ¶348. However, if PO argues otherwise, this would have been obvious because a POSITA would have known that it was standard practice to have the center of gravity located between the front and rear wheels. EX1001, ¶349. A POSITA would have been motivated to make the center of gravity between the front and rear wheels because it would provide stability and facilitate maneuvering the stroller. *Id.* A POSITA would have reasonably expected success because implementing this feature would have been simple and straight forward. *Id.*, ¶¶350-351. Therefore, if Schaaf does not already disclose supporting the front seat substantially over the front wheels so that the center of gravity of the stroller system

is between the front and rear wheels, it would have been obvious to a POSITA.

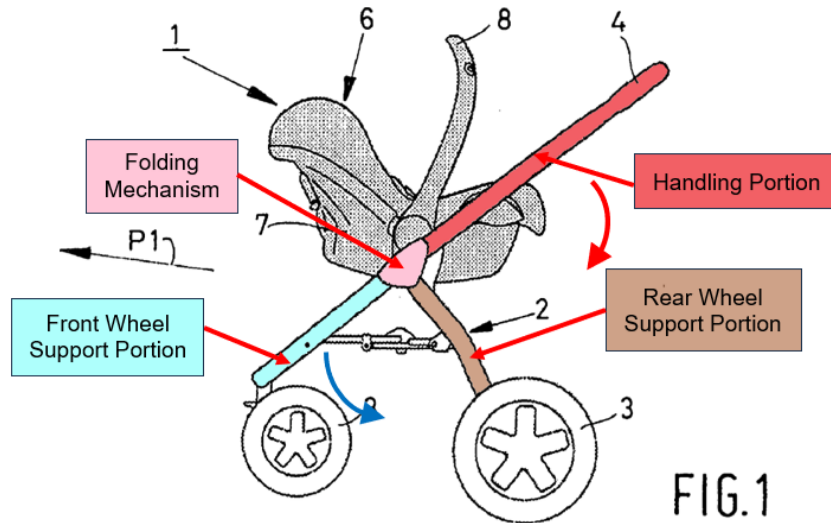
MTC and EOS for the combination of Van Dijk and Schaaf are discussed *supra* §IX.C. Van Dijk and Schaaf render obvious [1.f].

[1.g]. As illustrated below, Van Dijk's rear wheel support portion extends diagonally from the front wheel support portion when the frame is in the unfolded configuration. EX1001, ¶352.



EX1050, FIG.1;

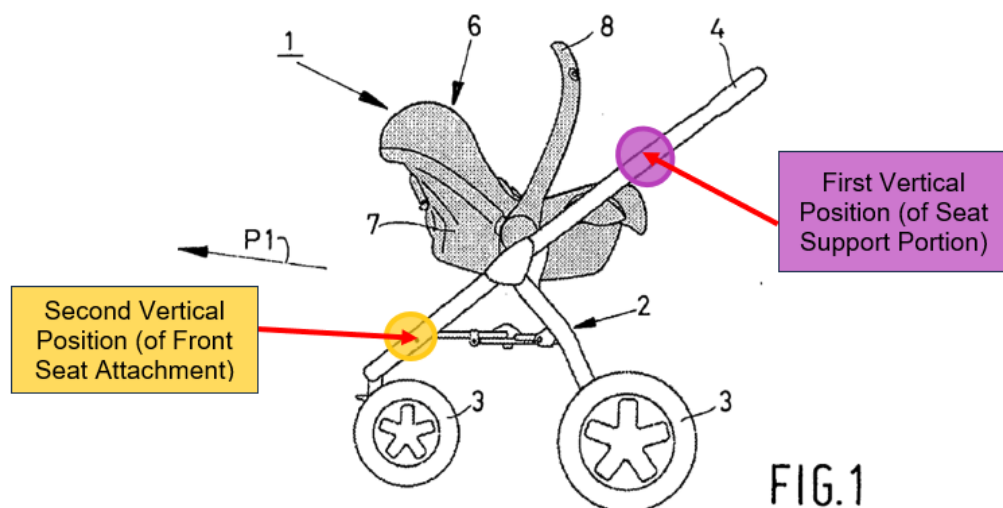
As discussed *supra* §IX.C, a folding mechanism that allows the front wheel support portion and handle portion to rotate downward is disclosed by Van Dijk or, alternatively, obvious in view of Schaaf. When the frame of Van Dijk/Schaaf is folded, the rear wheel support portion would be disposed adjacent to both the front wheel support portion and the handle portion. EX1001, ¶¶353-354.



EX1050, FIG.1.

MTC and EOS are discussed above. Van Dijk and Schaaf render obvious [1.g].

[1.h]. As discussed *supra* §IX.C, a POSITA would have been motivated to modify Van Dijk's stroller to support two seats, with the first vertical position of the stroller seat support portion and the second vertical position of the front seat attachment shown below. EX1001, ¶355.

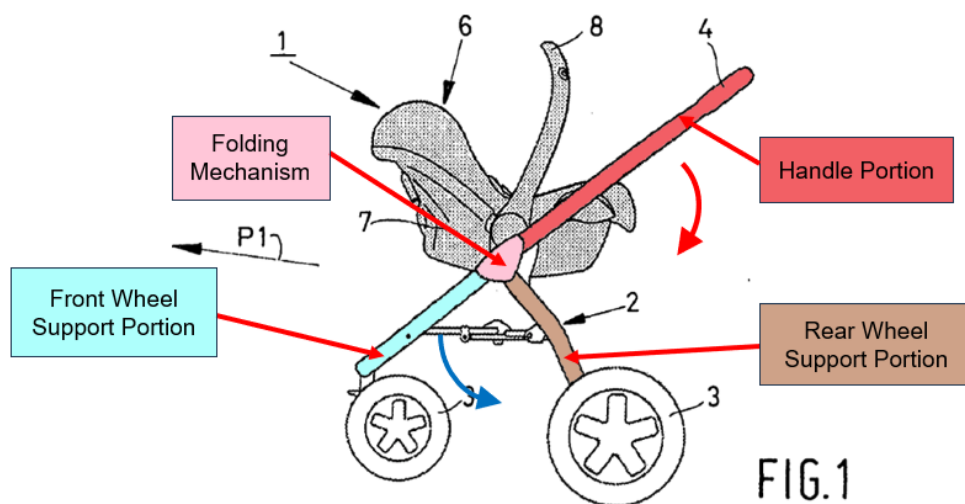


EX1050, FIG.1. As illustrated above, the first vertical position of the stroller seat support portion and the second vertical position of front seat attachment create an inline descending configuration in which the rear seat is higher than the front seat. EX1001, ¶¶355-356.

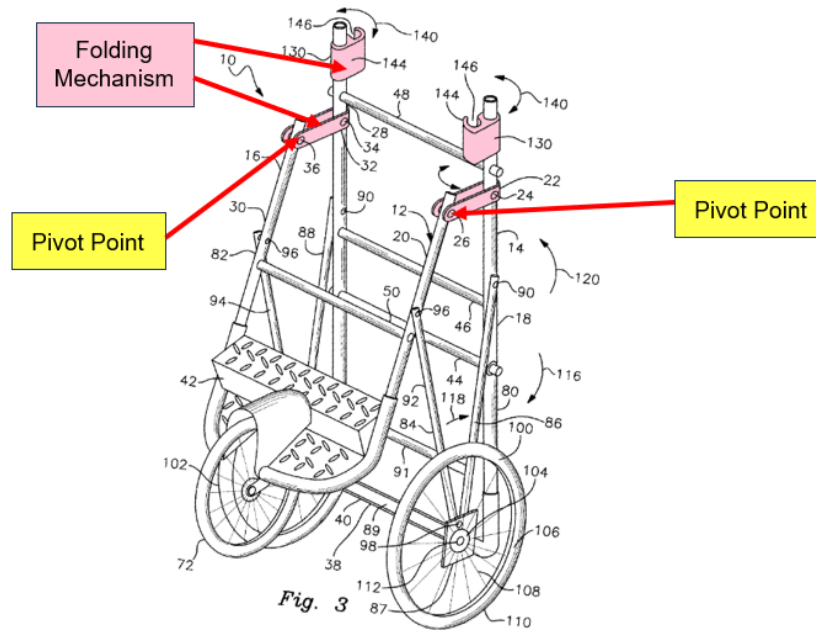
MTC and EOS are discussed *supra* §IX.C. Van Dijk/Schaaf satisfies [1.h], and claim 1 is obvious.

2. Claim 2

Any stroller folding mechanism necessarily includes at least one pivot point. EX1001, ¶357. The points of Van Dijk's folding mechanism about which the handle portion and/or front wheel support portion rotate are pivot points. *Id.*



If PO argues Van Dijk does not disclose a folding mechanism or that it lacks pivot points, the pivots 26/36 of Schaaf's folding mechanism are pivot points. EX1040, 6:14-15. EX1001, ¶¶357-358.

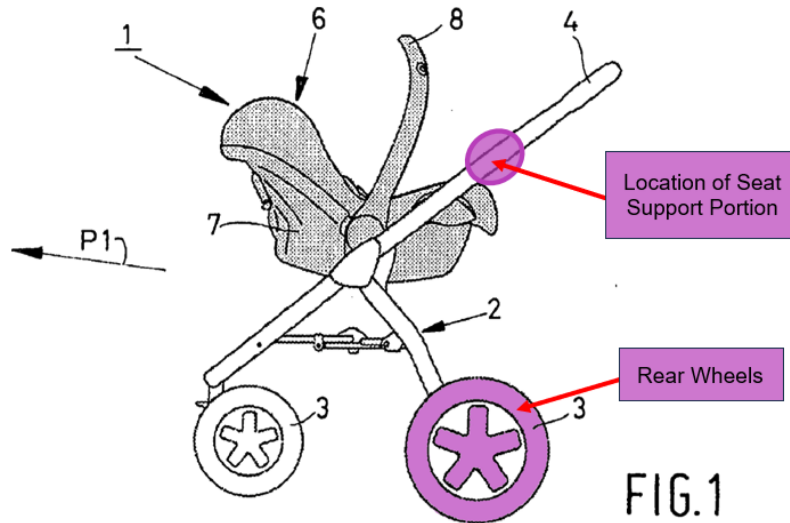


EX1040, FIG.3. Therefore, Van Dijk discloses the limitation of claim 2, or Schaaf renders it obvious.

3. Claim 3

The stroller of Van Dijk/Schaaf has a seat support portion configured to support the rear stroller seat substantially over the rear wheels, shown below.

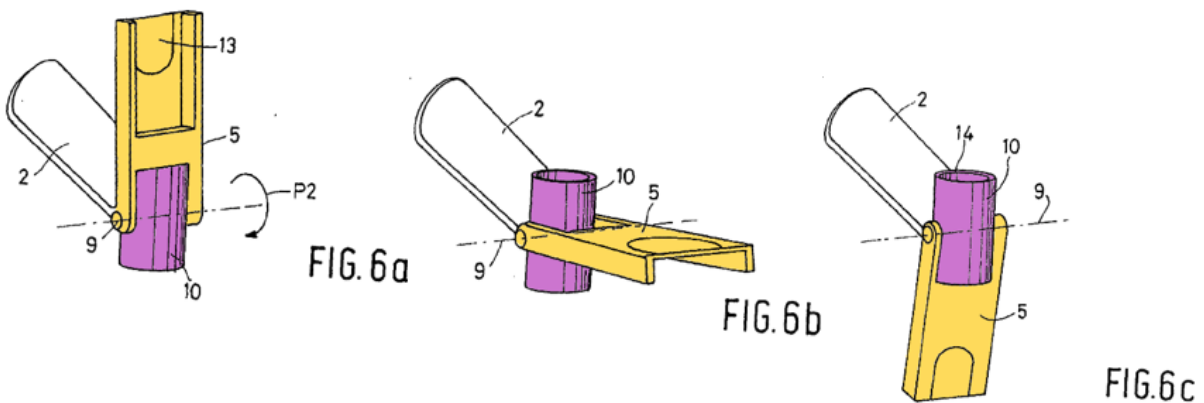
EX1001, ¶¶359-361.



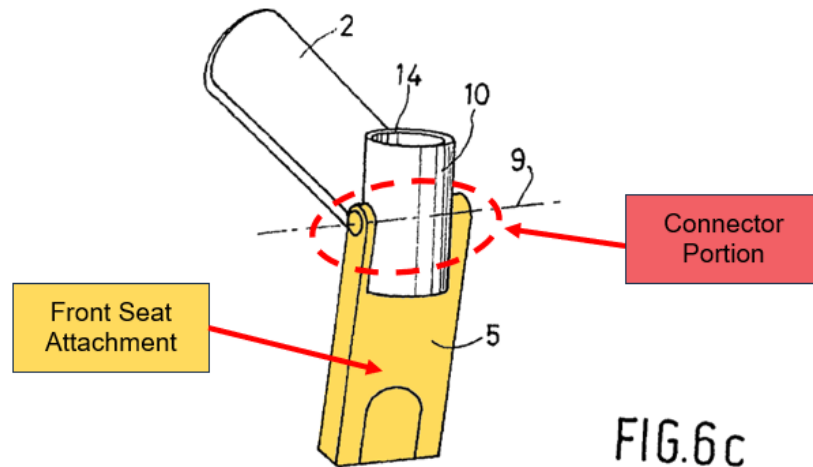
EX1050, FIG.1.

4. Claim 4

Van Dijk's adapters 5 (front seat attachment) are pivotally connected to the stroller frame 2 so they can pivot from the first position (FIG.6A) to the second position (FIG.6C). EX1050, [0037], [0042]-[0044]; EX1001, ¶¶362-363.



EX1050, FIGS.6A-6C. Each adapter 5 has a connector portion, shown below, that attaches to the stroller frame 2. EX1001, ¶¶364-365.



EX1050, FIG.6C.

Van Dijk explains that removably adapters were known in the prior art. EX1050, [0015]. A POSITA would have been motivated to make Van Dijk's adapters 5 removable, as taught in Van Dijk, because it would have been a simple substitution of one known adapter (a non-removable one) for another known adapter (a removable one) to achieve a predictable result (an attachment for a stroller seat). EX1001, ¶367. Additionally, a POSITA would have been motivated to make the adapters 5 removable so that different types of adapters could be used to allow different types of seats to be used with the stroller. *Id.* A POSITA would have reasonably expected such a modification to be successful. *Id.*, ¶368.

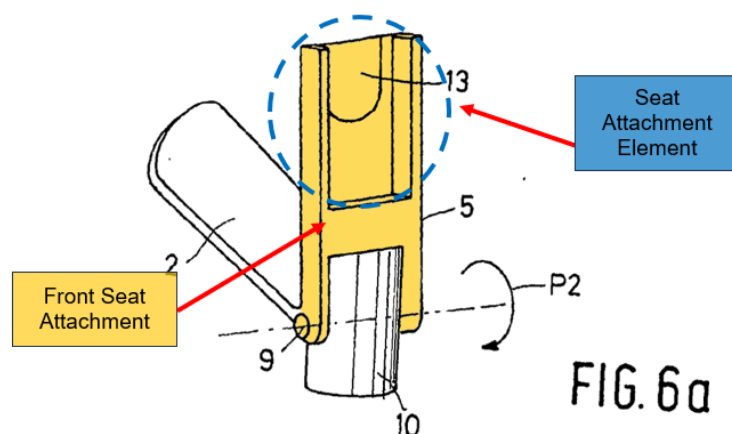
As discussed *supra* §IX.C, a POSITA would have been motivated to place a pair of Van Dijk's mounting mechanisms on the front wheel support portion (one on the left side and one on the right side). Van Dijk/Schaaf, as further modified to have removable adapters, results in the adapters 5 including a first connector portion and

a second connector portion, the first connector portion configured to removably attach to a left side of the front wheel support portion, and the second connector portion configured to removably attach to a right side of the front wheel support portion. EX1001, ¶¶365-370.

Van Dijk and Schaaf render obvious claim 4.

5. Claim 5

Van Dijk's adapters 5 ("front seat attachment") include "slot[s]" that removably attach to a stroller seat. EX1050, [0042]; EX1001, ¶371. The portion of each adapter 5 with the plate-shaped element 13 constitutes a "seat attachment element[.]" EX1001, ¶372.



EX1050, FIG.6A.

Van Dijk teaches that a pair of adapters 5 are used to "detachably connect[]" a seat to a stroller. EX1050, [0002], [0037]. EX1001, ¶373. Additionally, the seats in Van Dijk attach to the adapters 5 in either a forward-facing or backward-facing configuration. EX1050, [0052], FIG.3; EX1001, ¶374. Therefore, Van Dijk's

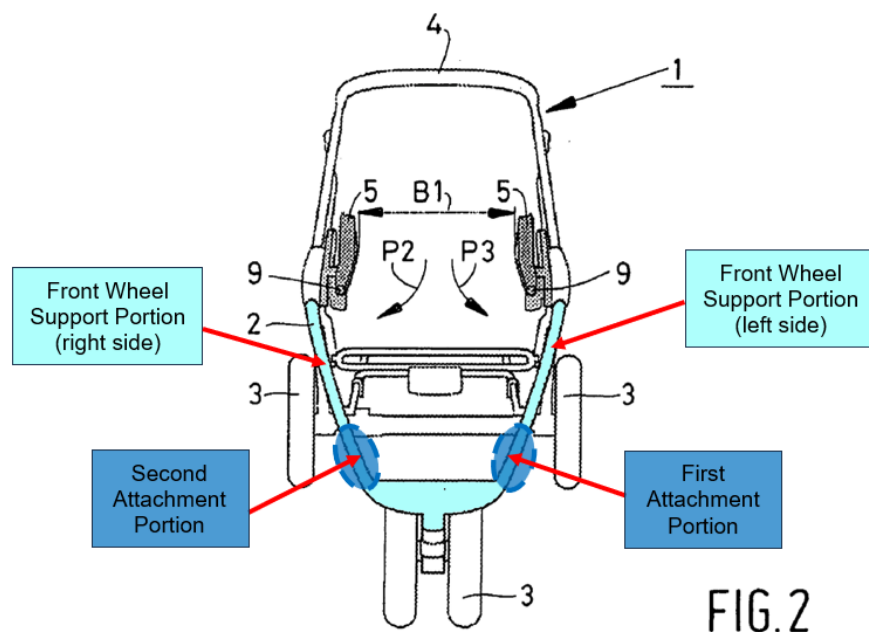
adapters 5 include a pair of seat attachment elements configured to releasably support the front stroller seat in either the forward-facing configuration or in the backward-facing configuration. EX1001, ¶¶375-376.

Van Dijk/Schaaf satisfies claim 5.

6. Claim 6

As discussed *supra* §IX.C, a POSITA would have been motivated to use a set of Van Dijk's seat mounting mechanisms (comprising adapters and connecting pieces) on Van Dijk's front wheel support portion. The resulting stroller would have a first mounting mechanism on the left side of the front wheel support portion and a second mounting mechanism on the right side of the front wheel support portion. EX1001, ¶377.

The portion of the front wheel support portion where the first and second mounting mechanisms attach constitute "a first attachment portion" and "a second attachment portion," respectively. EX1001, ¶¶378-379.



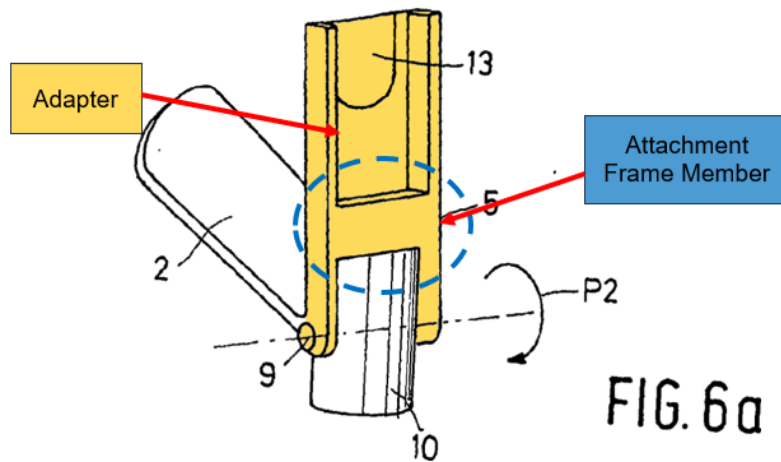
EX1050, FIG.2. The first attachment portion of the front wheel support portion supports the connector portion of the left adapter, and the second attachment portion of the front wheel support portion supports the second connector portion of the right adapter. EX1001, ¶379.

Therefore, the first attachment portion of Van Dijk/Schaaf is configured to support the first connector portion (of the adapter 5), and the second attachment portion is configured to support the second connector portion (of the adapter 5). EX10011, ¶¶379-380. Van Dijk/Schaaf satisfies claim 6.

7. Claim 7

The '231 Patent calls the portion of the seat attachment 20 that connects to the stroller frame and the seat support element the “attachment frame members 24.” EX1012, 5:25-49. Van Dijk’s adapters 5 include such attachment frame members.

EX1001, ¶¶381-383.

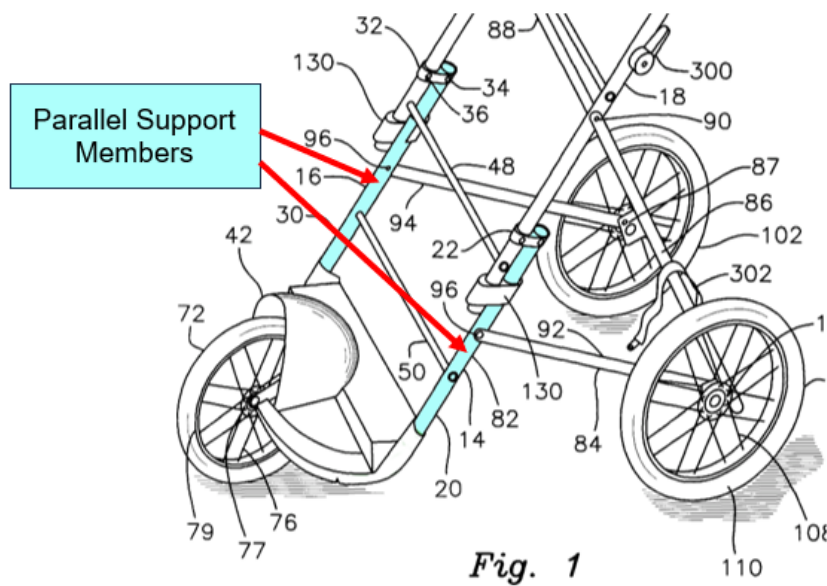


EX1050, FIG.6A.

Van Dijk/Schaaf satisfies claim 7.

8. Claim 8

Schaaf's front wheel support portion comprises parallel lower side segments 20 and 30, which constitute a pair of parallel support members. EX1040, 4:48-58; EX1001, ¶384.



EX1040, FIG.1.

A POSITA would have been motivated to modify Van Dijk's front wheel support portion to have parallel support members, as taught in Schaaf, because it would be a simple substitution of one known front wheel support portion design (non-parallel support members) with another known design (parallel support members) to achieve a predictable result. EX1001, ¶385. Additionally, it would be easier and less expensive to produce a frame with straight, parallel support members. *Id.* A POSITA would have reasonably expected success because the substitution would have been a straight-forward integration of known components and well-within the skill of a POSITA. *Id.*, ¶¶386-387. Therefore, Van Dijk and Schaaf render obvious claim 8.

9. Claim 9

As discussed *supra* §IX.C.6, the front wheel support portion of Van

Dijk/Schaaf has a pair of attachment portions. When Van Dijk/Schaaf is further modified for the front wheel support portion to have parallel support members (§IX.C.8), the pair of attachment portions are located on the parallel support members of the front wheel support portion. EX1001, ¶¶388-389. Thus, claim 9 is satisfied.

10. Claim 10

The front seat attachment (adapters) of Van Dijk includes pins that insert into slots in the frame. EX1050, FIG.6A; EX1001, ¶390. Therefore, the modified stroller of Van Dijk/Schaaf includes left and right slots (each on the left and right attachment portion) configured to receive the first connector portion and the second connector portion. EX1001, ¶¶390-391.

11. Claim 11

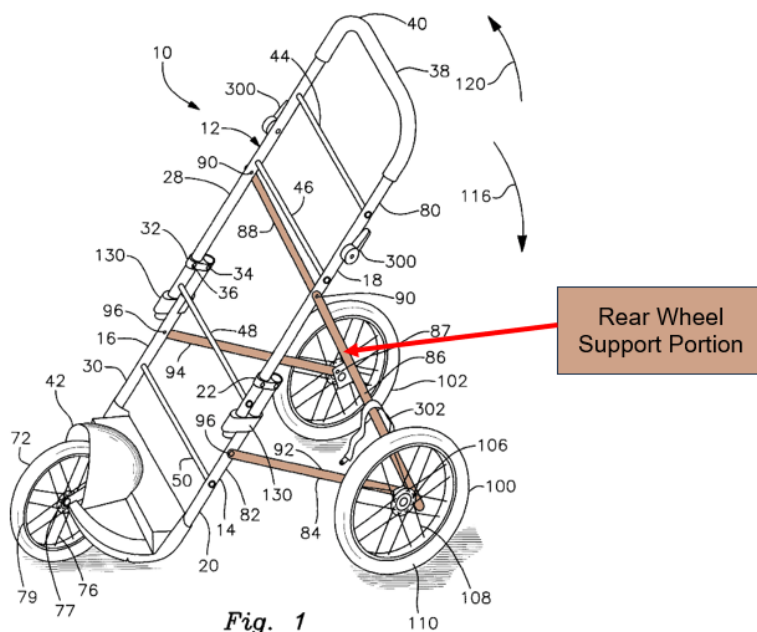
Schaaf's parallel support members include a pair of "tubular" structures with rounded cross-sections. EX1040, 4:51-63, FIG.1; EX1001, ¶392. A POSITA would have been motivated to make Van Dijk's frame tubular with rounded cross-sections, as taught in Schaaf, because it was desirable to reduce stroller weight, and it was known that tubular frames are lighter than non-tubular frames. EX1001, ¶393, ¶385. Additionally, it was known that it was easier to manufacture tubular frame components with rounded cross-sections, as compared to frame components with non-rounded cross-sections. *Id.* A POSITA would have reasonably expected success

when combining Van Dijk and Schaaf because both references disclose stroller systems that use conventional design components that were well-known in the industry. *Id.*, ¶387.

Van Dijk and Schaaf render obvious claim 11.

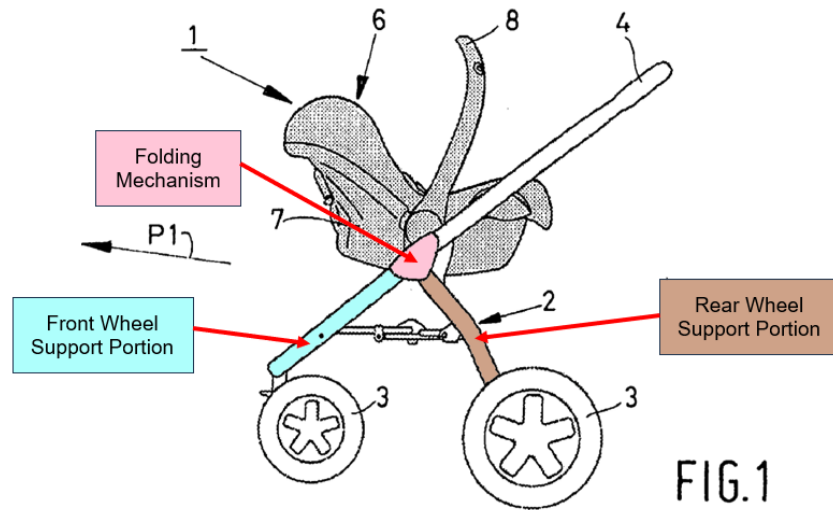
12. Claim 12

Schaaf discloses a rear wheel support portion formed of parallel tubes. EX1040, 4:48-50,6:20-22; EX1001, ¶395. A POSITA would have been motivated to make Van Dijk's rear support portion formed of parallel tubes, as disclosed in Schaaf, because it would have been less expensive and easier to produce a rear wheel support portion formed of straight, parallel tubes. EX1001, ¶396. Additionally, it would have been a simple substitution of one known type of frame component with another known frame component (parallel tubes) to achieve a predictable result (a rear wheel support portion). EX1001, ¶396. A POSITA would have reasonably expected success when combining Van Dijk and Schaaf because both references disclose stroller systems that use conventional design components that were well-known in the industry. EX1001, ¶397.



EX1050, FIG.1.

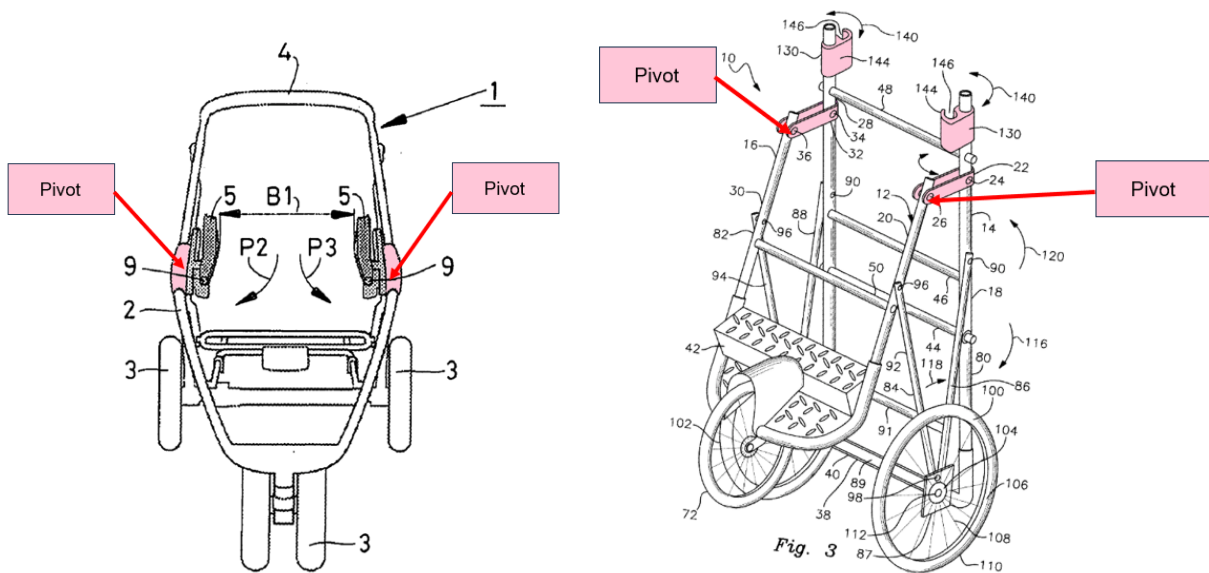
As shown below, when Van Dijk/Schaaf is modified such that the front wheel support portion is formed of parallel support members (*see supra* §IX.C.8) and the rear wheel support portion is formed of parallel support members, the pair of parallel support members of the rear wheel support portion are connected by the folding mechanisms to the parallel members of the front wheel support portion. EX1001, ¶¶398-399.



Van Dijk and Schaaf render obvious claim 12.

13. Claim 13

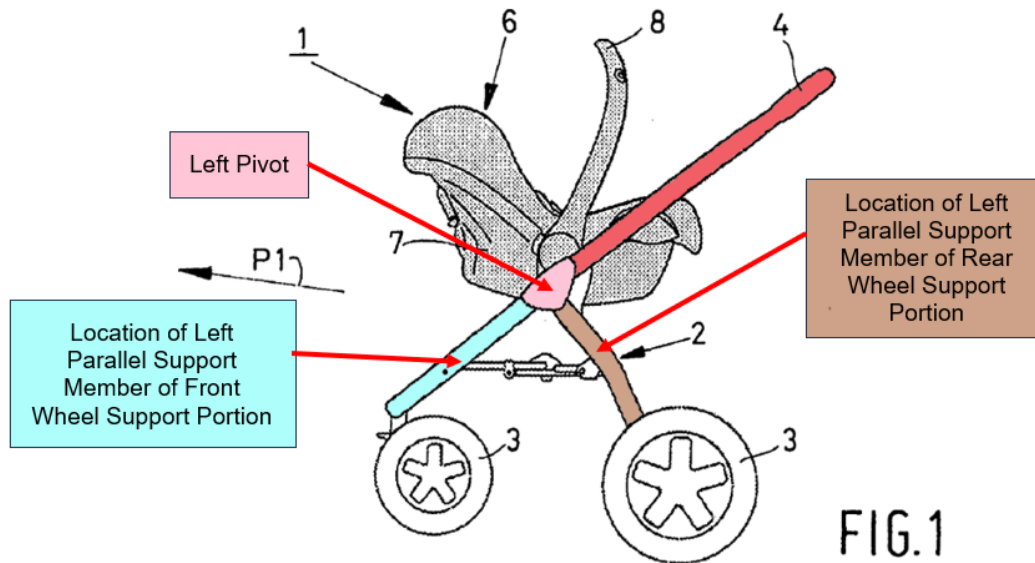
The folding mechanism of Van Dijk/Schaaf includes a pair of pivots, which are spaced apart. EX1001, ¶400.



EX1050, FIG. 2.

The pivots of the stroller of Van Dijk/Schaaf are configured to connect

corresponding ones of the parallel support members of the rear and front wheel support portions. EX1001, ¶¶401-402.



EX1050, FIG.1.

Van Dijk and Schaaf render obvious claim 13.

14. Claim 14

Van Dijk's handle portion includes parallel support members and a crossbar, labeled below. EX1001, ¶403.

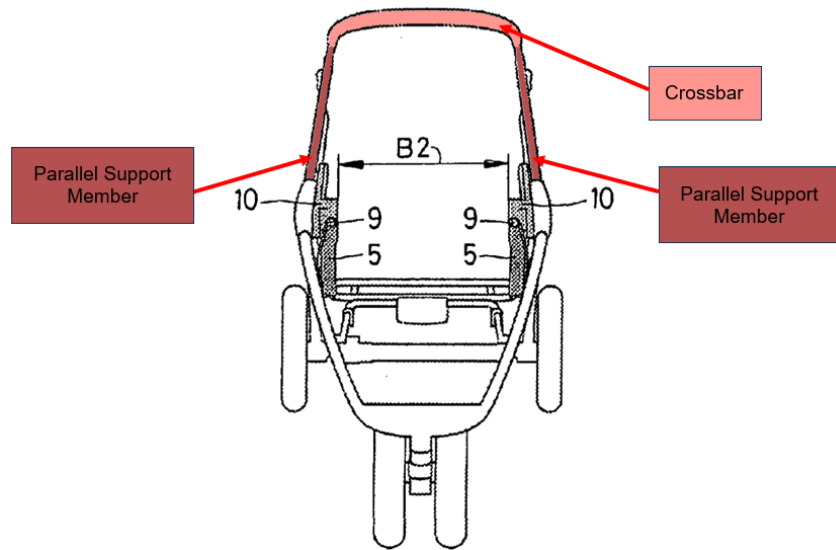


FIG. 5

EX1050, FIG. 5.

When the stroller of Van Dijk/Schaaf is modified as discussed *supra* §IX.C.13, the handle portion's parallel support members connect to the front wheel support portions' parallel support members via the folding mechanism. EX1001, ¶404.

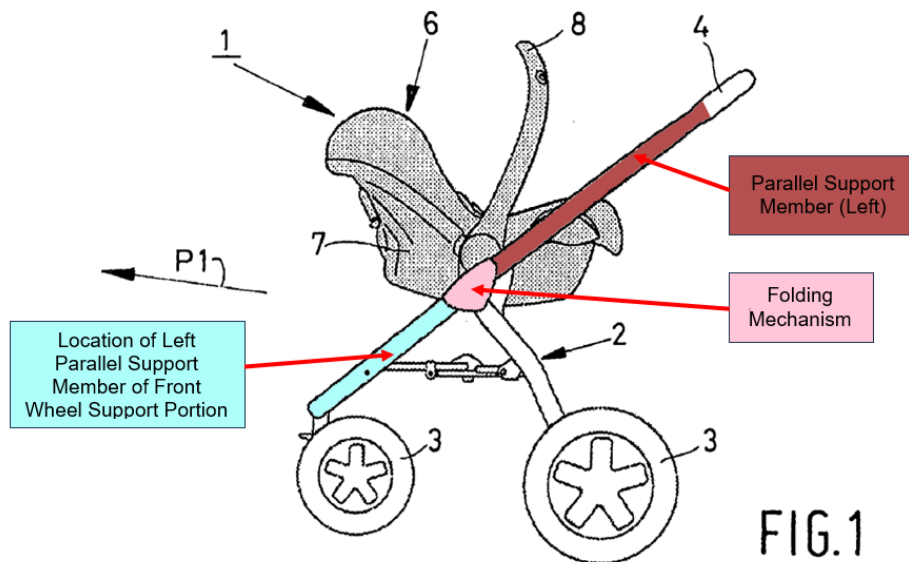
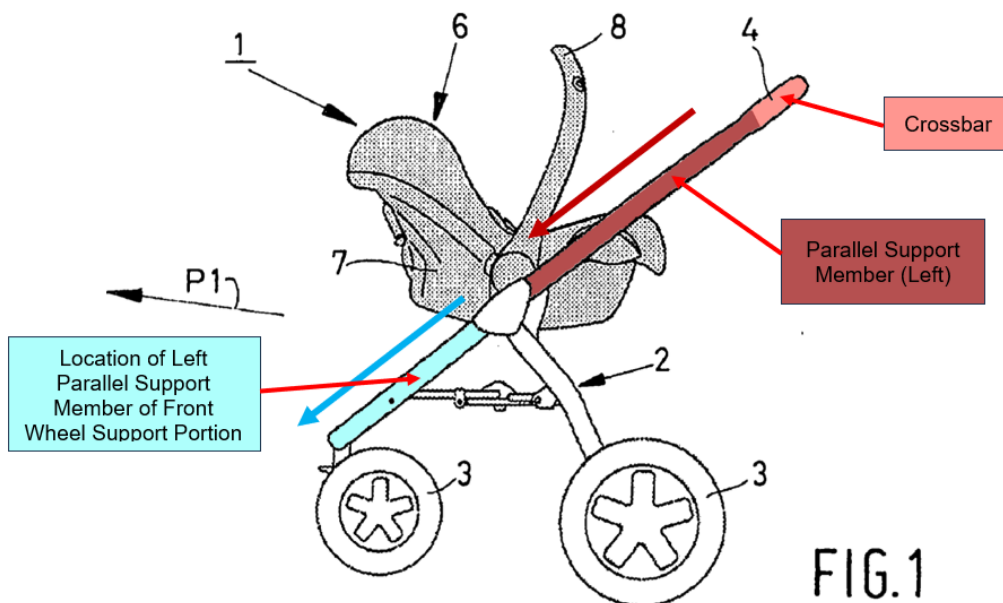


FIG. 1

EX1050, FIG.1.

As shown below, the parallel support members of the handle portion and front wheel support portion extend diagonally downwards from the crossbar. EX1001, ¶¶405-406.



EX1050, FIG. 1.

Van Dijk and Schaaf render obvious claim 14.

15. Claim 15

Van Dijk teaches that stroller seats are “detachably connected” to the “connecting pieces” of its mounting mechanisms. EX1050, [0002]. Thus, the stroller seat support portion (pair of “connecting pieces” attached to the handle portion) of Van Dijk/Schaaf are configured to releasably support the rear stroller seat. EX1001, ¶¶407-408.

Van Dijk/Schaaf satisfies claim 15.

16. Claim 16

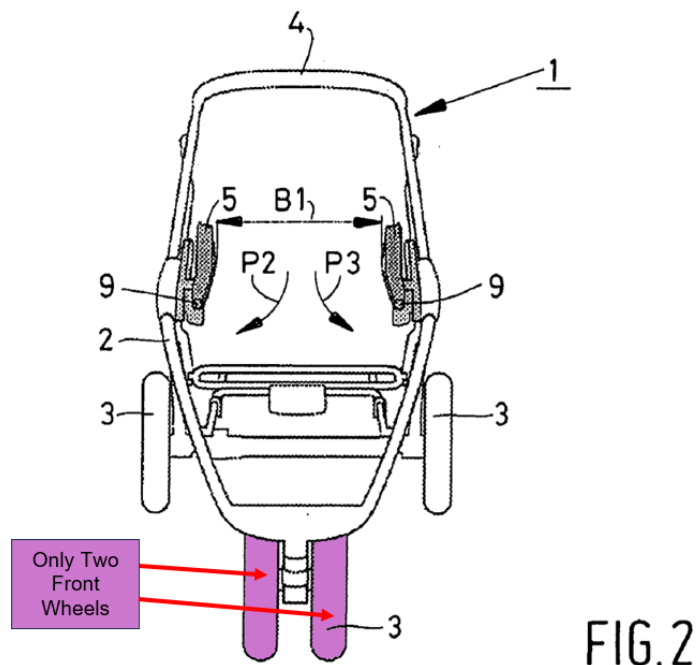
Van Dijk teaches that stroller seats can be supported in either a forward-facing or a backward-facing configuration. EX1050, FIG.3, [00052]; EX1001, ¶¶409-410. The “connecting pieces” of Van Dijk’s mounting mechanisms also support the child seat 11 shown in FIG.3, which is shown in forward-facing and backward-facing configurations. EX1050, [0038], FIG.3. Therefore, Van Dijk discloses that the stroller seat support portion of Van Dijk/Schaaf (the “connecting pieces” attached to the handle portion) is configured to support the rear stroller seat in either a forward-facing configuration or a backward-facing configuration. EX1001, ¶411.

17. Claim 17

A POSITA would recognize that the slots 13 of Van Dijk’s adapters 5 are conventional seat connectors, which were known to connect to the sides of stroller seats. EX1050, [0037]; EX1001, ¶412. FIG. 2 shows the adapters 5 on the sides of the stroller frame, which confirms that the adapters 5 connect to the sides of the stroller seat. EX1050, [0037], FIG.2; EX1001, ¶¶413-414. Therefore, the adapters 5 of Van Dijk/Schaaf (front seat attachment) are configured to connect to one or more sides of the front stroller seat.

18. Claim 19

Van Dijk’s pair of front wheels includes only two front wheels. EX1001, ¶¶415-416.



EX1050, FIG.2.

Van Dijk/Schaaf satisfies claim 19.

19. Claim 20

The front wheels of Van Dijk are not laterally spaced apart from each other on the left and right side of the front wheel support portion, but a POSITA would have known that strollers with such a wheel configuration were extremely common. EX1001, ¶¶417-419; EX1029, FIG.1. A POSITA would have been motivated to modify the wheel placement of Van Dijk such that they were laterally spaced apart from each other on a left side and a right side of the front wheel support portion in order to provide a frame that was more resistant to tipping. EX1001, ¶418. A POSITA would have reasonably expected success when combining Van Dijk and her own knowledge because strollers with front wheels at the periphery of the stroller

were common and the modification would have involved the use of conventional design components. EX1001, ¶¶419-420.

20. Claim 21

The '231 Patent states that the stroller can be folded into a compact size, but there is no description or illustration of a folded configuration including at least partially overlapping the front wheel support portion and the handle portion. EX1012, 9:38. The stroller of Van Dijk/Schaaf can be similarly folded into a compact size. EX1050, [0037]; EX1040, 4:43-63. Thus, Van Dijk/Schaaf satisfies this limitation to the same extent it is disclosed in the '231 Patent. EX1001, ¶¶421-424.

21. Claim 22

As discussed *supra* §IX.C.4, it would have been obvious to make the adapters 5 (front seat attachment) of Van Dijk/Schaaf configured to releasably attach to the front wheel support portion.

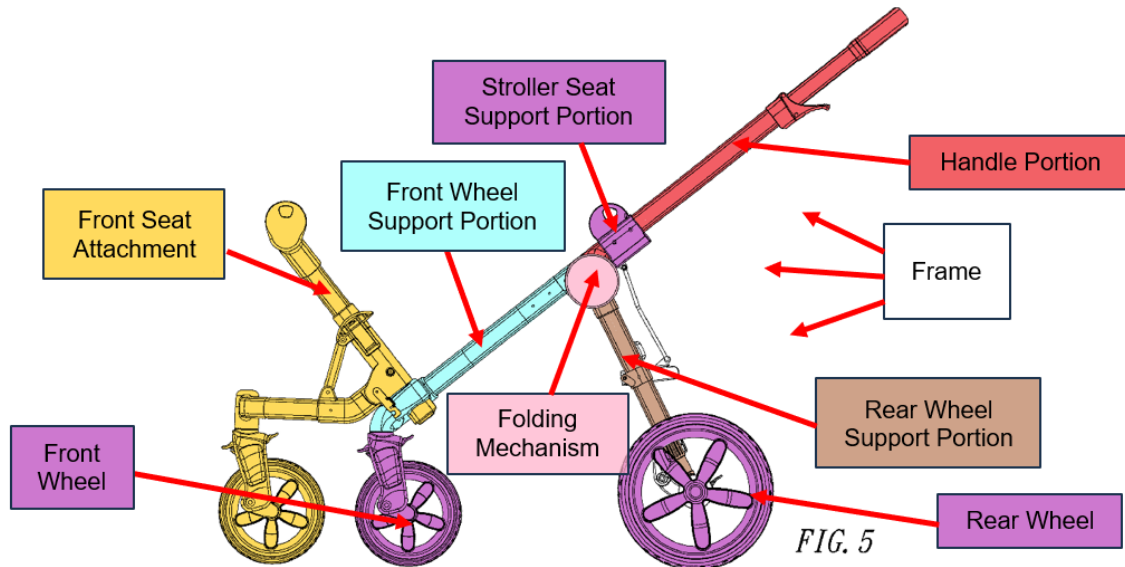
X. GROUND 3: LIAO-SCHAAF

A. Liao

Because Liao was filed on September 5, 2008 and issued on June 2, 2009,

Liao constitutes prior art under at least §102(a)(2).¹³

Liao discloses a collapsible stroller configured to support two seats in an inline configuration. EX1001, ¶¶186-189. Liao's stroller includes a frame, wheels, and a front seat attachment. *Id.*, ¶187.

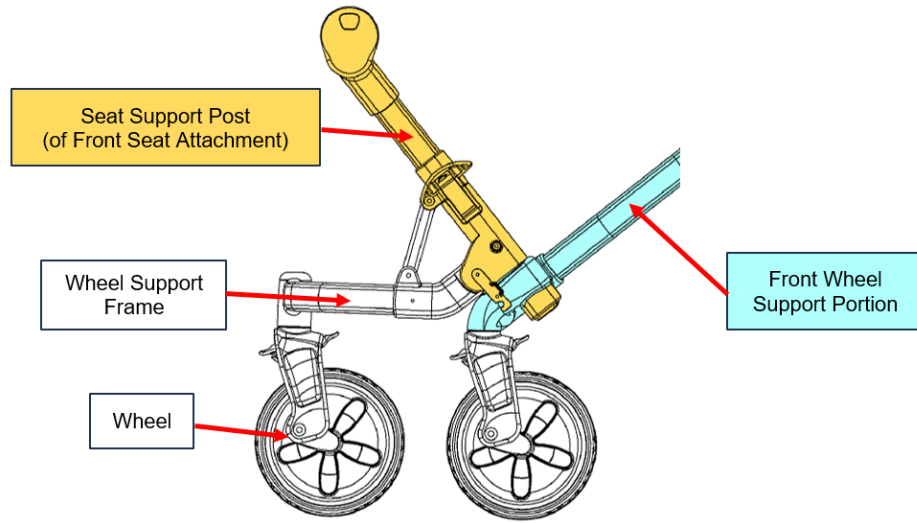


EX1051, FIG. 5. The frame includes a front wheel support portion, a rear wheel support portion, a handle portion, a stroller seat support portion, and a folding mechanism. EX1001, ¶187.

The front seat attachment is removably attached to the front wheel support portion of the frame and comprises a wheel, wheel support frame, and seat support

¹³ If the '231 Patent is subject to pre-AIA law, then Liao is prior art under at least §102(e).

posts that attach to the front wheel support portion of the frame. EX1001, ¶188.



EX1051, FIG. 5.

Liao's stroller system is designed to support various types of seats in front-facing and rear-facing configurations. EX1001, ¶189.

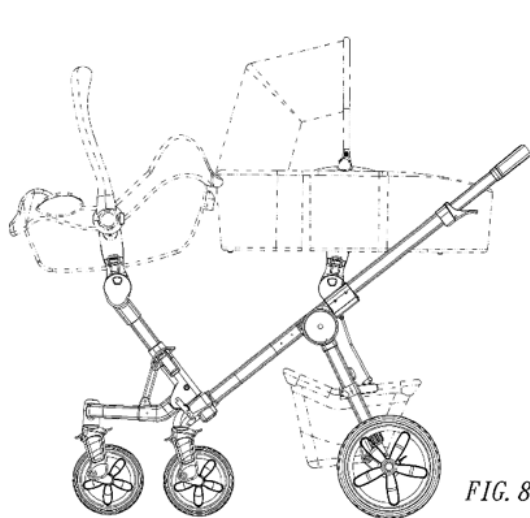


FIG. 8

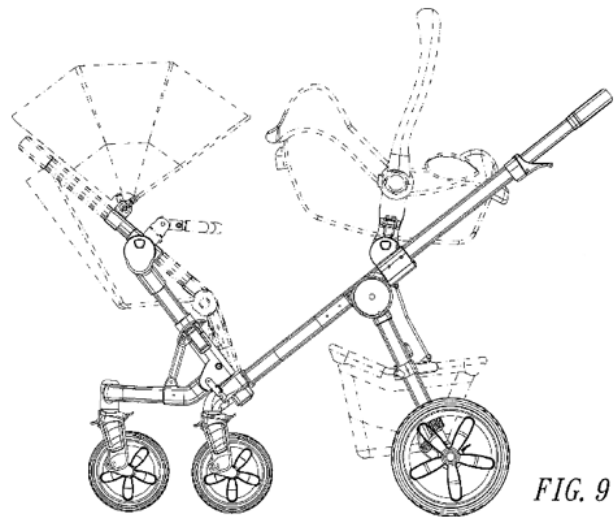
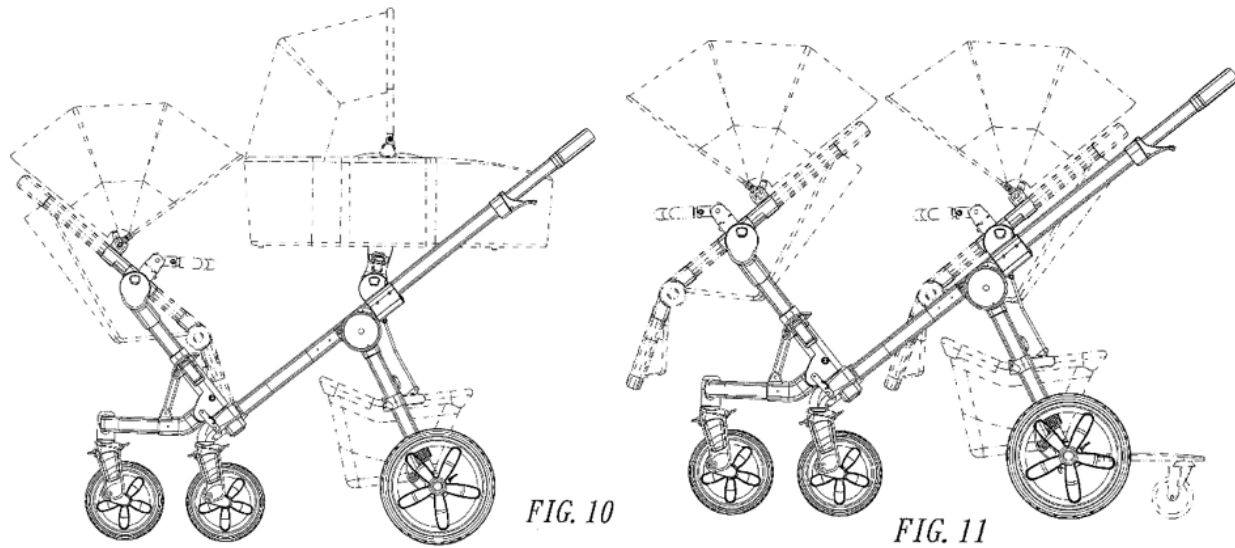


FIG. 9



EX1051, FIGS. 8-11.

Liao is analogous art to the '231 Patent because it is directed to strollers, which is in the same field of endeavor as the Challenged Claims. EX1001, ¶186. Liao was cited in an IDS during prosecution of the '231 Patent, but it was not relied upon by the Examiner in any rejections.

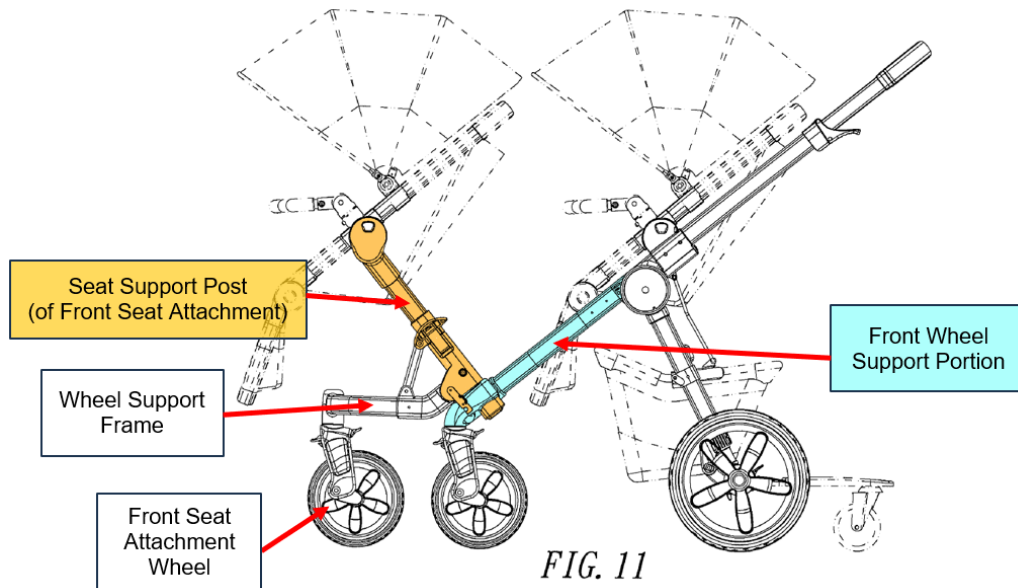
B. Schaaf

Schaaf is discussed *supra* §IX.A.

C. Obviousness in view of Liao and Schaaf

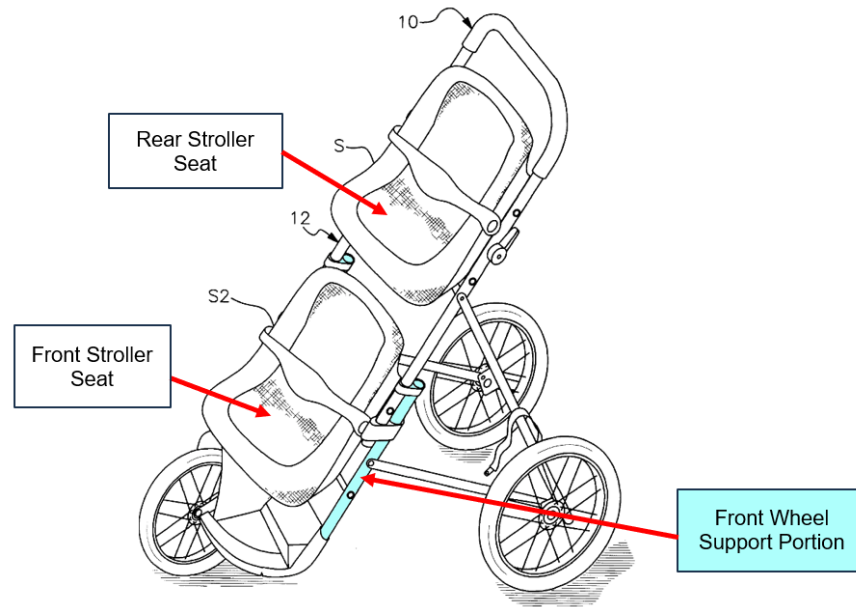
As discussed *supra* §X.A, Liao's stroller system supports a front seat using a front seat attachment comprising a seat support post, wheel, and wheel support frame. A POSITA would have understood Liao's design was undesirable because the wheel and wheel support frame added cost, complexity, space, and weight to the stroller and were necessary because the stroller would otherwise be unstable because

the seat support post extends so far forward. EX1001, ¶¶427-431.



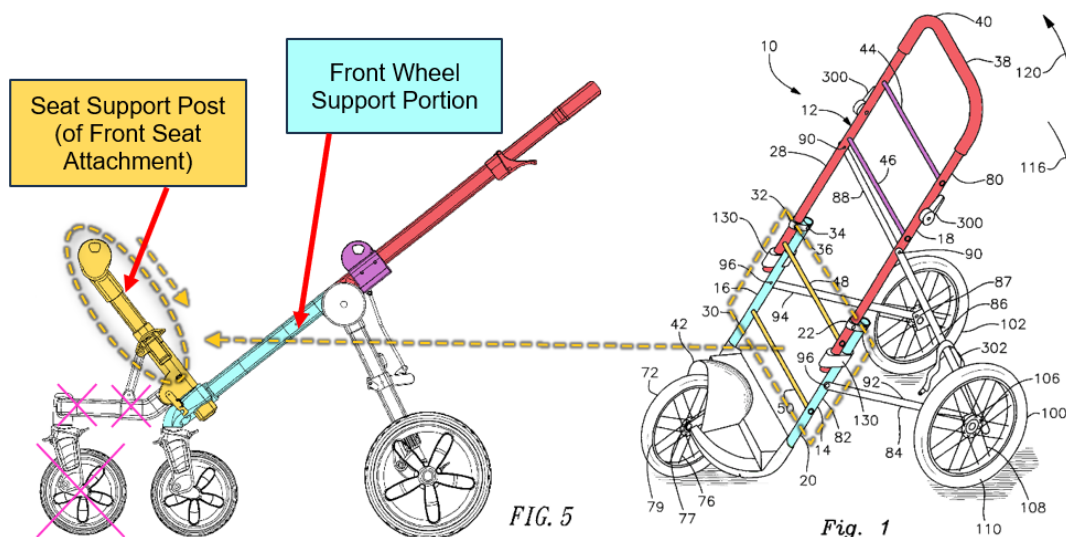
EX1051, FIG.11.

Schaaf teaches that two stroller seats can be supported on a frame in an inline configuration without having a front seat attachment that requires a front seat attachment wheel and wheel support frame. EX1040, FIG. 10; EX1001, ¶432. Schaaf shows that, by supporting the rear and front seats in an inline descending configuration and supporting the front seat close to the front wheel support portion, a stable double-stroller can be provided without requiring a front seat attachment wheel and wheel support frame. EX1001, ¶433.



EX1040, FIG.10.

A POSITA would have been motivated to make Liao's seats supported in an incline descending configuration and to have the front seat supported close to the front wheel support portion because it would allow removal of Liao's front seat attachment wheel and wheel support frame. EX1001, ¶434. Removal of these components would save on cost, complexity, space, and weight. *Id.* Additionally, the stroller could be folded without removal of the front seat attachment, and the rear child would not have her view blocked by the front seat. *Id.*; EX1040, 10:29-36. The modifications to Liao in view of Schaaf are depicted below. EX1001, ¶435.



EX1051, FIG. 5; EX1040, FIG. 1.

Making these modifications would have been straight-forward and well within the skill of a POSITA. EX1001, ¶435. It would have involved merely shortening the seat support post of the front seat attachment and removing the front seat attachment wheel and wheel support frame. *Id.* The '231 Patent's Priority Applications tacitly admit the simplicity of this modification, describing this design as being "similar" to Liao's design. EX1003, [0044] ("[T]he seat support portion 84 may be similar to the seat support portion 20 shown in FIG. 2 without the wheel 23, the strut 28, pivotal connection 27, and/or the wheel support frame 26.").

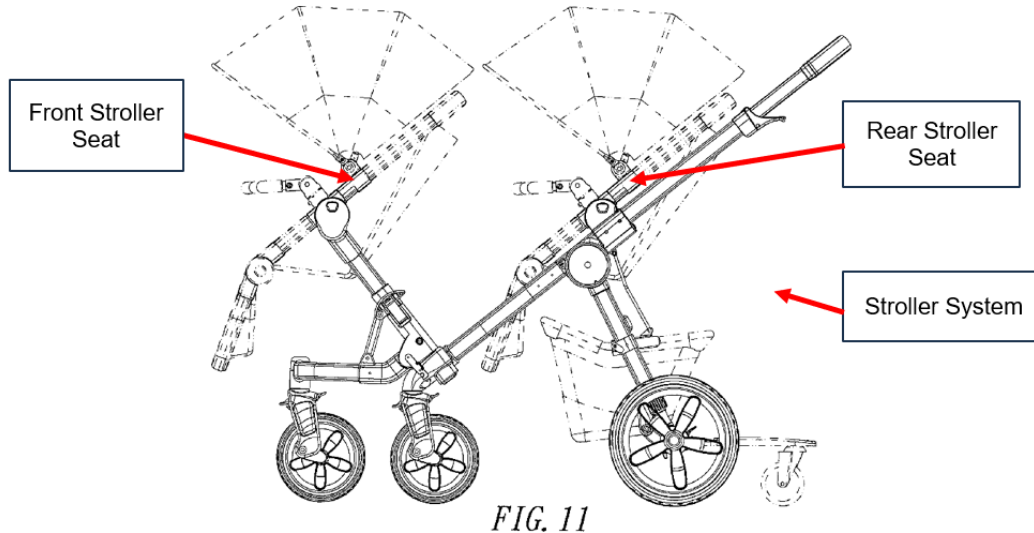
A POSITA would have reasonably expected success in this combination because Liao and Schaaf disclose stroller systems that use conventional design components that were well-known in the industry. EX1001, ¶436. Applying Schaaf's teachings to Liao would have been a straight-forward integration of known

components and well-within the skill of a POSITA. *Id.*

The following sections provide a limitation-by-limitation analysis of the Challenged Claims. In the discussion below, “Liao/Schaaf” refers to the combination of Liao and Schaaf.

1. Claim 1

[1.pre]. Liao discloses a stroller system for supporting a front stroller seat and a rear stroller seat. EX1001, ¶¶437-438.



EX1051, FIG. 11.

[1.a]-[1.b]. Liao discloses a pair of rear wheels and a pair of front wheels. EX1001, ¶¶439-440.

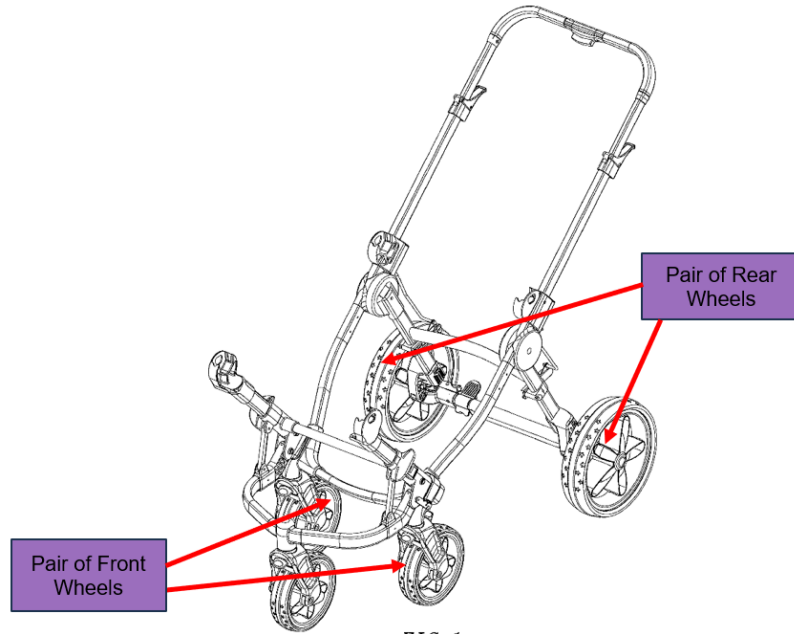


FIG. 1

EX1051, FIG. 1.

[1.c.i]. Liao discloses a frame including a handle portion, a rear wheel support portion, a front wheel support portion, and a folding mechanism. EX1001, ¶¶441-443.

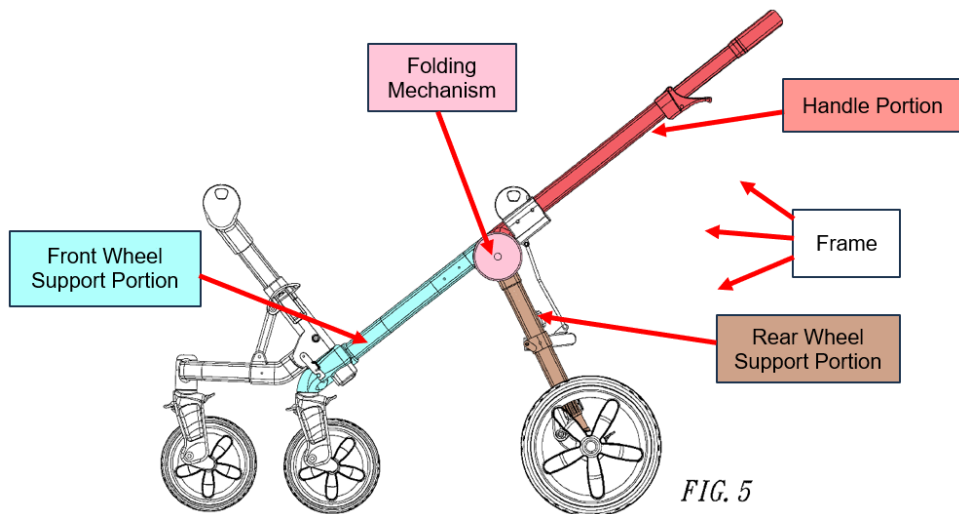
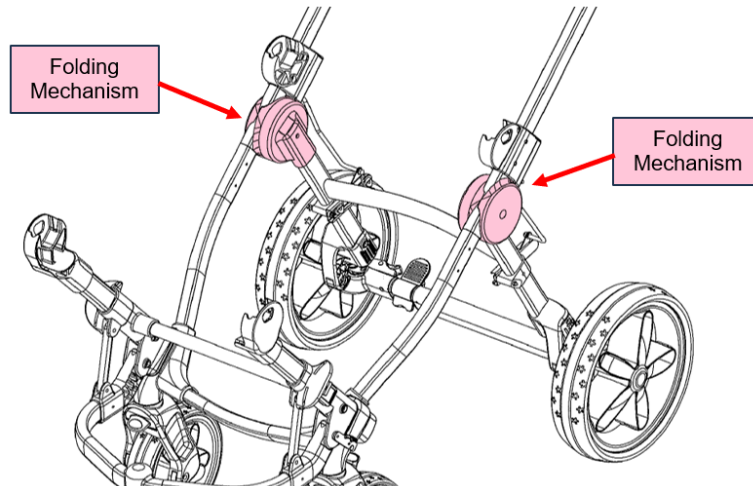
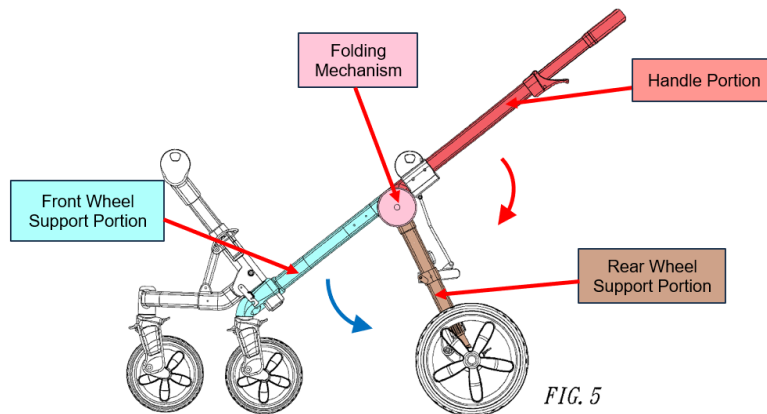


FIG. 5

EX1051, FIG. 5.



EX1051, FIG. 1. The folding mechanism allows the frame to fold by the front wheel support portion and handle portion rotating towards the rear wheel support portion, as depicted by the arrows below. EX1001, ¶¶442-449.

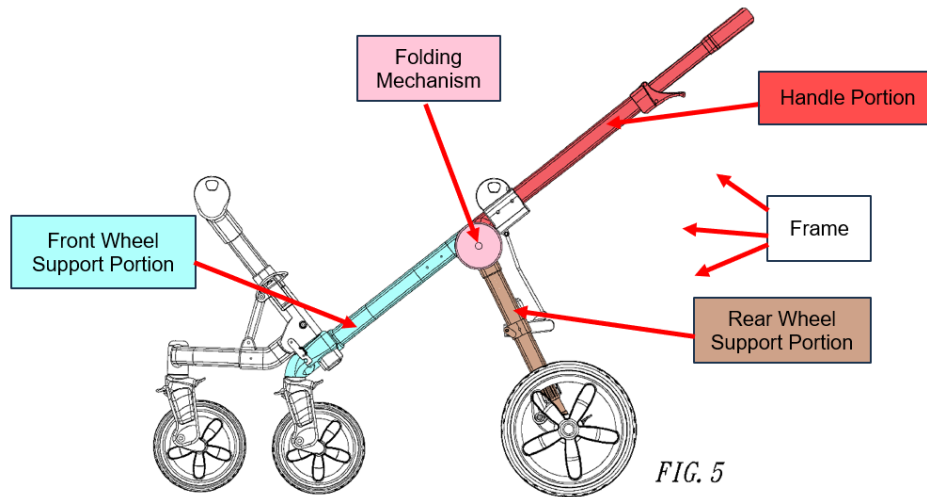


EX1051, FIG. 5. As shown above, Liao's folding mechanism connects the front wheel support portion and the handle portion in both an unfolded configuration and in a folded configuration. EX1001, ¶442.

Liao discloses [1.c.i].

[1.c.ii]. Liao's folding mechanism connects the rear wheel support portion to

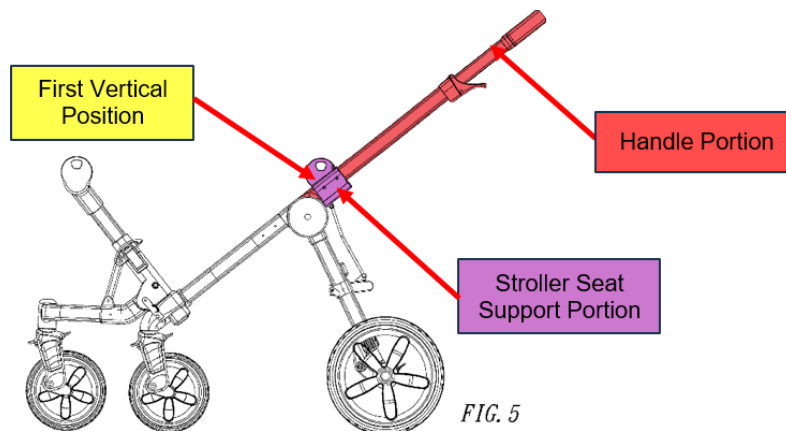
the front wheel support portion and the handle portion. EX1001, ¶¶451-452.



EX1051, FIG.5.

Liao discloses [1.c.ii].

[1.c.iii]. Liao discloses a stroller seat support portion, labeled below. The stroller seat support portion is positioned at a first vertical position adjacent the handle portion. EX1001, ¶¶453-454.



EX1051, FIG. 5.

Liao discloses [1.c.iii].

[1.c.iv]. If the Board finds the '292 Application discloses [1.c.iv] (*see supra* §VII.A), then Liao also discloses [1.c.iv]. As shown below, Liao illustrates the front wheel support portion and handle portion are extending in a straight line in the same way illustrated in the '292 Application. EX1001, ¶¶455-456.

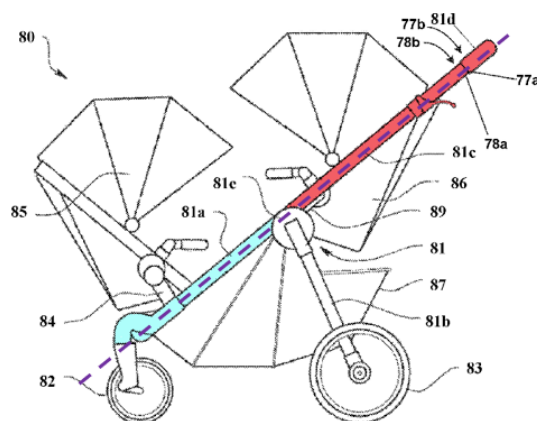
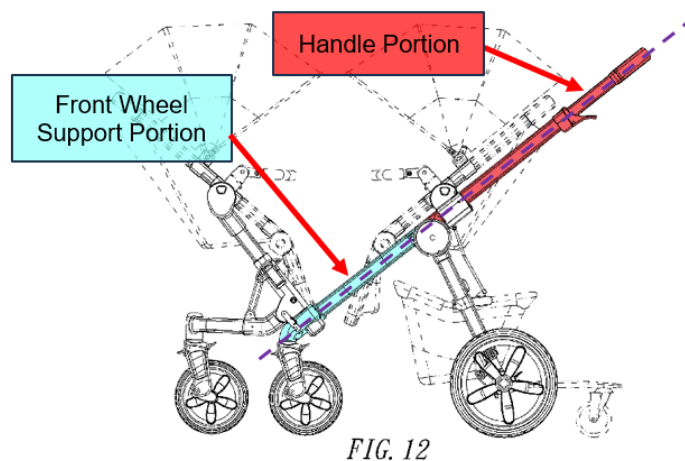


FIGURE 8A

EX1051, FIG. 12; EX1020, FIG.8A

Otherwise, Liao and Schaaf render obvious [1.c.iv]. As discussed *supra* (pp.60-61), Schaaf's upper segments 18/28 and lower segments 20/30 (part of Schaaf's front wheel support portion and handle portion, respectively) are "axially parallel to one another." EX1040, 7:46-51, FIG.1, FIG.6; EX1001, ¶¶457-458.

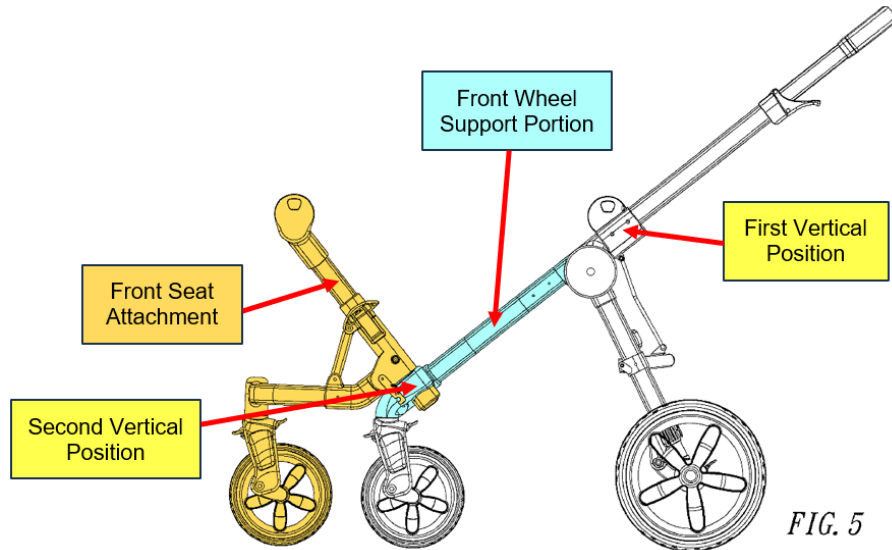
A POSITA would have been motivated to modify Liao's frame to be substantially parallel, as taught in Schaaf, because of the benefits it would provide. EX1001, ¶459. By making these components substantially parallel, the handle portion would be higher and provide additional space between the two seats and/or

space for accessories. *Id.* This frame arrangement would also place the rear seat higher and provide a better viewing perspective for children. *Id.* Such a modification is also a simple substitution of one known type of frame arrangement (a front wheel support portion and handle portion that extend in a common plane) with another known frame arrangement (a parallel front wheel support portion and handle portion) to achieve a predictable result (a collapsible stroller frame). *Id.*

A POSITA would have reasonably expected success when combining these elements of Schaaf with Liao because both references disclose stroller systems that use conventional design components that were well-known in the industry. EX1001, ¶¶460-461. Applying Schaaf's teachings to Liao would have been a straight-forward integration of known components and well-within the skill of a POSITA. *Id.*

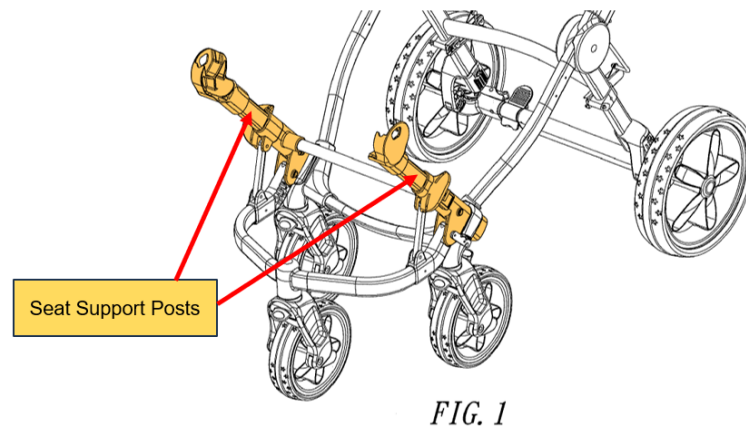
Liao and Schaaf render obvious [1.c.iv].

[1.d]. Liao discloses a front seat attachment configured for attachment to the front wheel support portion at a second vertical position that is substantially lower than the first vertical position. EX1001, ¶¶462-463.



EX1051, FIG. 5.

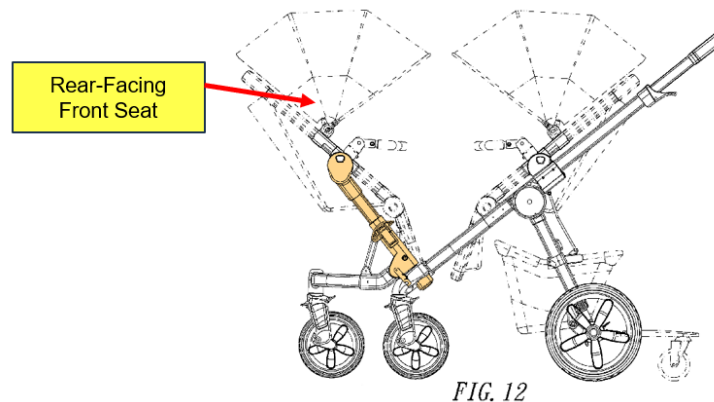
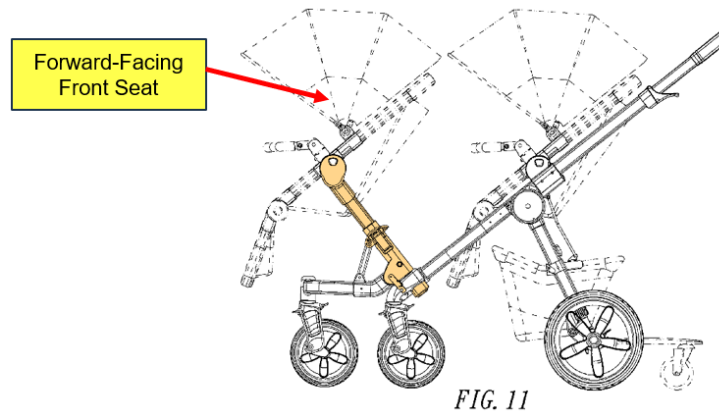
[1.e]. The upper ends of Liao's seat support posts (front seat attachment) have connectors that receive various front stroller seats and permit removal without special tools. EX1001, ¶464.



EX1051, FIG. 1. Additionally, Liao's figures show usage of different types of seats with the front seat attachment, which confirms that Liao's front seat attachment is designed to releasably connect to and support at least those types of seats. EX1051,

FIGS. 8-13. EX1001, ¶465.

Additionally, Figs. 11-12 of Liao show the front seat attachment is configured to connect to and support the front stroller seat in either a forward-facing configuration or a backward-facing configuration. EX1001, ¶¶466-467.



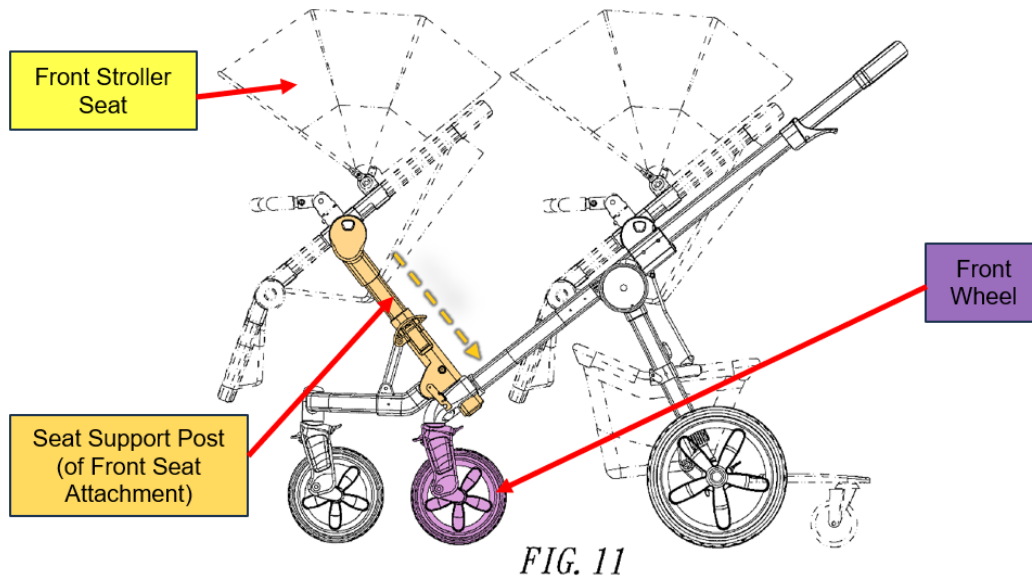
EX1051, FIGS. 11-12.

Liao discloses [1.e].

[1.f]. As discussed *supra* §X.C, a POSITA would have been motivated to shorten the seat support posts of Liao's front seat attachment so the seats are supported in an inline descending configuration with the front seat mounted close to

the front wheel support portion. As indicated below, the modified front seat attachment would support the front stroller seat substantially over the front wheels.

EX1001, ¶¶468-470.



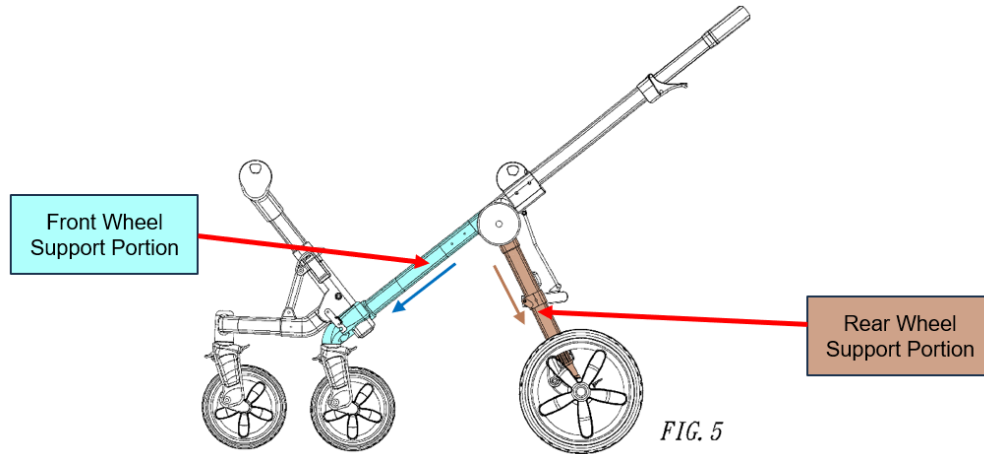
EX1051, FIG. 11.

Schaaf discloses a stroller with the center of gravity located between the front and rear wheels. EX1040, FIG. 10; EX1001, ¶469. To the extent PO argues this feature is not disclosed in Schaaf or it is not already satisfied in Liao/Schaaf, then it would have been obvious. A POSITA would have known that it was desirable to have a stroller's center of gravity located between the front and rear wheels for stability and to facilitate maneuvering. EX1001, ¶¶471-472. A POSITA would have had a reasonable expectation of success in making this modification. *Id.*

Liao and Schaaf render obvious [1.f].

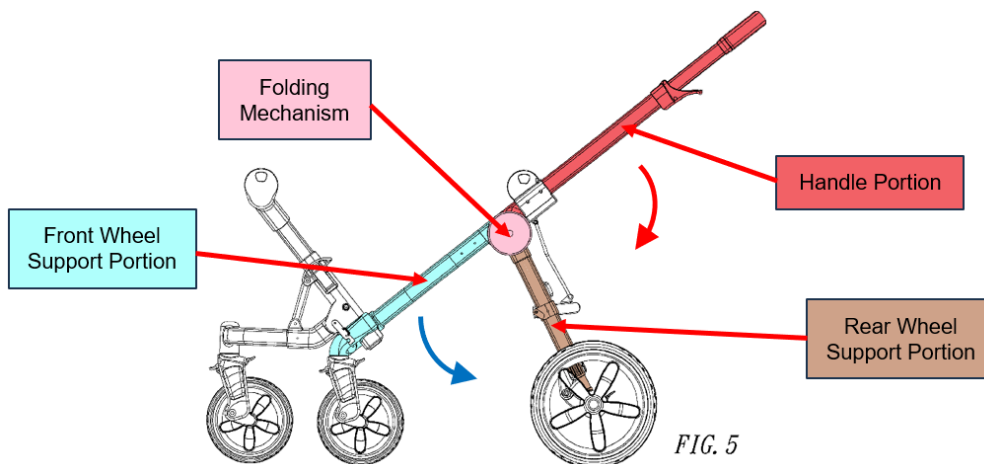
[1.g]. In the figure below of Liao's frame in the unfolded configuration, the

rear wheel support portion extends diagonally from the front wheel support portion when the frame is in the unfolded configuration. EX1001, ¶473.



EX1051, FIG. 5.

Liao's stroller frame is designed to fold by the front wheel support portion and handle portion rotating in the directions indicated below relative to the rear wheel support portion. EX1001, ¶474.

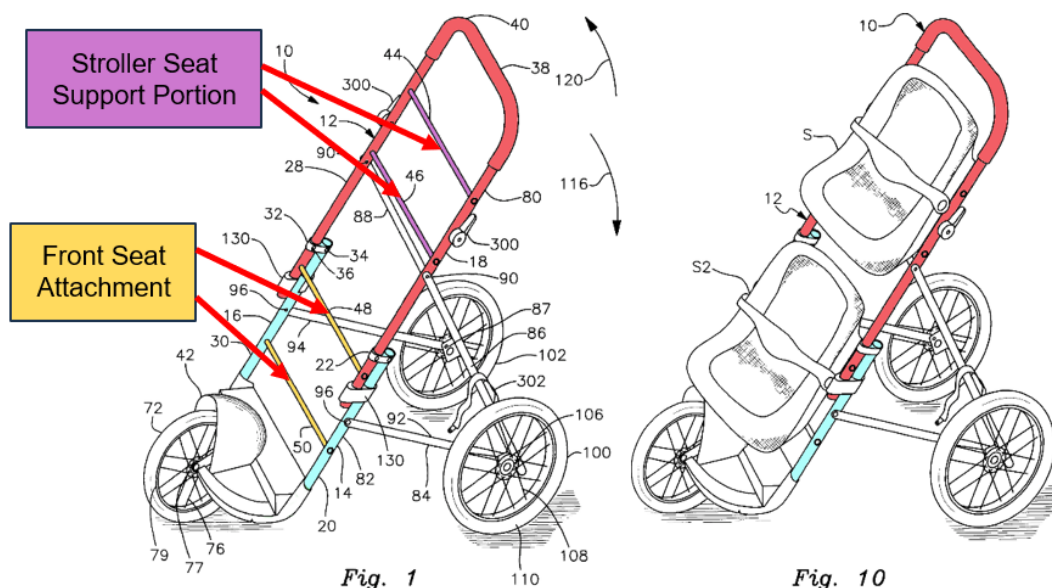


EX1051, FIG. 5. When Liao's frame is in the folded configuration, the rear wheel support portion is disposed adjacent to both the front wheel support portion and the

handle portion. EX1001, ¶¶474-475.

Liao discloses [1.g].

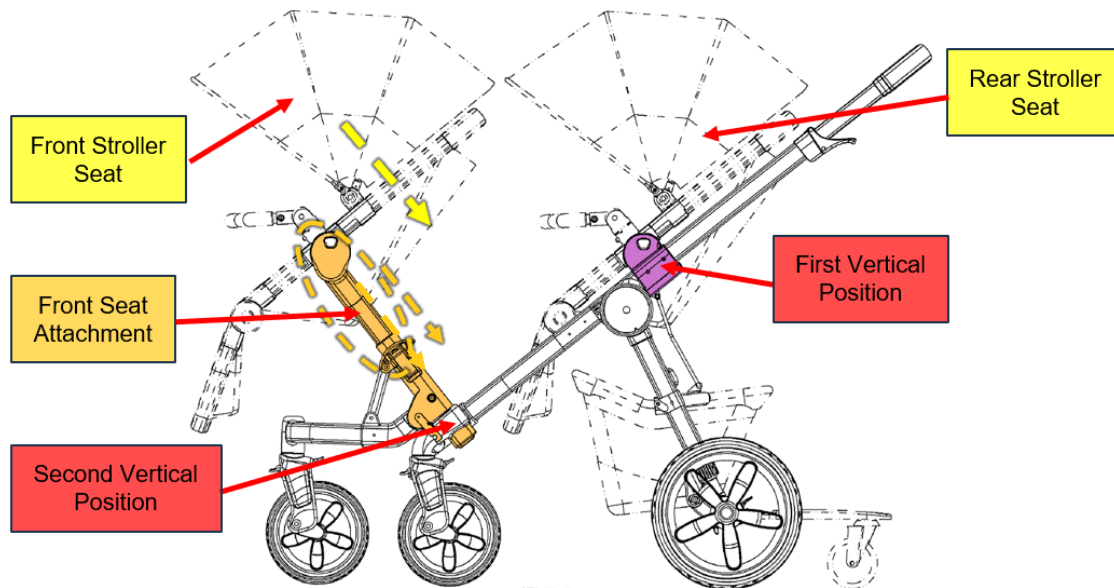
[1.h]. Schaaf discloses a stroller with a front seat support portion positioned at a first vertical position and a front seat attachment positioned at a second vertical position (substantially lower than the first position) to create an inline descending configuration of the rear and front stroller seats. EX1001, ¶476.



EX1040, FIGS.1,10.

As discussed *supra* §X.C, a POSITA would have been motivated to modify Liao's stroller such that the seats are in an inline descending configuration with the front seat mounted close to the front wheel support portion, as taught in Schaaf. As shown below, the stroller seat support being positioned at the first vertical position and the front seat attachment at the second vertical position create an inline descending configuration of the rear stroller seat and the front stroller seat. EX1001,

¶¶477-478.

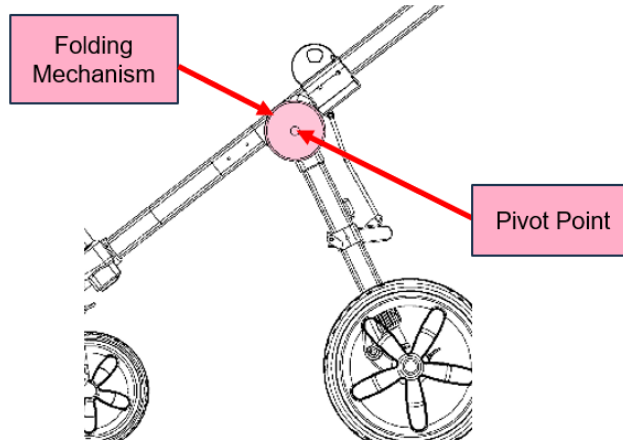


EX1051, FIG. 11.

MTC and EOS are discussed *supra* §X.C. Therefore, Liao/Schaaf satisfies [1.h], and claim 1 is obvious.

2. Claim 2

Any stroller folding mechanism necessarily includes at least one pivot point. EX1001, ¶479. Pivot points of Liao's folding mechanism are shown below. *Id.*, ¶¶479-480.

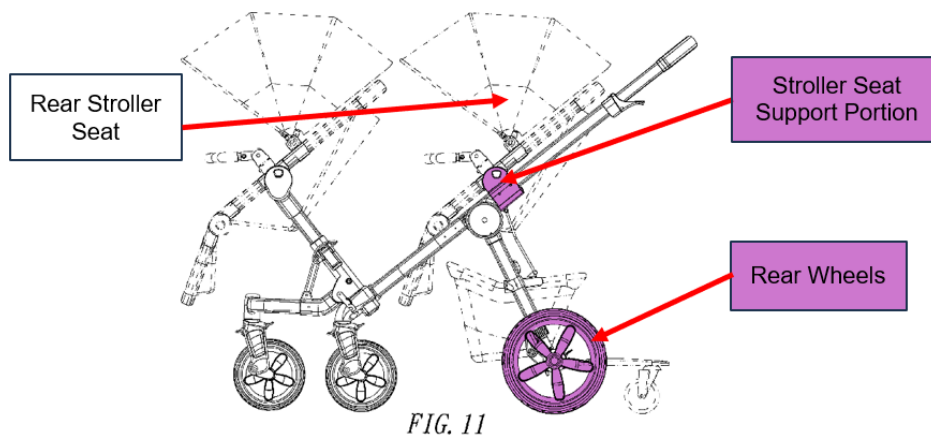


EX1051, FIG.5.

Liao/Schaaf satisfies claim 2.

3. Claim 3

The stroller seat support portion of Liao/Schaaf supports the rear stroller seat substantially over the rear wheels, as shown below. EX1001, ¶¶481-482.



EX1051, FIG.5.

Liao/Schaaf satisfies claim 3.

4. Claim 4

Liao's seat support posts (front seat attachment) include a first connector

portion and second connector portion (the bottom portions of the posts) that removably attach to the left and right sides of the front wheel support portion. EX1001, ¶¶483-484.

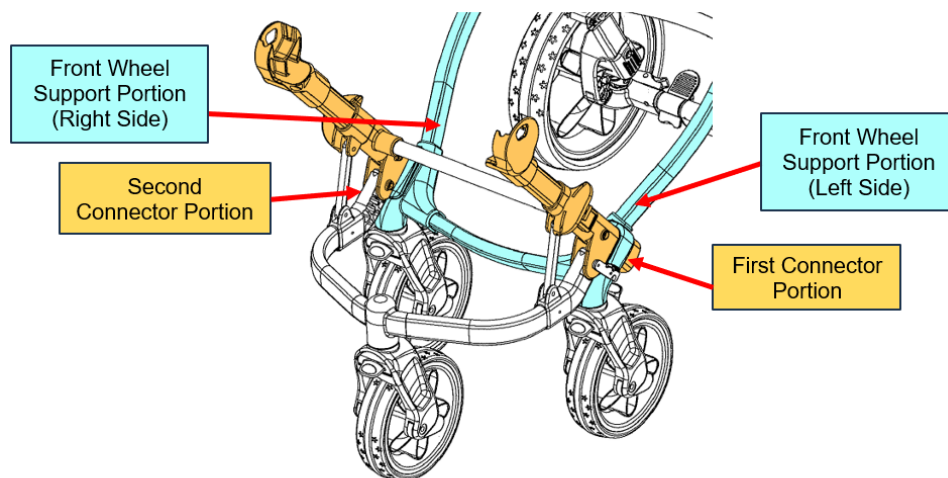


FIG. 1

EX1051, FIG.1. The seat support posts are “removably attached” because their latches and insertion into the frame show they can be easily connected and disconnected without requiring special tools or skills. EX1001, ¶¶483-485.

Liao/Schaaf satisfies claim 4.

5. Claim 5

Liao’s seat support posts (front seat attachment) include a pair of seat attachment elements (the upper portion of the posts) configured to releasably support the front stroller seat in either the forward-facing configuration or the backward-facing configuration. EX1001, ¶¶486-487.

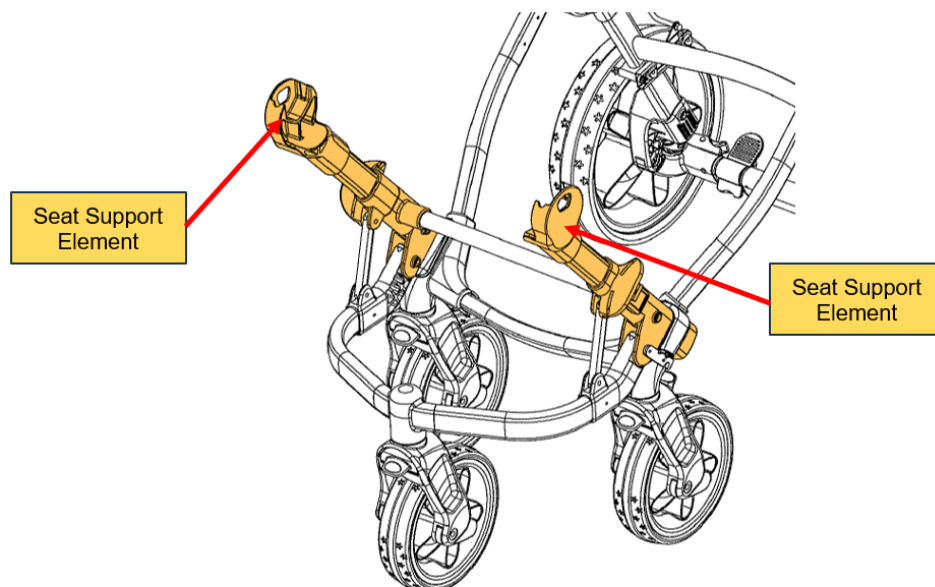


FIG. 1

EX1051, FIG.1. The seat attachment elements releasably support the front seat in either the forward-facing or backward-facing configuration. *See supra* §X.C.1.[1.e].

Liao/Schaaf satisfies claim 5.

6. Claim 6

Liao's front wheel support portion includes a first attachment portion and second attachment portion, the first attachment portion on the left side and configured to support the first connector portion, and the second attachment portion on the right side and configured to support the second connector portion. EX1001, ¶¶488-490.

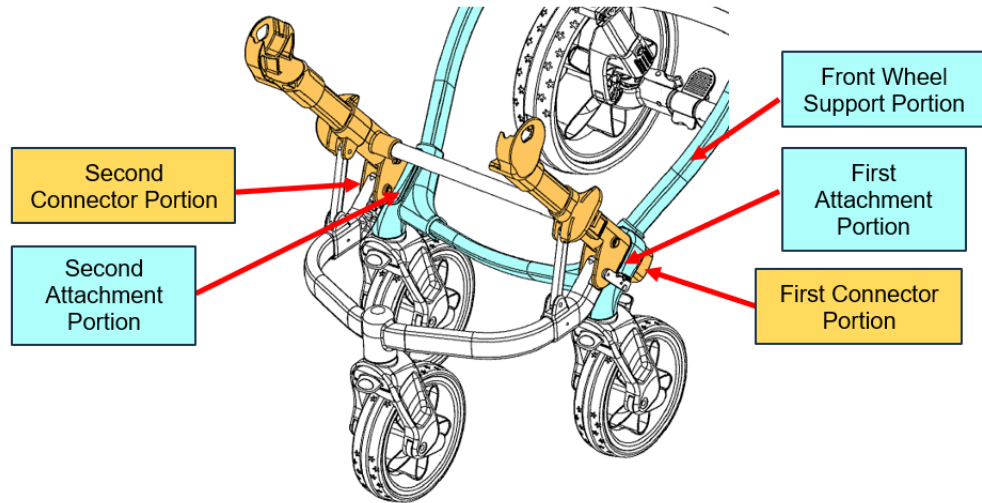


FIG. 1

EX1051, FIG.1.

Liao/Schaaf satisfies claim 6.

7. Claim 7

The '231 Patent calls the portion of the seat attachment 20 that connects to the stroller frame and the seat support element the “attachment frame members 24.”

EX1012, 5:25-49. Liao’s seat support posts include the same attachment frame members. EX1001, ¶¶491-492.

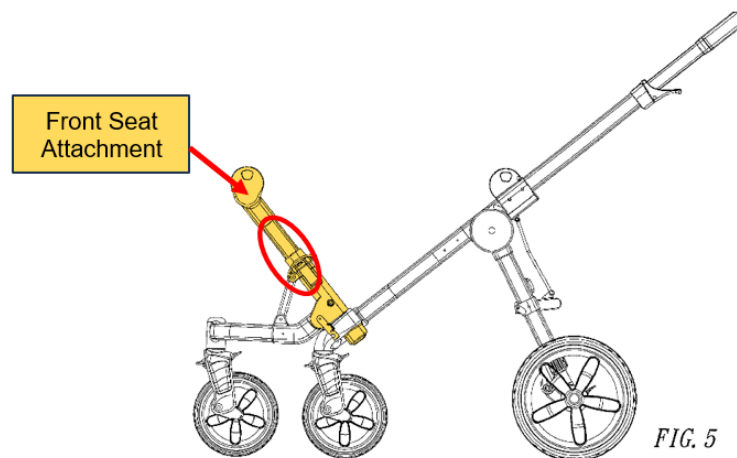


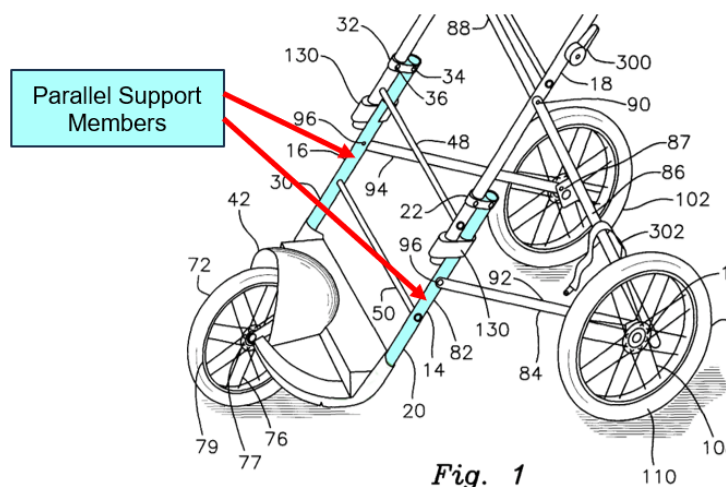
FIG. 5

EX1051, FIG.5.

Liao/Schaaf satisfies claim 7.

8. Claim 8

Schaaf's front wheel support portion comprises parallel lower side segments 20/30, which constitute a pair of parallel support members. EX1040, 4:48-58; EX1001, ¶494.



EX1040, FIG.1.

A POSITA would have been motivated to modify Liao's front wheel support portion to have parallel support members, as taught in Schaaf, because a frame with parallel support members would cost less to manufacture. EX1001, ¶495. It would also have been a simple substitution of one known front wheel support portion design (having non-parallel support members) with another known design (having parallel support members) to achieve a predictable result. *Id.* A POSITA would have reasonably expected this modification to be successful, because applying Schaaf's

teachings to Liao would have been a straight-forward integration of known components and well-within the skill of a POSITA. *Id.*, ¶¶496-497.

Liao and Schaaf render obvious claim 8.

9. Claim 9

Liao discloses a pair of attachment portions configured to support the first connector portion and the second connector portion of the front seat attachment. EX1001, ¶498.

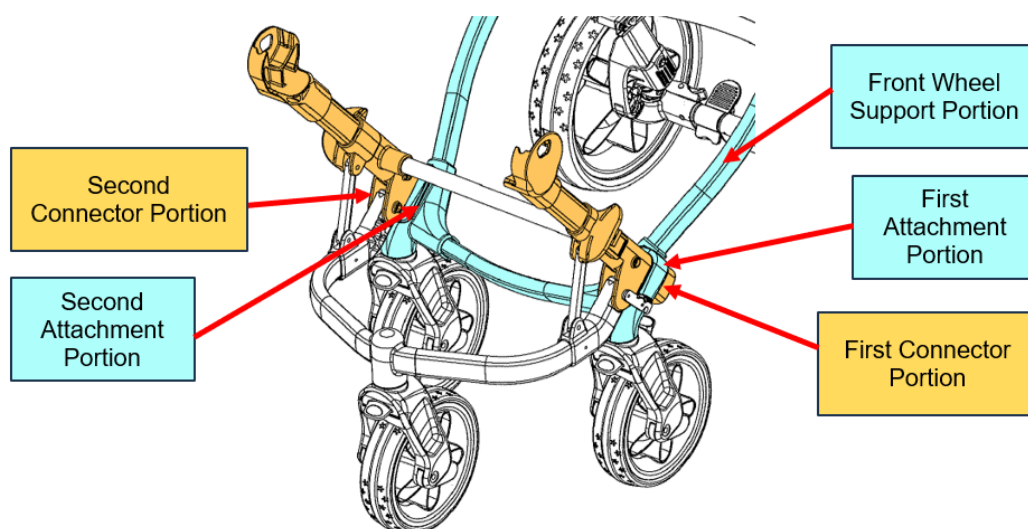


FIG. 1

EX1051, FIG.1. As discussed *supra* §X.C.8, a POSITA would have been motivated to make Liao's front wheel support portion include a pair of parallel support members, as taught in Schaaf, and would have reasonably expected success.

Liao and Schaaf render obvious claim 9. EX1001, ¶¶499-500.

10. Claim 10

Liao's attachment portions include left and right slots configured to receive

the first connector portion and the second connector portion. EX1001, ¶501.

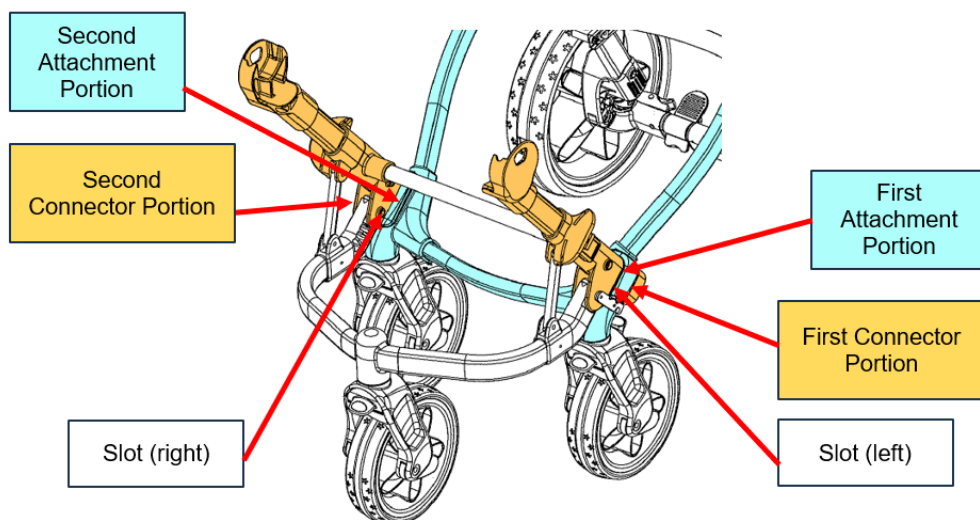


FIG. 1

EX1051, FIG.1. As discussed *supra* §X.C.8, a POSITA would have been motivated to make Liao's front wheel support portion include a pair of parallel support members, as taught in Schaaf, and would have reasonably expected success.

Liao and Schaaf render obvious claim 10. EX1001, ¶¶502-503.

11. Claim 11

Schaaf's parallel support members include a pair of "tubular" structures with rounded cross-sections. EX1051, 4:52-58; *id.*, FIG.1; EX1001, ¶504. A POSITA would have been motivated to make Liao's frame tubular with rounded cross-sections, as taught in Schaaf, because it was desirable to reduce stroller weight, and it was known that tubular frames are lighter than non-tubular frames. EX1001, ¶505. Additionally, it was known that it was easier to manufacture tubular frame components with rounded cross-sections, as compared to frame components with

non-rounded cross-sections. *Id.* A POSITA would have reasonably expected this modification to be successful, because applying Schaaf's teachings to Liao would have been a straight-forward integration of known components and well-within the skill of a POSITA. *Id.*, ¶¶505-506.

Liao and Schaaf render obvious claim 11.

12. Claim 12

Liao's rear wheel support portion includes a pair of parallel support members. EX1001, ¶¶507-508.

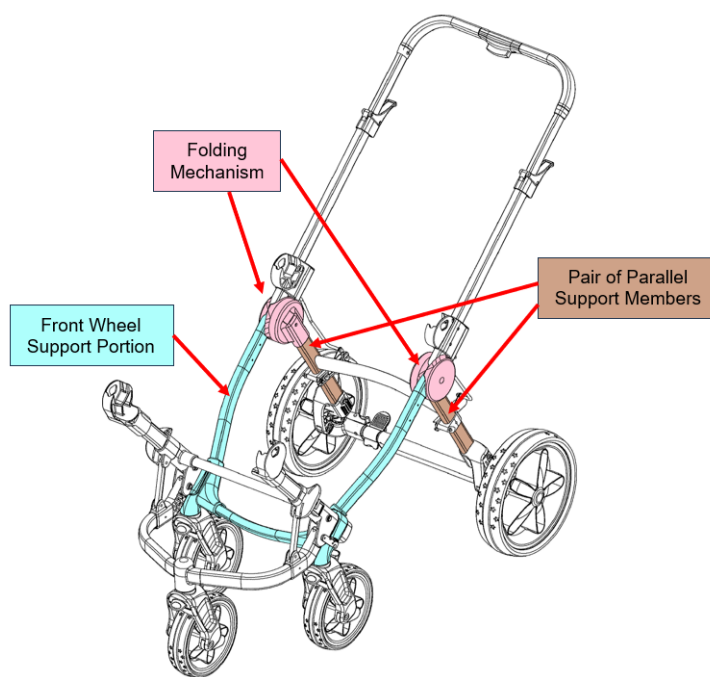


FIG. 1

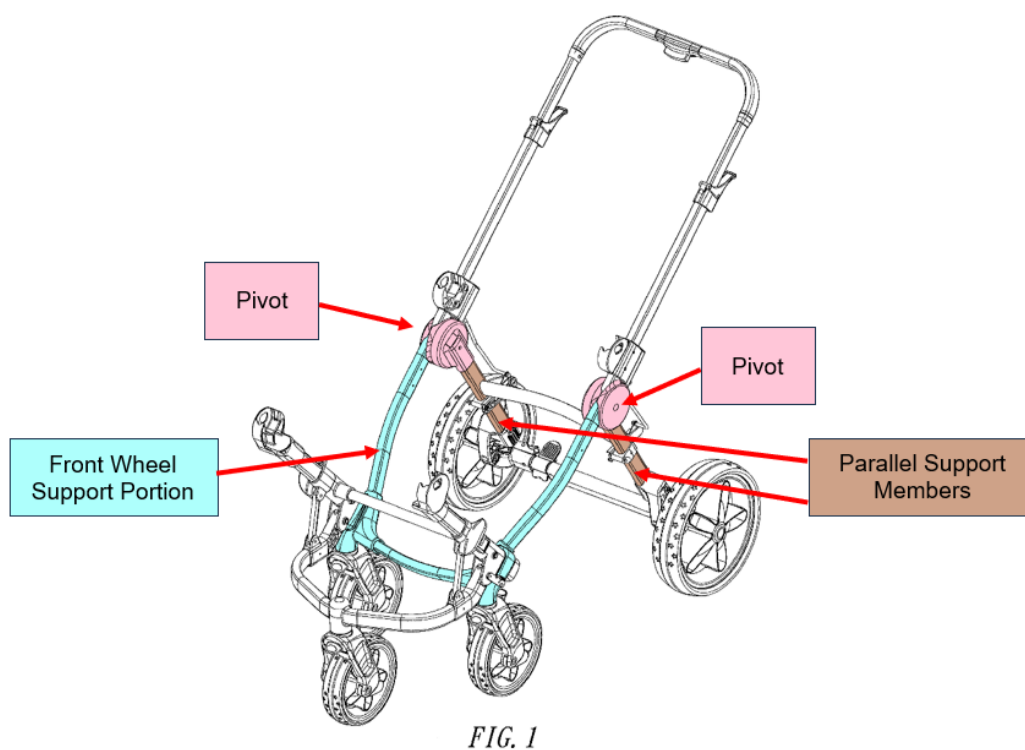
EX1051, FIG.1. As shown above, the parallel support members of the rear wheel support portion are connected by the folding mechanism to the front wheel support portion. EX1001, ¶508. As discussed *supra* § X.C.8, a POSITA would have been motivated to modify Liao's front wheel support portion to have parallel support

members, as taught in Schaaf.

Liao and Schaaf render obvious claim 12.

13. Claim 13

As discussed *supra* §X.C.8, it would have been obvious to modify Liao's front wheel support portion to have parallel support members, as taught in Schaaf. As shown below, Liao's folding mechanism includes a pair of pivots spaced apart and configured to connect the parallel support members of the rear wheel support portion to the front wheel support portion. EX1001, ¶¶510-512.

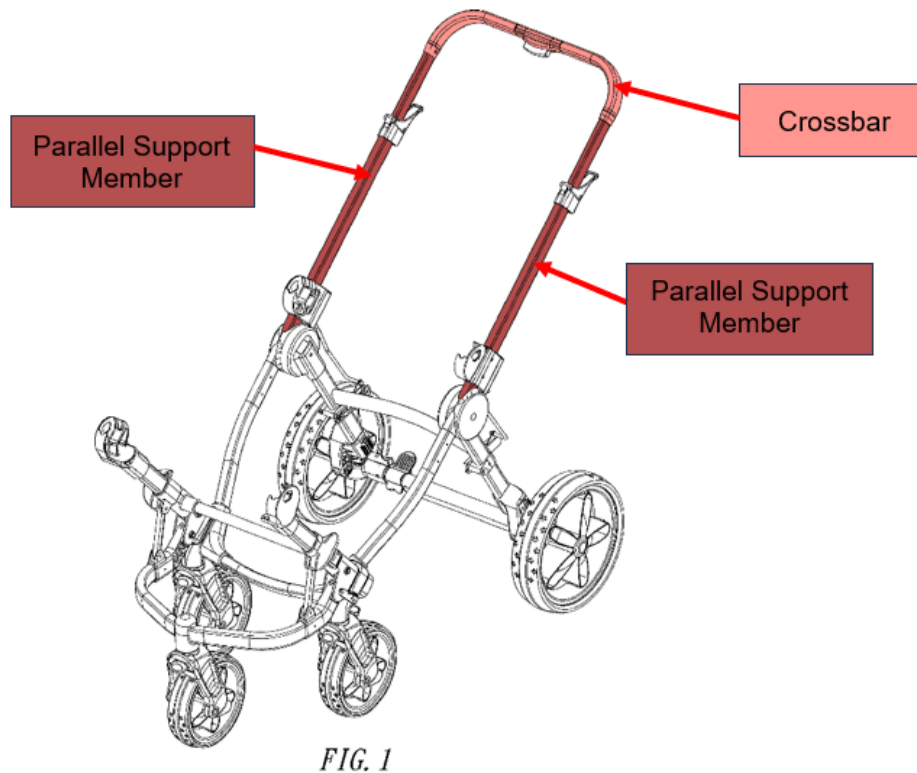


EX1051, FIG.1.

Liao and Schaaf render obvious claim 13.

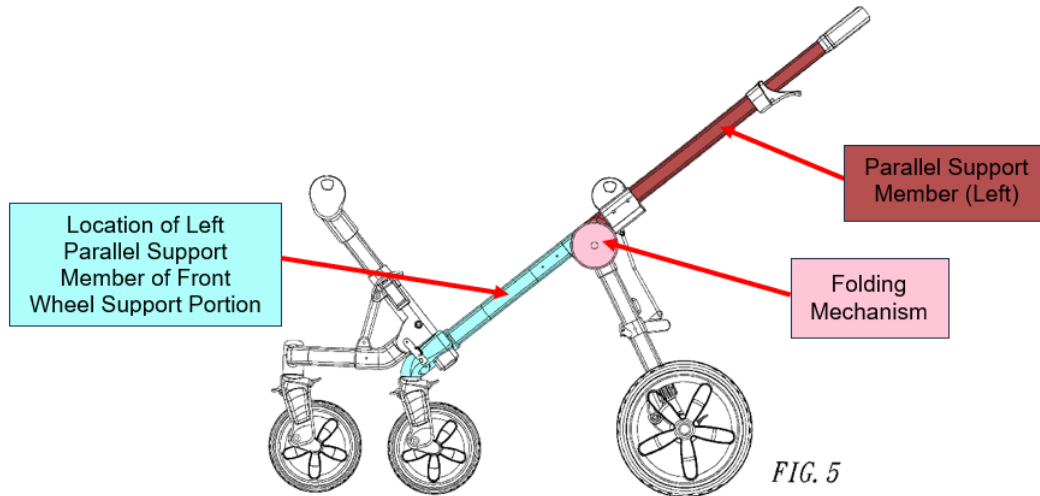
14. Claim 14

Liao's handle portion includes a pair of parallel support members and a crossbar. EX1001, ¶513.



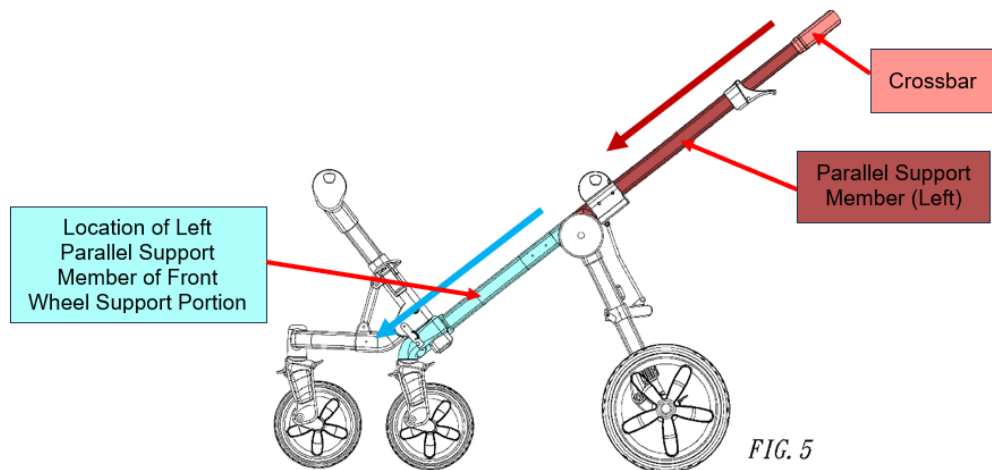
EX1051, FIG.1.

When Liao/Schaaf is modified as discussed *supra* §X.C.8, the handle portion's parallel support members connect to the front wheel support portion's parallel support members via the folding mechanism, as shown below. EX1001, ¶514.



EX1051, FIG.5.

The parallel support members of the handle portion and front wheel support portion extend diagonally downwards from the crossbar of the handle portion, as shown below. EX1001, ¶¶515-516.



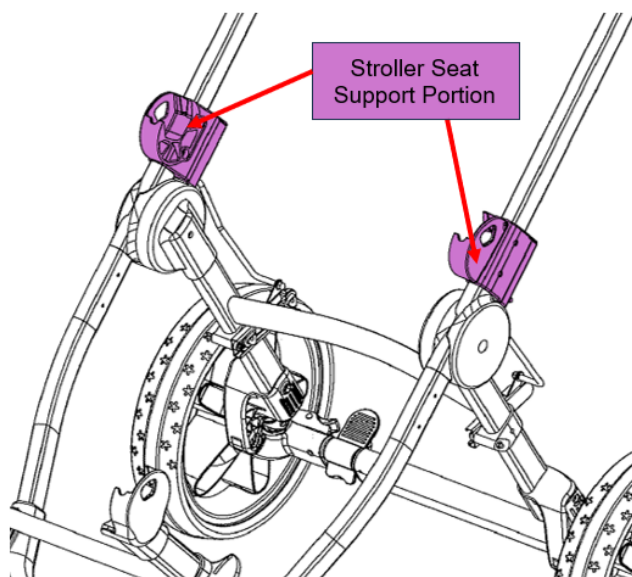
EX1051, FIG.5.

Liao and Schaaf render obvious claim 14.

15. Claim 15

Liao's stroller seat support portion is configured to releasably support the rear

stroller seat. EX1001, ¶517.

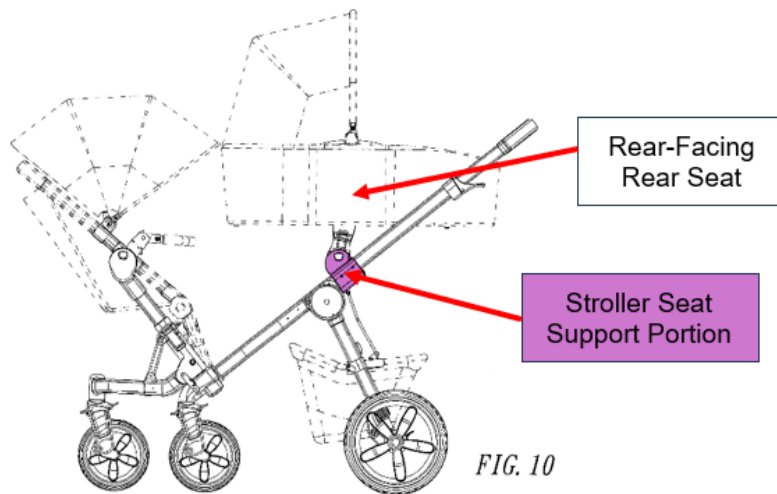
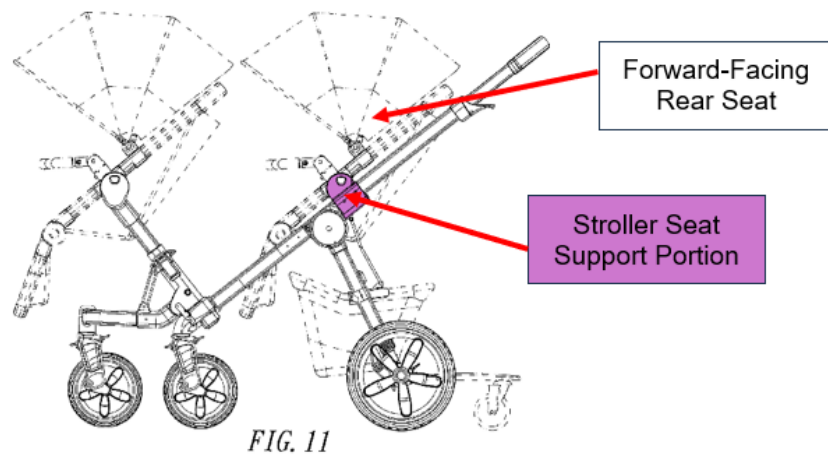


EX1051, FIG.1. A POSITA would understand that the top of the stroller seat support portion is a connector allowing the rear seat to be able to be easily attached and removed. EX1001, ¶517. Additionally, a POSITA would understand that the seats are removable from Liao's stroller seat support portion because figures show different types of rear seats being used. *Id.*

Liao and Schaaf render obvious claim 15.

16. Claim 16

Liao's stroller seat support portion is configured to support the rear stroller seat in either a forward-facing or backward-facing configuration, as shown below. EX1001, ¶¶519-520.

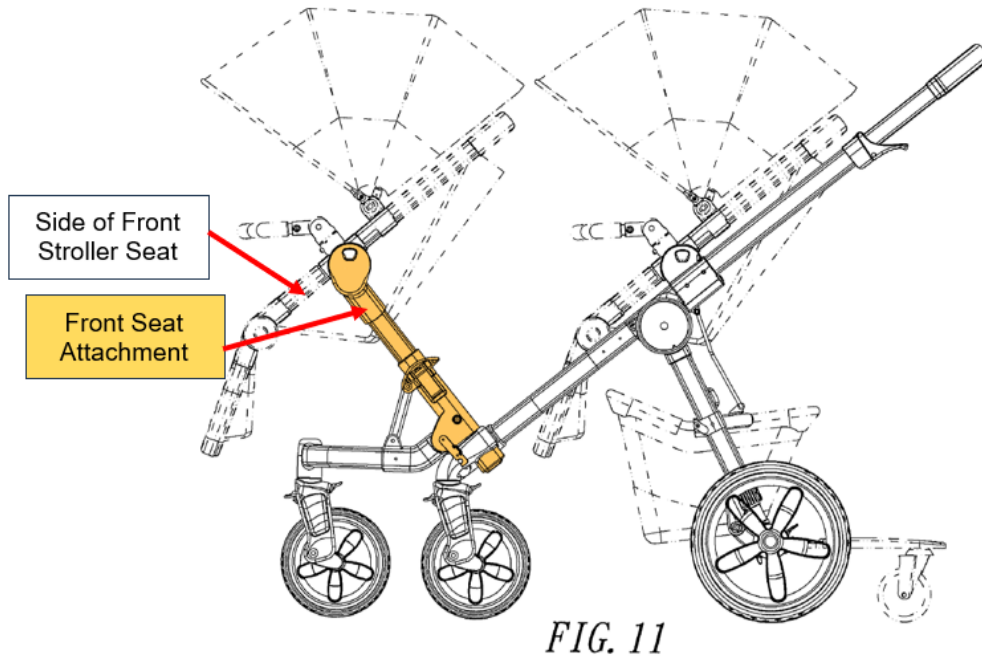


EX1051, FIGS.10-11.

Liao and Schaaf render obvious claim 16.

17. Claim 17

Liao's front seat attachment, as modified in view of Schaaf, connects to one or more sides of the front stroller seat (only the left side is visible below). EX1001, ¶521.



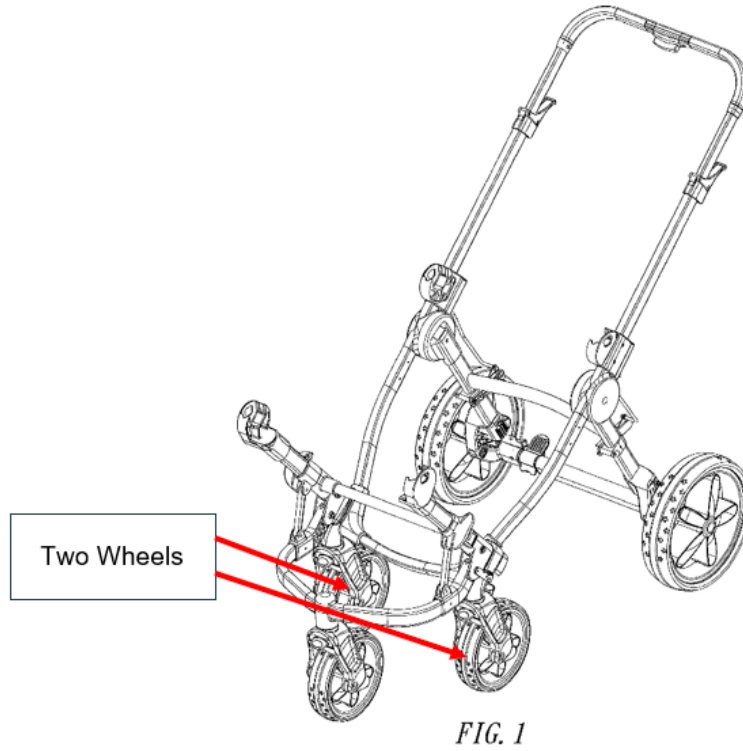
EX1051, FIG.11.

Liao and Schaaf render obvious claim 17.

18. Claim 19

The pair of front wheels of Liao/Schaaf includes only two front wheels.

EX1001, ¶¶523-524.

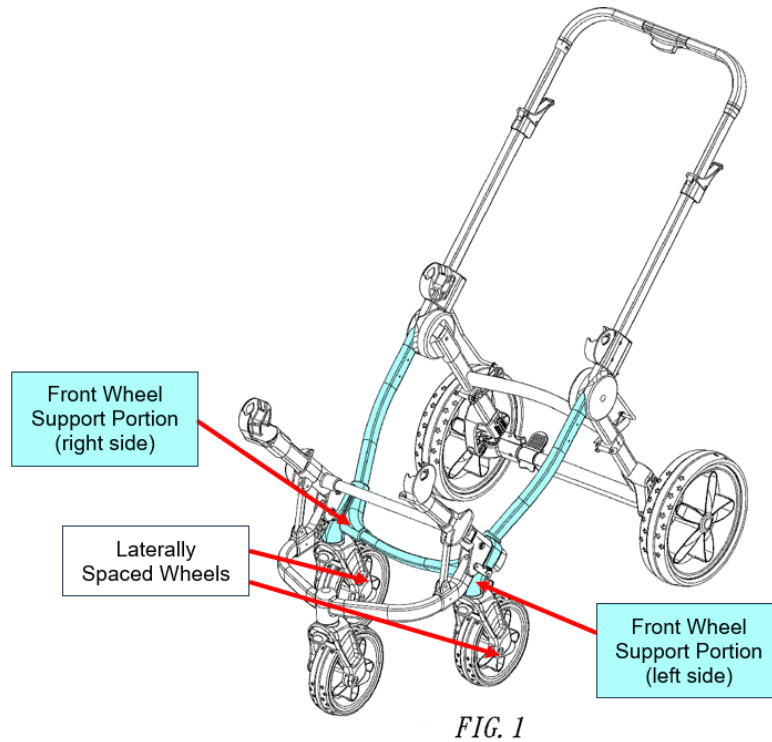


EX1051, FIG.1.

Liao/Schaaf satisfies claim 19.

19. Claim 20

The two front wheels of the front pair of wheels are laterally spaced apart from each other on a left side and a right side of the front wheel support portion. EX1001, ¶¶525-526.



EX1051, FIG.1.

Liao/Schaaf satisfies claim 20.

20. Claim 21

The '231 Patent states that the stroller can be folded into a compact size, but there is no description or illustration of a folded configuration including at least partially overlapping the front wheel support portion and the handle portion. EX1012, 9:38. Liao's frame design is the same as the one described in the '231 Patent. EX1001, ¶527. Thus, Liao/Schaaf satisfies this limitation to the same extent as it is disclosed in the '231 Patent. *Id.*, ¶528.

21. Claim 22

As discussed *supra* §X.C.4, Liao's front seat attachment is configured to

releasably attach to the front wheel support portion. EX1001, ¶¶529-530.

Liao/Schaaf satisfies claim 22.

XI. SECONDARY CONSIDERATIONS

Petitioner is not aware of any secondary considerations or objective indicia of nonobviousness.

XII. CONCLUSION

The Board should institute review and cancel the Challenged Claims.

XIII. MANDATORY NOTICES (§42.8)

A. Real Party-In-Interest (§42.8(b)(1))

The real parties-in-interest are Petitioner (Evenflo, Mockingbird, and UPPAbaby).

B. Related Matters (§42.8(b)(2))

The following matters may affect, or be affected by, a decision in these proceedings:

District Court Litigations

- (1) *Baby Jogger, LLC v. Baby Generation, Inc., d/b/a Mockingbird*, No. 1:24-cv-00725-GBW (D. Del.);
- (2) *Baby Jogger, LLC v. Evenflo Company, Inc.*, No. 1-24-cv-00723-GBW (D. Del.); and
- (3) *Baby Jogger v. Monahan Products, LLC, d/b/a UPPAbaby*, No. 1:24-cv-11582-ADB (D. Mass.).

PTAB Proceedings

Additional IPR petitions pertaining to patents related to the '231 Patent will be filed by one or more of Evenflo, Mockingbird, and UPPAbaby. Petitioner will supplement its mandatory notices pursuant to 37 § 42.8(a)(3) once filed.

Pending U.S. Patent Application

18/534,146, titled “Removable Seat Attachments for a Stroller,” and filed 2023-12-08.

C. Counsel and Service Information (§42.8.(b)(3))

Petitioner designates the following attorneys as lead and backup counsel for this proceeding.

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- emailservice@lalaw.com

XIV. PAYMENT OF FEES

If any additional fees are due during this proceeding, the Office is authorized to charge Deposit Account No. 604493.

Respectfully,

Date: June 6, 2025

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CERTIFICATE OF WORD COUNT

Pursuant to 37 C.F.R. § 42.24(a) and (b), the undersigned hereby certifies that this Petition for *Inter Partes* Review complies with the type-volume limitation of 37 C.F.R. § 42.24(a)(i) because, exclusive of the exempted portions, it contains 12,414 words, as counted by the word processing program used to prepare the paper.

Respectfully,

Date: June 6, 2025

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), I hereby certify that on June 6, 2025, I caused a copy of the foregoing Petition for *Inter Partes* Review, and any supporting exhibits filed therewith, to be served via FedEx overnight delivery at the following correspondence address of record for the patent:

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Suite 2300
Atlanta, GA

A courtesy copy was also sent via electronic mail to the following counsel:

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