UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EVENFLO COMPANY, INC.,
BABY GENERATION, INC.,
BABY GENERATION, INC. D/B/A MOCKINGBIRD,
MONAHAN PRODUCTS, LLC D/B/A UPPABABY,

Petitioners,

v.

BABY JOGGER, LLC
Patent Owner.

U.S. Patent No. 11,192,568

Case No.: IPR2025-01100

DECLARATION OF DOUGLAS S. PRAIRIE, P.E.

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List of Exhibits

Exhibit	Description
EX1001	Declaration of Douglas Prairie
EX1002	U.S. Provisional Patent Application No. 61/119,920
EX1003	U.S. Publication No. 2010/0140902
EX1004	U.S. Pat. No. 8,955,869
EX1005	U.S. Pat. No. 9,403,550
EX1006	U.S. Provisional Patent Application No. 62/311,224
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
EX1013	U.S. Patent No. 11,878,729
EX1014	Non-certified File History of U.S. Patent Pub. No. 2010/0140902
EX1015	Non-certified File History of U.S. Patent No. 8,955,869
EX1016	Non-certified File History of U.S. Patent No. 9,403,550
EX1017	Non-certified File History of U.S. Patent No. 9,944,305
EX1018	Non-certified File History of U.S. Patent 10,730,543

EX1019	Certified File History of U.S. Patent No. 11,192,568
EX1020	Certified File History of U.S. Patent No. 11,731,682
EX1021	Certified File History of U.S. Patent No. 11,577,771
EX1022	Non-certified File History of U.S. Patent No. 11,505,231
EX1023	Non-certified File History of U.S. Patent No. 11,878,729
EX1024	Certified File History of U.S. Patent Application No. 18/448,417
EX1025	Sewell, Samuel J. "The History of Children's and Invalids' Carriages." *Journal of the Royal Society of Arts*, vol. 71, no. 3694, 1923, pp. 716–728
EX1026	U.S. Patent No. 405,600
EX1027	U.S. Patent No. 510,355
EX1028	*Intentionally left blank*
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 Pub. No. 2008/0238042
EX1036	*Intentionally left blank*
EX1037	U.S. Patent No. 6,086,087

EX1038	Kolcraft Contours Options Tandem Stroller Instruction Sheet, EXA to Affidavit of Christoper Butler
EX1039	French Patent 2,615,155 and Non-certified English Translation
EX1040	U.S. Patent No. 6,209,892
EX1041	EP 0980810 and Certified Translation
EX1042	U.S. Design Patent No. D514,036
EX1043	Evenflo Take Me Too Manual – Double Stroller/Double Travel System (Oct. 2004)
EX1044	U.S. Patent No. 6,045,145
EX1045	U.S. Patent No. 5,794,951
EX1046	Comparison of First Non-Provisional Specification and '305 CIP Specification
EX1047	U.S. Patent No. 8,882,134
EX1048	U.S. Design Patent No. D593,459
EX1049	U.S. Patent Pub. No. 2006/0071451
EX1050	U.S. Patent No. 6,702,316
EX1051	*Intentionally left blank*
EX1052	U.S. App. No. 29/324,044 Non-certified File History
EX1053	CN2778636Y and Certified English Translation
EX1054	U.S. Patent Pub. No. 2003/0075902
EX1055	Baby Jogger, LLC's Opening Claim Construction Brief in Civil Action No. 1:24-cv-11582-ADB
EX1056	Baby Jogger, LLC's Responsive Claim Construction Brief in

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EX1057	EXC to Baby Jogger, LLC's Infringement Contentions in Civil Action No. 1:24-cv-11582-ADB
EX1058	Merriam-Webster, Parallel, https://www.merriam-webster.com/dictionary/parallel (last visited Feb. 21, 2025)
EX1059	*McGraw-Hill Dictionary of Scientific and Technical Terms* (6th ed. 2003), Definition of "parallel"
EX1060	*Barron's Dictionary of Mathematics Terms* (3d ed. 2009), Definition of "parallel"

I, Douglas S. Prairie, hereby declare as follows:

1. I am making this declaration at the request of Evenflo, Inc. in the matter of *Inter Partes* Review of U.S. Patent No. 11,192,568 ("the '568 Patent") to Lee.

2. I am being compensated at my normal consulting rate of $150/hour for my work, but my opinions are based on my own views of the patented technology and the prior art. My compensation is not dependent on the outcome of this proceeding and in no way affects the substance of my statements in this Declaration.

3. In preparation of this declaration, I have studied the exhibits as listed in the Exhibit List shown above in my report.

4. In forming the opinions expressed below, I have considered:

   a. The documents listed above, as well as additional patents and documents referenced herein;

   b. The relevant legal standards, including the standard for obviousness provided in *KSR International Co. v. Teleflex, Inc.*, 550 U.S. 398 (2007), and any additional documents cited in the body of this declaration; and

   c. My knowledge and experience based upon my work and study in this area as described below.

I. Qualifications and Professional Experience

5. I am currently a lecturer at South Dakota State University and a

registered Professional Engineer in the State of Idaho. I hold an M.S. in Mechanical Engineering from Boise State University, which I received in 2004. I also hold a B.S. in Agricultural Engineering (with a focus on power and machinery) from South Dakota State University, which I received in 1997.

6. I have worked in the engineering industry for over twenty-five years in various roles, including as a test engineer, product developer, engineering department manager, sales manager, mechanical research manager for an innovation group, mechanical and industrial design engineer, and consultant. My professional work experience has included the design, development, and testing of strollers like those being referenced in this case. I am also the proud father of triplets, so I am well versed in child mobility gear. In my present position as a lecturer at South Dakota State University, I lecture and lead the development of engineering and technical-based coursework. Courses I am responsible for involve the design, operation and ownership of various types of mechanical equipment.

7. From May 1996 until September 1996 (while I was completing my B.S.), I worked for Ag-Chem Equipment Co., where I performed product testing on various mechanical systems. (I understand that after my work there, Ag-Chem Equipment Co. was acquired by AGCO Corporation in 2001.)

8. From October 1996 until July 2000, I worked for Case Corporation, a large manufacturer of construction and agricultural equipment, as a New Product

Development Engineer. In that role, I was involved in the conception, design, development, and production of mechanical equipment.

9. From December 2000 until February 2003 and again from September 2005 until December 2007, I worked for Multiquip, a manufacturer and supplier of products for construction, industrial, telecom, government, and other industries, as an Engineering Department Manager. In that role, I managed a team of 15 engineers, designers, drafters, and technicians in support of over 200 different products. I also managed a $1.3 million budget for product development and engineering product support. My responsibilities also included designing equipment to comply with applicable safety and homologation standards.

10. From February 2003 until September 2005, I worked for Bratney Companies as a Construction/Mechanical Project Engineer of Industrial Processes. My role involved the development and management of construction projects.

11. From December of 2007 to March of 2010, I performed full time contract engineering work through my own company, Prairie West LLC, which was based in Boise, ID. One of the long-term contracts I performed during that period was for BOB Gear (a high-end jogging stroller manufacturer and marketer) as a designer, developer, and test engineer on projects involving single and double jogging strollers. My engineering education and extensive experience involving product design, development, testing, and safety standard compliance for

mechanical products made me well-suited for the role. Also, as a parent of triplets who were toddlers at this point in my life, I was able to provide BOB Gear with not only engineering expertise but also direct applied knowledge of strollers from a parent's perspective. I worked on a variety of projects for BOB Gear, including an updated design of their single and double jogging strollers. My early work at BOB Gear involved taking a new stroller design concept produced by an external industrial designer and analyzing the concept's ability to meet functional goals, manufacturability cost goals, and be compliant with child safety guidelines and homologation standards. This effort required extensive knowledge of the stroller market landscape, manufacturing methods and materials utilized within the stroller industry, and global child safety standards for strollers and child seats. This project produced some innovative concepts that I worked on integrating into some of BOB Gear's existing line of strollers. Some of this work included updating stroller suspension systems, improving stroller folding systems, and designing a new removable adapter system that could be used for cup holder trays and infant car seat adapters. My work at BOB Gear involved developing concepts in SolidWorks CAD software, producing physical prototypes, and then testing these concepts with a variety of popular infant car seat brands attached to the stroller. Tests I performed were to check for general performance, ease of installation and removal of the adapters and car seats, compliance with domestic and international child safety

standards, and ease of adapting to a variety of popular infant car seat brands. One test I performed multiple times involved placing the stroller on a flat surface that could be pivoted to increase the pitch and yaw angle until such point the stroller would start to tip over. The purpose of this test was to check for the center of gravity (CG) location and make sure the stroller would comply with global safety standards. I performed tests on the base stroller along with various brands of car seats and various types of stroller accessories. This test often involved placing a sandbag style weight in the infant car seat or stroller seat to simulate the weight of a child. These tests produced valuable results that allowed BOB Gear's engineering team to better understand how their design choices affected the stability of the stroller and its attachments. BOB Gear still produces the strollers that I helped design. I understand that BOB Gear is now owned by Britax Child Safety, Inc.

12. From March 2010 until March 2015, I worked for Raven Industries (now part of CNHi), first as a Project Manager and then as the North American Sales Manager. In those roles, I oversaw development and launch of multiple mechanical products.

13. From June 2015 until June 2016, I worked for POET Research as a Mechanical Research Manager in the research and innovation group. POET Research develops and produces clean and renewable biofuels.

14. From August 2016 until the present, I have taught as a Lecturer at South

Dakota State University in the Agriculture and Biosystems Engineering Department. I have taught and led the development of courses for undergraduate students that go on to receive Bachelor of Science degrees in Mechanical Engineering (ME), Agriculture Systems Technology (AST), Precision Agriculture (PRAG), and Agriculture and Biosystems Engineering (ABE). Examples of specific courses I lead and/or instruct include ABE 234 Digital Tools for Agriculture Engineers, ABE 314 Agriculture Power and Machinery; ABE 411/422 Capstone Design; ABE 350 Hydraulic Systems; ABE 464 Monitoring and Controls; AST 412 Fluid Power Technology; PRAG 304 Electrical Diagnostics of Farm Machinery; and AST 313 Farm Machinery Management.

15. I am a named inventor on multiple U.S. patents and applications, including: U.S. Patent Nos. 5,915,312, 6,047,652, 6,116,172, 6,386,127, 6,640,732, 6,644,223, 6,454,019, and U.S. Patent Application No. 13/842,326.

16. I am a member of multiple professional organizations, including the American Society of Mechanical Engineers (ASME) and American Society of Agricultural and Biological Engineers (ASABE).

17. A copy of my curriculum vitae is attached as Appendix A, which contains further details regarding my experience, education, and other qualifications to render an expert opinion in connection with this proceeding.

II. Relevant Legal Standards

18. I have been asked to provide opinions on certain claims of the ’568 Patent (EX1009) in light of the prior art.

A. Anticipation

19. Counsel has advised me that for a patent claim to be valid, the claimed invention must be novel. Counsel has further advised me that if each and every element of a claim is disclosed in a single prior art reference, then the claimed invention is anticipated, and the invention is not patentable. For the invention to be anticipated, all of the elements and limitations of the claim must be shown in a single prior art reference, arranged as in the claim. A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. For a reference to inherently disclose a limitation, that claim limitation must necessarily be present in the reference.

B. Obviousness

20. Counsel has also advised me that a claimed invention is unpatentable if the differences between the invention and the prior art are such that the subject matter as a whole would have been obvious at the time the alleged invention was made to a person having ordinary skill in the art to which the subject matter pertains. I also understand that an obviousness analysis takes into factual inquiries including the level of ordinary skill in the art, the scope and content of the prior art, and the differences between the prior art and the claimed subject matter.

21. It is my understanding that the Supreme Court has recognized several rationales for combining references or modifying a reference to show obviousness of the claimed subject matter. Some of these rationales include the following: combining prior art elements according to known methods to yield predictable results; simple substitution of one known element for another to obtain predictable results; a predictable use of prior art elements according to their established functions; applying a known technique to a known device to yield predictable results; choosing from a finite number of identified, predictable solutions, with a reasonable expectation of success; and some teaching, suggestion, or motivation in the prior art that would have led one of ordinary skill to modify the prior art reference or to combine prior art reference teachings to arrive at the claimed invention.

22. I am informed that obviousness should not be determined using hindsight; rather, the inquiry must be from the perspective of a person of ordinary skill in the art at the time that the invention was made. I am informed that there is no requirement that the prior art contain an express suggestion to combine known elements to achieve the claimed invention; a suggestion to combine known elements to achieve the claimed invention may come from the prior art as a whole or individually, and will be viewed in light of the knowledge of one skilled in the art. The inferences and creative steps a person of ordinary skill in the art would typically employ are also relevant to the determination of obviousness.

23. When a work is available in one field, design alternatives and other market forces can prompt variations of it, either in the same field or in another. If a person of ordinary skill in the art can implement a predictable variation and would see the benefit of doing so, that variation is likely to be obvious. When there is design need or market pressure and there are a finite number of predictable solutions, a person of ordinary skill in the art has good reason to pursue those known options.

24. It is my understanding that there is no rigid rule that a reference or combination of references must contain a "teaching, suggestion, or motivation" to combine references. But, I understand that a "teaching, suggestion, or motivation" can be a useful guide in establishing a rationale for combining elements of the prior art.

C. Priority

25. In order to determine whether a reference qualifies as prior art for a given patent claim, one must determine the applicable priority date for that patent claim. I understand that in many cases the priority date is the actual filing date of the patent application or patent at issue. In certain cases, however, patent claims may be entitled to "priority" based on one or more earlier applications referenced on the face of the patent.

26. In order for a claim of a patent to be entitled to claim priority to an earlier filed application, I understand that the earlier filed application needs to have

sufficient "written description" to support that claim.

27. When determining whether a specification contains adequate written description of the claimed invention, I understand that one must make an objective inquiry into the four corners of the specification from the perspective of a person having ordinary skill in the art ("POSITA").

28. Further, I understand that the standard for written description is stricter than the standard for determining whether or not a patent claim would have been obvious based on the prior art.

29. In particular, the question for purposes of written description is not merely whether the claimed invention is an obvious variant of what the specification discloses. Instead, the application itself must describe the invention, and do so in sufficient detail that one skilled in the art can clearly conclude that the inventor invented the claimed invention as of the date when the specification was filed.

30. Similarly, I understand that the issue of written description is separate from the question of "enablement" (*i.e.*, whether a specification allows a person of ordinary skill to practice the claimed invention without undue experimentation). A specification may adequately enable a claimed invention yet fail to provide written description support.

31. Finally, I understand that the standard for whether or not a disclosure is sufficient to support a claim is different than the standard for whether a disclosure

anticipates a claim. To support a claim, the description must be sufficient to convey to a POSITA that the inventors were in possession of the full scope of the claimed subject matter.

32. By contrast, a description anticipates a claim if it discloses even a single species within the scope of the claim. Thus, in the case of "genus" claims covering two or more different species, I understand that there can be situations in which a given disclosure is sufficient to anticipate the claim even though that same disclosure is not adequate to support the claim and entitle the inventors to an earlier priority date.

33. I understand that in order to claim priority to an application through a chain of applications, every single application in the chain (going back to the particular application on which the inventors want to rely) needs to support the claim as a matter of written description.

34. In other words, each application in the chain must allow a person of ordinary skill to discern that the inventors were in possession of the claimed invention at the time of the application.

III. Qualifications of A Person Having Ordinary Skill in the Art

35. I understand that a patent should be analyzed from the perspective of a POSITA at the time of the alleged invention. I have been informed that the factors considered in determining the level of ordinary skill of a POSITA include: (1) the

educational level of the inventor; (2) the type of problems encountered in the art; (3) prior art solutions to those problems; (4) the rapidity with which innovations are made; (5) the sophistication of the technology; and (6) the educational level of active workers in the field. I understand that these factors are not exhaustive but are merely a guide to determining the level of ordinary skill in the art.

36. It is my opinion that a person of ordinary skill in the art 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 design experience and/or industry experience with juvenile products. More education can replace product design experience, and vice versa. It is my opinion that this level of ordinary skill in the art would apply regardless of whether the date of alleged invention is around 2008 (the earliest claimed priority date) or later.

37. I meet or exceed these requirements for a POSITA. I have worked with many POSITAs and can evaluate documents from their perspective.

IV. State of the Art

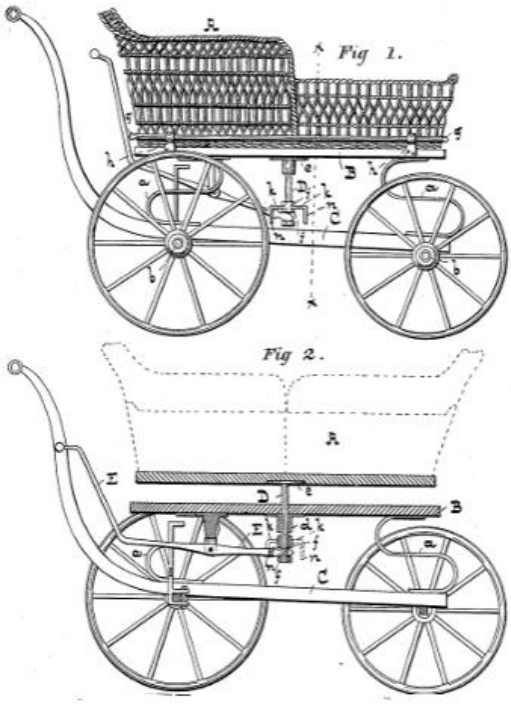
A. Overview of Strollers

38. A stroller is a rolling device used to transport children. Strollers (also known as perambulators, pram, push chairs, or bassinettes) have existed for several centuries. (EX1025, Sewell, 716-728.) Samuel J. Sewell's article from the 1920s described some well-known aspects of stroller designs.

1. **Wheels** – including how the wheels could be detachable to allow the stroller to be folded. (EX1025, Sewell, 724.)
2. **Springs** – allowing for a smoother stroller ride. (EX1025, Sewell, 724-725.)
3. **Variable Bodies** – allowing for "folding, converting, adjusting and reversing" the body frame. (EX1025, Sewell, 725.) This allowed adjustability so the stroller allowed for one child to lie down while another child could sit (EX1025, Sewell, 725-726.)

39. Early designs for strollers put an emphasis on stopping the stroller from tipping over, preventing the child from falling out, or having the stroller roll away. (EX1025, Sewell, 724.)

40. Strollers include one or more seats to accommodate one or more children. The seat or seats may be fixed or movable. Strollers with a reversible seat have been around more than a century. In the 1880s, William Richardson designed a reversible baby stroller that permitted the user to decide whether the child faced the user, or faced in the direction the stroller was pushed. (EX1026, U.S. Patent No. 405,600 ("Richardson").) U.S. Patent No. 405,600 also discloses how the stroller seat can be reversible in direction via rotation around a "king bolt."



"In the invention described in the said application the body of the carriage, when elevated, may be rotated or turned entirely around on its axial king-bolt …."

(EX1026, Richardson, 1:15-18 and Figs. 1, 2.)

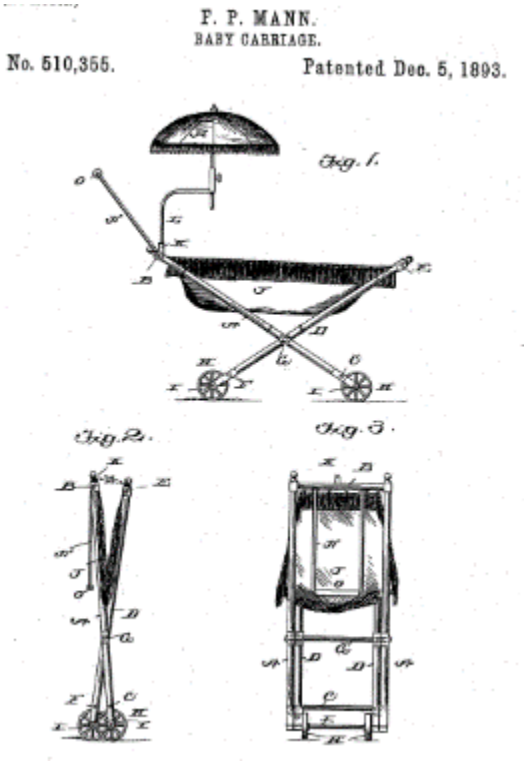
B. Basics of Stroller Structure

1. Basics of Stroller Structure

41. A stroller frame is the backbone of the stroller and supports the seat(s) and other components. Stroller frames are typically formed of metal or plastic. The frame will generally include a handlebar or push bar for pushing and steering the stroller and three or more wheels. The handlebar is typically connected to, or integral with, a pair of longitudinal side members. One or more crossbars may connect between the longitudinal sides. The front wheel(s) may be directly or indirectly connected to the longitudinal side members. The rear wheels are usually connected to the longitudinal sides by one or more intermediary components.

42. The X-frame was an early design from the late 1890s and included two

main crossbars in an "X" configuration. (EX1027, U.S. Patent No. 510,355.) A pivot point was located in the center of the "X" to allow the stroller to be collapsed for "compactness." (EX1027, U.S. Patent No. 510,355, ll. 22-31.)


F. P. MANN.
BABY CARRIAGE.
No. 510,355. Patented Dec. 5, 1893.
Fig. 1.
Fig. 2.
Fig. 3.

EX1027, U.S. Patent No. 510,355, Figs. 1-3

43. Another well-known stroller frame design included an upper frame tube and a lower frame tube joined together to form the longitudinal side members. (*See e.g.*, Exs., 1029, 1033, and 1040.) The joint between the upper and lower tube usually allowed movement between the upper and lower tube as explained in Exhibits 1029, 1033, and 1040.

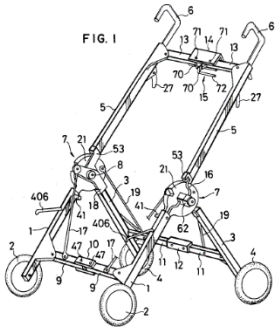
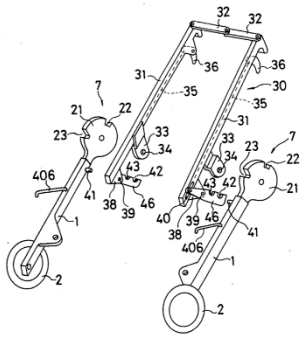


FIG. 5



The hammock supporting frame 30 comprises side links 31 and foldable-in-two back-rest connecting links 32 interposed between the upper ends of said links 31. Secured to relatively lower regions of the side links 31 are support frame pivotal mounts 33 having openings 34 for receiving the previously mentioned pivot pins 8 for the pivotal mounts 8, said hammock support frame 30 being pivotally supported with respect to the front legs 3 similarly to the push rods 5 and rear legs 3.

(EX1029, U.S. Patent No. 4,191,397, 4:26-35 and Figs. 1, 5.)

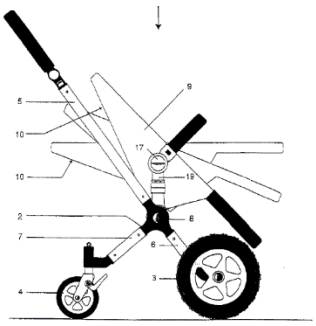


FIG. 1

FIGS. 1 to 4 show the buggy 1, which comprises a frame 2 with front wheels 3 and rear wheels 4, a pull and push bar 5, front wheel bars 6 and rear wheel bars 7, which support the front wheels 3 and rear wheels 4 and which are connected to the pull and push bar 5 by means of a coupling device 8.

(EX1030, U.S. Patent No. 6,513,827 to Barenbrug, 2:50-55; Figs. 1, 2.)

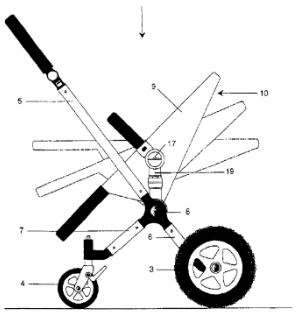


FIG. 2

44. A 2007 YouTube video for the "UPPAbaby Vista" stroller also

discloses a foldable frame having a U-shape bottom frame assembly.[1, 2]



EX1031, Holly Schultz Dec., EX2 at 21secs.; 1 min. 18 secs.

[1] See EX1031, Declaration of Hollie Schultz ("Hollie Schultz Dec."), ¶¶14-17.

[2] I understand the Ms. Schultz has provided a declaration confirming this video was uploaded and made publicly available without restrictions on YouTube on June 12, 2007.



EX1032, Declaration of Greg Allen, EX3[3] [4]

2. Folding Mechanism

45. The foldability or collapsibility of child strollers is a common and well-known design element allowing strollers to be easily stored (e.g., within a trunk of a vehicle) or transportable when not in use. These developments were widely documented in the patent literature and demonstrated the industry's focus on balancing convenience with structural integrity.

46. By 2008, various folding mechanisms for child strollers existed. These included flat fold, umbrella fold/three-dimensional fold, two-piece fold, compact tri-fold, one-hand fold, one-touch fold, one-step fold, five-second fold, quick fold

[3] See EX1032, Declaration of Greg Allen ("Greg Allen Dec."), ¶¶14-15; EX3–*How Sweet Is The iCandy Apple Stroller?* DaddyTypes Blog, (July 7, 2006) https://daddytypes.com/2006/07/07/how_sweet_is_the_icandy_apple_stroller.php

[4] I understand Greg Allen has provided a declaration confirming these images were uploaded and made publicly available without restrictions on his blog DaddyTypes on July 7, 2006.

system, and standing fold. (EX1031, Hollie Schultz Dec., EX10–*The Baby Gizmo Buying Guide,* 284-286.)

47. Examples of "flat fold" mechanisms are described in U.S. Patent Nos. 7,641,216, 3,390,893, and 4,398,748. As shown below, these patents disclose a stroller than can fold flat (*i.e.*, collapse upon itself) so as not to increase the footprint of the stroller when folded. These strollers use a folding joint between the upper and lower tubes of the longitudinal frame members.

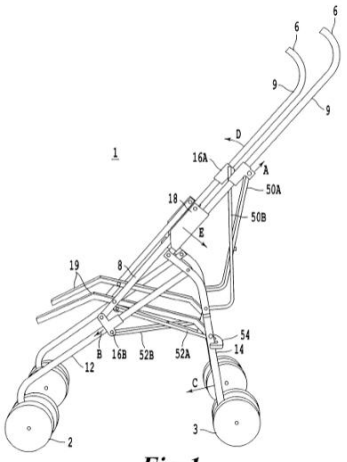


Fig.1

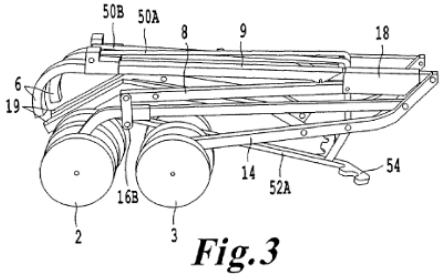


Fig.3

Exemplary aspects of the invention provide a method of folding a stroller including two handle frames, two front legs and two rear legs configured to support the stroller in an upright position, the front legs pivotally attached to respective rear legs, a chair portion, including a back rest, a seat and a leg rest pivotally attached to the seat, two pivot frames pivotally attached to respective handle frames, the back rest and the rear legs, two arm rests, and two sliders pivotally attached to respective pivot frames, the back rest, respective arm rests and the seat and configured to slide along the respective front legs.

(EX1033, U.S. Patent No. 7,641,216, 3:15-24 and Figs. 1, 3.)

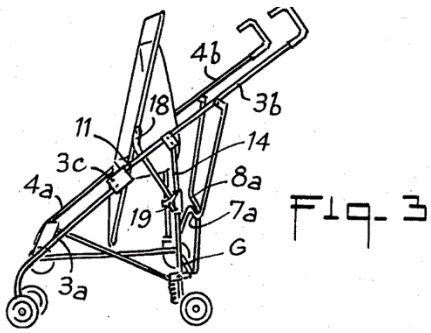


Fig. 3

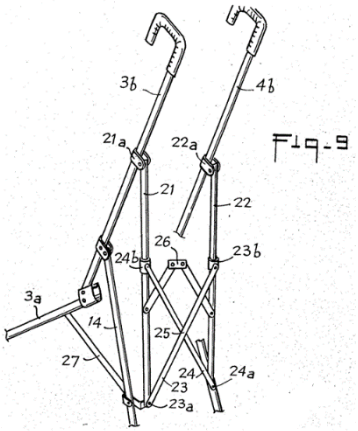


Fig. 9

[C]hild's stroller constituted by a frame 1 and a body 2 pivoted on the frame. The frame 1 comprises in known manner two lateral carrier elements 3 and 4, substantially parallel to each other, defining in unfolded position an inclined frontal plane. Each of these carrier elements 3 and 4 is composed of two parts 3*a*, 3*b*; 4*a*, 4*b*, articulated on one another (at 3*c* for the carrier element 3) so as to be foldable on themselves about this articulation.

(EX1034, U.S. Patent No. 4,398,748, 3:27-35 and Figs. 3, 9.)

48. These folding designs continue to be used in modern commercial products. For instance, foldable strollers available in 2007-2008 included the UPPAbaby Vista stroller, the Joovy Caboose stroller, the Mutsy 4Rider stroller, the Valco Baby TriMode stroller, the Dreamer Design Park Avenue stroller, the Graco Quattro Tour Duo stroller, and the Peg Perego Skate stroller—all featured in videos

showing folding and unfolding on the Baby Gizmo YouTube channel.[5]



EX1031, Hollie Schultz Dec., EX2 at 2 mins. 10 secs.; 2 mins. 19 secs.

49. The folding mechanisms include an associated actuator, such as a button or pull strap, that is operably coupled thereto and releases the locks of the folding mechanism, allowing the stroller to be folded. An example of this is disclosed in U.S. Patent Publication No. 2008/0238042 (EX1035.)

[5] *See e.g.*, EX1031, Hollie Schultz Dec., EX2–BabyGizmoCompany, *Baby Gizmo Uppa Baby Vista*, *YouTube*, https://www.youtube.com/watch?v=9IrmQs8kL5I (June 12, 2007); see also EX1031, Hollie Schultz Dec., ¶¶14, 18 (It is my understanding that paragraph 18 mistakenly identifies the Uppa Baby Vista stroller as the Baby Planet Unity Sport Double stroller).

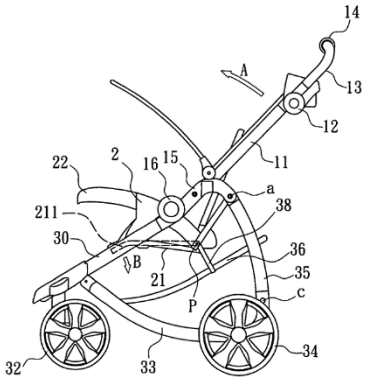


Fig.5A

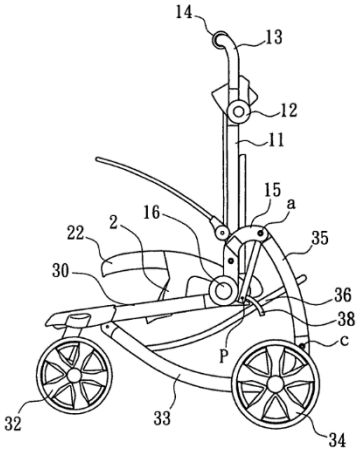


Fig.5B

The stroller shown in FIG. 5A is in a fully expanded state and when the stroller needs to be collapsed, the user first operate **the collapsing operation device 14** disposed on the handle 13 to actuate the locking member (a first locking device) disposed on the upper frame tube 11 or the connecting member 15 to cause the upper frame tubes 11 unlocked from the front legs 30 and thus the upper frame tubes 11 and the handle 13 is able to pivot forwardly about the connecting seat 16 toward the front legs 30 (as indicated by arrow A), and the front legs 30 in turn pivot downwardly toward the base frame tubes 33 (as indicated by arrow B) and into a state in which they are substantially parallel to the supporting tubes 211 of the seat portion 21 of the seat unit 2 (i.e., the biasing spring 50 is not twisted), as shown in FIG. 5B.

(EX1035, U.S. Patent Publication No. 2008/0238042, ¶0034 (emphasis added) and Figs. 5A, 5B.[6])

3. Stroller Wheels

50. It is also well known that strollers may include any combination of front and rear wheels. The number of wheels and location are not design critical and are typically chosen to comply with other more critical aspects of the design.

> **The number of wheels is irrelevant**; you're looking for a good turning radius, easy maneuverability, and quality wheels.

[6] All emphasis is added unless stated otherwise.

(EX1031, Hollie Schultz Dec., EX10–*The Baby Gizmo Buying Guide*, 291.)

51. Most strollers include two wheels (or wheel pairs) in the rear, whereas the front varies with common configurations being one, two, or three wheels (or wheel pairs). For instance, jogging strollers commonly have a single, large front wheel. (EX1031, Hollie Schultz Dec., EX10–*The Baby Gizmo Buying Guide*, 324-325.) In contrast lightweight/umbrella strollers come in both three-, four-, or other multi-wheel variants. (Exs. 1040 (three wheels), 1029 (four wheels), 1033 (eight wheels).) Designers have long understood the pros and cons of different wheel sizes, placements, and configurations; therefore, choosing among them is a routine exercise for stroller designers.

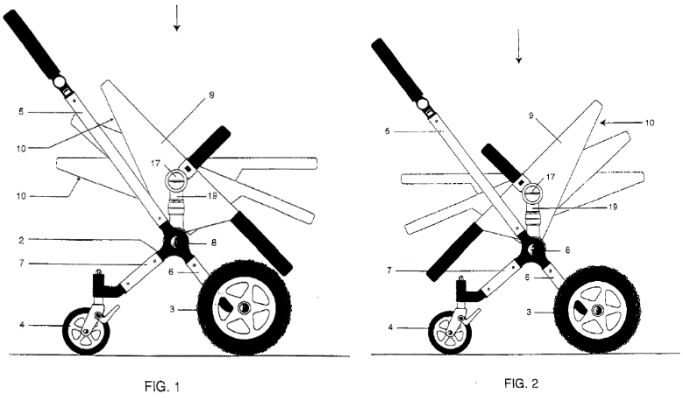
4. Rotatable and Detachable Seats

52. Another known design aspect of strollers—both single and doubles—is the ability to have one or both seats be detachable/reversible thereby providing various functionality for the stroller.

53. As I previously discussed, U.S. Patent No. 405,600 describes a stroller having a rotating carriage that allowed the child to face forward or backward. (EX1026, Richardson, 11:54-58.)

54. U.S. Patent No. 6,513,827 ("'827 Patent") (EX1030, Barenbrug) is a more modern example of a stroller having a reversible seat. Unlike earlier designs, the seat of the '827 Patent is completely detachable from the frame to allow for

reversal.



EX1030, Barenbrug, Figs. 1-2

55. The design disclosed in the ’827 Patent proved to be a commercial success and has been widely copied. The assignee of the ’827 Patent, Royalty Bugaboo Sarl, is a well-known stroller manufacturer that came to market in the United States in the early 2000s as the commercial “Bugaboo” stroller line.

56. The success of the Bugaboo design (which was commensurate with the embodiments disclosed in the ‘827 Patent) resulted in other stroller manufacturers launching similar designed strollers. (*See e.g.*, EX1032, Greg Allen Dec., EX1[7].)

57. Other strollers having detachable seats became available in 2007-2008. For example, the UPPAbaby Vista stroller, the Mutsy 4Rider stroller, and the

[7] EX1032, Greg Allen Dec., ¶7; EX1–*In The Beginning was the Bugaboo*, DaddyTypes Blog, (Sept. 13, 2004) https://daddytypes.com/2004/09/13/in_the_beginning_was_the_bugaboo.php.

Dreamer Design Park Avenue stroller all featured detachable and rotatable seats. The Baby Gizmo YouTube channel includes many videos showing how the seats of these strollers could detach, rotate, and reattach. (*See* EX1031, Hollie Schultz Dec., ¶¶14, 24, 41 and EXS 2, 4, 7.)

58. Double strollers may also have reversible and detachable seats. For example, U.S. Patent No. 6,086,087 to Yang (EX1037) shows a double tandem stroller with a front seat facing forward, facing backward, and a removable back seat.

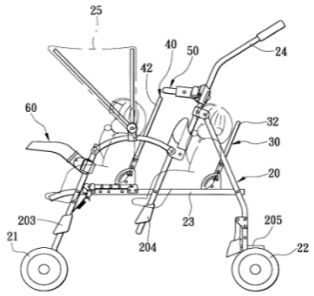


FIG. 12

FIG. 12 illustrates the preferred embodiment in a first state of use. As shown, the detachable seat member 40 is mounted on the stroller frame 20 such that the child to be seated thereon can face forwardly.

(EX1037, Yang, 6:51-54, Fig. 12.)

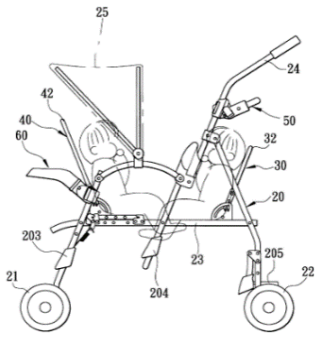


FIG. 13

FIG. 13 illustrates the preferred embodiment in a second state of use. As shown, the detachable seat member 40 is mounted on the stroller frame 20 such that the child to be disposed thereon can sit in a face-to-face relationship with another child seated on the non-detachable seat member 30.

(EX1037, Yang, 6:55-59, Fig. 13.)

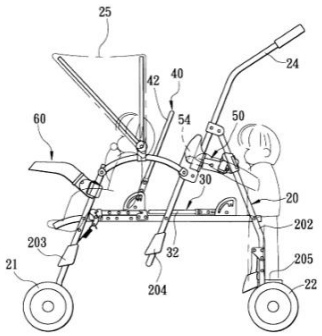


FIG. 14

FIG. 14 illustrates the preferred embodiment in a third state of use. As shown, the detachable seat member 40 is mounted on the stroller frame 20 such that the child to be seated thereon can face forwardly.

(EX1037, Yang, 6:60-63, Fig. 14.)

59. Another example may be seen in U.S. Patent No. 5,338,096 to Huang, showing the front seat capable of being locked in a forward position or backward position.

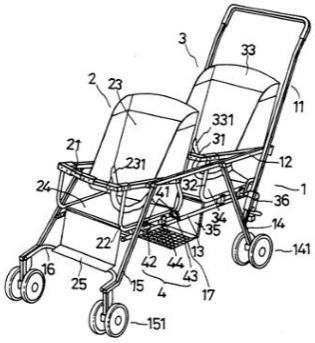


FIG.1

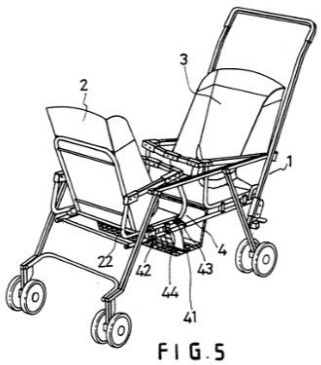


FIG.5

This invention has been devised to offer a double stroller with a front seat capable to be turned around to face a rear seat so that two babies sitting on the two seats may play with each other.

(U.S. Patent No. 5,338,096, 1:15-18.)

60. Further, there were commercial products available before late 2008 that had rotatable and detachable seats. For example, the Kolcraft Contours Options Tandem stroller had reversible seats capable of being oriented so either (A) both seats faced the parent, (B) both seats faced away from the parent, (C) the seats faced each other, (D) the seats were oriented back-to-back, or (E) only one seat was

attached. (EX1038, Kolcraft Contours Options Tandem Instruction Sheet, 15[8] (obtained from https://web.archive.org/web/20081010100559/http://common.csnstores.com/common/marketing/baby/kolcraft/cnt1016instruction.pdf., Oct. 10, 2008), EXA to Affidavit of Christopher Butler.)



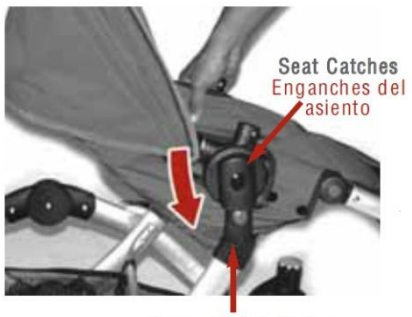
EX1038, Kolcraft Contours Options Tandem Instructions, Cover Page



EX1038, Kolcraft Contours Options Tandem Instructions, 15

61. The Kolcraft Contours Options Tandem instructions also disclosed how to attach the reversible seats to the frame:

[8] Referenced page numbers are those found in the middle of each page directly below the instruction images.





1 Align ***Reversible Seat*** catches over frame hubs as shown and push Reversible Seat down onto the frame hubs until a "Click" is heard on both sides.

2 The button on the frame hubs should be seen through both ***Reversible Seat*** catches. Pull up on the seat to make sure the seat is securely attached.

3 Repeat Steps 1 and 2 for other ***Reversible Seat***.

NOTE: To remove ***Reversible Seat***, push both buttons on the frame hub in, than lift the Reversible Seat up.

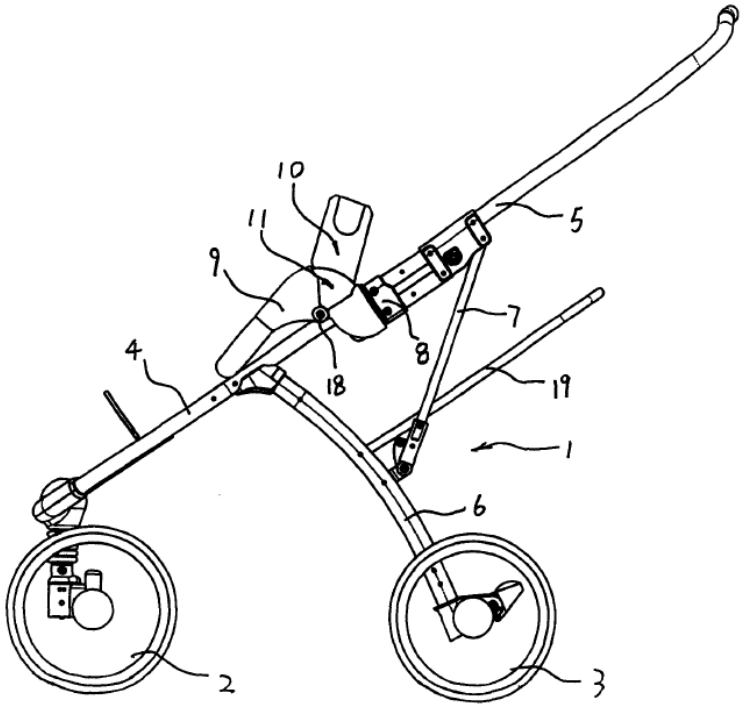
EX1038, Kolcraft Contours Options Tandem Instructions, 15-16

62. Another design for detachable seats is disclosed in Chinese Patent No. CN2778636Y ("Feng"). Feng was filed in China on December 24, 2004 and published on May 10, 2006. (EX1053, 1, 9.)

63. Counsel has provided me with a certified translation of CN2778636Y into English. (EX1053, Feng, 9-19.) Unless otherwise noted all citations of text are based on the Feng certified translation.

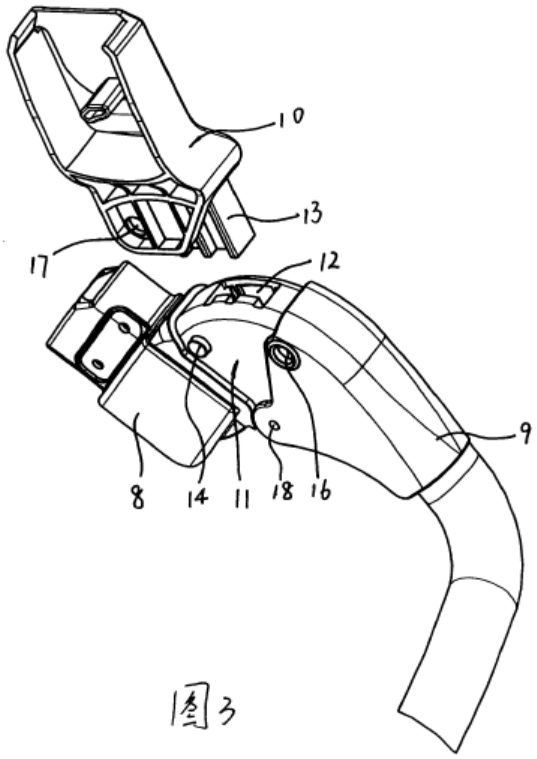
64. Feng discloses a stroller having a stroller frame, front wheels, and rear wheels. (EX1053, Feng, Abstract, 9.) The stroller frame has the typical design of left and right parallel side frame members and a rear wheel bracket 6 coupled to and extending rearwardly from the left and right parallel side frame members. (EX1053,

Feng, 13, ll. 18-25, Fig. 1.) Each of the side frame members includes lower and upper frame members 4, 5 coupled by a folding mechanism. (EX1053, Feng, 5, ll. 18-25, Fig. 1.)



EX1053, Feng, Fig. 1

65. The stroller has a primary seat (fabric not shown) including a backrest frame 19 for supporting the primary seat. (EX1053, Feng, 13 ll. 11-16, Fig. 1.) An infant car seat 20 is removably coupled to the stroller frame by a seat fixture 10. (EX1053, Feng, 14, ll. 21-23, Fig. 4.) The seat fixture 10 having insertion pieces 13 that are receivable in slots 12 defined in fixing components 11. (EX1053, Feng, 13, ll. 11-15, 14, ll. 17-20.) This allows the seat fixtures to be removed when the infant seat 20 is not being used with the stroller.



EX1053, Feng, Fig. 3

C. Stroller Types

66. Considering the state of the art of the stroller industry as of late 2008, the stroller market could be subdivided into the following general categories: carriages, single standard strollers, travel systems, lightweight-plus strollers, lightweight/umbrella strollers, luxury stroller systems, all-terrain strollers, jogging strollers, double standard strollers, double lightweight/umbrella strollers, double all-terrain strollers, double jogging strollers, strollers-and-a-half, and multiples strollers. (EX1031, Hollie Schultz Dec., EX10–*The Baby Gizmo Buying Guide*, 279-281.) I summarize these design types below.

1. Single Strollers

67. Single-seat strollers, designed for transporting one child at a time, have been a staple for parents for decades. These strollers offer a compact and convenient solution for caregivers, allowing for easy navigation through crowded spaces and narrow pathways. While families with multiple children often own more than one single-seat stroller, managing multiple strollers simultaneously can be impractical for a single caregiver. As a result, the single-seat stroller remains the go-to option for parents prioritizing individualized attention and mobility for a single child. There were numerous issued patents and commercial products (e.g., Bugaboo and iCandy) that exemplified the common nature of these stroller designs.

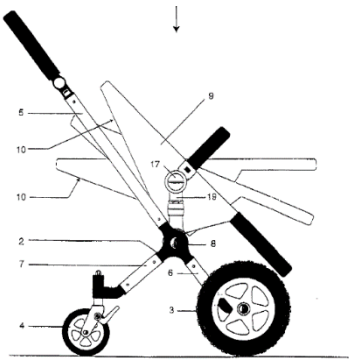


FIG. 1

EX1030, Barenbrug, Fig. 1



EX1032, Greg Allen Declaration, EX1–Bugaboo Stroller



EX1032, Greg Allen Declaration, EX3–iCandy Apple Stroller

2. Double Strollers

68. Double strollers for transporting more than one child at a time were also well known by 2008. Many parents with multiple children have two or more single strollers, but it is cumbersome for one person to safely push and control multiple strollers simultaneously. To address the need to transport more infants, multi-child

strollers were developed. One of the earliest examples of a double stroller may be seen in U.S. Design Patent No. 162,495 granted in 1951:



U.S. Design Patent No. 162,495, Fig. 1

69. Double strollers can generally be split into two main types: side-by-side orientation of the seats and tandem orientation of the seats.

a. Side-by-Side Double Strollers

70. The side-by-side configuration places two seats next to each other, which may be ideal for families with twins or children of similar ages. Side-by-side strollers provide both children with an equal view and experience, often making them wider and harder to maneuver in narrow spaces. (EX1031, Hollie Schultz Dec., EX10–*The Baby Gizmo Buying Guide*, 330.)

71. Exemplary side-by-side double strollers include U.S. Design Patent No. D382,516:



U.S. Design Patent No. D382,516, Fig. 1

b. Tandem Double Strollers

72. A tandem-configured double stroller positions one child behind the other, significantly reducing the stroller's overall width compared to side-by-side designs. This configuration allows parents to navigate narrow doorways, crowded sidewalks, and other tight spaces more easily, making it a popular choice for urban environments.

73. Tandem strollers often feature seats that can be adjusted independently, providing flexibility in positioning each child for comfort and convenience. Some models also offer options to reconfigure the seats to face each other or the parent, adding versatility.

74. An exemplary tandem double stroller is disclosed in U.S. Patent No 5,911,432 to Song.

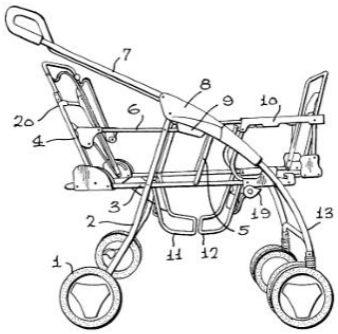


FIG. 1

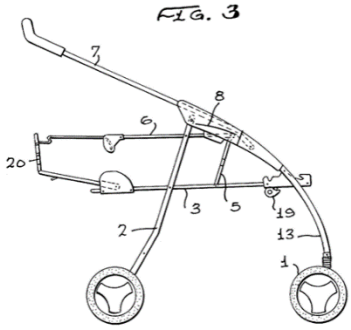
This invention is directed to a baby carriage which can be easily switched from two seats to one seat and vice versa without making it difficult to fold the carriage.

(U.S. Patent No 5,911,432, 1:18-20 and Fig. 1.)

Because the front seat is connected to the carriage frame through a locking device and can be removed from the carriage frame by unlocking the locking device, this two seat carriage can be easily converted into a one seat carriage. The additional space created when the two seat carriage is converted into a one seat carriage allows the remaining seat to be adjusted to permit the child to lie flat in the seat.

(U.S. Patent No 5,911,432, 1:49-56 and Fig. 3.)

FIG. 3



75. Tandem strollers can be sub-divided further into a sub-category called "stadium seating" tandem strollers. In contrast with Song, which shows each of the two seats at the same horizontal level, stadium seating places the children at different heights from the ground, allowing both children to have unobstructed views.

Tandem Seating

The most popular seating arrangement in double strollers is the tandem, where one seat sits in front of the other. Many tandems go one step further and offer stadium seating, giving the little guy in back a view from the top. Tandem strollers are usually very stable, but can be a nightmare to maneuver. To make things easier, you should load the heaviest weight in the back seat, over the



back wheels. While many manufacturers recommend placing an infant car seat carrier in the rear seat for safety (presumably so you can be closer to your baby), if you have a heavier toddler, this arrangement can be almost impossible to push. Many tandems only offer a full recline on the back seat, which is a total pain, because everyone wants to kick back sometimes. We look for tandems that allow both seats to recline. Many newer tandem strollers allow you to reverse the direction each seat faces independently, so your children can see where they're going, look at you, or even face each other.

EX1031, Hollie Schultz Dec., EX10
***The Baby Gizmo Buying Guide*, 329-330**

76. Tandem stadium-style double strollers may have the seats directly attached to the main frame of the stroller. For example, French Patent 2,615,155 to Boidin that issued in 1987. (EX1039.)

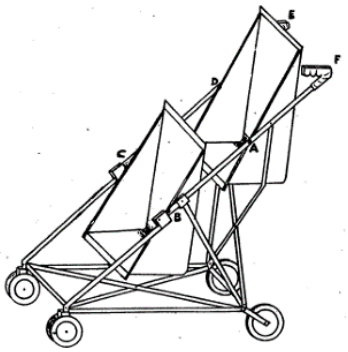


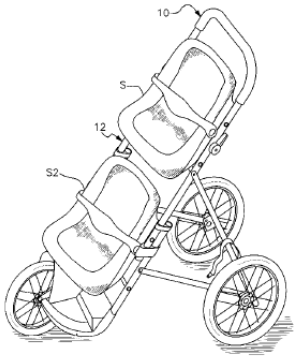
FIGURE 2

This stroller has two seats located on the same chassis at different heights.

(EX1039, FR 2,615,155, ¶0003 and Fig. 2.[9])

[9] EX1039 is a non-certified translation of French Patent 2,615,155 to Boidin.

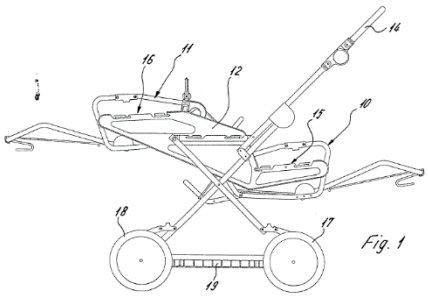
77. Another example of a tandem stadium-style double stroller is U.S. Patent No. 6,209,892 to Schaaf that issued in 2001 (EX1040.)



It is a further object of this invention to provide a baby stroller for twins and other multiple numbers of children that supports the babies vertically with respect to one another such that the stroller is conveniently maneuverable and the babies' observation positions can be readily adjusted when desired.

(EX1040, Schaaf, 2:27-32, Fig. 10.)

78. Some tandem double strollers include a subframe structure attached to the stroller frame to which two seats may be attached in a stadium-style orientation. An example may be seen in EP 0980810 to Gotting and assigned to stroller manufacturer Britax, which issued in 1998. (EX1041.)



In a preferred embodiment, the seats are attached to two adapters on the sides of the frame. These adapters are designed such that they can be mounted in two positions, to obtain the above possibilities for overlapping the seats.

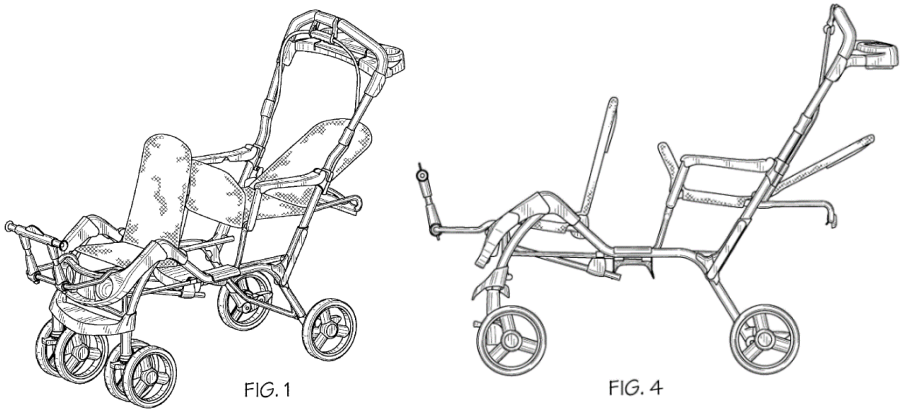
(EX1041, EP 0980810, ¶0007.)

79. Another example is the commercial "Bebe Confort" which was introduced in 2004.

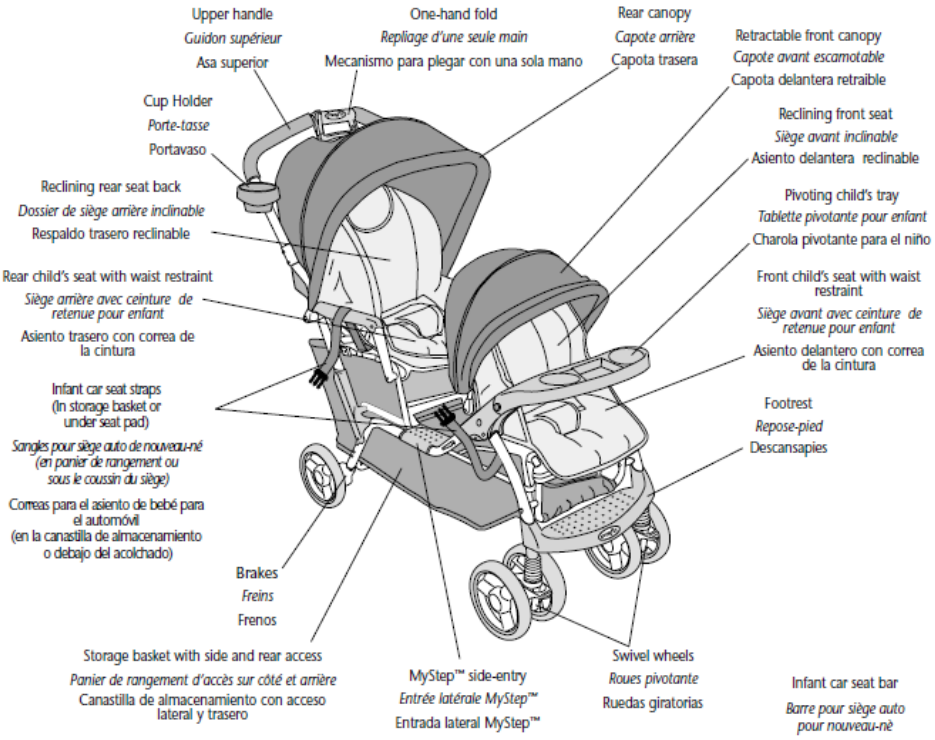


EX1032, Greg Allen Dec., EX2–*Bebe Confort Twin Stroller*

80. Another example of a tandem double stroller is disclosed in U.S. Design Patent 514,036, which was granted in 2006 and is assigned to Evenflo Co. Inc. (EX1042.) As seen in the Figures of U.S. Design Patent 514,036, the front seat is oriented at a lower vertical position than the back seat. A 2004 stroller by Evenflo called the "Take Me Too" illustrates a commercial version of a tandem double stroller.



EX1042, U.S. Patent Design 514,036, Figs. 1 and 4



EX1043, Take Me Too Manual, 1

81. Each of these strollers demonstrate how stadium-style seating can be achieved through variations in frame structure and seat attachment mechanisms and that these designs were well known by at least 2008. These designs illustrate different approaches to elevating one seat relative to the other to provide improved visibility and accessibility for the child seated in the rear position and underscore the evolution of double tandem stadium strollers before 2008. This plethora of example stadium style seating prior to 2008 underscores that mixing and matching various features of these disclosed designs was merely routine design work to a POSITA by 2008.

3. Single-to-double or Double-to-triple Strollers

82. By 2008, designs for strollers capable of converting from a single stroller to a double stroller upon the birth of a second child were well established in the art. These convertible stroller designs provided a practical solution for growing families, offering flexibility and cost savings by eliminating the need to purchase a separate double stroller. Typically, such strollers featured modular systems that allowed for the addition of a second seat or a ride-along platform, enabling parents to adapt the stroller to their changing needs. Designs for single-to-double strollers included attachments intended to convert any single stroller into a double stroller, while other strollers were specifically designed to expand from a single to a double.

83. Single-to-double strollers that attached a second auxiliary seat were well known in the art to create a tandem stroller. For example, U.S. Patent No. 3,000,645 to Schmidt disclosed a removably attachable second seat attachable to the side of the stroller, creating a side-by-side orientation of the children.

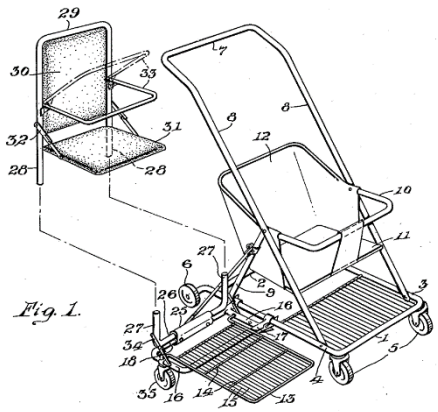


Fig. 1.

A further object, therefore, is to provide the combination of any well known form of baby carriage with a readily attachable and detachable auxiliary vehicle, which preferably is supported at its outer free edge portion by a single wheel, and otherwise essentially comprises a platform capable of satisfactorily supporting one or more children other than the occupant of the baby carriage, and upon which may be readily mounted a preferably detachable seat[] … .

(U.S. Patent No. 3,000,645, 1:20-28.)

84. Other single-to-double strollers attached a second seat in front of the first seat to create a tandem stroller. For example, U.S. Patent No. 6,045,145 to Lan discloses a stroller and an auxiliary seat unit mountable to the stroller. (EX1044.)

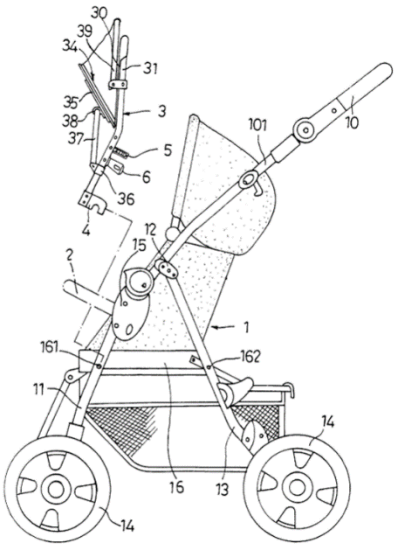


FIG. 1

Referring to FIGS. 1 and 3, the auxiliary seat unit 3 is to be mounted on a front side of the main frame 1, and generally includes an auxiliary frame 31, a seat portion 34, and a support frame member 37.

(EX1044, U.S. Patent No. 6,045,145, 2:22-25.)

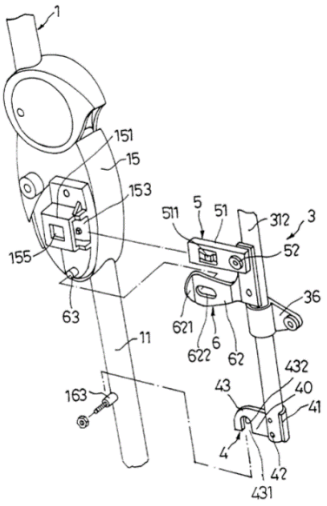


FIG. 4

Referring to FIG. 4, the locking unit 5 includes a pair of hollow locking seats 151 formed on inner sides of the connecting seats 15, and a pair of first insert members 51 mounted pivotally and held frictionally on the mounting posts 312 of the auxiliary frame 31 by means of a pair of pivot pins 52. Each of the locking seats 151 is formed with an insert hole 153 which opens forwardly, and has a side wall formed with a locking opening 155 communicated with the insert hole 153. Each of the first insert members 51 is insertable into the insert hole 153 of a respective one of the locking seats 151, and is formed with a resilient locking protrusion 511 which extends through and which engages the locking opening 155 when the first insert member 51 is inserted into the respective locking seat 151, thereby preventing undesired removal of first insert members 51 from the locking seats 151. The auxiliary seat unit 3 can thus be mounted on the front side of the main frame 1. The locking protrusions 511 are depressible for retraction into the locking seats 151 to permit release of the first insert members 51 from the locking seats 151.

(EX1044, U.S. Patent No. 6,045,145, 3:13-32.)

85. A commercial stroller design by iCandy included a conversion kit or subframe that allowed a single-seat stroller to be converted for use as a double-seat stroller. This subframe assembly would use the existing connection mechanism that existed when the stroller was used solely as a single-seat stroller. As shown below right, the subframe would then connect to the stroller frame allowing for either one or two seats to then be connected (shown below middle).

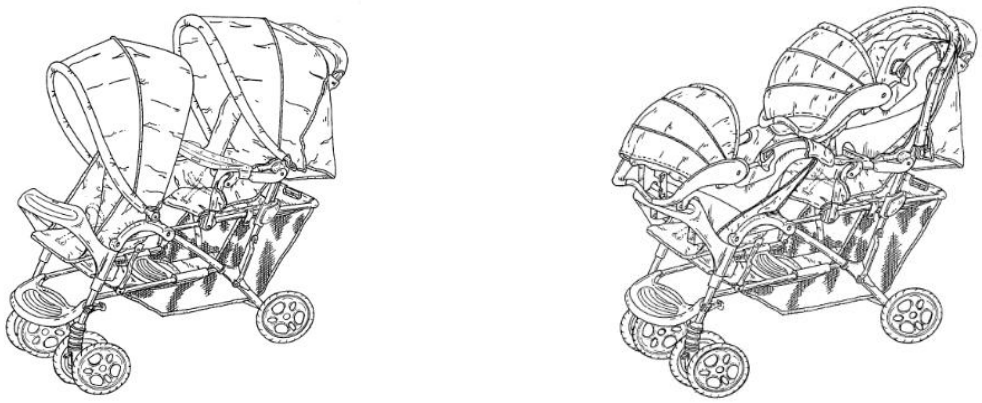


EX2025, Greg Allen Dec., EXS 3 and 5

4. Travel Systems

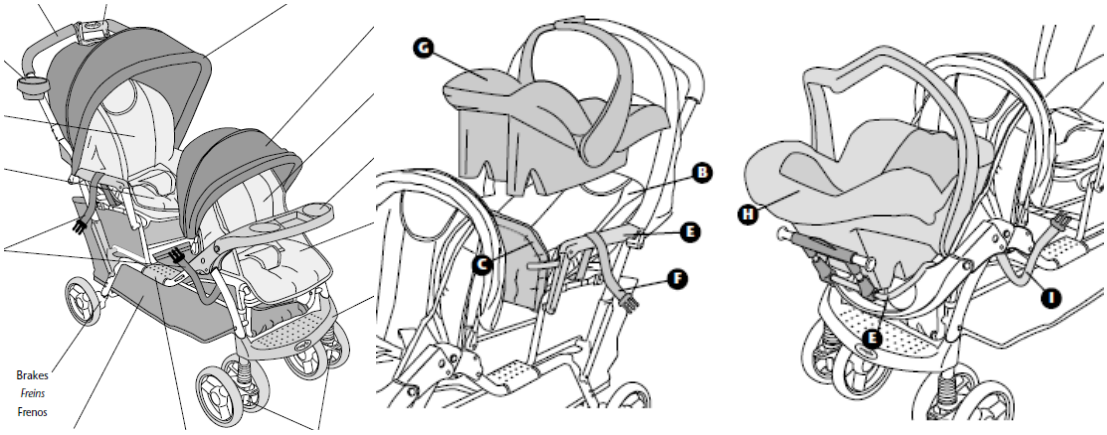
86. Travel stroller systems allow a compatible infant car seat to be securely attached to the stroller frame. These systems allow parents to use the stroller frame with an infant car seat during the early months and transition to a standard stroller seat as the child grows. This design is often marketed as providing convenience for caregivers because it proports to enable seamless transitions between a vehicle and the stroller without disturbing the child. In practice, some of these systems are easier to use than others.

87. The basic travel stroller system offered was a standard single or double stroller with one or two seats for children and the ability to either directly or indirectly attach and secure an infant car seat to the stroller frame. Strollers that allowed for direct attachment of an infant car seat are disclosed in U.S. Design Patent No. 429,476 assigned to Graco Children's Products, Inc. (*See also* U.S. Design Patent No. 430,076.) Design Patent No. 429,476 is shown below:



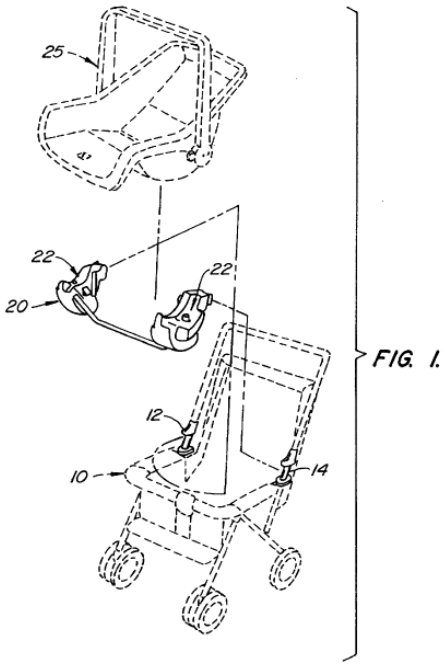
U.S. Design Patent No. 429,476, Figs. 1 and 8

88. Exemplary commercial products include the Evenflo Take Me Too (EX1043, Evenflo Take Me Too Manual, Oct. 2004,) which each allowed for placement of an infant car seat over the back seat, or over the front seat.



EX1043, Evenflo Take Me Too Manual, 1, 13, 14

89. Strollers designed for indirect attachment of an infant car seat typically required the use of an infant seat adapter. Once installed, the adapter enabled users to securely attach the car seat to the stroller frame, providing a stable and reliable connection. For example, U.S. Patent No. 5,794,951 to Corley discusses use of auxiliary attachments to install prior to infant car seat installation (EX1045.)



Turning now to the drawings, FIG. 1 is an exploded perspective view illustrating the latching mechanism of the invention as applied to a combination child's car seat and stroller combination. As seen in this figure, a stroller shown in broken lines in part and generally designated with reference numeral 10 has a pair of support posts 12, 14 incorporated into the frame structure of the stroller 10. As described more fully below, support post 12 functions as a latch support post while support post 14 functions as a pivot support post.

(EX1045, U.S. Patent No., 5,794,951, 2:35-44.)

90. Related to travel systems, stroller frames designed exclusively for use with an infant car seat were also widely commercially available by 2008. These lightweight and compact frames served as a minimalist solution for parents seeking a convenient and portable option during the early stages of their child's life. The frames typically featured universal adapters or brand-specific compatibility, allowing the infant car seat to securely click into place. Once the child outgrew the infant car seat, these frames were often retired, making them a short-term but practical investment for newborns and infants.

91. Stroller frames containing attachments for car seats were available on the market by 2008. For example, the Bebe Confort was commercially available and offered for sale before 2008 (EX1032, Greg Allen Dec., ¶¶10-11 and EX2.)[10]



EX2025, Greg Allen Dec., EX2

[10] *Bebe Confort Twin Club Looks Great*, DaddyTypes Blog, (Sept. 24, 2004) https://daddytypes.com/2004/09/24/bebe_confort_twin_club_looks_great.php

92. Each of these strollers demonstrate how stadium-style seating can be achieved through variations in frame structure and seat attachment mechanisms. These designs illustrate different approaches to elevating one seat relative to the other to provide improved visibility and accessibility for the child seated in the rear position and underscore the evolution of double tandem stadium strollers before 2008.

93. Another known travel system was the "Vista" stroller which was designed by Uppababy and commercially available by June 2007. (*See* EX1031, Declaration of Holly Schultz, ¶¶14-18.)



See Youtube video at: https://www.youtube.com/watch?v=9IrmQs8kL5I[11]

[11] This "YouTube" link was provided in the June 12, 2007 post on the Baby Gizmo YouTube channel (See EX1031, ¶14 and EX2.)

94. On September 10, 2008, Uppababy introduced a device called the "RumbleSeat" which could be the Vista stroller at the ABC Kids Expo in Las Vegas. The RumbleSeat was an optional seat assembly connectable to the Vista to provide a dual-seat configuration. (EX1032, ¶¶30-34; EX7.)

> Though the details are still shrouded in flash glare--or cropped out of the photo entirely, Pish Posh Baby has the scoop from ABC Kids Expo in Las Vegas, where Uppa baby debuted a poster of a removable underseat seat for their flagship stroller, the Vista. The RumbleSeat allows you to stack your kids Phil & Teds-style, only they're facing toward you, so it's totally different.

(EX1032, EX7, 46.)



EX1032, Greg Allen Dec., EX7



See https://www.flickr.com/photos/24570716@N06/2844563925/[12]

95. According to the 2008 blog post, the RumbleSeat was a removable "underseat … for [Uppababy's] flagship stroller, the Vista." (EX1032, EX7, 46) that was connected to the lower tubes of the frame. As I have annotated below, attached to the ends of the U-shape frame were right and left beige/black brackets that allowed the RumbleSeat to be removably coupled to the right and left support members of the frame (see red circles). Each of the brackets included a receptacle located on the

[12] This "Flickr" link was provided in the September 2008 post by daddytypes (See EX1032, ¶33 and EX7, 46.)

top of the bracket for receiving the corresponding end of the U-shaped frame therein. The lower portion of each bracket was configured to couple with the lower tube of the frame.

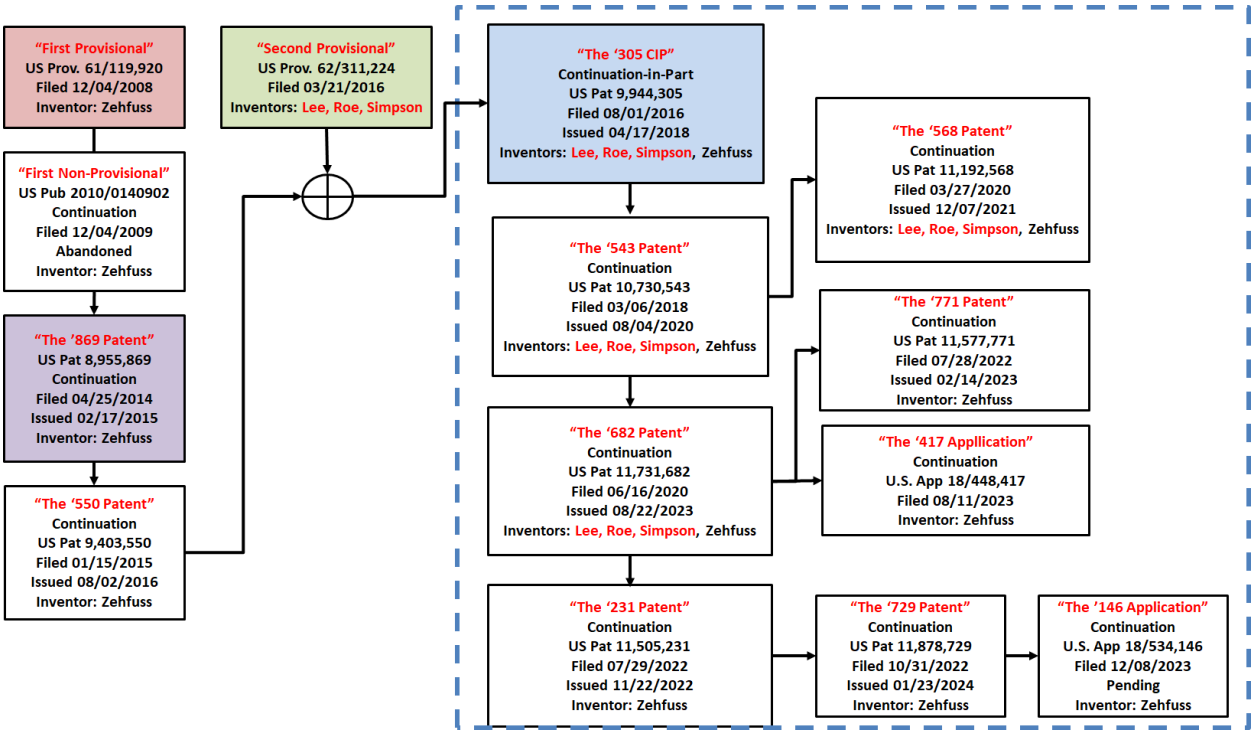


Uppababy Rumbleseat

V. Overview of the Baby Jogger Patent Family

96. The Baby Jogger family of related patents is illustrated below. I understand a December 4, 2008 application ("First Provisional") and a December 4, 2009 original application ("First Non-Provisional") named only Mark Zehfuss as the inventor.

97. But a March 21, 2016 second provisional application ("Second Provisional," shaded in green) and a subsequent August 1, 2015 continuation-in-part application ("the '305 CIP," shaded in blue), identified Mr. Zehfuss ***and*** three new inventors—John Lee, Megan Roe, and Noel Simpson.



'568 Patent Family

A. "The First Provisional"

98. As shaded in red in the above graphic, the Baby Jogger Patent Family begins with the December 4, 2008 filing of U.S. Provisional Patent Application No. 61/119,920 (EX1002, "the First Provisional"). (EX1009, '568 Patent, 1:17-34.)

99. The First Provisional lists Mark Zehfuss as the sole inventor.

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
61/119,920	12/04/2008		110	DYN005		

CONFIRMATION NO. 6909

6980
TROUTMAN SANDERS LLP
600 PEACHTREE STREET , NE
ATLANTA, GA 30308

FILING RECEIPT

OC00000003821601

Date Mailed: 01/02/2009

Receipt is acknowledged of this provisional patent application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

MARK ZEHFUSS, Residence Not Provided;

Power of Attorney: None

EX1002, First Provisional, 1

100. In reviewing the First Provisional, I have identified two different embodiments relating to a single seat stroller convertible to a double-seat stroller. The first embodiment shown by Figures 1-3, which I reference as "Embodiment A," discloses converting a single-seat stroller to a double-seat stroller.

[0018] A side view of an embodiment a single stroller 10 is shown in Figure 1. As a note, Figure 1 shows only one side of the single stroller 10, however, most components include a complementary component on the other side of the single stroller but are not shown in Figure 1. The single stroller 10 comprises a frame 12 that supports seat 13. The frame 12 may, optionally, include a folding mechanism 16 that allows the stroller 10 to be folded to a more convenient size for storing or transporting the stroller 10.

■ ■ ■

[0020] The embodiment of the stroller 10 comprises two connector portions 17. The connector portions are preferably on the front of the stroller to allow the attachment and the seat to be connected to the front of the stroller 10. The connector portions 17 allow an attachment such as a conversion kit for converting the single stroller 10 to a double stroller, as shown in Figure 3, to be connected to the stroller. The embodiment of the stroller 10 has a left side and right side connector portions 17. An embodiment of an attachment of stroller 10 will comprise corresponding attachment portions capable of connecting to the stroller frame at the connector

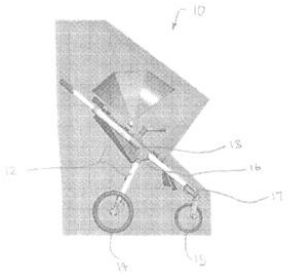


FIGURE 1

■ ■ ■

[0021] An embodiment of an attachment 20 of the invention is shown in Figure 2. The attachment of Figure 2 is in an unlocked and folded configuration. The attachment 20 comprises a pair of attachment portions 21 capable of connecting to the stroller frame 12, two seat attachment elements 22 capable of supporting a seat; and a wheel 23. In this embodiment, the attachment portions are connected to the rear of the attachment 20 allowing the attachment 20 to be connected to the front of a stroller, such as stroller 10 shown in Figure 1. Other embodiments of the stroller attachment may include more than one wheel, one attachment element, one seat attachment element, or combinations of these elements, for example or may not include a wheel. In an embodiment of the stroller with one wheel, the connector portion may be on the forks of the front wheel, for example.

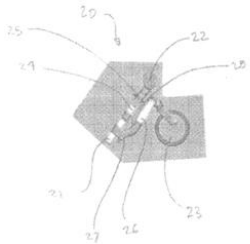


FIGURE 2

[0026] In Figure 3, the attachment 20 of Figure 2 is shown connected to the single stroller 10 of Figure 1 forming a double stroller. The double stroller configuration is shown with two stroller seats in an inline configuration, though the other configurations, such as a stroller seat and a bassinet or a pram may also be supported on the double stroller. Further, the seat attachment element of the attachment may be capable of supporting the front stroller seat in either a forward or backward position.

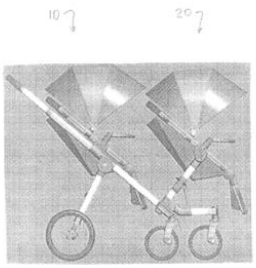
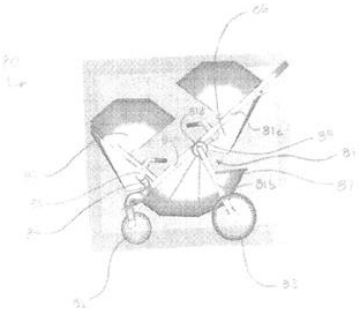


FIGURE 3

EX1002, First Provisional, 36-37, 38, 40, Figs. 1-3

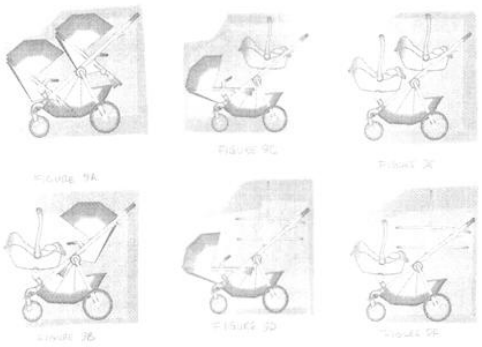
101. Figures 8 and 9A-9H, which I reference as "Embodiment B," discloses another embodiment for converting a single-seat stroller to a double-seat stroller.

[0033] A further embodiment of the stroller 80 is shown in Figure 8. Stroller 80 may be easily converted from a single stroller comprising one seat to a double stroller comprising two seats without addition of another wheel on the attachment. Stroller 80 comprises a frame 81 capable of supporting the stroller seat 86. In this embodiment, the frame 81 comprises a front wheel support portion 81a, a back wheel support portion 81b, and a handle portion 81c. The frame 81 of the embodiment of the stroller 80 further comprises a folding mechanism 81d that connects front wheel support portion 81a, a back wheel support portion 81b, and a handle portion 81c. The folding mechanism 81d allows the stroller to be folded in a more compact size for storing or transportation. Figure 8A shows stroller 80 in a folded configuration.



▪ ▪ ▪

[0036] Embodiment of the stroller 80 comprises a first seat attachment portion 84. The seat attachment portion 84 is connected to the stroller 80 front wheel support frame 81a. The seat attachment portion 84 is adjacent to the front wheel support portion 81a of frame 81. The seat attachment portion is capable of supporting a second seat in front of the stroller seat 86. This provides convenience and versatility to a user of stroller 80. Seat attachment portion may be fixedly attached or removably attached to front wheel support portion 81a. The front seat may be positioned substantially over the front wheels so the stroller remains stable. The seats should be positioned such that the center of gravity of the stroller is between the front and rear wheels. If not an additional wheel may be placed on the attachment as previously described. Seat attachment portion 84 comprises a seat connector 88. Seat connector 88 may be a multipurpose general connector that allows different seats to interchanged on the seat attachment portion 84. Any style seat may be configured to connect to the seat connector, such as but not limited to, a stroller seat, a baby seat, a bassinet, a pram, a baby carrier, or a car seat, for example.



▪ ▪ ▪

[0016] Figures 9A, 9B, 9C, 9D, 9E, and 9F show various configurations of the embodiments of the stroller shown in Figure 8.

EX1002, First Provisional, 36, 42-43, Figs. 8, 9A-9F

102. The subcomponents of the frame are described in more detail in Embodiment B compared to Embodiment A specifying that the frame 81 has a front wheel support portion 81a, a back wheel support portion 81b, and a handle portion 81c. (EX1002, 42, ¶0033.)

B. "The First Non-Provisional"

103. On December 4, 2009 continuation U.S. patent application No. 12/631,375 was filed. I understand this application published as U.S. Publication No. 2010/0140902. (EX1003, "the First Non-Provisional".)

104. The First Non-Provisional appears to have included the First Provisional's disclosure of "Embodiment A."

[0028] A side view of an embodiment a single stroller **10** is shown in FIG. **1**. As a note, FIG. **1** shows only one side of the single stroller **10**, however, most components include a complementary component on the other side of the single stroller but are not shown in FIG. **1**. The single stroller **10** comprises a frame **12** that supports seat **13**. The frame **12** may, optionally, include at least one, preferably two, folding mechanism **16** that allows the stroller **10** to be folded to a more convenient size for storing or transporting the stroller **10**.

■ ■ ■

[0030] The embodiment of the stroller **10** comprises two attachment frame members **17**. The connector portions are preferably on the front of the stroller to allow the seat attachment and the seat to be connected to the front of the stroller **10**. The attachment frame members **17** allow a seat attachment such as the seat attachment for converting the single stroller **10** to a double stroller, as shown in FIG. **3**, to be connected to the stroller. Only one seat attachment is shown in FIG. **3**, the stroller **10** would use two seat attachments as shown in FIG. **3** or one seat attachment comprising two seat support elements. The embodiment of the stroller **10** has a left side and right side attachment frame members **17**. An embodiment of a seat attachment of stroller **10** will comprise corresponding connector portions capable of connecting to the stroller frame at the attachment frame members **17**. Though the seat attachment for the stroller is described in relation to a single stroller, the attachment may similarly be attached to a double stroller. Embodiments of the seat attachment may therefore be used to convert a double stroller into a triple stroller, if desired.

[0031] An embodiment of a seat attachment **20** of the invention is shown in FIG. **2**. The seat attachment of FIG. **2** is in an unlocked and folded configuration. The seat attachment **20** comprises a pair of connector portions **21** capable of connecting to the attachment frame members **12**, two seat attachment elements **22** capable of supporting a seat; and a wheel **23**. In this embodiment, the connector portions are connected to the rear of the seat attachment **20** allowing the seat attachment **20** to be connected to the front of a stroller, such as stroller **10** shown in FIG. **1**. Other embodiments of the seat attachment may include more than one wheel, one connector portion, one seat support element, or combinations of these elements. In an embodiment of the stroller with one wheel, the attachment frame member may be on the forks of the front wheel, for example.

■ ■ ■

[0036] In FIG. **3**, the seat attachment **20** of FIG. **2** is shown connected to the single stroller **10** of FIG. **1** forming a double stroller. The double stroller configuration is shown with two stroller seats **13** in an inline configuration, though the other configurations, such as a stroller seat and a bassinet or a pram may also be supported on the double stroller. Further, the seat support element of the seat attachment may be capable of supporting the front stroller seat in either a forward or backward position.

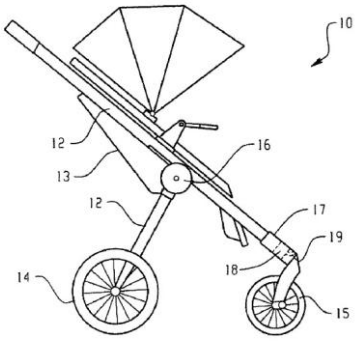


Fig. 1

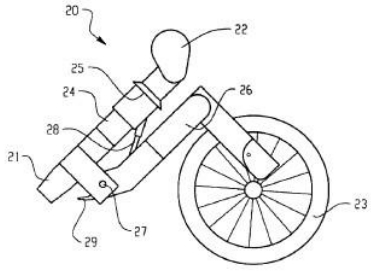


Fig. 2

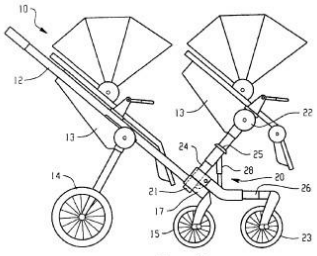


Fig. 3

EX1003, First Non-Provisional, ¶¶0028, 0030-0031, 0036, Figs. 1-3

105. The First Non-Provisional also appears to have included the First

Provisional's disclosure of "Embodiment B" related to Figures 8 and 9A-9F.

[0043] A further embodiment of the stroller **80** is shown in FIG. **8**. Stroller **80** may be easily converted from a single stroller comprising one seat to a double stroller comprising two seats without addition of another wheel on the attachment. Stroller **80** comprises a frame **81** capable of supporting the stroller seat **86**. In this embodiment, the frame **81** comprises a front wheel support portion **81***a*, a back wheel support portion **81***b*, and a handle portion **81***c*. The frame **81** of the embodiment of the stroller **80** further comprises a folding mechanism **81***d* that connects front wheel support portion **81***a*, a back wheel support portion **81***b*, and a handle portion **81***c*. The folding mechanism **81***d* allows the stroller to be folded in a more compact size for storing or transportation. FIG. **8**A shows stroller **80** in a folded configuration.

[0046] Embodiment of the stroller **80** comprises a first seat support element **84**. The seat support element **84** is connected to the stroller **80** front wheel support frame **81***a*. The seat support element **84** is adjacent to the front wheel support portion **81***a* of frame **81**. The seat support element is capable of supporting a second stroller seat **85** in front of the stroller seat **86**. This provides convenience and versatility to a user of stroller **80**. Seat support element may be fixedly attached or removably attached to front wheel support portion **81***a*. The front seat **85** may be positioned substantially over the front wheels so the stroller remains stable. Preferably, the seats should be positioned such that the center of gravity of the stroller is between the front and rear wheels. If not an additional wheel may be placed on the attachment as previously described. Seat support element **84** comprises a seat connector **88**. Seat connector **88** may be a multipurpose general connector that allows different seats to interchanged on the seat support element **84**. Any style seat may be configured to connect to the seat connector, such as but not limited to, a stroller seat, a baby seat, a bassinet, a pram, a baby carrier, or a car seat, for example.

[0026] FIGS. **9**A, **9**B, **9**C, **9**D, **9**E, and **9**F show various configurations of the embodiments of the stroller shown in FIG. **8**.

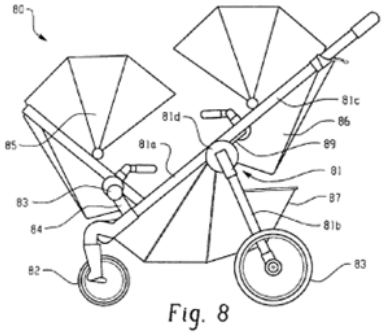
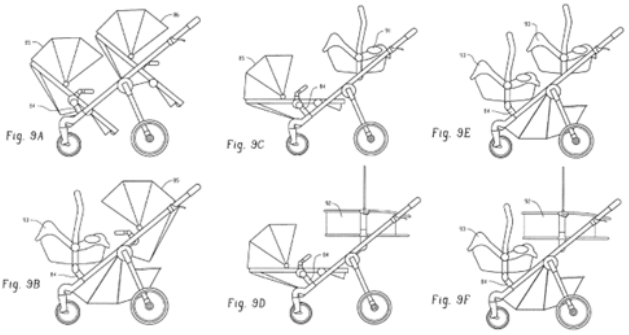


Fig. 8



EX1003, First Non-Provisional, ¶¶0026, 0043, 0046, Figs. 8, 9A-9F

106. The figures and Description section of the First Non-Provisional appear to be very similar to what is disclosed by the First Provisional Application. As such, the First Non-Provisional depicts and describes the "frame 12" of Embodiment A mostly the same as in the First Provisional. (EX1003, First Non-Provisional, ¶0028.)

107. The First Non-Provisional Application also described Embodiment B

fairly consistent with the First Provisional Application explaining the "frame 81" has a "front wheel support portion 81a" (red), a "folding mechanism 81d," a "back wheel support portion 81b (blue)", and a "handle portion 81c" (yellow). (EX1003, First Non-Provisional, ¶0043.)

108. But as I have shown below, both embodiment A and B continue to show the handle portion 81c (yellow) as being colinear with the front wheel support portion 81a (red). Both also continue to show the handle portion 81c (yellow) extending from the folding mechanism 81d to the top of the frame.

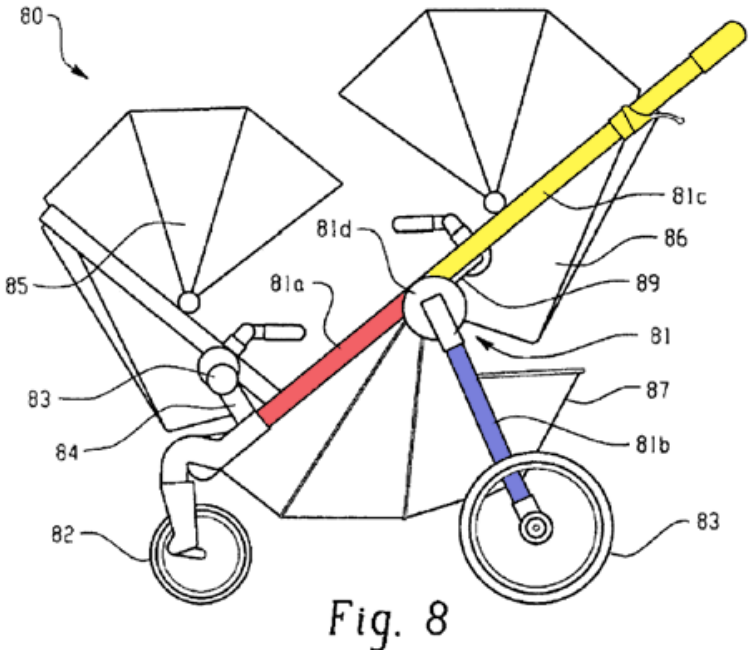


Fig. 8

EX1003, First Non-Provisional, Fig. 8 (Annotated)

109. On March 28, 2013, while prosecution of the First Non-Provisional was ongoing, the Examiner indicated a figure was needed to illustrate how "Embodiment

A" (*i.e.*, Figures 1-3) discloses "one attachment portion" being attached to one front wheel and "the other attachment portion" being attached to the other front wheel.

8. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the following from Claim 16 must be shown or the feature(s) canceled from the claim(s): "wherein one attachment portion is connected adjacent to one front wheel and the other attachment portion is connected to the frame adjacent to the other front wheel." No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

EX1014, File History of First Non-Provisional, 183-184

110. On June 12, 2013, the Patent Owner responded by attempting to amend the specification to include Figures 10 and Figure 11 (shown below). The Patent Owner also attempted to amend the specification to include the following description for both Figures 10 and 11.

AMENDMENT TO THE SPECIFICATION

Please add the following paragraphs to the specification after paragraph [0026]:

"FIG. 10 shows a perspective view of an embodiment of a stroller comprising two attachment frame members 17 capable of reversibly receiving two separate seat attachments 20 84, wherein the seat attachments each comprise a seat attachment member 22 for converting the stroller into a double stroller, the seat attachment comprising a connector portion capable of reversibly connecting to one of the attachment portions above a front wheel of the stroller and a seat attachment member capable of supporting a second seat in either a forward or backward position;

FIG. 11 shows a close up on the stroller, stroller front wheel, attachment portion 17 of the stroller adjacent to the front wheel comprising slot 18 and the seat attachment 84."

EX1014, File History of First Non-Provisional, 221

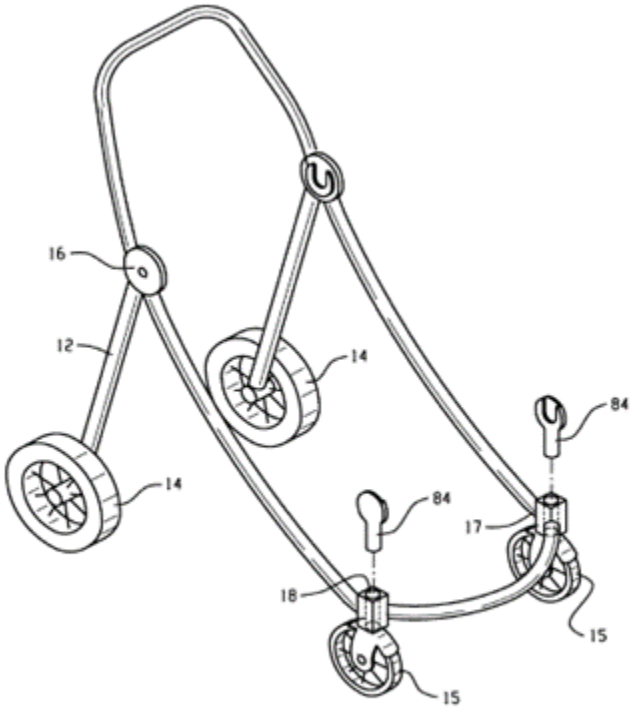


Fig. 10

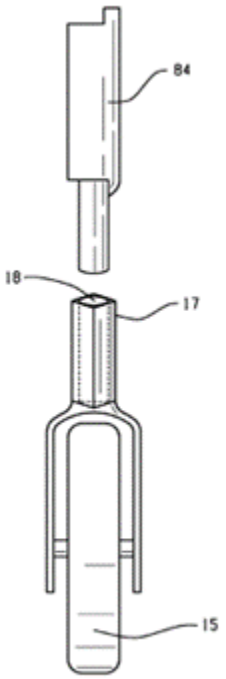


Fig. 11

EX1014, File History of First Non-Provisional, 233-234

111. On August 2, 2013, the Examiner objected, stating Figures 10-11 do not appear to be directed to the "elected embodiment" disclosed by Figures 1-3. The

Examiner instead indicated Figures 10-11 appear to be directed to "a different embodiment and do not contain the same elements as claimed[.]"

7. The new drawings submitted 6/12/2013 labeled Figures 10 and 11 (along with the previously submitted Figures 1-3) are objected to as failing to comply with 37 CFR 1.84(p)(4). Specifically, it is unclear whether the new Figures are the requested "frontal view" showing "how the seat attachment and stroller mate" pertaining to the elected embodiment in Figures 1-3. As best understood, the new figures appear to be directed to a different embodiment and do not contain the same elements as claimed nor do they illustrate "how the seat attachment and stroller mate." Furthermore, they do not contain the seat attachment or its extra wheel as claimed (See, e.g., Claims 2 and 16). Claim 16, as currently claimed, provides for a stroller with at least three wheels in the front which the drawings do not currently illustrate. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

EX1014, File History of First Non-Provisional, 276-277

112. It does not appear this objection was addressed and the Patent Owner ultimately elected to abandon the First Non-Provisional. (EX1014, File History of First Non-Provisional, 519-521.)

◉ Applicant hereby expressly abandons the instant application (any attorney/agent signing for this reason must have power of attorney pursuant to 37 CFR 1.32(b)).

EX1014, File History of First Non-Provisional, 521

C. "The '869 Patent"

113. On April 25, 2014, just before the First Non-Provisional was abandoned, Patent Owner filed U.S. patent application No. 14/261,558 which issued as U.S. Pat. No. 8,955,869 (EX1004, "the '869 Patent".) I understand the '869 Patent claims priority to the First Provisional.

114. As filed, the '869 Patent appears to include the disclosure regarding "Embodiment A" (see EX1004, the '869 Patent, 4:40-48, 5:11-44, 7:5-13) and "Embodiment B" (see EX1004, the '869 Patent, 8:49-62, 9:36-56, 3:66-67.)

115. But when filed, the Patent Owner added Figures 10-11.

116. When added to the '869 Patent, Figures 10-11 included only the following description.

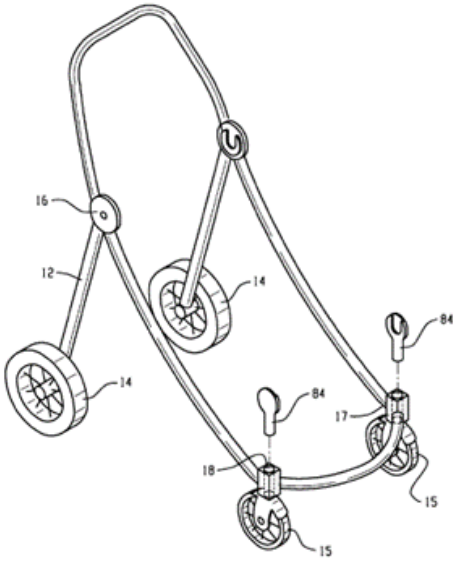


Fig. 10

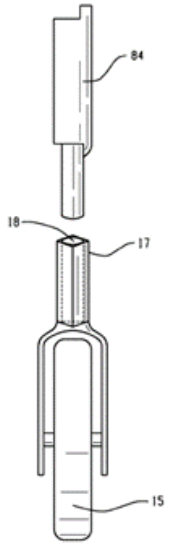


Fig. 11

FIG. **10** shows a stroller with left and right attachment frame members for attaching a second seat; and

FIG. **11** shows an attachment frame member with a cylindrical post to be received in a slot in a stroller frame.

EX1004, the '869 Patent, 4:1-4, Figs. 10-11

117. As I explained above, I understand the Examiner objected to these two drawings when introduced as not being representative of the embodiment shown by Figures 1-3, *i.e.,* "Embodiment A." (EX1014, First Non-Provisional File History, 276-277.) I agree with the Examiner's original objection as the First Provisional never disclosed a curved stroller frame. The First Provisional also never disclosed an "attachment frame member with a cylindrical post" as is shown by Figures 10-11. Instead, these drawings would not be considered by a POSITA as being contemplated and disclosed by either the First Provisional or the originally filed First Non-Provisional. Instead, these figures would be considered by a POSITA as being an alternative embodiment and disclosure.

D. "The Second Provisional"

118. On March 21, 2016 the Patent Owner filed U.S. Provisional Patent Application No. 62/311,224 (EX1006, "Second Provisional").[13]

119. The Second Provisional does not list Mr. Zehfuss as a named inventor. Instead, as shown below the Second Provisional lists John Lee, Megan Roe, and Noel Simpson as named inventors.

[13] I have been informed by my attorneys the Second Provisional is not permitted to claim priority to the originally filed First Provisional application.

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62/311,224	03/21/2016		260	34757-1494		

CONFIRMATION NO. 1030

134811
Sutherland/NWL
999 Peachtree Street
Suite 2300
Atlanta, GA 30309

FILING RECEIPT

Date Mailed: 04/07/2016

Receipt is acknowledged of this provisional patent application. It will not be examined for patentability and will become abandoned not later than twelve months after its filing date. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Inventor(s)

Jon Hee Lee, Kalamazoo, MI;
Megan Roe, Kalamazoo, MI;
Noel Simpson, Portage, MI;

Applicant(s)

Baby Jogger, LLC, Richmond, VA;

EX1006, Second Provisional, 1

120. The Second Provisional discloses multiple new embodiments not previously disclosed.

121. In general, the Second Provisional discloses multiple embodiments disclosing the novel design and operation of "seat attachment adapters" and "seat attachment housings" to allow a single-seat stroller to be adjusted to a double-seat stroller.

122. For instance, Embodiment C[14] discloses and provides exemplary

[14] To avoid confusion, I maintain the labels Embodiments A-B pertaining to the First Non-Provisional and will use Embodiments C-D for what is disclosed by the Second Provisional. I also note that Embodiment C could be considered multiple different embodiments based on what is disclosed.

drawings (Figures 1A-H, 2, and 4A-4C) pertaining to features of the "seat attachment adapters" and "seat attachment housings." In stepping through the various drawings, the Second Provisional also details how the "seat attachment adapters" can operate in conjunction with the either the "stroller frame" or the "seat attachment housings."

Figures 1A-H present multiple views of a stroller apparatus capable of being converted from a single seat stroller to a double seat stroller through the use of removable seat attachment adapters, according to one example embodiment of the disclosure. Referring now to Figures 1A-H, the example stroller apparatus 10 can include a stroller frame 11 capable of supporting one or more stroller seats 15, 16. In one example embodiment, the stroller frame 11 can made of one or more pieces fixedly coupled and/or removably coupled to one another. The stroller frame 11 can include portions that are hollow tubing and other portions that are solid core tubing and can be made from metal, plastic, or other materials known in the art.

■ ■ ■

decoupled from the frame 11 and stored when a second stroller seat is not being used with the stroller 10. In one example embodiment, each removable seat attachment adapters can be coupled to the frame by coupling the adapter 14 into a seat attachment housing disposed along the frame 11. In one example, the seat attachment housing (such as that described in Figures 2-5C below) can be integrally formed with all or a portion of the stroller frame (e.g., integrally formed with front wheel support frame 11a). Alternatively, the seat attachment housing can be a separate apparatus that is coupled to the frame 11 or incorporated into the frame 11 by coupling multiple pieces of the frame 11 together. The frame 11 and each seat attachment housing can be made from the same or different materials, including, metals and plastics.

Though it cannot be seen in the side view of Figure 1A, a typical embodiment of the stroller 10 will include at least two removable seat attachment adapters 14 (at least one along each left and right side of the stroller 10 along the stroller frame 11). For example, at least one removable seat attachment adapter can support each lateral side of the second stroller seat 15. In certain example embodiments, each of the removable seat attachment adapters 14 may be made up of one piece or multiple parts. The removable seat attachment adapters 14 may be of any design capable of securely supporting a seat on the stroller. In one example, the removable seat attachment adapter 14 is configured to have a first end that removably coupled to the frame 11 and/or seat attachment housing and a distal second end that is configured to be removably coupled to a second stroller seat 15. The removable seat attachment adapter 14 is designed to be capable of supporting the second stroller seat 15 in front of the first stroller seat 16. The stroller 10 may also include a storage basket 17.

■ ■ ■

In certain example embodiments, the removable seat attachment adapter 14 is capable of supporting a second stroller seat 15 such that a child in the second stroller seat 15 is substantially above the frame 11 of the stroller 10 that is substantially adjacent to the connection point of the second stroller seat 15. This positioning of the second stroller seat 15 with respect to the frame 11 provides easier access to the second stroller seat 15, does not block access to the storage basket 17, allows more versatile configurations of the seats 15, 16, allows more variety of seats 15, 16 to be attached to the frame 11, and allows the parent or guardian to more easily monitor and see the child in each stroller seat 15, 16.

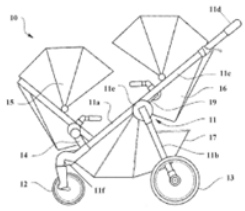


FIGURE 1A

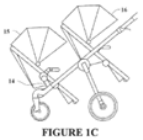


FIGURE 1C



FIGURE 1E



FIGURE 1D



FIGURE 1F



FIGURE 1G

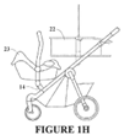


FIGURE 1H

EX1006, Second Provisional, 8, 10-11, Figs. 1A, 1C-1H

Figure 2 is a partial perspective view of the stroller 10 showing a seat attachment housing 205 according to one example embodiment of the disclosure. Referring now to Figures 1A and 2, the example stroller 10 can include a first seat attachment housing 205 and the second seat attachment housing 210. The first seat attachment housing 205 can include a first end 205a having a cavity for slidably receiving and fixedly or slidably coupling the first end 205a to a first end of the left front wheel support frame 11a. For example, the left front wheel support frame 11a can have a substantially circular or oval cross-section and the cavity of the first end 205a can have a corresponding circular or

■ ■ ■

decoupled from the frame 11 and stored when a second stroller seat is not being used with the stroller 10. In one example embodiment, each removable seat attachment adapters can be coupled to the frame by coupling the adapter 14 into a seat attachment housing disposed along the frame 11. In one example, the seat attachment housing (such as that described in Figures 2-5C below) can be integrally formed with all or a portion of the stroller frame (e.g., integrally formed with front wheel support frame 11a). Alternatively, the seat attachment housing can be a separate apparatus that is coupled to the frame 11 or incorporated into the frame 11 by coupling multiple pieces of the frame 11 together. The frame 11 and each seat attachment housing can be made from the same or different materials, including, metals and plastics

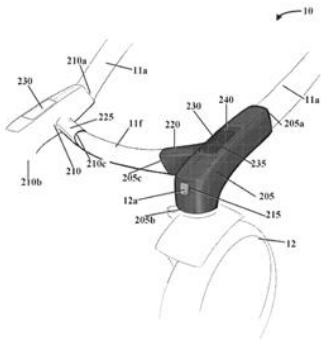


FIGURE 2

EX1006, Second Provisional, 10, 12, Fig. 2

Figures 4A-C are partial perspective views of the removable seat attachment adapter 14 coupled to the seat attachment housing 205 according to one example embodiment of the disclosure. Now referring to Figures 1A, 2, 3, and 4A-C, once the door 235 has been moved into the open configuration exposing the opening 230 and the adapter receiving cavity 305, a first end 14a of the removable seat attachment adapter 14 can be inserted into the adapter receiving cavity 305. In certain example embodiments, the adapter receiving cavity 305 can include one or more stop flanges 415, 420 that extend out from an inner surface of the cavity 305 and into the cavity area to abut against a bottom side of the first end 14a of the removable seat attachment adapter 14 when the adapter 14 has penetrated a sufficient amount into the adapter receiving cavity 305. Once the adapter 14 is inserted into the cavity 305 and removably coupled to the seat attachment housing 205, a stroller seat can be removable coupled to a seat connector disposes on or adjacent to the second end 14b of the removable seat attachment adapter 14. The seat connector on the second end 14b can be a multipurpose general connector that allows different seats to be interchangeably connected to the removable seat attachment adapter 14. Any style seat may be configured to connect to the seat connector including, but not limited to, a stroller seat, a baby seat, a bassinet, a pram, a baby carrier, or a car seat, for example.

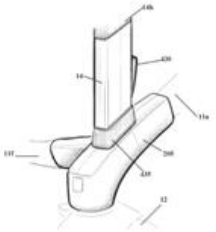


FIGURE 4A

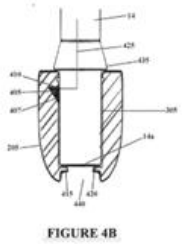


FIGURE 4B

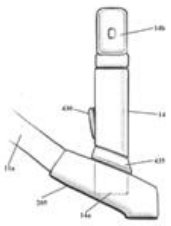


FIGURE 4C

EX1006, Second Provisional, 15-16, Figs. 4A-4C

123. While not discussed in the specification, Embodiment C was consistent with embodiments A and B with regards to the sides of the frame being in a collinear alignment.

124. Embodiment D of the Second Provisional, details and illustrates (Figures 5A-C) an "alternative embodiment" of the "seat attachment housings" and how it may operate with the "seat attachment adapters."

Figures 5A-C are partial perspective views of an alternative embodiment of the seat attachment housing 505, 510 according to another example embodiment of the disclosure. Referring now to Figures 1A, 2 and 5A-C, the seat attachment housings 505, 510 are substantially the same as the seat attachment housings 205, 210 described in Figures 2-4C except for as described below. Therefore, the description of the seat attachment housings 205, 210 in Figures 2-4C above is incorporated herein for the alternative seat attachment housings 505, 510, except with regard to the distinctions described below.

Each seat attachment housing 505, 510 can include a rotating door 515 rotatably coupled to the seat attachment housing 505, 510. For example, the rotating door 515 can have a fixed end that is rotatably coupled to the top side of the seat attachment housing 505, 510 or an interior wall of the opening 230 or adapter receiving cavity 305 by way of or more hinges 520. Alternatively, other devices may be used to allow the door 515 to rotate from a closed configuration 515a to an open configuration 515b, as shown in Figure 5C. In certain example embodiments, the door 515 and/or the rotating mechanism or hinge 520 that the door 515 is coupled to can be spring-biased into the closed configuration 515a through the use of a spring or other biasing means. Spring-biasing the door 515 into a closed configuration 515a can help to prevent fluids and other material contaminants from entering the adapter receiving cavity 305 when the removable seat attachment adapter 14 is not coupled into the adapter receiving cavity 305.

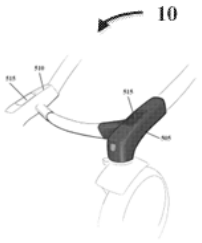


FIGURE 5A

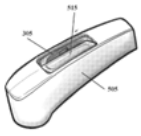


FIGURE 5B

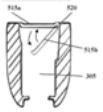


FIGURE 5C

EX1006, Second Provisional, 17-18, Figs. 5A-5C

125. Although I understand it to not be common practice, the Second Provisional also included a set of "claims" near the end of the specification. As I show below, claim 1 recites how the disclosed "seat attachment adapter(s)" could be "configured to be removably coupled" to the "seat attachment housing(s)."

What is claimed is:

1. A stroller, comprising:

a stroller frame;

a plurality of wheels;

a first seat coupled to the stroller frame;

a first seat attachment housing disposed along a first portion of the stroller frame;

a second seat attachment housing disposed along a second portion of the stroller frame;

a first removable seat attachment adapter configured to be removably coupled to the first seat attachment housing; and

a second removable seat attachment adapter configured to be removably coupled to the second seat attachment housing.

EX1006, Second Provisional, 20

126. Again, the Second Provisional discloses as part of Embodiment C that the "removable seat attachment adapter 14 is configured to have a first end that removably coupled to the frame 11 and/or seat attachment housing and a distal second end that is configured to be removably coupled to a second stroller seat 15." (EX1006, Second Provisional, 10.) The above claim therefore recites an aspect of Embodiment C where the first/second adapters are "removably coupled" to a first/second housings.

127. The Second Provisional also introduced new, previously undisclosed definitions for "substantially," "substantially equal," "substantially constant," and "substantially parallel."

In addition, certain relationships between dimensions of the adjustable stroller and between features of the adjustable stroller are described herein using the term "substantially." As used herein, the terms "substantially" and "substantially equal" indicates that the equal relationship is not a strict relationship and does not exclude functionally similar variations therefrom. Unless context or the description indicates otherwise, the use of the term "substantially" or "substantially equal" in connection with two or more described dimensions indicates that the equal relationship between the dimensions includes variations that, using mathematical and industrial principles accepted in the art (*e.g.*, rounding, measurement or other systematic errors, manufacturing tolerances, etc.), would not vary the least significant digit of the dimensions. As used herein, the term "substantially constant" indicates that the constant relationship is not a strict relationship and does not exclude functionally similar variations therefrom. 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.

EX1006, Second Provisional, 7-8

128. I believe the addition of these definitions becomes relevant to certain claim limitations.

E. "The '305 CIP"

129. On August 1, 2016, the Patent Owner filed continuation-in-part U.S. patent application No. 15/225,326, which issued as U.S. Pat. No. 9,944,305. (EX1007, "the '305 CIP"). The '305 CIP claimed priority back to the First Provisional and claimed the benefit of the Second Provisional.

130. In reviewing the '305 CIP specification, I noticed the '305 CIP specification: (1) adds and incorporates Embodiments C and D from the Second

Provisional; (2) incorporates a modified version of Embodiment A from the First Provisional; and (3) adds an alternative "Embodiment E" using Figures 9 and 10 (which had been labeled Figures 10-11 when added in the '869 Patent).

131. A red-line comparison between the First Non-Provisional specification and the '305 CIP specification illustrates the comprehensive and significant modifications that occurred when the '305 Patent application was filed. (EX1046, Comparison of First Non-Provisional (EX1003) and '305 CIP specification (EX1007).)[15] This comparison was done using the filed specification for the First Non-Provisional in comparison to the filed specification for the '305 Patent (*i.e.*, comparison between EX1014, First Non-provisional File History, 3-16 and EX1017, '305 Patent File History, 1-22).

132. First, the '305 CIP now includes Embodiments C and D from the Second Provisional regarding the design and operational aspects of the "seat attachment adapters" and "seat attachment housings." (*See e.g.*, EX1046, Comparison of First Non-Provisional specification and '305 CIP specification ("Comparison"), 15-27; EX1007, '305 CIP, 8:63-11:58, 12:37-16:14, 16:27-17:6.)

[15] The comparison "strikes out" material that has been removed from the First Non-Provisional specification and underlines material that has been added into the '305 CIP specification.

133. Second, the ’305 CIP includes but modifies the disclosure of Embodiment A from the original disclosure. (*See e.g.*, EX1046, Comparison, 9-13).

134. Third, the ’305 CIP includes a new embodiment – which I reference as “Embodiment E” – when describing Figures 9 and 10.[16] (EX1014, First Non-Provisional File History, 221, 233-234.)

[16] These two figures were originally included and introduced as Figures 10 and 11 during prosecution of the ’869 Patent.

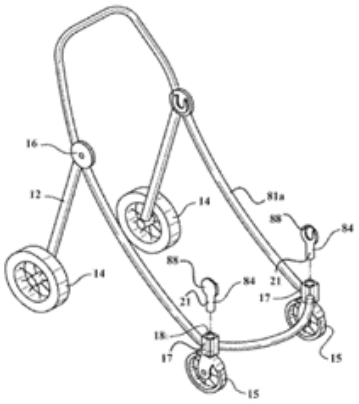


FIGURE 9

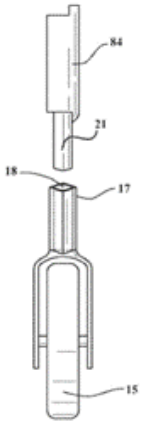


FIGURE 10

In one example embodiment, as shown in FIGS. **9-10**, the stroller **80** can include one or more, and preferably two, seat support elements **84**. The seat support element **84** is connected to and can be removably coupled to the stroller **80** front wheel support frame **81***a*. In certain example embodiments, the seat support element **84** is adjacent to the front wheel support portion **81***a* of frame **81**. Alternatively, the seat support element **84** is simply forward of and positioned at a vertical level lower than the attachment point for the first stroller seat **86** (FIG. **8**A) on the stroller **80**. The seat support element **84** is capable of supporting a second stroller seat **85** in front of the stroller seat **86** (see FIG. **8**A). This provides convenience and versatility to a user of the stroller **80**. Seat support element **84** may be fixedly attached or removably attached to front wheel support portion **81***a*. In certain example embodiments, the front seat **85** may be positioned substantially over the front wheels **15** so the stroller **80** remains stable. Preferably, the seats **85**, **86** should be positioned such that the center of gravity of the stroller **80** is between the front **15** and rear **14** wheels. If not an additional wheel may be placed on the attachment as previously described. The seat support element **84** can further include a seat connector **88**. In one example, the seat connector **88** can be disposed along a top end of the seat support element **84**. The example seat connector **88** may be a multipurpose general connector that allows different seats to be interchanged on the seat support element **84**. Any style seat may be configured to connect to the seat connector **88**, such as but not limited to, a stroller seat, a baby seat, a bassinet, a pram, a baby carrier, or a car seat, for example. As shown in FIG. **9**, the seat support element **84** can also include a connector portion **21**. The connector portion **21** is capable of connecting the seat attachment to the frame **81** via the attachment portion **17** and the slot **18**.

In certain example embodiments, the connector portion **21** of the seat attachment **20** has a cylindrical or substantially cylindrical shape. The connector portion **21** may be inserted into a cylindrical or substantially cylindrical slot **18** of the attachment portion **17** of the stroller **80** of FIG. **9-10** to secure the seat attachment and convert the single stroller into a double stroller, as shown in FIG. **8**A. The connector portion **21** may be of a solid or tubular construction and may be any cross-sectional shape including, but not limited to, circular, polygonal, square, rectangular, and triangular, for example.

EX1007, '305 CIP, 11:59-12:36, Figs. 9, 10

135. With regards to Figures 9 and 10, I noted the Patent Owner selectively chose to describe "seat support element 84" as connecting to an "attachment portion 17" ***instead*** of describing them as "seat attachment adapters" coupling to "seat attachment housings."

be configured to connect to the seat connector **88**, such as but not limited to, a stroller seat, a baby seat, a bassinet, a pram, a baby carrier, or a car seat, for example. As shown in FIG. **9**, the seat support element **84** can also include a connector portion **21**. The connector portion **21** is capable of connecting the seat attachment to the frame **81** via the attachment portion **17** and the slot **18**

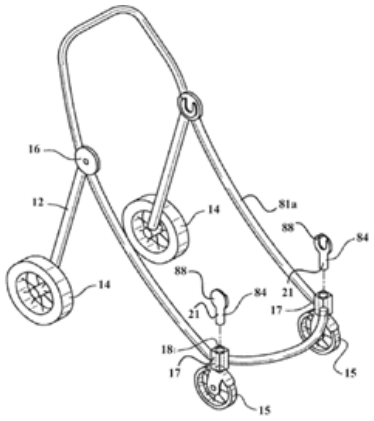


FIGURE 9

EX1007, '305 CIP, 12:21-25, Fig. 9

136. In my opinion, the distinction between describing the various items using different terms is meant to inform a POSITA the embodiments are different and unique. Given the description pertaining to Figures 9 and 10 is new, the Patent Owner could have used the term "seat attachment adapters" instead of "seat support elements." Or the Patent Owner could have included a statement indicating the "seat support elements" are like or intended to be the same as "seat attachment adapters."

137. But the Patent Owner did not convey to a POSITA what is being described and shown by Figures 9 and 10 are "seat attachment adapters." This is noteworthy given there is extensive discussion of the "seat attachment adapters 84"/"seat attachment housings 1105" (highlighted in yellow below) both right before and after the disclosure regarding Figures 9 and 10 (highlighted in orange below).

US 9,944,305 B2

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basket **87**, allows more versatile configurations of the seats **85**, **86**, allows more variety of seats **85**, **86** to be attached to the frame **81**, and allows the parent or guardian to more easily monitor and see the child in each stroller seat **85**, **86**.

The example stroller of FIG. **8**A can also include the first stroller seat **86**. In certain example embodiments, the first stroller seat **86** can be located generally closer to the handle portion **81***d* than to the front wheels **82**. The first stroller seat **86** may be fixedly coupled or removably coupled to the frame **81**. In certain example embodiments wherein the first stroller seat **86** is removably coupled to frame **81**, the first stroller seat **86** may be adjustable from a forward-facing configuration to a rearward-facing configuration and vice-versa, as shown, for example, in FIGS. **8**B-**8**C. In addition, the second stroller seat **85**, when coupled to the corresponding removable seat attachment adapters **84**, can be adjustable from a forward-facing configuration to a rearward-facing configuration and vice-versa.

FIGS. **8**C-**8**H present additional examples of combinations for a variety of types of stroller seats that can be removably coupled to the stroller **80**. For example, in FIG. **8**D, the second stroller seat **86** can be replaced by an infant carrier **93** that can be removably coupled to each of the at least two removable seat attachment adapters **84** and the first stroller seat **86** can be coupled to the stroller in a forward-facing position. In another example, as shown in FIG. **8**E, the first stroller seat **86** can be replaced by a child carrier **91** that may be coupled to the frame **81** and positioned in the first seat position and the second stroller seat **85** can be coupled to the stroller **80** by way of the at least two removable seat attachment adapters **84** in a rearward-facing position. In yet another example, as shown in FIG. **8**F, the child carrier **91**, of FIG. **8**E, can be replaced with a pram **92** that is removably coupled to the stroller **80** in the first seat position. In still another example configuration, as shown in FIG. **8**G, two child carriers **91** may be removably coupled to the stroller frame **81**. For example, the front child carrier can be coupled to the stroller by way of each of the at least two removable seat attachment adapters **84**. In another example configuration, one of the child carriers **91** may be replaced with a pram or bassinet **92**, as shown in FIG. **8**H.

In certain example embodiments, the stroller **80** may also include a second set of removable seat attachment adapters **89** removably coupled to the frame **81** (or another pair of seat attachment housings substantially similar to those **1105**, **1110** described below) along the upper tube support frame **81***c*. The second set of removable seat attachment adapters **89** may be substantially the same as or exactly the same as the removable seat attachment adapters **84** described herein and may be coupled to the frame **81** (or corresponding seat attachment housings) in substantially the same manner as the removable seat attachment adapters **84**, as discussed in more detail below. The second set of removable seat attachment adapters **89** can include at least two adapters (at least one along each left and right side of the stroller **80**) for removably coupling and decoupling the first stroller seat **86** or any other form of seat described herein to the stroller frame **81** or corresponding seat attachment housing.

In one example embodiment, as shown in FIGS. **9**-**10**, the stroller **80** can include one or more, and preferably two, seat support elements **84**. The seat support element **84** is connected to and can be removably coupled to the stroller **80** front wheel support frame **81***a*. In certain example embodiments, the seat support element **84** is adjacent to the front wheel support portion **81***a* of frame **81**. Alternatively, the seat support element **84** is simply forward of and positioned at a vertical level lower than the attachment point for the first

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stroller seat **86** (FIG. **8**A) on the stroller **80**. The seat support element **84** is capable of supporting a second stroller seat **85** in front of the stroller seat **86** (see FIG. **8**A). This provides convenience and versatility to a user of the stroller **80**. Seat support element **84** may be fixedly attached or removably attached to front wheel support portion **81***a*. In certain example embodiments, the front seat **85** may be positioned substantially over the front wheels **15** so the stroller **80** remains stable. Preferably, the seats **85**, **86** should be positioned such that the center of gravity of the stroller **80** is between the front **15** and rear **14** wheels. If not an additional wheel may be placed on the attachment as previously described. The seat support element **84** can further include a seat connector **88**. In one example, the seat connector **88** can be disposed along a top end of the seat support element **84**. The example seat connector **88** may be a multipurpose general connector that allows different seats to be interchanged on the seat support element **84**. Any style seat may be configured to connect to the seat connector **88**, such as but not limited to, a stroller seat, a baby seat, a bassinet, a pram, a baby carrier, or a car seat, for example. As shown in FIG. **9**, the seat support element **84** can also include a connector portion **21**. The connector portion **21** is capable of connecting the seat attachment to the frame **81** via the attachment portion **17** and the slot **18**.

In certain example embodiments, the connector portion **21** of the seat attachment **20** has a cylindrical or substantially cylindrical shape. The connector portion **21** may be inserted into a cylindrical or substantially cylindrical slot **18** of the attachment portion **17** of the stroller **80** of FIG. **9**-**10** to secure the seat attachment and convert the single stroller into a double stroller, as shown in FIG. **8**A. The connector portion **21** may be of a solid or tubular construction and may be any cross-sectional shape including, but not limited to, circular, polygonal, square, rectangular, and triangular, for example.

FIG. **11** is a partial perspective view of the stroller **80** showing a seat attachment housing **1105** according to one example embodiment of the disclosure. Referring now to FIGS. **8**A and **11**, the example stroller **80** can include a first seat attachment housing **1105** and the second seat attachment housing **1110**. The first seat attachment housing **1105** can include a first end **1105***a* having a cavity for slidably receiving and fixedly or slidably coupling the first end **1105***a* to a first end of the left front wheel support frame **81***a*. For example, the left front wheel support frame **81***a* can have a substantially circular or oval cross-section and the cavity of the first end **1105***a* can have a corresponding circular or oval cross-section to slidably receive a portion of the left front wheel support frame **81***a* into the cavity. In one example, the left front wheel support frame **81***a* can be held in the cavity of the first end **1105***a* by a press fit hold. Alternatively, a spring-loaded button on the left front wheel support frame **81***a* can be positioned into a corresponding opening along one of the sides of the first seat attachment housing **1105**.

The first seat attachment housing **1105** can also include a second end **1105***b* that includes a second cavity for coupling one of the front wheels **82** to the first seat attachment housing **1105**. The wheel **82** may be removably coupled to the second end **1105***b* of the first seat attachment housing **1105** by a press fit hold. Alternatively, a spring-loaded button **82***a* on the front wheel apparatus **82** can be positioned into the cavity of the second end **1105***b* and positioned into a corresponding opening **1115** along one of the sides of the first seat attachment housing **1105**. In one example embodiment, the first seat attachment housing **1105** can include an attachment arm **1120** extending off of one side of the first

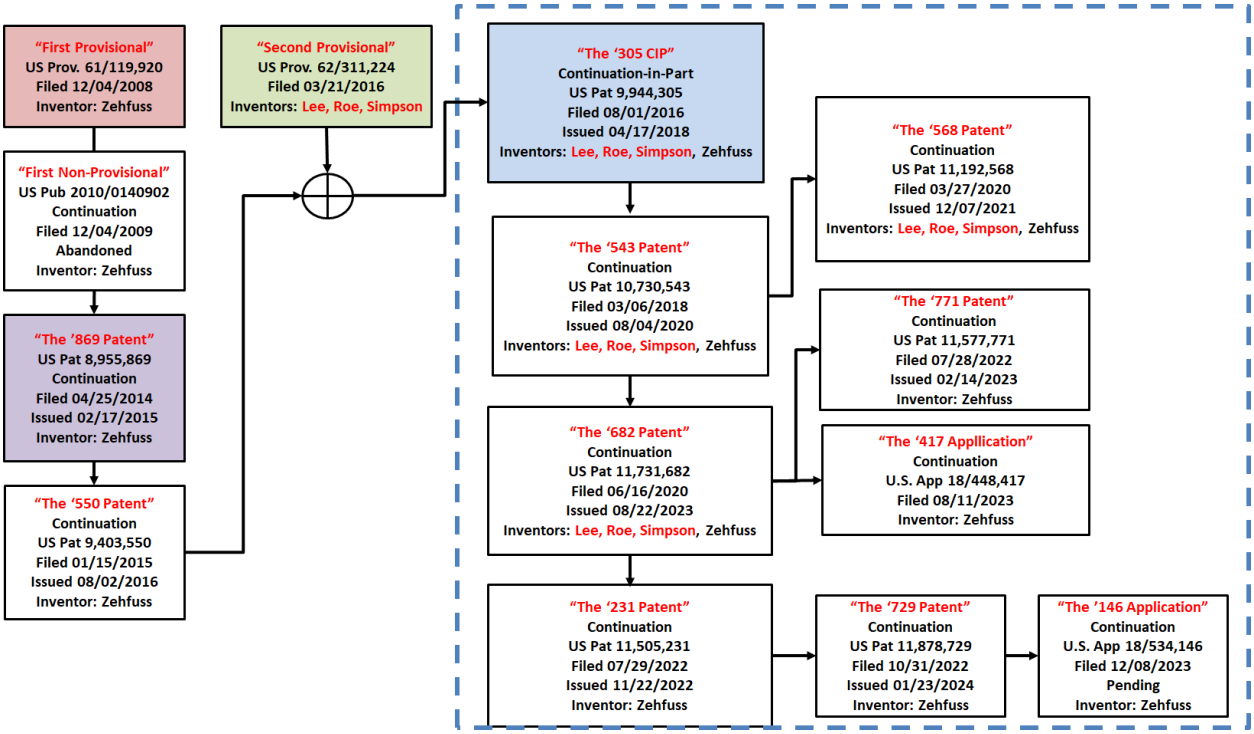
***See e.g.*, EX1007, '305 CIP, 11:1-12:67**

138. The additional disclosure of this and other material within the '305 CIP is relevant to certain patents and claims I have reviewed and been asked to provide opinions about.

139. The '305 CIP also included the definitions regarding "substantially" and "substantially parallel" which were first introduced in the Second Provisional. (EX1007, 3:23-55.)

VI. The ’568 Patent

140. As shown below, the ’568 Patent is a continuation of U.S. Pat. No. 10,730,543 (EX1008) and the ’305 CIP (EX1007).



Baby Jogger Patent Family

141. I understand the ’568 Patent also alleges priority to the First Provisional and the Second Provisional.

RELATED APPLICATIONS

This application is a continuation of and claims priority under 35 U.S.C. §120 to U.S. Patent Application No. 15/912,901, filed March 6, 2018, and titled "Removable Seat Attachment for a Stroller," which is a continuation of and claims priority under 35 U.S.C. §120 to U.S. Patent Application No. 15/225,326 (now U.S. Patent No. 9,944,305), filed August 1, 2016, and titled "Removable Seat Attachment for a Stroller," which claims priority under 35 U.S.C. §119 to U.S. Provisional Patent Application No. 62/311,224 filed March 21, 2016, and titled "Removable Seat Attachment for a Stroller," the entire contents of each of which are hereby incorporated herein by reference for all purposes. This application is also a continuation of and claims priority under 35 U.S.C. §120 to U.S. Patent Application No. 15/912,901, filed March 6, 2018, and titled "Removable Seat Attachment for a Stroller," which is a continuation of and claims priority under 35 U.S.C. §120 to U.S. Patent Application No. 15/225,326 (now U.S. Patent No. 9,944,305), which is a continuation-in-part of and claims priority under 35 U.S.C. §120 to U.S. Patent Application No. 14/597,420 (now U.S. Patent No. 9,403,550), filed on January 15, 2015, which claims priority to U.S. Patent Application No. 14/261,558 (now U.S. Patent No. 8,955,869) filed on April 25, 2014, which claims priority to U.S. Patent Application No. 12/631,375 filed on December 4, 2009, which claims priority to U.S. Provisional Patent Application No. 61/119,920 filed on December 4, 2008, the entire contents of each of which are incorporated herein by reference for all purposes.

EX1019, '568 Certified File History, 3

142. The '568 Patent also lists as named inventors Jon Lee, Megan Roe, Stacy Simpson, and Mark Zehfuss. (EX1009, '568 Patent, Cover.)

143. It is my understanding that based on the inclusion of Mr. Lee, Ms. Roe, and Ms. Simpson there is at least one claim or claim limitation directed to the inventions disclosed by these inventors from the Second Provisional.

A. '568 Patent File History

144. The '568 Patent was filed with 20 claims, wherein claims 1, 10, and 17 are independent. Original claims 1 and 17 are shown below.

Claim 1	Claim 17
1. A stroller, comprising:	17. A stroller, comprising:
a stroller frame comprising:	a stroller frame comprising:
a first upper tube support frame;	a first upper tube support frame;
a second upper tube support frame;	a second upper tube support frame;
a first front wheel support frame adjustable with respect to the first upper tube support frame;	a first back wheel support frame;
a second front wheel support frame adjustable with respect to the second upper tube support frame;	a second back wheel support frame;
a first back wheel support frame rotatable with respect to the first upper tube support frame; and	a first front wheel support frame;
a second back wheel support frame rotatable with respect to the second upper tube support frame;	a second front wheel support frame;
a plurality of wheels comprising at least one front wheel and a plurality of back wheels;	a plurality of wheels comprising at least one front wheel and a plurality of back wheels;
a first seat coupled along the first upper tube support frame and the second upper tube support frame at a first vertical position of the stroller frame;	a first seat coupled to the stroller frame at a first vertical position of the stroller frame;
a first seat attachment adapter coupled the first front wheel support frame at a second vertical position of the stroller frame that is below the first vertical position;	a first seat attachment housing disposed adjacent the first front wheel support frame;
	a second seat attachment housing disposed adjacent the second front wheel support frame;
	a first seat attachment adapter coupled to the first seat attachment housing at a second vertical position of the stroller frame that is below the first vertical position;

Claim 1	Claim 17
a second seat attachment adapter coupled to the second front wheel support frame at a third vertical position of the stroller frame that is below the first vertical position;	a second seat attachment adapter coupled to the second seat attachment housing at a third vertical position of the stroller frame that is below the first vertical position;
wherein a second seat is removably coupled to the first seat attachment adapter and the second seat attachment adapter to position the second seat at a fourth vertical position that is below the first vertical position and wherein the second vertical position and the third vertical position are at a same vertical height.	wherein the first seat is coupled along the first upper tube support frame and the second upper tube support frame and wherein a second seat is removably coupled to the first seat attachment adapter and the second seat attachment adapter.

EX1019, ’568 Certified File History, 26, 29-30

145. I understand the Examiner rejected claims 1-5, 7-13, 15, 16, and 19 as obvious under 35 U.S.C. § 103 over U.S. Patent No. 7,475,900 (Cheng) in further view of U.S. Patent No. D593,459 (Liao). (EX1019, ’568 Certified File History, 557-559.) The Examiner further rejected claims 17 and 20 as anticipated under 35 U.S.C. § 102 over U.S. Patent No. 7,475,900 (Cheng). (EX1019, ’568 Certified File History, 555-556.)

146. I understand Applicant amended the claims to overcome the Examiner’s rejections. As shown below, the Applicant amended claims 1 and 17 to recite the “attachment adapters” are “removable” from either the “front wheel support frame” or the “seat attachment housings.”

1. (Currently Amended) A stroller, comprising:

a stroller frame comprising:

a first upper tube support frame;

a second upper tube support frame;

a first front wheel support frame ~~adjustable~~ adjusted with respect to the first upper tube support frame;

a second front wheel support frame ~~adjustable~~ adjusted with respect to the second upper tube support frame;

a first back wheel support frame ~~rotatable~~ rotated with respect to the first upper tube support frame; and

a second back wheel support frame ~~rotatable~~ rotated with respect to the second upper tube support frame;

a plurality of wheels comprising at least one front wheel and a plurality of back wheels;

a first seat coupled along the first upper tube support frame and the second upper tube support frame at a first vertical position of the stroller frame;

a first seat attachment adapter coupled to the first front wheel support frame at a second vertical position of the stroller frame that is below the first vertical position, wherein the first seat attachment adapter is removable from the first front wheel support frame;

a second seat attachment adapter coupled to the second front wheel support frame at a third vertical position of the stroller frame that is below the first vertical position, wherein the second seat attachment adapter is removable from the second front wheel support frame;

wherein a second seat is removably coupled to the first seat attachment adapter and the second seat attachment adapter to position the second seat at a fourth vertical position that is below the first vertical position and wherein the second vertical position and the third vertical position are at a same vertical height.

17. (Currently Amended) A stroller, comprising:

a stroller frame comprising:

a first upper tube support frame;

a second upper tube support frame;

a first back wheel support frame;

a second back wheel support frame;

a first front wheel support frame;

a second front wheel support frame;

a plurality of wheels comprising at least one front wheel and a plurality of back wheels;

a first seat coupled to the stroller frame at a first vertical position of the stroller frame;

a first seat attachment housing disposed adjacent the first front wheel support frame:

a second seat attachment housing disposed adjacent the second front wheel support frame;

a first seat attachment adapter coupled to the first seat attachment housing at a second vertical position of the stroller frame that is below the first vertical position, wherein the first seat attachment adapter is removable from the first seat attachment housing;

a second seat attachment adapter coupled to the second seat attachment housing at a third vertical position of the stroller frame that is below the first vertical position, wherein the second seat attachment adapter is removable from the second seat attachment housing;

wherein the first seat is coupled along the first upper tube support frame and the second upper tube support frame and wherein a second seat is removably coupled to the first seat attachment adapter and the second seat attachment adapter.

EX1019, '568 Certified File History, 687, 691

147. I understand the Patent Owner asserted for both claims 1 and 17 "[s]upport for the amendments can be found in the Applicant's originally filed application at p.13, line 18 to p.14, line 8[.]" I understand the Patent Owner asserted for both claims 1 and 17 "[s]upport for the amendments can be found in the Applicant's originally filed application at p.13, line 18 to p.14, line 8[.]" (EX1019, 694-695.) I have included the portion of the application cited by Patent Owner below on the left. On the right, I have included the same language as is found in the 2016 Second Provisional. I could not find similar language in any application prior to the 2016 Second Provisional. It would therefore be clearly understood by a POSITA that the support from the specification relied on by the Patent Owner is drawn from subject matter found only in the *2016 Provisional*. A POSITA would not have found

the Patent Owner to have been in possession of this claimed material prior to the 2016 Second Provisional.

'568 Patent Application EX1019, p.15, line 18 to p.16, line 8	**Second Provisional EX1006, p.9, line 30 to p.10, line 23**
The stroller 80 can also include a removable seat attachment adapter 84 that is removably coupled to the frame 81 such that the seat attachment adapter 84 can be decoupled from the frame 81 and stored when a second stroller seat is not being used with the stroller 80. In one example embodiment, each removable seat attachment adapters can be coupled to the frame by coupling the adapter 84 into a seat attachment housing disposed along the frame 81. In one example, the seat attachment housing (such as that described in Figures l 1-14C below) can be integrally formed with all or a portion of the stroller frame *(e.g.,* integrally formed with front wheel support frame 81a). Alternatively, the seat attachment housing can be a separate apparatus that is coupled to the frame 81 or incorporated into the frame 81 by coupling multiple pieces of the frame 81 together. The frame 81 and each seat attachment housing can be made from the same or different materials, including, metals and plastics.	The stroller 10 can also include a removable seat attachment adapter 14 that is removably coupled to the frame 11 such that the seat attachment adapter 14 can be decoupled from the frame 11 and stored when a second stroller seat is not being used with the stroller 10. In one example embodiment, each removable seat attachment adapters can be coupled to the frame by coupling the adapter 14 into a seat attachment housing disposed along the frame 11. In one example, the seat attachment housing (such as that described in Figures 2-5C below) can be integrally formed with all or a portion of the stroller frame (e.g., integrally formed with front wheel support frame Ila). Alternatively, the seat attachment housing can be a separate apparatus that is coupled to the frame 11 or incorporated into the frame 11 by coupling multiple pieces of the frame 11 together. The frame 11 and each seat attachment housing can be made from the same or different materials, including, metals and plastics.
Though it cannot be seen in the side view of Figure 8A, a typical embodiment of the stroller 80 will include at least two removable seat attachment adapters 84 (at least one along each left and right side of the	Though it cannot be seen in the side view of Figure IA, a typical embodiment of the stroller 10 will include at least two removable seat attachment adapters 14 (at least one along each left and right side of the

'568 Patent Application EX1019, p.15, line 18 to p.16, line 8	**Second Provisional EX1006, p.9, line 30 to p.10, line 23**
stroller 80 along the stroller frame 81). For example, at least one removable seat attachment adapter can support each lateral side of the second stroller seat 85. In certain example embodiments, each of the removable seat attachment adapters 84 may be made up of one piece or multiple parts. The removable seat attachment adapters 84 may be of any design capable of securely supporting a seat on the stroller. In one example, the removable seat attachment adapter 84 is configured to have a first end that is removably coupled to the frame 81 and/or seat attachment housing and a distal second end that is configured to be removably coupled to a second stroller seat 85. The removable seat attachment adapter 84 is designed to be capable of supporting the second stroller seat 85 in front of the first stroller seat 86. The stroller 80 may also include a storage basket 87.	stroller 10 along the stroller frame 11). For example, at least one removable seat attachment adapter can support each lateral side of the second stroller seat 15. In certain example embodiments, each of the removable seat attachment adapters 14 may be made up of one piece or multiple parts. The removable seat attachment adapters 14 may be of any design capable of securely supporting a seat on the stroller. In one example, the removable seat attachment adapter 14 is configured to have a first end that removably coupled to the frame 11 and/or seat attachment housing and a distal second end that is configured to be removably coupled to a second stroller seat 15. The removable seat attachment adapter 14 is designed to be capable of supporting the second stroller seat 15 in front of the first stroller seat 16. The stroller 10 may also include a storage basket 17.

148. I understand Applicant's amendments did not result in allowance and the Examiner again rejected all claims in a Final Office Action. (EX1019, '568 Certified File History, 714.) I understand the Examiner also rejected claims 1-16 as obvious over Cheng in view of Liao in further view of Cone, II (EX1019, '568 Certified File History, 723-734.)

149. The Examiner's rejection stated that "Cheng fails to explicitly teach:

wherein the first/second seat attachment adapter is removable from the first/second seat attachment housing." (EX1019, '568 Certified File History, 721.) The Examiner stated Cone teaches a removable seat attachment adapter and it would have been obvious to combine and use such an adapter in combination with Cheng.

> Cheng fails to explicitly teach: wherein the first/second seat attachment adapter is removable from the first/second seat attachment housing.
>
> However, Cone teaches a similar seat attachment (See, e.g., Cone: Fig. 1 -13) for a stroller (See, e.g., Cone: Fig. 1 -13, 214) with first/second seat attachment adapters (See, e.g., Cone: Fig.1-13, 216) removable from a first/second seat attachment housing (See, e.g., Cone: Fig.1-13, 267+269+304).
>
> Cone teaches that it is well known in the art of stroller seat design to provide seat attachment adapters that removably connect to a stroller frame seat attachment housing. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the system taught by Cheng with seat attachment adapters that removably connect to the stroller frame housings such as taught by Cone, for the purpose of conveniently and beneficially allowing a user to disassemble the system easily (e.g., by disconnecting the seat from the stroller with or without the adapter still connected to the seat), and additionally presenting a seat that can be connected to a separate stroller or similar baby system (e.g., car base, highchair base, etc.). Moreover, the modification is obvious as no more than the use of familiar elements according to known methods in a manner that achieves predictable results. (See, e.g., KSR Int'l Co. v. Teleflex Inc., 550 U.S. 398,416 (2007)).

EX1019, '568 Certified File History, 721

150. I understand that the applicant amended the claims to overcome the rejections of the Final Office Action. (EX1019, '568 Certified File History, 842-846.) Claims 1 and 17 were specifically amended to recite the "front wheel support frame" and "upper tube support frame" are "rotatably adjusted to be substantially

parallel."

1. (Currently Amended) A stroller, comprising:
a stroller frame comprising:
a first upper tube support frame;
a second upper tube support frame;
a first front wheel support frame rotatably adjusted to be substantially parallel with respect to the first upper tube support frame;
a second front wheel support frame rotatably adjusted to be substantially parallel with respect to the second upper tube support frame;
a first back wheel support frame rotated with respect to the first upper tube support frame; and
a second back wheel support frame rotated with respect to the second upper tube support frame;
a plurality of wheels comprising at least one front wheel and a plurality of back wheels;
a first seat coupled along the first upper tube support frame and the second upper tube support frame at a first vertical position of the stroller frame;
a first seat attachment adapter coupled to the first front wheel support frame at a second vertical position of the stroller frame that is below the first vertical position~~, wherein the first seat attachment adapter is removable from the first front wheel support frame~~;
a second seat attachment adapter coupled to the second front wheel support frame at a third vertical position of the stroller frame that is below the first vertical position~~, wherein the second seat attachment adapter is removable from the second front wheel support frame~~;
wherein a second seat is removably coupled to the first seat attachment adapter and the second seat attachment adapter to position the second seat at a fourth vertical position that is below the first vertical position and wherein the second vertical position and the third vertical position are at a same vertical height.

17. (Currently Amended) A stroller, comprising:
a stroller frame comprising:
a first upper tube support frame;
a second upper tube support frame;
a first back wheel support frame;
a second back wheel support frame;
a first front wheel support frame;
a second front wheel support frame;
a plurality of wheels comprising at least one front wheel and a plurality of back wheels;
a first seat coupled to the stroller frame at a first vertical position of the stroller frame;
a first seat attachment housing disposed adjacent the first front wheel support frame:
a second seat attachment housing disposed adjacent the second front wheel support frame;
a first seat attachment adapter coupled to the first seat attachment housing at a second vertical position of the stroller frame that is below the first vertical position~~, wherein the first seat attachment adapter is removable from the first seat attachment housing~~ when the first upper tube support frame is substantially parallel with the first front wheel support frame;
a second seat attachment adapter coupled to the second seat attachment housing at a third vertical position of the stroller frame that is below the first vertical position~~, wherein the second seat attachment adapter is removable from the second seat attachment housing~~ when the second upper tube support frame is substantially parallel with the second front wheel support frame;
wherein the first seat is coupled along the first upper tube support frame and the second upper tube support frame and wherein a second seat is removably coupled to the first seat attachment adapter and the second seat attachment adapter.

EX1019, '568 Certified File History, 842, 846

151. In support of the amendments, Applicant argued for the second time the support was found in the same paragraphs of the '568 Patent application as was argued after the first amendment. (EX1019, '568 Certified File History, 838-839.) Again, this "support" is only found by the subject matter found in the 2016 Second Provisional. (EX1019, 15, l.18 - 16, l.8; see also EX1006, 9, l.30 - 10, l.23.) The support relied on by the Patent Owner for the second amendment is not found prior to the 2016 Second Provisional.

152. I understand that the Examiner found Applicant's amendments to the Final Office Action insufficient and again rejected the application in an Advisory Action. (EX1019, '568 Certified File History, 853-854.) The Applicant then amended the independent claims a third time. (EX1019, '568 Certified File History,

963-968.) Applicant again stated the support was found in the same paragraphs of the ‘568 Patent application as was argued after the first and second amendments. (EX1019, ’568 Certified File History, 970-971.) Again, this “support” is only found by the subject matter found in the 2016 Second Provisional. (EX1019, 15, l 18 - 16, l 8; see also EX1006, 9, l 30 - 10, l 23.) The support relied on by the Patent Owner for the third amendment is not found prior to the 2016 Second Provisional

1. (Currently Amended) A stroller, comprising:

a stroller frame comprising:

a first upper tube support frame;

a second upper tube support frame;

a first front wheel support frame rotatably adjusted to be substantially parallel with respect to the first upper tube support frame when the stroller frame is unfolded from a folded configuration;

a second front wheel support frame rotatably adjusted to be substantially parallel with respect to the second upper tube support frame when the stroller frame is unfolded from a folded configuration;

a first back wheel support frame rotated with respect to the first upper tube support frame; and

a second back wheel support frame rotated with respect to the second upper tube support frame;

a plurality of wheels comprising at least one front wheel and a plurality of back wheels;

a first seat coupled along the first upper tube support frame and the second upper tube support frame at a first vertical position of the stroller frame;

a first seat attachment adapter coupled to the first front wheel support frame at a second vertical position of the stroller frame that is below the first vertical position~~, wherein the first seat attachment adapter is removable from the first front wheel support frame~~;

a second seat attachment adapter coupled to the second front wheel support frame at a third vertical position of the stroller frame that is below the first vertical position~~, wherein the second seat attachment adapter is removable from the second front wheel support frame~~,

wherein a second seat is removably coupled to the first seat attachment adapter and the second seat attachment adapter to position the second seat at a fourth vertical position that is below the first vertical position and wherein the second vertical position and the third vertical position are at a same vertical height.

EX1019, ’568 Certified File History, 963

153. Following this third amendment, the application was allowed. (EX1019, ’568 Certified File History, 976-978.)

4. Claims 1-17 are allowed.

5. The following is an examiner's statement of reasons for allowance: The prior art of record when taken alone or in combination with another does not teach or fairly suggest at this time at least, among other limitations: A stroller, comprising: a stroller frame comprising: a first upper tube support frame; a second upper tube support frame; ***a first front wheel support frame rotatably adjusted to be substantially parallel with respect to the first upper tube support frame when the stroller frame is unfolded from a folded configuration; a second front wheel support frame rotatably adjusted to be substantially parallel with respect to the second upper tube support frame when the stroller frame is unfolded from a folded configuration***; a first back wheel support frame rotated with respect to the first upper tube support frame; and a second back wheel support frame rotated with respect to the second upper tube support frame; a plurality of wheels comprising at least one front wheel and a plurality of back wheels; a first seat coupled along the first upper tube support frame and the second upper tube support frame at a first vertical position of the stroller frame; ***a first seat attachment adapter coupled to the first front wheel support frame at a second vertical position of the stroller frame that is below the first vertical position; a second seat attachment adapter coupled to the second front wheel support frame at a third vertical position of the stroller frame that is below the first vertical position; wherein a second seat is removably coupled to the first seat attachment adapter and the second seat attachment adapter to position the second seat at a fourth vertical position that is below the first vertical position and wherein the second vertical position and the third vertical position are at a same vertical height***, as claimed in Claim 1 and similarly claimed in Claims 10 and 17 (emphasis added to allowable limitations not suggested or taught by the prior art).

EX1019, '568 Certified File History, 981-982

VII. Claim Construction

154. I understand that in proceedings at the Patent Trial and Appeal Board, claims are construed under the "Phillips standard." I understand that this means the claims are construed in accordance with the ordinary and customary meaning of such claims as understood by one of ordinary skill in the art ("skilled artisan") in light of

the specification and prosecution history of the patent. I understand that this is the same claim construction standard employed in district courts.

155. I understand that intrinsic evidence is the primary means by which claim terms are interpreted. The intrinsic evidence includes the claims themselves, the specification of the patent in which the claims appear, and the prosecution history of the patent.

156. I understand that a patentee may give a special definition to a claim term that differs from the normal meaning of the term. If the patent specification sets out an uncommon definition that would give one of ordinary skill in the art notice of the change in meaning, the specification's definition governs the construction of that term.

157. I understand that extrinsic evidence, such as expert and inventor testimony, dictionaries, and learned treatises, can also inform the meaning of a claim term. However, extrinsic evidence is less significant than the intrinsic evidence in determining the meaning of a claim term. Further, I understand that extrinsic evidence cannot be used to vary, contradict, expand, or limit the claim language from how it is defined, even by implication, in the specification or file history.

158. I understand that in proceedings at the Patent Trial and Appeal Board, claims are construed under the "Phillips standard." I understand that this means the claims are construed in accordance with the ordinary and customary meaning of such

claims as understood by one of ordinary skill in the art ("skilled artisan") in light of the specification and prosecution history of the patent. I understand that this is the same claim construction standard employed in district courts.

159. I understand that intrinsic evidence is the primary means by which claim terms are interpreted. The intrinsic evidence includes the claims themselves, the specification of the patent in which the claims appear, and the prosecution history of the patent.

A. "Substantially Parallel"

160. I have been asked to opine how a POSITA would have understood the term "substantially parallel" as claimed in claims 1 and 17.

161. I understand an applicant can act as his own lexicographer and provide definitions in the patent specification. I have reviewed the '568 Patent and the applicant included a definition for "substantially parallel":

> 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.

(EX1009, '568 Patent, 3:67-4:3.)

162. I understand that in district court litigation, Patent Owner made the following arguments in its claim construction briefing regarding the term "substantially parallel":

> A POSITA would readily understand that "substantially parallel" permits some deviation from exactly parallel.

(EX1055, 25.)

> The claim **term "substantially parallel" should be given its plain and ordinary meaning, which is consistent with the definition provided in the specification for this term**: "the parallel relationship is not a strict relationship."

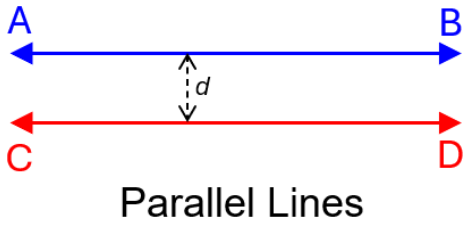
(EX1055, 26-27.)

163. I have been asked by counsel to apply the following construction for "substantially parallel" for my analysis: "the parallel relationship is not a strict relationship, such that some deviation from exactly parallel is permitted." I also apply alternative interpretations in grounds below, as further discussed in those sections.

164. Because the construction of "substantially parallel" is based on there being a "parallel relationship" (although not necessarily a "strict relationship") it is useful to discuss parallelism. Parallelism refers to the relationship between two lines, planes, curves, or other things that maintain a distance apart, so that they never intersect no matter how far they are extended. Thus, in general, for two things to be parallel, they must maintain a constant distance apart and never intersect. Dictionary definitions confirm these principles. (EX1057, Merriam-Webster Dictionary, 1; EX1059, McGraw-Hill Dictionary of Scientific and Technical Terms, 1528;

EX1060, Barron's Dictionary of Mathematics Terms, 241.)

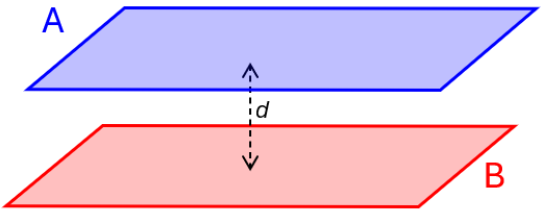
165. To illustrate, two parallel lines are shown below:



Parallel Lines

166. Line AB (blue) and line CD (red) are parallel because the distance (*d*) between line AB and line CD is the same at all points. This constant separation by the distance (*d*) results in line AB never intersecting with line CD, no matter how far the lines are extended.

167. To illustrate further, two parallel planes are shown below:



Parallel Planes

168. Plane A (blue) and plane B (red) are parallel because the distance (*d*) between plane A and plane B is the same at all points. This constant separation by the distance (*d*) results in plane A never intersecting with plane B, no matter how far the planes are extended.

169. Although the construction of "substantially parallel" permits "some deviation from exact parallelism, for two things to be "substantially parallel" there

must be at least **some** amount of separation and **some** lack of intersection between the components. Otherwise, the words "substantially" and "parallel" in "substantially parallel" would both be meaningless.

VIII. Priority of the '568 Patent

170. Again, it is my understanding that for the '568 Patent, the Patent Owner alleges a priority date of December 4, 2008 based on the filing of the First Provisional.

171. It is also my understanding that Petitioner is disputing whether the '568 Patent is entitled to the alleged December 4, 2008 priority date.

172. I have therefore been asked to provide my opinion as to whether the First Provisional provides written description to support independent claims 1 and 17 (and their corresponding dependent claims) of the '568 Patent.

173. It is my understanding that this review must be assessed from the perspective of a POSITA based on the written description of the '568 Patent. And I understand that reviewing each application in the claim of priority, a POSITA should be able to discern if the inventors were in possession of the claimed invention in 2008 (the time of filing of the First Provisional) or 2016 (the time of filing of the Second Provisional).

174. Again, the First Provisional, the First **Non**-Provisional, and '869 Patent list Mr. Zehfuss as the sole inventor and include disclosure relating to Embodiments

A and B.

175. During prosecution of the First Non-Provisional, the Patent Owner attempted to add Figures 10-11. (EX1014, First Non-Provisional File History, 221, 233-234.) The Examiner objected to Figures 10-11 as not being illustrative of Figures 1-3, but instead being "directed to a different embodiment[.]" (EX1014, First Non-Provisional File History, 276.)

176. While it is unclear how, or if, the objection was fully resolved, the Patent Owner did include Figures 10-11 as part of the '869 Patent that was filed on April 25, 2014. (EX1004, '869 Patent, Cover.)

177. A POSITA, however, would understand Figures 10-11 (Figures 9-10 in the '305 CIP, EX1007) would be new matter not supported by the First Provisional. My opinion is supported not only by the Examiner's 2013 objection, but also because the figures are visually and functionally different than what was originally disclosed. For instance, Figures 10-11 illustrate a curved frame instead of a straight frame design.

178. On March 21, 2016 the Second Provisional was filed identifying three new inventors (Lee, Roe, Simpson) not listed on the First Provisional. (EX1006, Second Provisional, 1.)

179. In my "Overview of the Baby Jogger Patent Family," I explain that a POSITA would have understood the Second Provisional includes new material not

disclosed within the First Provisional.

180. I have been informed that to be a named inventor of a U.S. Patent, one must have contributed to some aspect of the matter claimed. Again, the face of the '568 Patent lists Zehfuss, Lee, Roe, and Simpson. (EX1009, '568 Patent, Cover.) Given the '568 Patent lists the three inventors from the Second Provisional, there is some claimed limitations to which the new inventors contributed. It is my understanding that this would mean one or more claims are based on material from the Second Provisional and therefore not entitled to the December 4, 2008 priority date.

181. Regardless, when the '305 CIP was filed the Patent Owner extensively revised and departed from the pre-'305 CIP specification. (See EX1046, Comparison.) It is my understanding the Patent Owner was not obligated to make such extensive revisions to the '305 CIP.

182. Given the extensive revisions, however, a POSITA would have understood the '305 CIP specification was amended to: (1) add and incorporate Embodiments C and D from the Second Provisional; (2) incorporate a modified version of Embodiment A; and (3) add Embodiment E using Figures 9 and 10 (which were added by the Patent Owner during prosecution in 2013) based on some aspects of Embodiment B.

183. Given the extensive modifications and additions, a POSITA reviewing

the ’305 CIP would understand the disclosure of the First Non-Provisional (and First Provisional) to not convey sufficient disclosure to support that Mr. Zehfuss was fully in possession of all the claimed subject matter of independent claims 1 and 17 (and corresponding dependent claims) of the ’568 Patent.

184. Instead, it is my opinion a POSITA would find independent claims 1 and 17 are not supported until the Second Provisional (which includes the three new inventors) and additional revisions that first appear only in the ’305 CIP.

185. Since I believe a POSITA would find the pre-’305 CIP specification does not support the claim limitations of the ’568 Patent, it is my understanding the claims cannot claim a priority date of 2008. It is my understanding the Patent Owner is not entitled to a priority date of the First Provisional for at least independent claims 1 and 17 of the ’568 Patent because they were not in possession of the claimed invention in 2008.

186. Instead, it is my understanding that if a POSITA finds independent claims 1 and 17 of the ’568 Patent are fully supported by the Second Provisional, the claims should only be permitted the March 21, 2016 date of the Second Provisional. It is my understanding this 2016 date would be used to determine what would constitute “prior art” to the claims of the ’568 Patent.

187. I therefore provide my analysis of claims 1 and 17 of the ’568 Patent below with respect to the limitations I do not believe are supported by the 2008 First

Provisional or the First Non-Provisional filed in December 2009.[17]

A. Claims 1 and 17 recite limitations not supported by the pre-'305 CIP specification

1. "first vertical position," "second vertical position," "third vertical position," and "fourth vertical position"

188. First, the '568 Patent claims certain "vertical position" locations relating to the removable seats and the "attachment adapters." The details and reasoning regarding the vertical positioning between these components was added to the '305 CIP specification from the Second Provisional in 2016. Prior to 2016, a POSITA would not have believed the inventors were in possession of the below reasoning and details regarding the vertical positioning between the removable seats and "attachment adapters."

[17] The First Non-Provisional was abandoned by the Patent Owner and never became an issued patent. (EX1014, First Non-Provisional File History, 524-527.)

In certain examples, each of the removable seat attachment adapters 84 removably couples to the second stroller seat 85 at a vertical height that is substantially below the vertical height that the first stroller seat 86 attaches to the stroller frame 81, thereby positioning the second stroller seat 85 at a vertical position that is substantially below the vertical position of the first stroller seat 86 when both the first stroller seat 86 and the second stroller seat 85 are coupled to the stroller 80. The difference in vertical positioning of the second stroller seat 85 as compared to the first stroller seat 86 provides improved access to the first stroller seat 86 from the front of the stroller 10 when both stroller seats 85, 86 are coupled to the stroller 80. Further, in certain example embodiments, the front stroller seat 85 can be positioned substantially over the front wheels 82 so that the stroller 80 remains stable. For example, the second stroller seat 85 can be located substantially over the front wheels 82 and the first stroller seat 86 can be located substantially over the rear wheels 83. In addition, the seats 85, 86 can be positioned such that the center of gravity of the stroller 80 is between the front 82 and rear 83 wheels.

EX1046, Comparison, 18

In certain examples, each of the removable seat attachment adapters 14 removably couples to the second stroller seat 15 at a vertical height that is substantially below the vertical height that the first stroller seat 16 attaches to the stroller frame 11, thereby positioning the second stroller seat 15 at a vertical position that is substantially below the vertical position of the first stroller seat 16 when both the first stroller seat 16 and the second stroller seat 15 are coupled to the stroller 10. The difference in vertical positioning of the second stroller seat 15 as compared to the first stroller seat 16 provides improved access to the first stroller seat 16 from the front of the stroller 10 when both stroller seats 15, 16 are coupled to the stroller 10. Further, in certain example embodiments, the front stroller seat 15 can be positioned substantially over the front wheels 12 so that the stroller 10 remains stable. For example, the second stroller seat 15 can be located substantially over the front wheels 12 and the first stroller seat 16 can be located substantially over the rear wheels 13. In addition, the seats 15, 16 can be positioned such that the center of gravity of the stroller 10 is between the front 12 and rear 13 wheels.

EX1006, Second Provisional, 10-11

189. Since both claims 1 and 17 positively recite the vertical height positioning between the seats and "attachment adapters" as disclosed by the Second Provisional, it is my opinion a POSITA would not have found the Patent Owner to

have been in possession of this claimed feature prior to the March 2016 filing date of the Second Provisional. A POSITA would have understood reading the pre-'305 CIP specification (*i.e.*, the First Non-Provisional) that there is not sufficient written description support for this claimed feature. My opinion is based on the reasoning as to why this claimed feature is necessary and important as detailed and disclosed by the written description of the Second Provisional.

2. "Seat attachment adapters" coupled to a "front wheel [stroller] frame" or "seat attachment housings"

190. Claims 1 and 17 recite the "attachment adapters" are coupled to either (1) the "front wheel [stroller] frame" (claim 1); or (2) the "seat attachment housings" (claim 17). A POSITA would not have found the Patent Owner as being in possession of these claim features prior to 2016.

191. As I have shown in the chart below, the Second Provisional states the seat attachment adapter could have a first end removably coupled to the "[stroller] frame 11 **and/or** seat attachment housing." This exact language was then included within the '305 CIP. The description of these elements is not disclosed prior to the Second Provisional. In other words, the First Provisional, the First Non-Provisional, nor the '869 Patent provide written description support for how the claimed "seat attachment adapter" could be coupled to the "front wheel support frame" (claim 1) or the "seat attachment housings" (claim 17).

Second Provisional	'305 CIP
Though it cannot be seen in the side view of Figure 1A, a typical embodiment of the stroller 10 will include at least two removable seat attachment adapters 14 (at least one along each left and right side of the stroller 10 along the stroller frame 11). For example, at least one removable seat attachment adapter can support each lateral side of the second stroller seat 15. In certain example embodiments, each of the removable seat attachment adapters 14 may be made up of one piece or multiple parts. The removable seat attachment adapters 14 may be of any design capable of securely supporting a seat on the stroller. *In one example, the removable* ***seat attachment adapter*** *14 is configured to have a first end that [is] removably coupled to* ***the frame 11 and/or seat attachment housing*** *and a distal second end that is configured to be removably coupled to a second stroller seat 15.* The removable seat attachment adapter 14 is designed to be capable of supporting the second stroller seat 15 in front of the first stroller seat 16. The stroller 10 may also include a storage basket 17. **EX1006, Second Provisional, 10**	Though it cannot be seen in the side view of FIG. 8A, a typical embodiment of the stroller 80 will include at least two removable seat attachment adapters 84 (at least one along each left and right side of the stroller 80 along the stroller frame 81). For example, at least one removable seat attachment adapter can support each lateral side of the second stroller seat 85. In certain example embodiments, each of the removable seat attachment adapters 84 may be made up of one piece or multiple parts. The removable seat attachment adapters 84 may be of any design capable of securely supporting a seat on the stroller. *In one example, the removable* ***seat attachment adapter*** *84 is configured to have a first end that is removably coupled to* ***the frame 81 and/or seat attachment housing*** *and a distal second end that is configured to be removably coupled to a second stroller seat 85*. The removable seat attachment adapter 84 is designed to be capable of supporting the second stroller seat 85 in front of the first stroller seat 86. The stroller 80 may also include a storage basket 87. **EX1007, '305 CIP, 10:20-38**

192. The "and/or" language of how the "attachment adapter" can be used for connecting to the stroller frame or the "seat attachment housing" is exactly what is claimed by independent claims 1 and 17.

193. Claim 2 of the ’568 Patent further recites how the “seat attachment adapter” of claim 1 is then coupled to “seat attachment housing[s].” (EX1009, ’568 Patent, 17:64-67.) Claim 2 therefore requires the “seat attachment adapter[s]” of claim 1 being operably coupled to either the stroller frame (claim 1) or the seat attachment housings (claim 2).

> **2**. The stroller of claim **1**, further comprising:
> a first seat attachment housing disposed adjacent the first front wheel support frame at the second vertical position;
> a second seat attachment housing disposed adjacent the second front wheel support frame at the third vertical position;
> wherein the first seat attachment adapter is coupled to the first seat attachment housing and the second seat attachment adapter is coupled to the second seat attachment housing.

EX1009, ’568 Patent, Claim 2, 17:57-67

194. A POSITA would understand the claimed “seat attachment adapter” must therefore be designed or “configured” in a way that it can be coupled to the stroller frame (like in claim 1) or to the claimed “seat attachment housings” (claims 2 and 17).

195. A POSITA reviewing the complete Baby Jogger patent-family chain would understand the Second Provisional is the first time written description support is provided for an “attachment adapter” that accomplishes this functionality. A POSITA would therefore not find the pre-’305 CIP specification (*e.g.*, First Non-Provisional) as providing written description support for an “attachment adapter”

that can be coupled to either (1) the stroller frame or (2) the "seat attachment housings."

196. As I have also previously demonstrated, the Second Provisional even includes a "claim" very similar to claim 17 that recites the "seat attachment adapters" being coupled to "seat attachment housings."

> 1. A stroller, comprising:
> a stroller frame;
> a plurality of wheels;
> a first seat coupled to the stroller frame;
> a first seat attachment housing disposed along a first portion of the stroller frame;
> a second seat attachment housing disposed along a second portion of the stroller frame;
> a first removable seat attachment adapter configured to be removably coupled to the first seat attachment housing; and
> a second removable seat attachment adapter configured to be removably coupled to the second seat attachment housing.

EX1006, Second Provisional, Claim 1, 20

197. It is my opinion a POSITA would have further understood that Inventors Lee, Roe, and Simpson were the inventors in possession of the "seat attachment adapters" being coupled to "seat attachment housings."

198. It is my opinion that a POSITA would find Mr. Zehfuss did not invent nor was in possession of the claimed "seat attachment adapters" or "seat attachment housings" because he is not listed as an inventor for the Second Provisional when the "seat attachment adapters" were first claimed and disclosed. It is also my opinion

that a POSITA would find Mr. Zehfuss did not invent nor was in possession of the claimed "seat attachment adapters" being coupled to the stroller frame or "seat attachment housings."

199. My opinion is further supported by the fact that prior to the inclusion of the Second Provisional, there is no disclosure of "seat attachment adapters" or "seat attachment housings" in the pre-'305 CIP specification (e.g., First Non-Provisional, EX1002, 34-11.)

200. As I also explained above, the '305 CIP is the first time extensive written description support is provided regarding the design and operational aspects of the "seat attachment adapters" and "seat attachment housings." (*See e.g.*, EX1007, '305 CIP, 9:62-11:58, 12:37-16:67.)

201. As I even explained in my "Overview of the Baby Jogger Patent Family" section, Figures 10 and 11 were added when the '869 Patent was filed. But I do not believe a POSITA would have found these figures to have been supported by the First Provisional. Regardless, it is also my opinion a POSITA would understand these figures do *not* disclose the claimed "seat attachment adapters" and "seat attachment housings."

202. My understanding is supported by the disclosure added to the '305 CIP below describing Figures 10 and 11.

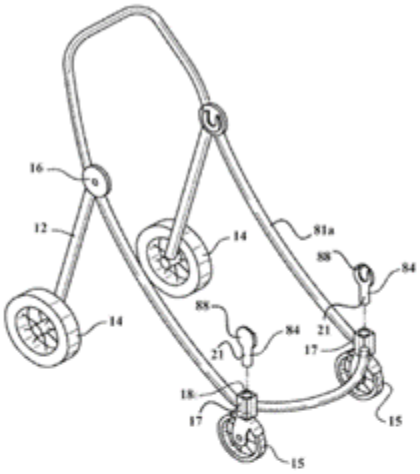


FIGURE 9

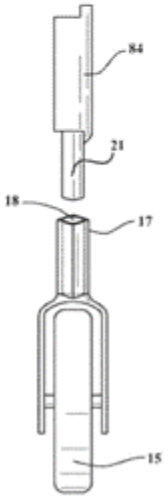


FIGURE 10

In one example embodiment, as shown in FIGS. **9-10**, the stroller **80** can include one or more, and preferably two, seat support elements **84**. The seat support element **84** is connected to and can be removably coupled to the stroller **80** front wheel support frame **81***a*. In certain example embodiments, the seat support element **84** is adjacent to the front wheel support portion **81***a* of frame **81**. Alternatively, the seat support element **84** is simply forward of and positioned at a vertical level lower than the attachment point for the first stroller seat **86** (FIG. **8**A) on the stroller **80**. The seat support element **84** is capable of supporting a second stroller seat **85** in front of the stroller seat **86** (see FIG. **8**A). This provides convenience and versatility to a user of the stroller **80**. Seat support element **84** may be fixedly attached or removably attached to front wheel support portion **81***a*. In certain example embodiments, the front seat **85** may be positioned substantially over the front wheels **15** so the stroller **80** remains stable. Preferably, the seats **85**, **86** should be positioned such that the center of gravity of the stroller **80** is between the front **15** and rear **14** wheels. If not an additional wheel may be placed on the attachment as previously described. The seat support element **84** can further include a seat connector **88**. In one example, the seat connector **88** can be disposed along a top end of the seat support element **84**. The example seat connector **88** may be a multipurpose general connector that allows different seats to be interchanged on the seat support element **84**. Any style seat may be configured to connect to the seat connector **88**, such as but not limited to, a stroller seat, a baby seat, a bassinet, a pram, a baby carrier, or a car seat, for example. As shown in FIG. **9**, the seat support element **84** can also include a connector portion **21**. The connector portion **21** is capable of connecting the seat attachment to the frame **81** via the attachment portion **17** and the slot **18**.

In certain example embodiments, the connector portion **21** of the seat attachment **20** has a cylindrical or substantially cylindrical shape. The connector portion **21** may be inserted into a cylindrical or substantially cylindrical slot **18** of the attachment portion **17** of the stroller **80** of FIG. **9-10** to secure the seat attachment and convert the single stroller into a double stroller, as shown in FIG. **8**A. The connector portion **21** may be of a solid or tubular construction and may be any cross-sectional shape including, but not limited to, circular, polygonal, square, rectangular, and triangular, for example.

EX1007, '305 CIP, 11:59-12:36, Figs. 9-10

203. When included in the '305 CIP, the Patent Owner deliberately chose to identify Figures 10-11 as disclosing a "seat support element 84" and ***not*** a "seat attachment adapter 84." The Patent Owner also identified an "attachment portion 17" and nowhere does the Patent Owner indicate this to be the same or equivalent to the disclosed "seat attachment housings 1105."

204. In my opinion, a POSITA would understand the distinction between these elements within the disclosure is intentional. A POSITA would also understand the disclosure of "seat attachment adapters 84"/"seat attachment housings 1105" is intended to convey how these elements are different from a "seat support element"/"attachment portion." (*See e.g.*, EX1007, '305 CIP, 7:47-8:38, 8:63-16:14.)

205. Indeed, an objective inquiry would indicate that it wasn't until 2016 that the Patent Owner included an extensive revision detailing the features illustrated by Figures 9 and 10, when Patent Owner purposely did not use the terminology "seat attachment adapters 84"/"seat attachment housings 1105." Had the Patent Owner felt Figures 9 and 10 conveyed "seat attachment adapters 84"/"seat attachment housings 1105," Patent Owner clearly could have chosen to use those terms or at least indicate how they were similar. Patent Owner elected not to do this, further informing a POSITA that these embodiments and elements are different and distinct.

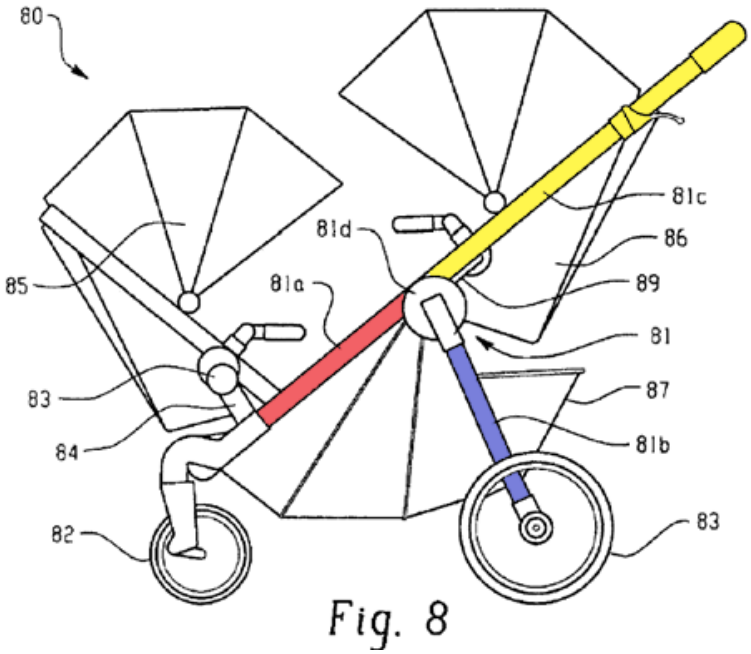
206. It is therefore my opinion that a POSITA would have understood claims 1 and 17 (and all dependent claims) are not supported by the First Provision, the First Non-Provisional, the '869 Patent, and the '550 Patent.

3. "upper tube support frame"

207. Claims 1 and 17 each require "an upper tube support frame." (EX1009, '568 Patent, 17:25-26, 19:28-29.) The upper tube support frame first appeared in the

Second Provisional. (EX1006, Second Provisional, 8-9, 12.) Therefore, the earliest date for claims 1–20 would be March 21, 2016 for the reasons I discuss below.

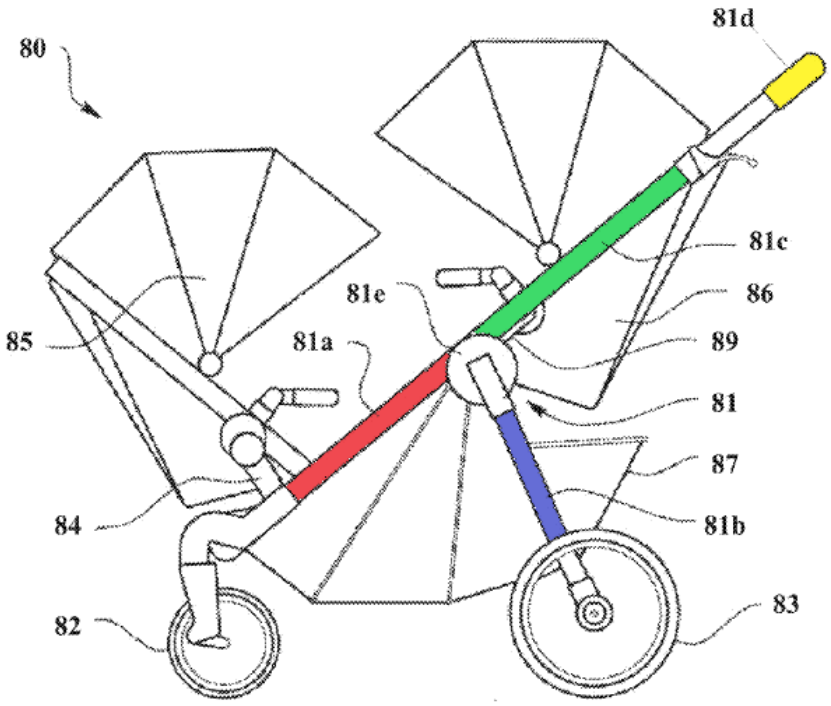
208. In the First Non-Provisional, the stroller frame did not have an upper tube support frame. Instead, as best described in Embodiment B, the stroller frame 81 had a front wheel support portion 81a (red), a back wheel support portion 81b (blue), and a handle portion 81c (yellow). (EX1003, First Non-Provisional, ¶0043.) The upper end of the front wheel support portion 81a was coupled to a folding mechanism 81d and the lower end of the handle portion 81c was coupled to the folding mechanism 81d.



EX1003, First Non-Provisional, Fig. 8 (Annotated)

209. The "upper tube support frame" was a new frame component

introduced in Embodiment D of the Second Provisional and incorporated into the '305 CIP. In the '305 CIP, Embodiment D has a frame 81 including a pair of front wheel support frames 81a (red), a pair of back wheel support frames 81b (blue), a pair of upper tube support frames 81c (green), and a handle portion 81d (yellow) having a first end coupled to the left upper tube support frame 81c and a distal second end coupled to the right upper tube support frame 81c. (EX1007, '305 CIP, 8:63-9:4.)



EX1007, '305 CIP, Fig. 8A

210. This change is not merely the addition of a new reference numeral (for "upper tube support frame") added to Embodiment B. Instead, Patent Owner rewrote the specification to describe a new frame design in which components of the

Embodiment B were deleted and new components were added. The below redline comparison makes this clear.

In one example embodiment, the stroller frame 81 can include a pair of front wheel support ~~portion 81a, a~~ frames 81a (only the left front wheel support frame is shown), a pair of back wheel ~~support~~ ~~portion~~frames 81b~~, and a~~ (only the left back wheel support frame is shown), a pair of upper tube support frames 81c (only the left upper tube support frame is shown), a handle portion ~~81c. The frame 81 of the embodiment of the stroller 80 further comprises a~~81d having a first end coupled to the left upper tube support frame 81c and a distal second end coupled to the right upper tube support frame 81c, and foot rest support frame 81f

15

EX1046, Comparison, 15

211. The original handle portion was deleted, a new upper tube support frame was added, and a new handle portion that connects between the upper tube support frames was also added.

212. Additionally, the '305 CIP specification describes new alternative embodiments in which the handle portion 81d and the upper tube support frames 81c could be a unitary piece or all three components could be separate.

> Further, in certain example embodiments, the **left upper tube support frame 81*c*, handle 81*d*, and right upper tube support frame 81*c* can be made from a single unitary piece** of material, such as a single piece of bent, hollow-core metal or plastic tubing. **Alternatively, each of the left upper tube support frame 81*c*, handle 81*d*, and right upper tube support frame 81*c* can be separate pieces** of the same or different material that are coupled to one another.

(EX1007, '305 CIP, 9:10-22.)

1110 discussed below in Figure 11). In certain example embodiments, each front wheel support frame 81a can be fixedly coupled or rotatably coupled to its corresponding upper tube support frame 81c. Further, in certain example embodiments, the left upper tube support frame 81c, handle 81d, and right upper tube support frame 81c can be made from a single unitary piece of material, such as a single piece of bent, hollow-core metal or plastic tubing. Alternatively, each of the left upper tube support frame 81c, handle 81d, and right upper tube support frame 81c can be separate pieces of the same or different material that are coupled to one another.

EX1046, Comparison, 16

213. Therefore, the first disclosure in the patent family that provided support for a "upper tube support frame" was in the March 21, 2016 Second Provisional. As such, in my opinion, the earliest priority date to which the '568 Patent claims are entitled is March 21, 2016.

4. "substantially parallel"

214. Claims 1-20 each require the upper tube support frame to be substantially parallel with respect to the front wheel support frame when the frame is unfolded.

215. As I discussed above in § VIII.A.3, "upper tube support frame" is not supported prior to the Second Provisional. However, to the extent support is found, none of the applications in the Baby Jogger Patent Family support a substantially parallel relationship between the upper tube support frame and the front wheel support frame as claimed in claims 1 and 17.

216. As I explained in the '568 Patent File History section, I understand Patent Owner amended the independent claims of the '568 Patent during prosecution

several times. In one amendment, claims 1 and 17 were revised to positively recite the "front wheel support frame" and "upper tube support frame" are "rotatably adjusted to be ***substantially parallel***." This amendment was made to overcome the prior art rejection presented by the Examiner.

1. (Currently Amended) A stroller, comprising:

a stroller frame comprising:

a first upper tube support frame;

a second upper tube support frame;

a first front wheel support frame rotatably adjusted to be substantially parallel with respect to the first upper tube support frame;

a second front wheel support frame rotatably adjusted to be substantially parallel with respect to the second upper tube support frame;

a first back wheel support frame rotated with respect to the first upper tube support frame; and

a second back wheel support frame rotated with respect to the second upper tube support frame;

a plurality of wheels comprising at least one front wheel and a plurality of back wheels;

a first seat coupled along the first upper tube support frame and the second upper tube support frame at a first vertical position of the stroller frame;

a first seat attachment adapter coupled to the first front wheel support frame at a second vertical position of the stroller frame that is below the first vertical position~~, wherein the first seat attachment adapter is removable from the first front wheel support frame~~;

a second seat attachment adapter coupled to the second front wheel support frame at a third vertical position of the stroller frame that is below the first vertical position~~, wherein the second seat attachment adapter is removable from the second front wheel support frame~~;

wherein a second seat is removably coupled to the first seat attachment adapter and the second seat attachment adapter to position the second seat at a fourth vertical position that is below the first vertical position and wherein the second vertical position and the third vertical position are at a same vertical height.

17. (Currently Amended) A stroller, comprising:

a stroller frame comprising:

a first upper tube support frame;

a second upper tube support frame;

a first back wheel support frame;

a second back wheel support frame;

a first front wheel support frame;

a second front wheel support frame;

a plurality of wheels comprising at least one front wheel and a plurality of back wheels;

a first seat coupled to the stroller frame at a first vertical position of the stroller frame;

a first seat attachment housing disposed adjacent the first front wheel support frame:

a second seat attachment housing disposed adjacent the second front wheel support frame;

a first seat attachment adapter coupled to the first seat attachment housing at a second vertical position of the stroller frame that is below the first vertical position~~, wherein the first seat attachment adapter is removable from the first seat attachment housing~~ when the first upper tube support frame is substantially parallel with the first front wheel support frame;

a second seat attachment adapter coupled to the second seat attachment housing at a third vertical position of the stroller frame that is below the first vertical position~~, wherein the second seat attachment adapter is removable from the second seat attachment housing~~ when the second upper tube support frame is substantially parallel with the second front wheel support frame;

wherein the first seat is coupled along the first upper tube support frame and the second upper tube support frame and wherein a second seat is removably coupled to the first seat attachment adapter and the second seat attachment adapter.

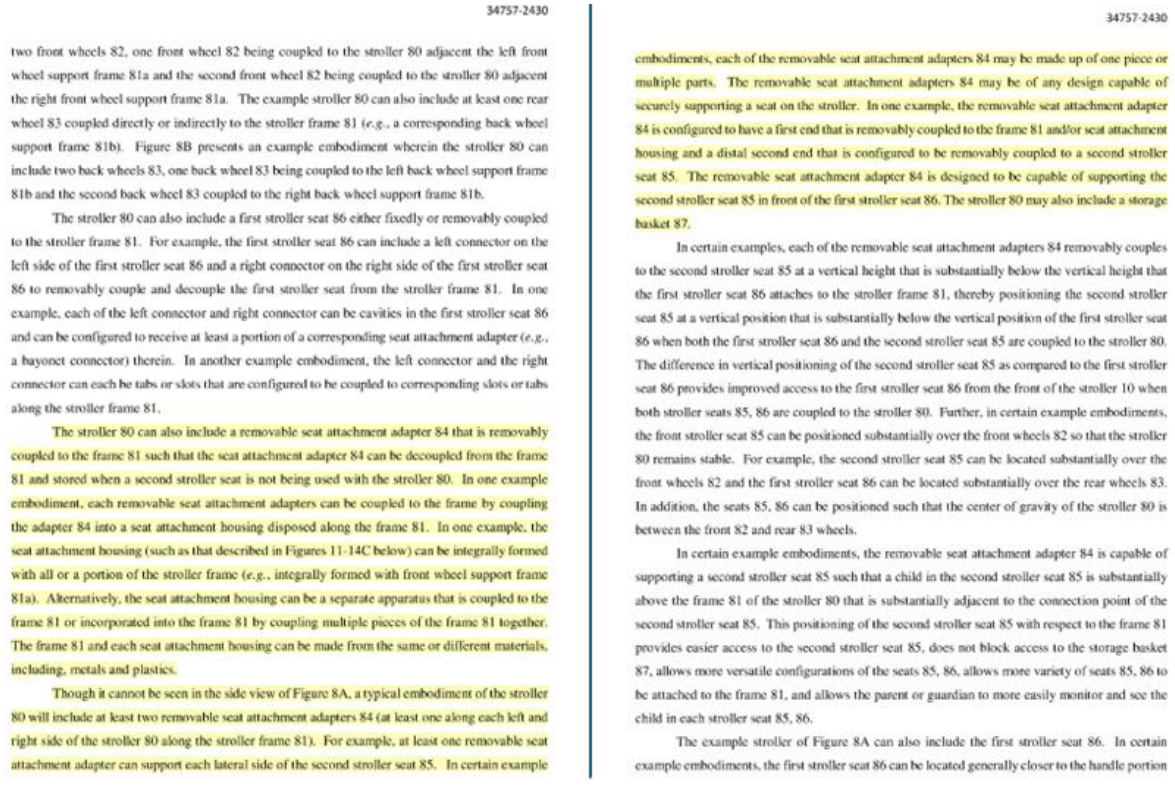
EX1019, '568 Certified File History, 842, 846

217. In support of this amendments, Patent Owner argued:

Without admitting to the propriety of the rejections and to facilitate examination of the application, Applicant's independent claim 1 is amended to clarify the scope of the claimed subject matter. For example, claim 1 is amended to include the elements of, "a first front wheel support frame rotatably adjusted to be substantially parallel with respect to the first upper tube support frame; a second front wheel support frame rotatably adjusted to be substantially parallel with respect to the second upper tube support frame; … a first seat attachment adapter coupled to the first front wheel support frame at a second vertical position of the stroller frame that is below the first vertical position; a second seat attachment adapter coupled to the second front wheel support frame at a third vertical position of the stroller frame that is below the first vertical position" (underlining supplied solely to indicate newly amended text). Support for the amendments can be found in the Applicant's originally filed application at p. 13, line 18 to p. 14, line 8, and Figures 8A to 8H.

EX1019, '568 Certified File History, 838

218. Below I highlight the portion of the as-filed application that Patent Owner cited to in support of the amendment.



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two front wheels 82, one front wheel 82 being coupled to the stroller 80 adjacent the left front wheel support frame 81a and the second front wheel 82 being coupled to the stroller 80 adjacent the right front wheel support frame 81a. The example stroller 80 can also include at least one rear wheel 83 coupled directly or indirectly to the stroller frame 81 (*e.g.*, a corresponding back wheel support frame 81b). Figure 8B presents an example embodiment wherein the stroller 80 can include two back wheels 83, one back wheel 83 being coupled to the left back wheel support frame 81b and the second back wheel 83 coupled to the right back wheel support frame 81b.

The stroller 80 can also include a first stroller seat 86 either fixedly or removably coupled to the stroller frame 81. For example, the first stroller seat 86 can include a left connector on the left side of the first stroller seat 86 and a right connector on the right side of the first stroller seat 86 to removably couple and decouple the first stroller seat from the stroller frame 81. In one example, each of the left connector and right connector can be cavities in the first stroller seat 86 and can be configured to receive at least a portion of a corresponding seat attachment adapter (*e.g.*, a bayonet connector) therein. In another example embodiment, the left connector and the right connector can each be tabs or slots that are configured to be coupled to corresponding slots or tabs along the stroller frame 81.

The stroller 80 can also include a removable seat attachment adapter 84 that is removably coupled to the frame 81 such that the seat attachment adapter 84 can be decoupled from the frame 81 and stored when a second stroller seat is not being used with the stroller 80. In one example embodiment, each removable seat attachment adapters can be coupled to the frame by coupling the adapter 84 into a seat attachment housing disposed along the frame 81. In one example, the seat attachment housing (such as that described in Figures 11-14C below) can be integrally formed with all or a portion of the stroller frame (*e.g.*, integrally formed with front wheel support frame 81a). Alternatively, the seat attachment housing can be a separate apparatus that is coupled to the frame 81 or incorporated into the frame 81 by coupling multiple pieces of the frame 81 together. The frame 81 and each seat attachment housing can be made from the same or different materials, including, metals and plastics.

Though it cannot be seen in the side view of Figure 8A, a typical embodiment of the stroller 80 will include at least two removable seat attachment adapters 84 (at least one along each left and right side of the stroller 80 along the stroller frame 81). For example, at least one removable seat attachment adapter can support each lateral side of the second stroller seat 85. In certain example

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embodiments, each of the removable seat attachment adapters 84 may be made up of one piece or multiple parts. The removable seat attachment adapters 84 may be of any design capable of securely supporting a seat on the stroller. In one example, the removable seat attachment adapter 84 is configured to have a first end that is removably coupled to the frame 81 and/or seat attachment housing and a distal second end that is configured to be removably coupled to a second stroller seat 85. The removable seat attachment adapter 84 is designed to be capable of supporting the second stroller seat 85 in front of the first stroller seat 86. The stroller 80 may also include a storage basket 87.

In certain examples, each of the removable seat attachment adapters 84 removably couples to the second stroller seat 85 at a vertical height that is substantially below the vertical height that the first stroller seat 86 attaches to the stroller frame 81, thereby positioning the second stroller seat 85 at a vertical position that is substantially below the vertical position of the first stroller seat 86 when both the first stroller seat 86 and the second stroller seat 85 are coupled to the stroller 80. The difference in vertical positioning of the second stroller seat 85 as compared to the first stroller seat 86 provides improved access to the first stroller seat 86 from the front of the stroller 10 when both stroller seats 85, 86 are coupled to the stroller 80. Further, in certain example embodiments, the front stroller seat 85 can be positioned substantially over the front wheels 82 so that the stroller 80 remains stable. For example, the second stroller seat 85 can be located substantially over the front wheels 82 and the first stroller seat 86 can be located substantially over the rear wheels 83. In addition, the seats 85, 86 can be positioned such that the center of gravity of the stroller 80 is between the front 82 and rear 83 wheels.

In certain example embodiments, the removable seat attachment adapter 84 is capable of supporting a second stroller seat 85 such that a child in the second stroller seat 85 is substantially above the frame 81 of the stroller 80 that is substantially adjacent to the connection point of the second stroller seat 85. This positioning of the second stroller seat 85 with respect to the frame 81 provides easier access to the second stroller seat 85, does not block access to the storage basket 87, allows more versatile configurations of the seats 85, 86, allows more variety of seats 85, 86 to be attached to the frame 81, and allows the parent or guardian to more easily monitor and see the child in each stroller seat 85, 86.

The example stroller of Figure 8A can also include the first stroller seat 86. In certain example embodiments, the first stroller seat 86 can be located generally closer to the handle portion

14

EX1019, '568 Certified File History, 15-16

219. The above cited support (EX1019, ’568 Certified File History, 15-16 (highlighted portions), Figs. 8A-8H) is Embodiment D. As I have previously explained in the “Overview of the Baby Jogger Patent Family” section, Embodiment D was added to the ’305 CIP from the Second Provisional. The cited passages describe the usage of “seat attachment adapters,” and “seat attachment housings” that were first disclosed in the 2016 Second Provisional (EX1006.)

220. I understand Patent Owner’s remarks to be an admission that the amendment is not supported by any of the pre-’305 CIP applications.

221. Additionally, the cited passage does not support the amendment as the cited passage does not discuss the upper tube support frame as being parallel (or substantially parallel) to the front wheel support frame.

222. Furthermore, not one figure in the entire Baby Jogger Patent Family supports the added “substantially parallel” amendment because all of the drawings show either a co-linear arrangement or a curved arrangement.

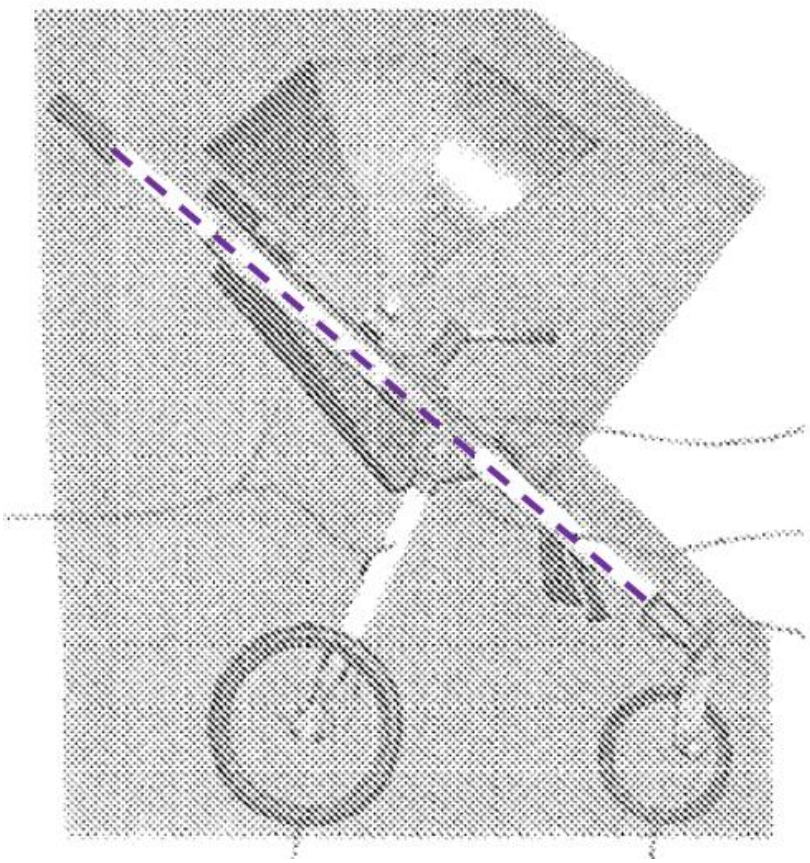
223. The First Provisional does not support the added “substantially parallel” claim limitation. First, the specification does not include the word “parallel” or “substantially parallel.” (EX1002, First Provisional, 34-44.) Second, none of the drawings show a front wheel support frame rotatably adjusted to be *substantially parallel* with respect to an upper tube support frame. I will focus my analysis on representative Figures 1 and 8.

224. Figure 1 of the First Provisional depicts a stroller 10 having a frame 12 with folding mechanisms 16.

> The single stroller 10 comprises a frame 12 that supports seat 13. The frame 12 may, optionally, include at least one, preferably two, folding mechanism 16 that allows the stroller 10 to be folded to a more convenient size for storing or transporting the stroller 10.

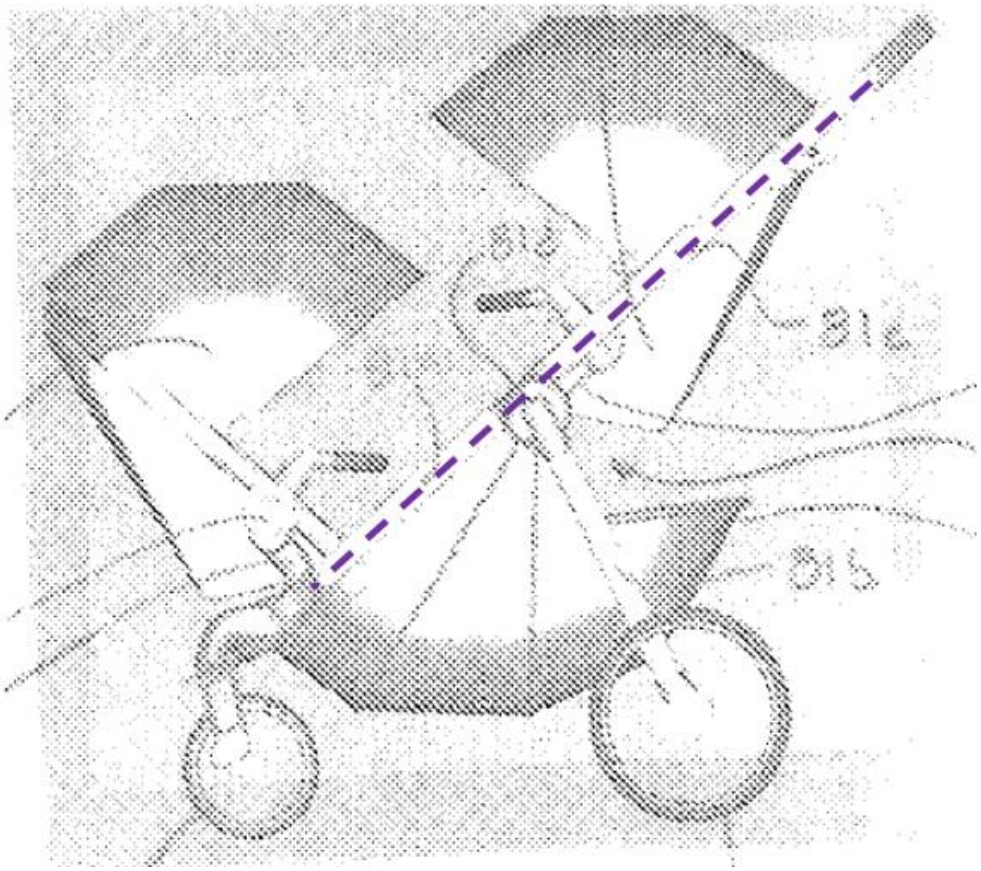
(EX1002, First Provisional, 37, ¶0018.)

225. While not discussed in the text, it can be seen from Figure 1 that the sides of the frame have a handle portion extending upwardly from the folding mechanism 16 and a front wheel support portion extending downwardly from the folding mechanism. Figure 1 shows the handle portion and front wheel support portion colinear on the same axis (purple).



EX1002, First Provisional, 19, Fig. 1 (Annotated)

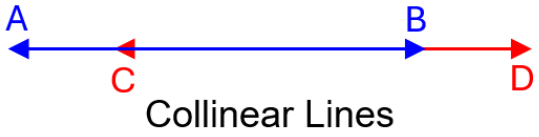
226. Figure 8 also shows a frame 81 having a handle portion 81c colinear with a front wheel support portion 81a. (EX1002, 42, ¶0033.)



EX1002, First Provisional, 26, Fig. 8 (Annotated)

227. The colinear handle portion and front wheel support portion are not "substantially parallel."

228. Collinear lines are lines that lie on the same straight path and intersect at infinite points when extended, as illustrated below.



229. "Collinear" and "parallel" are two separate geometrical terms that refer to different spatial relationships. A POSITA would not consider collinear elongate

members to be "substantially parallel" because colinear is the antithesis of parallel in that the lines have no space between them and intersect at an infinite number of points. As I explained in the Claim Construction section, "substantially parallel" broadens "parallel" to include relationships that slightly deviate from parallel. The collinear arrangement of the upper and lower elongate members is not a slight deviation from parallel—it is the opposite of parallel.

230. Therefore, the claims of the '568 Patent are not entitled to the December 4, 2008 priority date of the First Provisional.

231. The First Non-provisional also does not provide support for the "substantially parallel" claim limitation. The text of the First Non-provisional does not include the word "parallel" nor "substantially parallel." (EX1003.) The drawings of the First Non-provisional are the same (at least for the purposes of this analysis), as they do not support the "substantially parallel" claim limitation for the reasons I discussed above. Therefore, the claims of the '568 Patent are not entitled to the December 4, 2009 priority date of the First Non-Provisional.

232. The '869 Patent does not provide support for the "substantially parallel" claim limitation. The text of the '869 Patent does not include the word "parallel" nor "substantially parallel." (EX1004.) Figures 1-9 of the '869 Patent do not support the "substantially parallel" claim limitation for the same reasons as the First Provisional. The '869 Patent added new Figures 10 and 11.

233. Figure 10 illustrates a frame with curved sides.

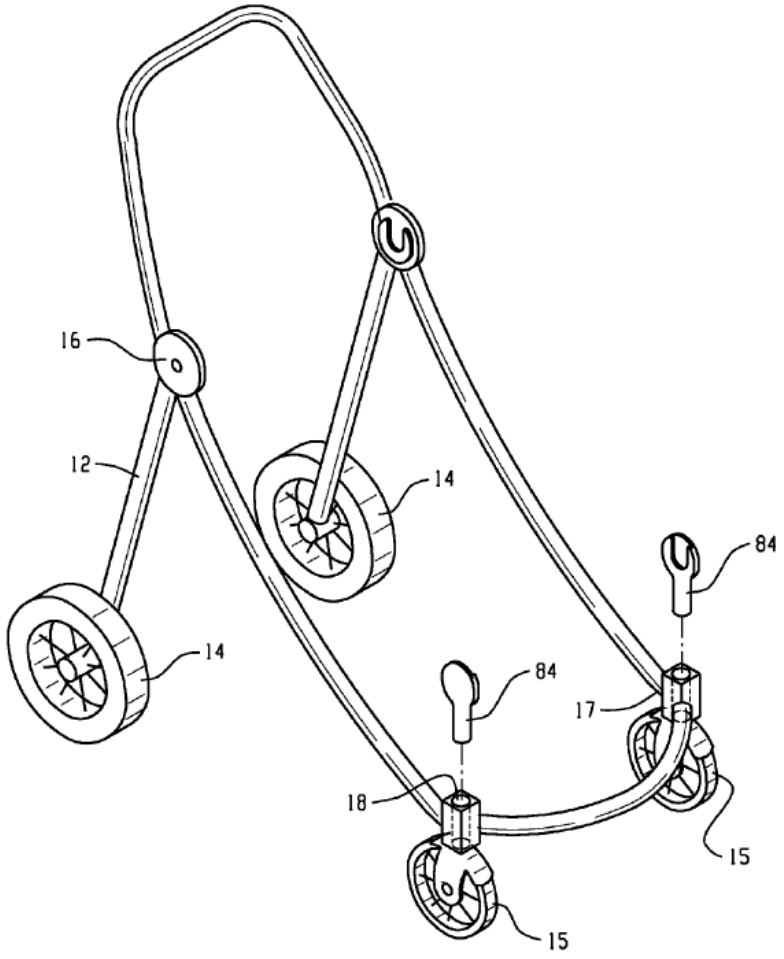


Fig. 10

EX1004, '869 Patent, Fig. 10

234. Therefore, the '568 Patent claims are not entitled to the April 25, 2014 priority date of the '869 Application.

235. The Second Provisional does not provide support for the "substantially parallel" limitation. The Second Provisional included a definition for "substantially parallel."

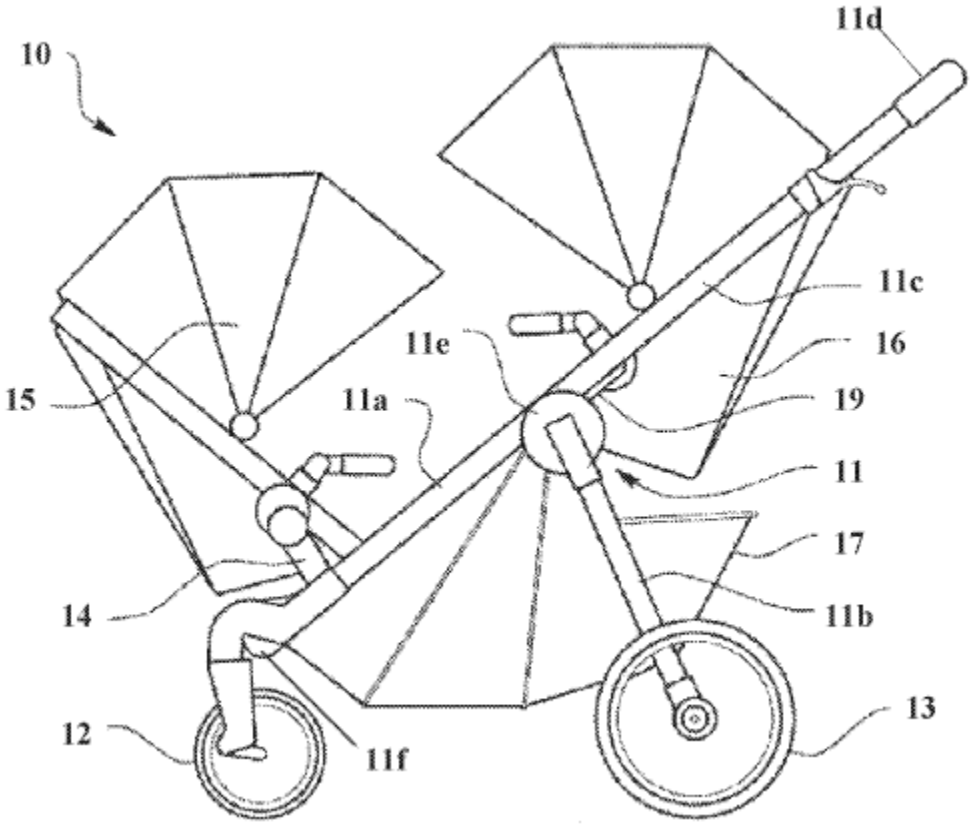
> In addition, certain relationships between dimensions of the adjustable stroller and between features of the adjustable stroller are described herein using the term "substantially." As used herein, the terms "substantially" and "substantially equal" indicates that the equal relationship is not a strict relationship and does not exclude functionally similar variations therefrom. Unless context or the description indicates otherwise, the use of the term "substantially" or "substantially equal" in connection with two or more described dimensions indicates that the equal relationship between the dimensions includes variations that, using mathematical and industrial principles accepted in the art (*e.g.*, rounding, measurement or other systematic errors, manufacturing tolerances, etc.), would not vary the least significant digit of the dimensions. As used herein, the term "substantially constant" indicates that the constant relationship is not a strict relationship and does not exclude functionally similar variations therefrom. 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.

EX1006, Second Provisional, 7-8

236. This definition, however, is in a vacuum, and the Second Provisional does not disclose the front wheel support frame 11a may be rotatably adjusted to be substantially parallel with respect to the upper tube support frame 11c as required by claims 1 and 17. (EX1006, Second Provisional, 5-23.) Because this definition does not explain what elements of the stroller frame may be substantially parallel, it is my opinion a POSITA would believe the Patent Owner was not in full possession of the "front wheel support frame" being "rotatably adjusted to be substantially parallel" with the "upper tube support frame" at the time of the Second Provisional.

237. The drawings of the Second Provisional do not support the "substantially parallel" claim limitation because, like the pre-CIP 305 patents, the

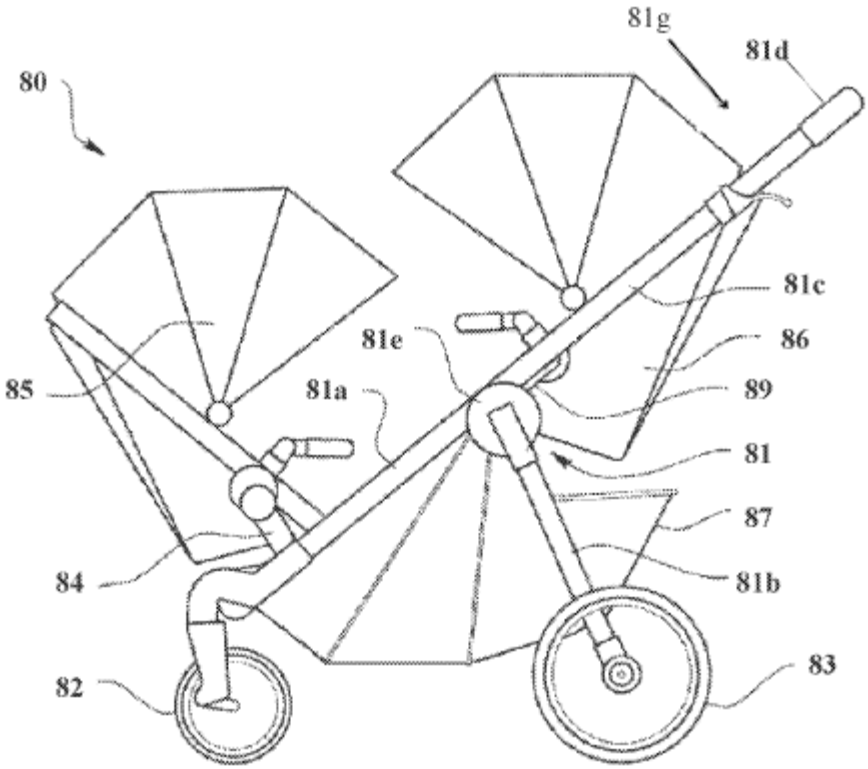
front wheel support frames 11a are collinear with the upper tube support frames 11c.



EX1006, Fig. 1A, 24

238. The ’305 CIP also does not support the relationship between the upper support frame and front wheel support frame being “substantially parallel” as claimed.

239. The Figures of the ’305 CIP do not show the upper tube support frames 81c being “substantially parallel” to the front wheel support frames 81a. All of the Figures show either a colinear arrangement between the front wheel support frame 81a and the upper tube support frame 81c (Fig. 8A) or are curved (Fig. 9). This is deficient for the reasons I discussed above.



EX1009, Fig. 8A

240. Therefore, the ’ 568 Patent claims are not entitled to the August 1, 2016 priority date of the ’305 CIP.

241. The ’543 Patent is a continuation of the ’305 CIP and does not provide support for the same reasons. (EX1008.)

242. The ’568 Patent is a continuation of the ’305 CIP and the as-filed application did not support the amended claim language adding a “substantially parallel” relationship between the “front wheel support frame” and the “upper tube support frame.”

243. I do not believe a POSITA would have found the Patent Owner to be in

possession of the claimed relationship until it was added to the claims during the June 28, 2021 amendment for the ’568 Patent. (EX1019, ’568 Certified File History, 835-847.) My opinion is based on there being no disclosure in the specifications nor figures depicting any parallel relationship between the different stroller frame elements, let alone a “substantially parallel” relationship between the “front wheel support frame” and “upper tube support frame.”

244. Therefore, claims 1-20 should be given a priority date before the Patent Owner claimed this subject matter.

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IX. Overview of the prior art

251. Counsel has informed me that for the Patent Owner alleges a priority date of December 4, 2008 with regard to the ’568 Patent. Again, I believe a POSITA would have found the claims of the ’568 Patent should not be afforded a priority date of 2008. Instead, it is my opinion the claims of the ’568 Patent should be afforded a priority date no earlier than March 21, 2016—the filing of the 2016 Second

Provisional.

252. If it is determined that Patent Owner is entitled to a priority date of 2008, I also rely on references which are prior art for a priority date of 2008.

253. I also understand the examination of the ’568 Patent was done based on what is referred to as “pre-AIA” 35 U.S.C. §102. However, I understand from counsel that since the ’305 CIP lists Mr. Lee, Ms. Roe, and Ms. Simpson as named inventors, this indicates they contributed to the conception of the idea or subject matter of at least one claim within that patent. Mr. Lee, Ms. Roe, and Ms. Simpson are also the named inventors to the ’568 Patent. I understand that including them on the ’305 CIP or the ’568 Patent indicates they contributed to the conception of the idea or subject matter of at least one claim within that patent.

254. Because none of these inventors were listed prior to the 2016 Second Provisional, it is my understanding that the ’305 CIP (and all applications claiming priority to it) should be examined under what is referred to as “post-AIA” 35 U.S.C. §102. I understand the same reasoning would be true for the ’568 Patent, given Mr. Lee, Ms. Roe, and Ms. Simpson are again named inventors.

255. Regardless, I explain based on information from counsel whether the prior art references discussed below apply as prior art under pre-AIA 35 U.S.C. §102, post-AIA 35 U.S.C. §102, or potentially both.

A. U.S. Patent No. 8,882,134 (“Rolicki”)

1. Status as Prior Art

256. Rolicki was filed March 14, 2013 and claimed priority to provisional application No.61/749,728 filed January 7, 2013. Rolicki published as U.S. Patent Publication No. 2014/0191483 on July 10, 2014. Rolicki issued on November 11, 2014. (EX1047, 1:6-9.)

257. As I stated in my "Priority of the '568 Patent" section above, it is my opinion that claims 1-10 and 17-20 should be given a priority date no earlier than the filing date of the Second Provisional, which is March 21, 2016.

258. Based on a priority date of March 21, 2016, I have been further informed by counsel that Rolicki is prior art under at least 35 U.S.C. § 102(a)(1) (post-AIA) or 35 U.S.C. § 102(b) (pre-AIA)[18].

2. Overview of Rolicki

259. Rolicki discloses a stadium-style dual-seat stroller having an upper seat near the handle 122 and a lower seat near the front wheels 110. (EX1047, Rolicki, Fig. 1.) The stroller of Rolicki is symmetrical. (EX1047, Rolicki, 5:40-43, Figs. 2, 3, 18.)

[18] I understand there is a dispute regarding whether or not pre-AIA or post-AIA law applies. I have been informed that this dispute is irrelevant to my analysis.

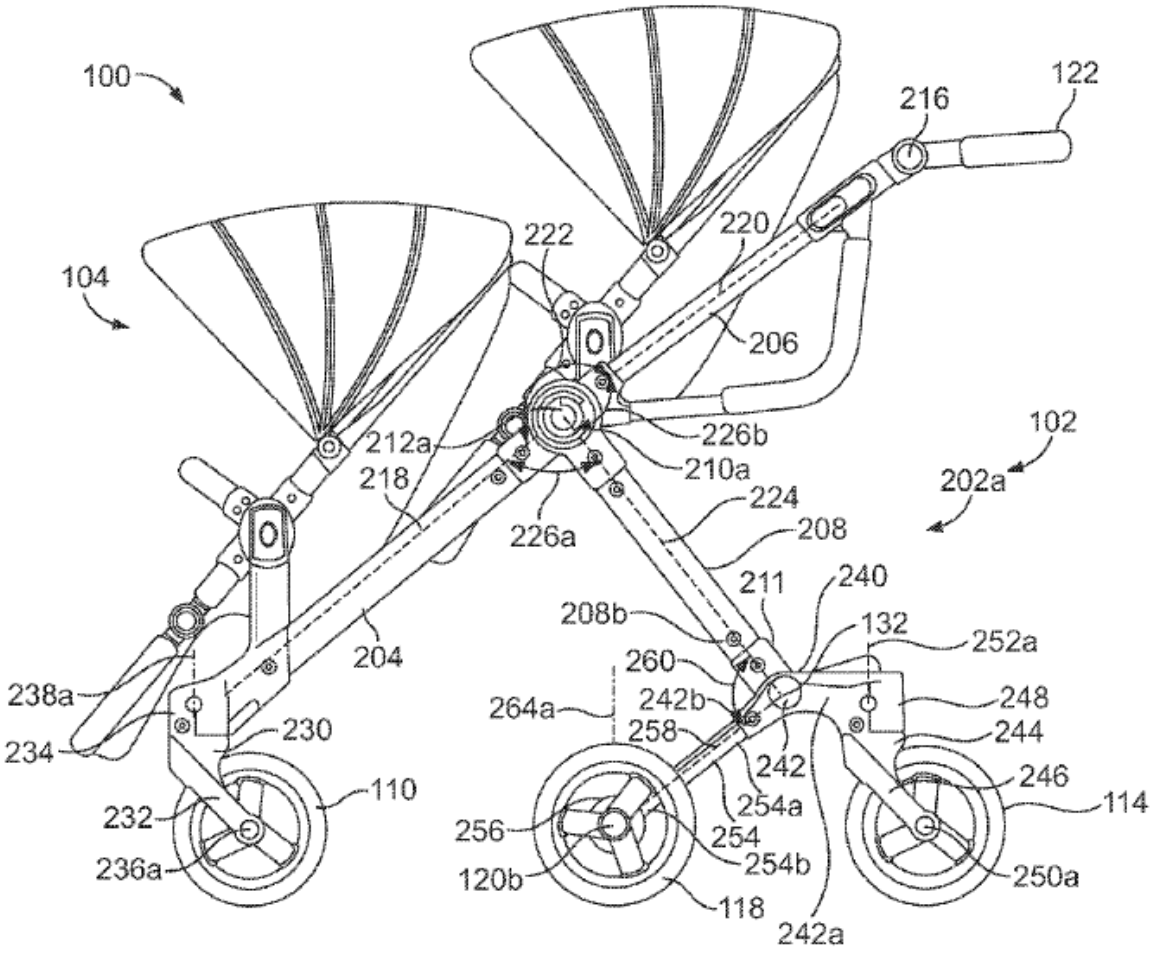


FIG. 2

EX1047, Rolicki, Fig. 2

260. The stroller includes a frame 102 having left and right-side frames assemblies 202a, 202b, each having an upper frame support 206 pivotally coupled to a lower frame support 204. (EX1047, Rolicki, 5:37-40, 5:47-50.) The seats 106 are removably coupled to the frame 102 using seat mounts 108. (EX1047, Rolicki, 3:53-58.) The seat mounts 108 may be coupled to the frame directly or coupled to the frame using housings 902. (EX1047, Rolicki, 12:50-52.) The embodiment of

Figure 10 shows removable seat mounts 108 that are receivable in pockets 1002 of connector housings 902. This allows the seat mounts 108 to be removed when not in use, such as when only a single seat 106 is attached to the stroller.

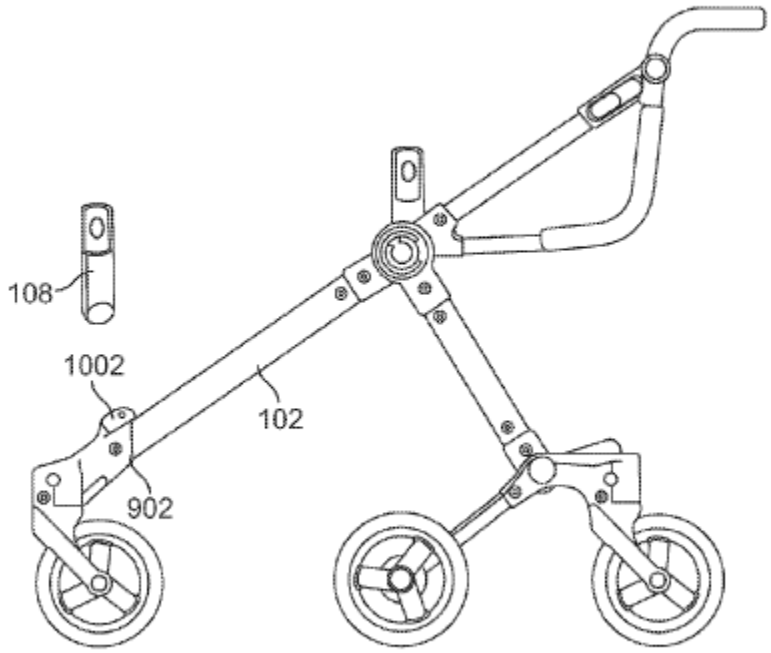


FIG. 10

EX1047, Rolicki, Fig. 10

261. The seats 106 are removably connected to upper ends of the seat mounts 108 by an interface, and the lower ends of the seat mounts 108 are adjustable along the frame 102. (EX1047, Rolicki, 3:51-64.)

B. U.S. Design Patent No. D593,459 ("Liao")

1. Status as Prior Art

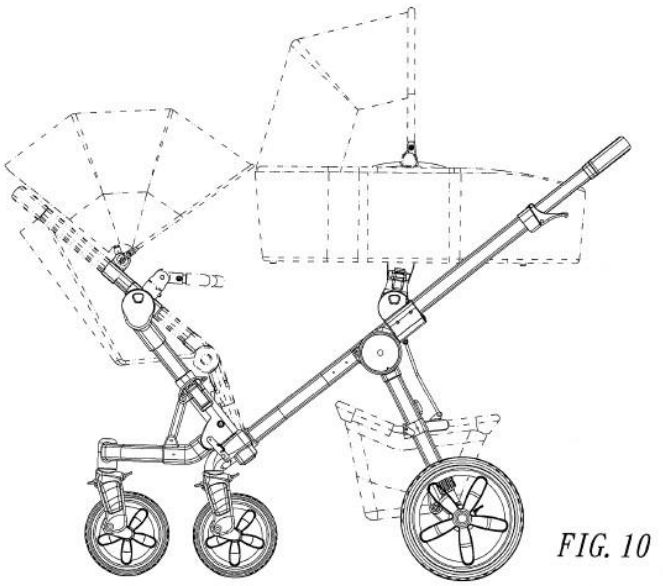
262. On September 5, 2008, Unique Product & Design Co. Ltd. filed an

application for U.S. Design Patent D593,459 (App. No. 29/324,044), Design application No. 29/324,044 issued as Liao on June 2, 2009. (EX1048, "Liao," Cover.)

263. Counsel has informed me that Liao is prior art under at least 35 U.S.C. § 102(a)(2) (post-AIA) or 35 U.S.C. § 102(e) (pre-AIA) assuming the claims are entitled to the December 4, 2008 priority claim, and is prior art under at least 35 U.S.C. § 102(a)(1) (post-AIA) or 35 U.S.C. § 102(b) (pre-AIA) if not entitled to priority.

2. Overview of Liao

264. Liao discloses a pushchair (*i.e.*, a stroller) having a single configuration and dual configuration. Liao has a main frame structure that supports a first seat and has a detachable front seat attachment that allows the pushchair to have two seats.



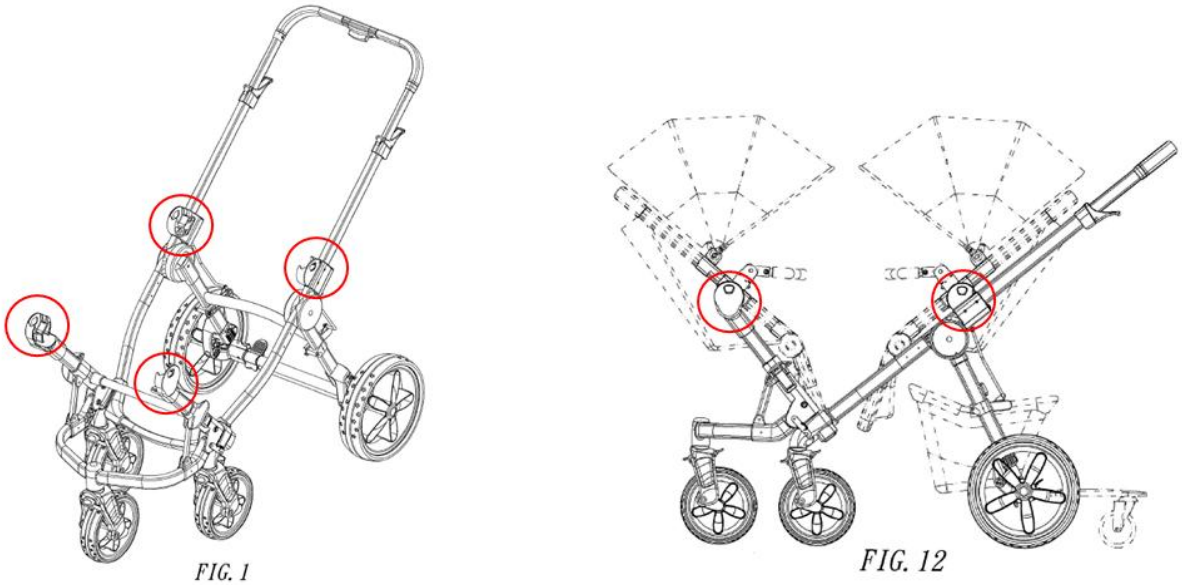
EX1048, Liao, Fig. 10

265. The detailed drawings of Liao are a type of wire frame isometric drawings a POSITA would understand are typically obtained from a CAD software design program. These detailed drawings are what a POSITA would typically use and rely upon when analyzing the details for stroller designs. A POSITA would therefore be able to understand and use the drawings provided in Liao for assessing functional features even though there is not an extensive written disclosure.

266. It is further my understanding that during prosecution of the '568 Patent and related patent applications, the U.S. Patent Office Examiner relied on the design of Liao. It is my understanding the Examiner, like a POSITA, was able to identify functional and operational features based on the detailed drawings of Liao. The U.S. Patent Office Examiner's analysis further supports my opinion that a POSITA would

be able to understand and use the drawings provided in Liao for assessing functional features.

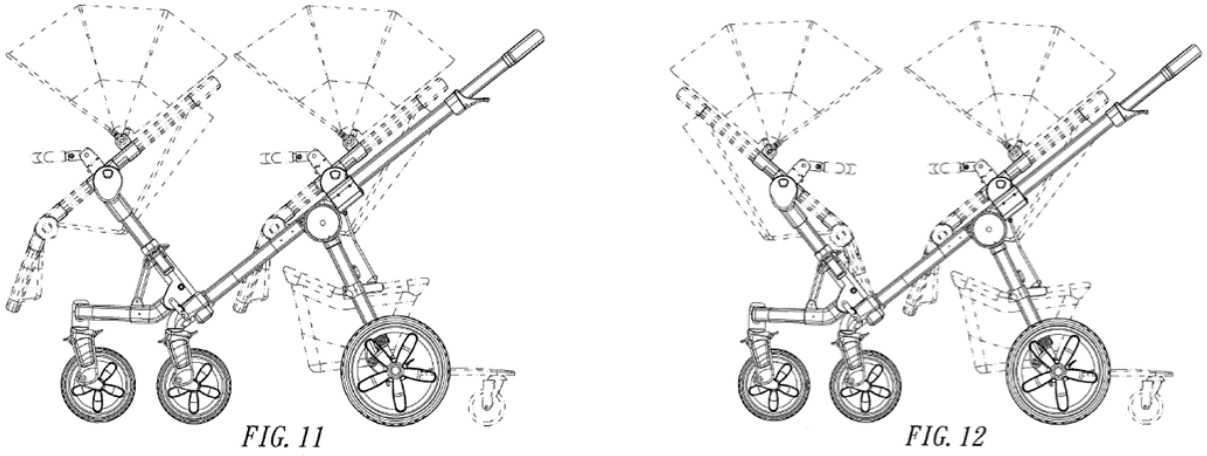
267. For instance, a POSITA would understand Liao's design has a main frame structure including a frame and four wheels and a detachable front seat attachment that allows the pushchair to have two seats. Liao illustrates connectors (circled in red) that allow for two removable seats. Figure 1 illustrates the stroller without any seats connected. Other figures (like Figure 12) illustrate the various ways and multiple types of seats that could be connected in front-facing and rear-facing configurations.



EX1048, Liao, Fig. 1 (Annotated)

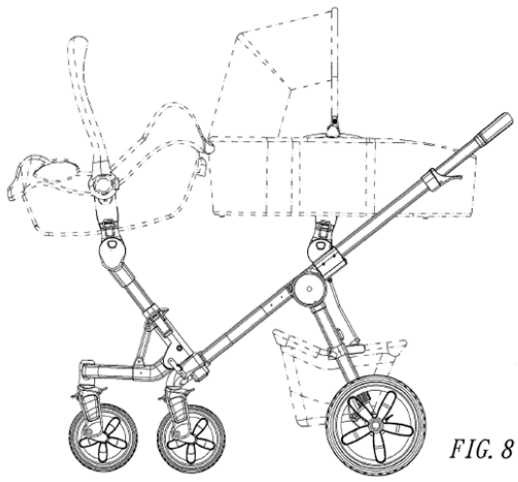
268. For instance, Liao discloses two figures (Figures 11 and 12) depicting the same type of dual seat configuration. A POSITA would understand looking at both figures that the difference is the front seat is configured either in the forward-facing or and rear-

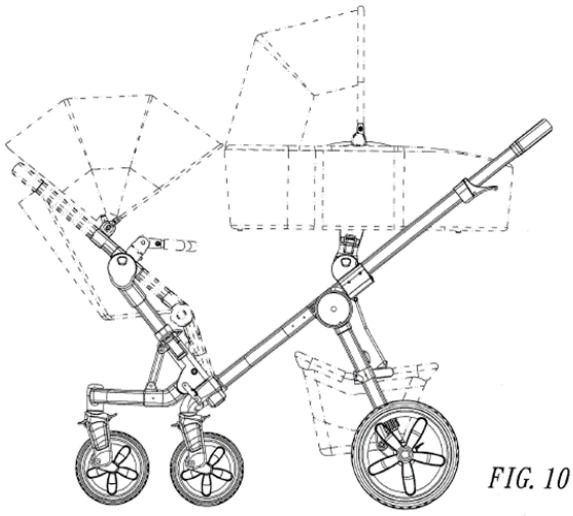
facing configurations.



EX1048, Liao, Figs. 11 and 12

269. In addition, other figures (like Figures 8 and 10) illustrate the stroller being configured with a baby pram or infant carrier. Given the various seat types and orientations, a POSITA would understand Liao's stroller as disclosing connectors that allow for connection to different baby seats that could be used to provide either a single or double seat stroller.


FIG. 8


FIG. 10

EX1048, Liao, Figs. 8 and 10

C. U.S. Patent Application Publication No. 2006/0071451 ("Cheng")

1. Status as Prior Art

270. Cheng was filed on April 28, 2005 and published on April 6, 2006 (EX1049, Cover.) Counsel has informed me that Cheng is prior art under at least 35 U.S.C. § 102(a)(1)/(2) (post-AIA) and 35 U.S.C. § 102(b) (pre-AIA) regardless of whether the '568 Patent is given a priority date of 2008 or a later date.

2. Overview of Cheng

271. Cheng discloses a folding baby stroller 10 that has a frame structure 12 with handle supports 24, front wheel supports 20, and rear-wheel supports 30 that are all joined at folding assemblies 22. (EX1049, Cheng, ¶¶0039, 0042, 0045.) The folding assemblies 22 allow the stroller frame 12 to fold for storage and transport. (EX1049, Cheng, ¶¶0049-0050.)

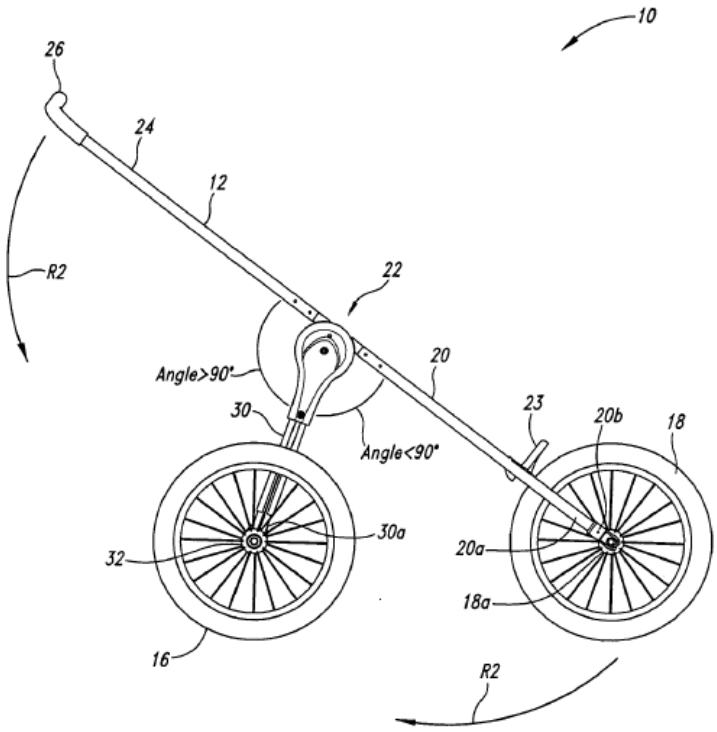


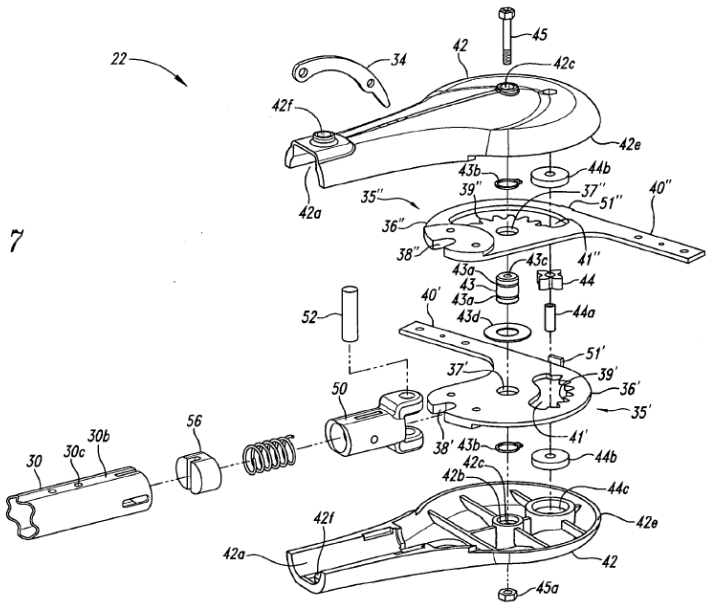
Fig. 4

EX1049, Cheng, Fig. 4

272. The folding assemblies 22 are circular- or hub- style folding mechanisms in which circular components rotate relative to each other within a circular housing or hub to allow pivoting of the upper and lower frame members. Each folding assembly 22 includes a first rotatable member 35' and a second rotatable member 35'' disposed in the housing 42. (EX1049, Cheng, ¶0050.) The first member 35' has a disk 36' and an arm 40' coupled to the front wheel support 20. The second member 35'' has a disk 36'' and an arm 40'' coupled to the handle support 24. (EX1049, Cheng, ¶¶0051, 0069.) Each of the disks defines an internal sector gear 39' and 39'' (EX1049, Cheng, ¶0051.) A pinion gear 44 rotatably couples

the first and second members 35', 35''. The pinion gear 44 is sized to be received in the elongate apertures 41', 41'' and meshes with internal gears 39', 39'' so that rotation of one of the members 35 is input to the other member 35 thus synchronizing movement of the front wheel support 20 and the handle support 24 during folding of the stroller 10. (EX1049, Cheng, ¶¶0056-0057.)

Fig. 7



EX1049, Cheng, Fig. 7

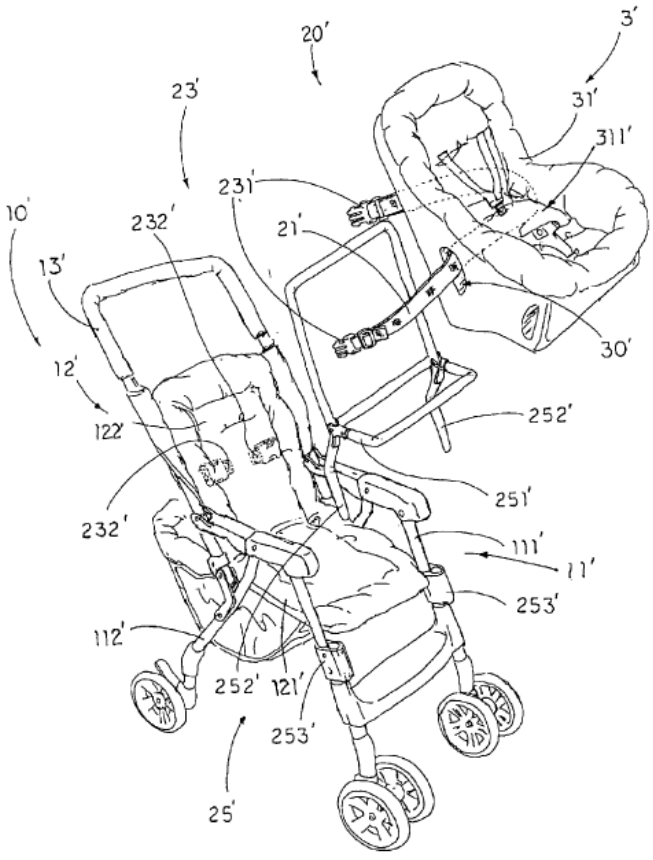
D. U.S. Patent No. 6,702,316 issued to Hsia ("Hsia '316")

1. Status as Prior Art

273. Hsia '316 was filed on October 18, 2001 and issued on March 9, 2004. (EX1050, Cover.) Counsel has informed me that Hsia '316 is prior art under at least 35 U.S.C. § 102(a)(1) (post-AIA) or 35 U.S.C. § 102(b) (pre-AIA) regardless of whether the '568 Patent is given a priority date of 2008 or later.

2. Overview of Hsia ’316

274. Hsia ’316 discloses a convertible stroller 10’ (second embodiment) that includes a main seat 12’ and a second seat 3’ that is connectable to the lower front end of the stroller to convert to a double stroller for transporting two children. The stroller includes a frame 11’. The frame 11’ includes two front legs 111’ coupled to the front wheels, two back legs 112’ coupled to the back wheels, and a handle frame 13’ (EX1050, Hsia ’316, 4:32-39.)



EX1050, Hsia ’316, Fig. 4

275. The second seat 3’ is attached to the stroller frame 11’ by a car seat fastening arrangement 20’ that includes a car seat adaptor frame 25’. The frame 25’

includes a pair of frame legs 111' that are received in holders 253' to couple the arrangement 20' to the stroller frame 11'. (EX1050, Hsia '316, 4:66-5:11.) A strap 21' further secures the arrangement 20' and seat 3' to the stroller frame 11'. (EX1050, Hsia '316, 4:44-49, 4:66-5:11.)

E. U.S. Pub. No. US 2003/0075902 ("Hsia '902")

1. Status as Prior Art

276. Hsia '902 was filed on October 18, 2001 and published April 24, 2003. (EX1054) Counsel has informed me that Hsia '316 is prior art under at least 35 U.S.C. § 102(a)(1)/(a)(2) (post-AIA) or 35 U.S.C. § 102(b) (pre-AIA) regardless of whether the '568 Patent is given a priority date of 2008 or later.

2. Overview of Hsia '902

277. Hsia '902 discloses a foldable stroller configured for one-hand operation to facilitate convenient folding and unfolding. The invention is directed to a control device integrated within the stroller's U-shaped handle frame, allowing a user to activate a locking mechanism that secures or releases the stroller's foldable structure. (EX1054, ¶¶0013-0020, Figs. 1–2.).

278. The stroller comprises a supporting frame and a seat frame pivotally connected to the supporting frame, along with the handle frame and folding control mechanism. (EX1054, ¶¶0018–0022.) The locking mechanism includes movable control rods and a control box positioned inside the handle frame, which are

connected to engaging pins that lock the frame components in place when extended. When the user operates the handle, these control rods withdraw the engaging pins, allowing the stroller to be folded or unfolded in a single motion. (EX1054, ¶¶0025–0030.)

279. Hsia's folding design is disclosed as reducing storage space and streamline transitions during travel.

280. The figures illustrate multiple views of the control mechanism (*see* Figs. 3–6) and highlight how various structural elements -such as pivot joints, linking bars, and brackets - all the stroller to be folded. (EX1054, ¶¶[0031]–[0036].)

X. Invalidity Grounds

A. Ground 1 – Claims 1-9 and 17-20 are obvious over Rolicki in view of the general knowledge of a POSITA.

1. Analysis of Claims 1-9 and 17-20

… ***[1.0] A stroller, comprising:***

281. Rolicki discloses a stroller having a "frame 102" with "seat mounts 108" that allow "infant seats 106" to be removably coupled.

> The present disclosure relates generally to child care equipment and, more particularly, to maneuverable strollers.

(EX1047, Rolicki, 1:13-14; see also 21:63.)

> **FIG. 1 is a perspective view of an example stroller 100** constructed in accordance with the teachings disclosed herein. The example stroller 100 of FIG. 1 includes a frame 102 defining a seating area 104 to

accommodate or support one or more child and/or infant seats 106. To support the infant seats 106, the frame 102 of the illustrated example includes one or more infant seats mounts 108. More specifically, the infant seats 106 removably couple to the seat mounts 108 via an interface (e.g., a latch or connector) provided by the seats 106 and the seat mounts 108. To remove the infant seats 106 from the seat mounts 108, a connector defined by the interface is released via a release (e.g., a spring-loaded push button). Additionally or alternatively, the seat mounts 108 may be adjusted along the frame 102 to adjust a position of the infant seats 106 relative to the frame 102 and/or each other.

(EX1047, Rolicki, 3:49-64.)

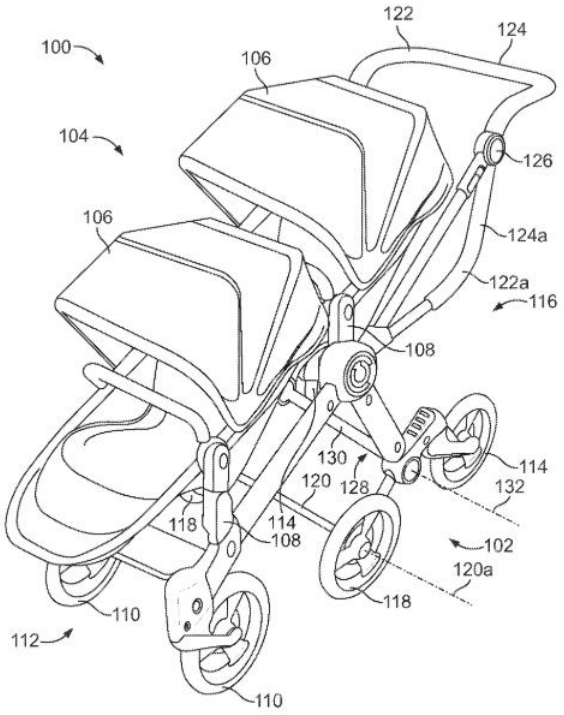


FIG. 1

EX1047, Rolicki, Fig. 1

282. Therefore, it is my opinion that Rolicki satisfies limitation [1.0].

… ***[1.1] a stroller frame comprising: a first upper tube support frame; a second upper tube support frame;***

283. Again, Rolicki discloses a "stroller 100" that includes "a frame 102." (EX1047, Rolicki, 3:51-52.)

284. The frame 102 has left-side and right-side frame supports 202a, 202b. Each of the side frame supports includes an upper frame support 206 (red). Rolicki illustrates and discloses a perspective view of a stroller in Figure 1. Rolicki even states: "the first and second side frame assemblies 202a, 202b of the illustrated example are substantially similar or identical and are symmetrical." A POSITA would therefore understand the design of the upper frame support 206 on the right-hand side would be "substantially similar or identical and … symmetrical" to the upper frame support 206 on the left-hand side. Indeed, this is shown by Figures 2 and 3 below.

> **FIG. 2 illustrates a first or left side view of the stroller 100. FIG. 3 illustrates a second or right side view of the example stroller 100 of FIG. 1**. Referring to FIGS. 2 and 3, the frame 102 of the illustrated example includes a first side frame assembly 202*a* laterally spaced from a second side frame assembly 202*b* to define the seating area 104. **The first and second side frame assemblies 202*a*, 202*b* of the illustrated example are substantially similar or identical and are symmetrical**. The handle 122 of the illustrated example extends between the side

frame assemblies 202*a*, 202*b* and may be formed from a single tube that is bent into a generally U-shaped structure.

Referring to **FIGS. 2 and 3**, each of the side frame assemblies 202*a*, 202*b* of the illustrated example includes a lower frame support 204, **an upper frame support 206**, and an intermediate frame support 208. In the illustrated example, the frame supports 204, 206 and 208 have a substantially linear profile (e.g., a straight and/or flat profile). However, in other examples, the frame supports 204, 206 and 208 may be any shape, including a generally curved shape or a shape having one or more curved and/or linear portions.

(EX1047, Rolicki, 5:35-55.)

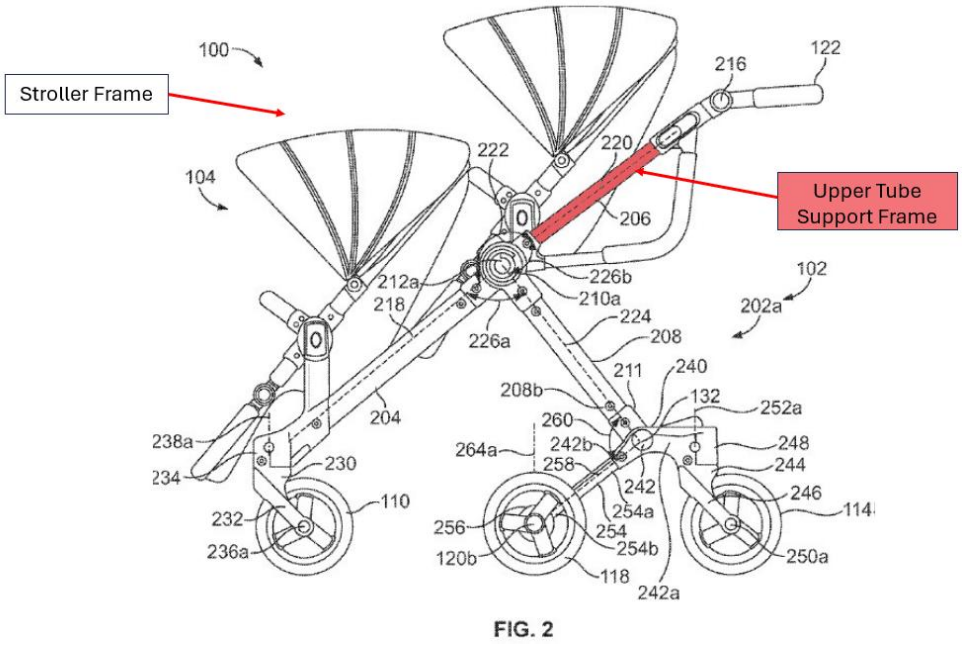


FIG. 2

EX1047, Rolicki, Fig. 2 (Left Upper Tube Support Frame Annotated)

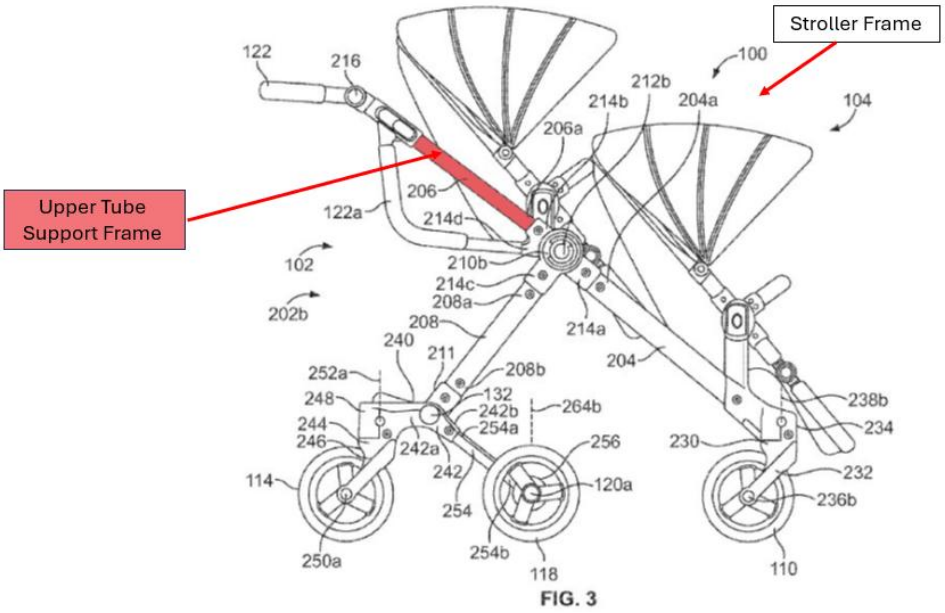


FIG. 3

EX1047, Rolicki, Fig. 3 (Right Upper Tube Support Frame Annotated)

285. Figure 13 further illustrates a top view showing Rolicki's right and left "upper frame support 206."

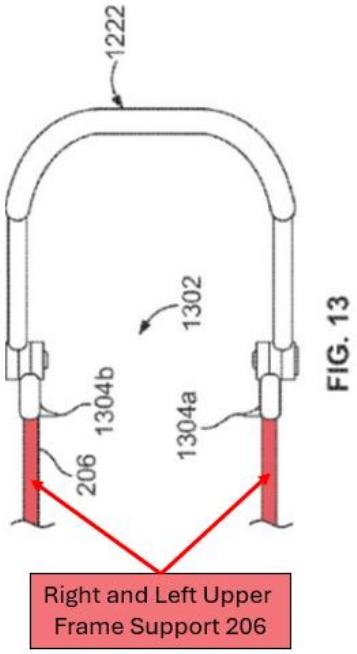


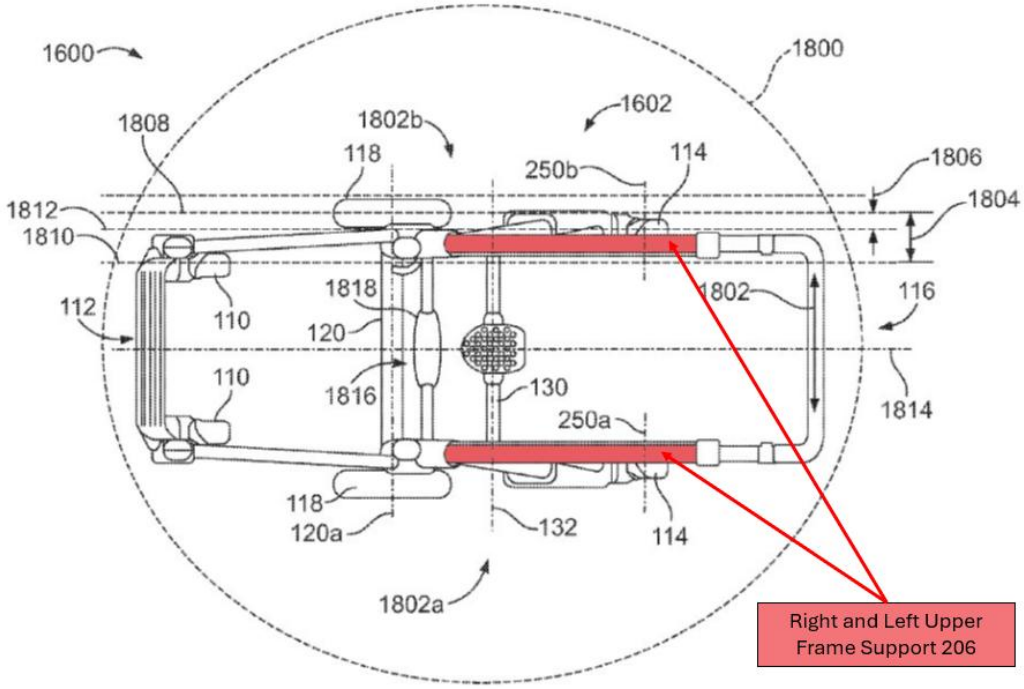
FIG. 13

EX1047, Rolicki, Fig. 13 (Annotated)

> FIG. 13 is a plan view of the example handle 1222 coupled to the **upper frame support 206** of FIG. 12. As shown in the illustrated example of FIG. 13, the example stroller 1200 employs a latch release 1302 to collapse the stroller 1200 of the illustrated example. To activate the latch release 1302, one or more triggers 1304*a*, 1304*b* of the release are moved relative to the upper frame support 206 (e.g., pulled, pushed, twisted, slid, etc.) to unlock a latch or lock provided by the pivot connector 210. Additionally, the latch release 1302, when activated, also releases a latch mechanism of the hub 1208 to enable the handle 1222 to rotate relative to the upper frame support 206.

(EX1047, Rolicki, 13:60-14:4.)

286. Figure 18 is also top view illustrating another embodiment of Rolicki. This top view further illustrates Rolicki discloses a stroller which would have both a right and left "upper frame support 206." (EX1047, Rolicki, 15:23-47.)



EX1047, Rolicki, Fig. 18

287. A POSITA would have therefore understood the left and right upper frame supports 206 (red) as being the "first upper tube support frame" and "second upper tube support frame." Therefore, it is my opinion that Rolicki discloses or renders obvious limitation [1.1].

> … ***[1.2] a first front wheel support frame rotatably adjusted to be substantially parallel with respect to the first upper tube support frame when the stroller frame is unfolded from a folded configuration;***
>
> … ***[1.3] a second front wheel support frame rotatably adjusted to be substantially parallel with respect to the second upper tube support frame when the stroller frame is unfolded from a folded configuration;***

288. As I discussed above, Rolicki includes left-side and right-side frame assemblies 202a, 202b. Each of the side assemblies includes the above-discussed right and left upper frame (*i.e.*, tube) support (red).

289. Rolicki also discloses a lower frame support 204 (shaded blue). Again, Rolicki states Figure 2 is a left-side view and Figure 3 is a right-side view of the stroller illustrated in Figure 1. A POSITA would have also understood Rolicki as teaching lower frame supports 204 on the right-hand and left-hand side are "substantially similar or identical and … symmetrical."

> **FIG. 2 illustrates a first or left side view of the stroller 100. FIG. 3 illustrates a second or right side view of the example stroller 100 of FIG. 1.** Referring to FIGS. 2 and 3, the frame 102 of the illustrated example includes a first side frame assembly 202*a* laterally spaced from a second side frame assembly 202*b* to define the seating area 104. **The first and second side frame assemblies 202*a*, 202*b* of the illustrated example are substantially similar or identical and are symmetrical.**

The handle 122 of the illustrated example extends between the side frame assemblies 202*a*, 202*b* and may be formed from a single tube that is bent into a generally U-shaped structure.

Referring to FIGS. 2 and 3, **each of the side frame assemblies 202*a*, 202*b*** of the illustrated example **includes a lower frame support 204, an upper frame support 206**, and an intermediate frame support 208. In the illustrated example, the frame supports 204, 206 and 208 have a substantially linear profile (e.g., a straight and/or flat profile). However, in other examples, the frame supports 204, 206 and 208 may be any shape, including a generally curved shape or a shape having one or more curved and/or linear portions.

(EX1047, Rolicki, 5:35-55.)

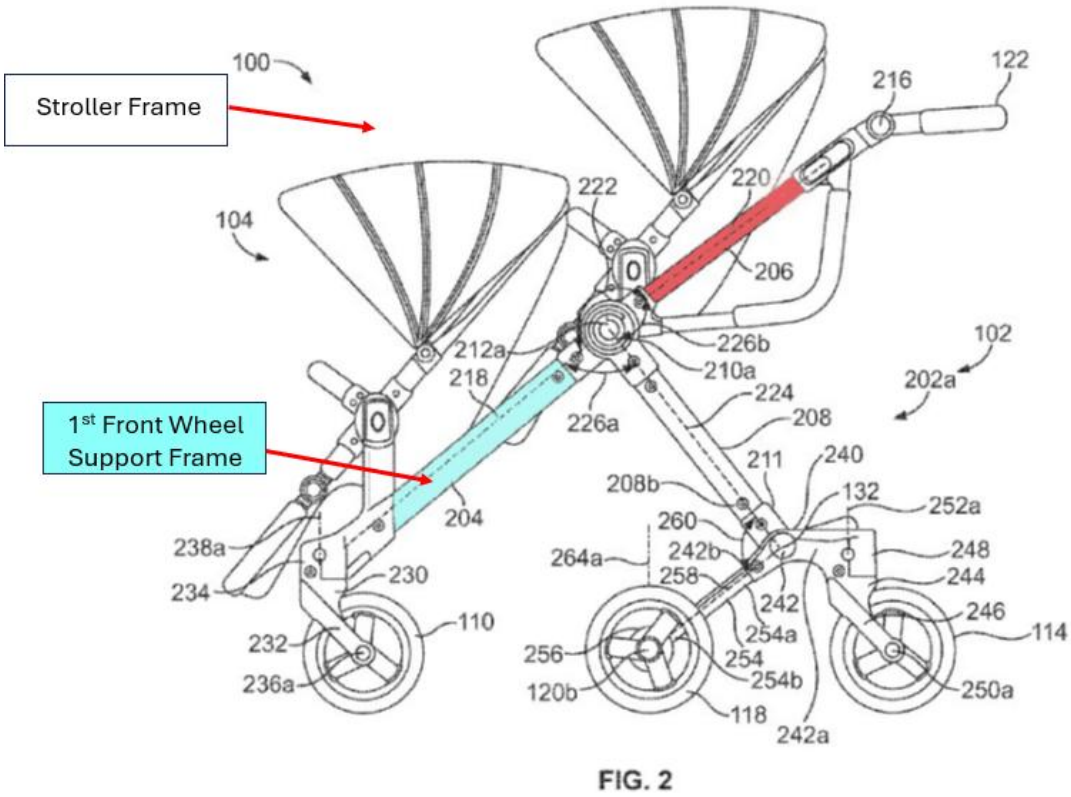


FIG. 2

EX1047, Rolicki, Fig. 2 (Annotated)

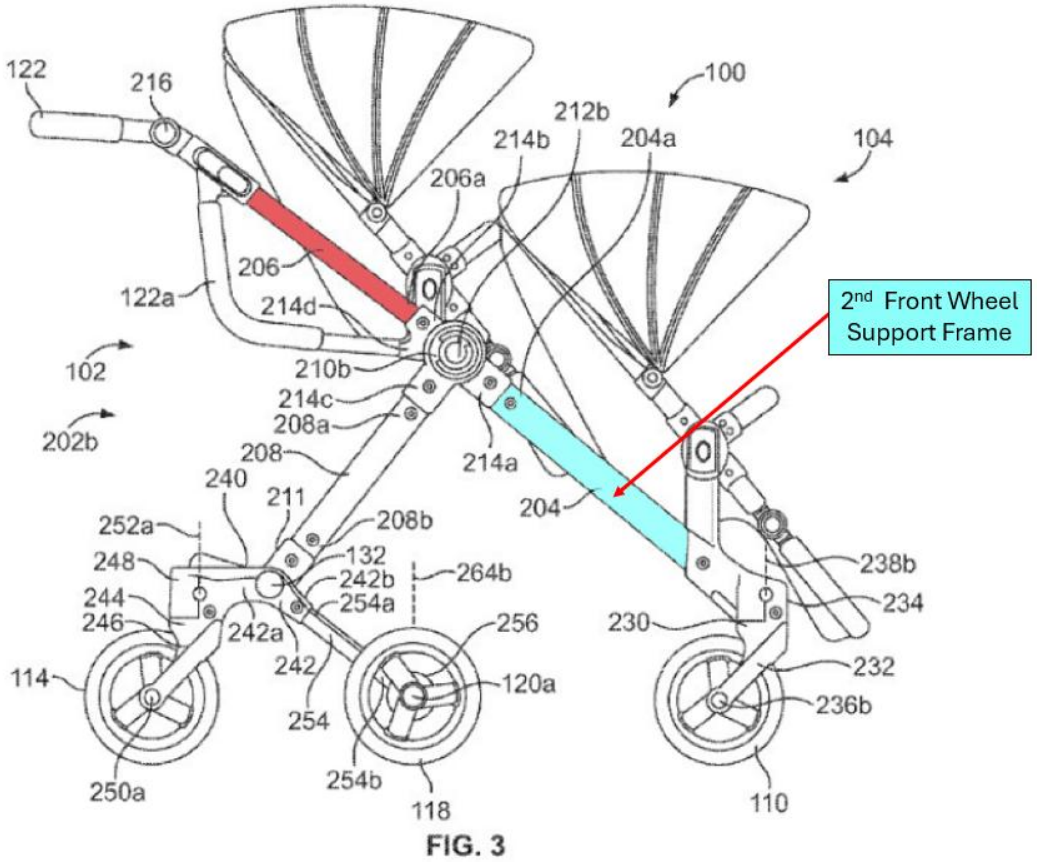


FIG. 3

EX1047, Rolicki, Fig. 3 (Annotated)

290. The lower frame supports 204 (blue) are "coupled or attached" to a "front wheel housing 230" which is then attached to front wheels 110. A POSITA would therefore understand both the right-hand and left-hand lower frame supports 204 (blue) as being the "first front wheel support frame" and the "second front wheel support frame."

> Referring to FIGS. 2 and 3, **to mount or attach the front wheels 110 of the illustrated example to respective ones of the side frame assemblies 202*a*, 202*b*, each of the front wheels 110 of the illustrated example includes a front wheel housing 230.** For example, **the front wheel housing 230 may be coupled or attached to an end of the**

> **lower frame support 204**. Each front wheel housing 230 of the illustrated example includes a fork or wheel support 232 rotatably mounted to a connector 234. Each front wheel 110 is rotatably journalled to the wheel support 232 to enable each of the front wheels 110 to rotate independently about a separate axis of rotation 236*a*, 236*b* (e.g., a substantially horizontal axis relative to a level ground surface on which the stroller 100 is positioned).

(EX1047, Rolicki, 7:4-16.)

291. Rolicki teaches the upper frame supports 206 and lower frame supports 204 are pivotally coupled by folding mechanisms, e.g., pivot joints 210, that allow the stroller frame 102 to be foldable from the in-use or unfolded position (*see e.g.*, Figure 2 and 3 above) to a folded position (*see e.g.*, Figure 8) and vice versa.

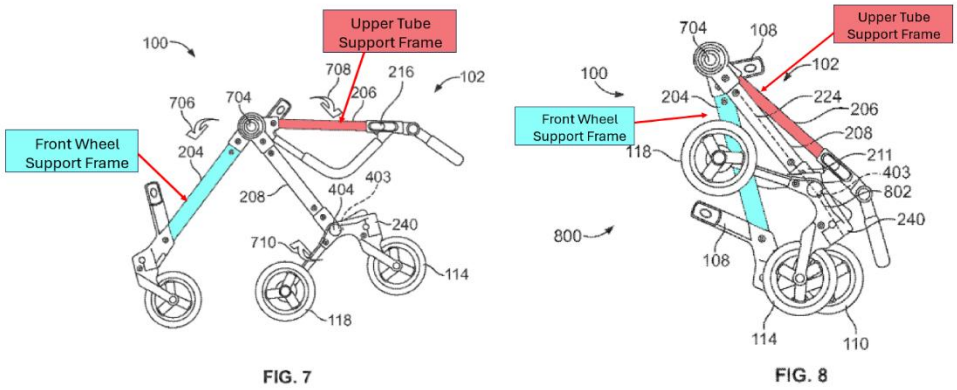
> For the purpose of enabling the stroller 100 of the illustrated example to fold or collapse in at least one direction, **the frame supports 204, 206 and 208 of the first side frame assembly 202*a* are pivotally coupled via a first pivot connector or pivot joint 210*a***. More specifically, the connector or pivot joint 210*a* is defined by a hub 212*a* (e.g., a T-shaped hub) to receive a respective end of each of the frame supports 204, 206 and 208 of the first side frame assembly 202*a*. The hub 212*a* of the illustrated example enables the frame supports 204, 206 and 208 to pivot relative to each other to, for example, collapse the stroller 100 as discussed in greater detail below. …
>
> The legs 214*a*-*c* enable the frame supports 204, 206 and 208 to pivot relative to each other about the respective pivot connectors 210*a*, 210*b* when a locking mechanism (e.g., a latch) of the hubs 212*a*, 212*b* is in a

> released or unlocked condition. When the locking mechanism of the hubs 212*a*, 212*b* is in a locked condition, **the frame supports 204, 206 and 208 cannot rotate or pivot relative to each other about the respective pivot connectors 210*a*, 210*b***. The locking mechanism of the hubs 212*a*, 212*b* may be moved to an unlocked condition via a release actuator 216 positioned on the upper frame support that may be activated by a user.

(EX1047, Rolicki, 5:56-6:28.)

> More specifically, in the unlocked condition, the **frame supports 204, 206 and/or 208 are freed to rotate or pivot relative to each other about a pivot 704 provided by the pivot connectors 210*a*, 210*b***. In the illustrated example, the lower and upper frame supports 204, 206 of the illustrated example pivot toward the intermediate frame support 208 in the direction shown by the respective arrows 706 and 708 into the configuration illustrated in FIGS. 7 and 8. Further, the carriage 240 of the illustrated example also rotates toward the intermediate frame support 208 in a direction represented by arrow 710 when folding the stroller 100 to the **folded position 800**.

(EX1047, Rolicki, 12:22-33.)



EX1047, Rolicki, Figs. 7-8 (Annotated)

292. Rolicki states and claims that when the stroller is in the unfolded position, the upper and lower frame supports 204 and 206 are "substantially aligned or parallel." Looking at the center of axis 218 of the lower frame and 220 of the upper frame a POSITA would understand the two frames are offset and not collinear. Instead, a POSITA would understand these frame members as being parallel or even "substantially parallel" when the frame is in the unfolded configuration.

> Referring to FIG. 2, when the frame 102 is erected, the **lower frame support 204 and the upper frame support 206 of the first side frame assembly 202*a* are substantially aligned or *parallel* relative to each other** such that an axis 218 of the lower frame support 204 is substantially aligned with an axis 220 of the upper frame support 206. However, in other examples, the lower frame support 204 may be positioned at any angle relative to the upper frame support 206 when the frame 102 is in the erected state. For example, **an angle 222 between the axis 218 of the lower frame support 204 and the axis 220 of the upper frame support 206 may be between approximately 100 degrees and 200 degrees**.

(EX1047, Rolicki, 6:29-40.)

> 17. A stroller as defined in claim 16, wherein the lower frame support is ***substantially aligned or parallel*** to the upper frame support and the intermediate frame support is substantially perpendicular relative to the lower and upper frame supports when the frame is in an in-use position.

(EX1047, Rolicki, Claim 17.)

293. A POSITA would understand that Rolicki's side view illustrates the axis between the upper frame (206) is slightly offset from the axis of the lower frame (204) as I have shown by the red dashed line. A POSITA would have understood Rolicki's upper and lower frame are offset and "substantially aligned or parallel" to each other as explicitly stated by Rolicki. (EX1047, Rolicki, 6:29-40.)

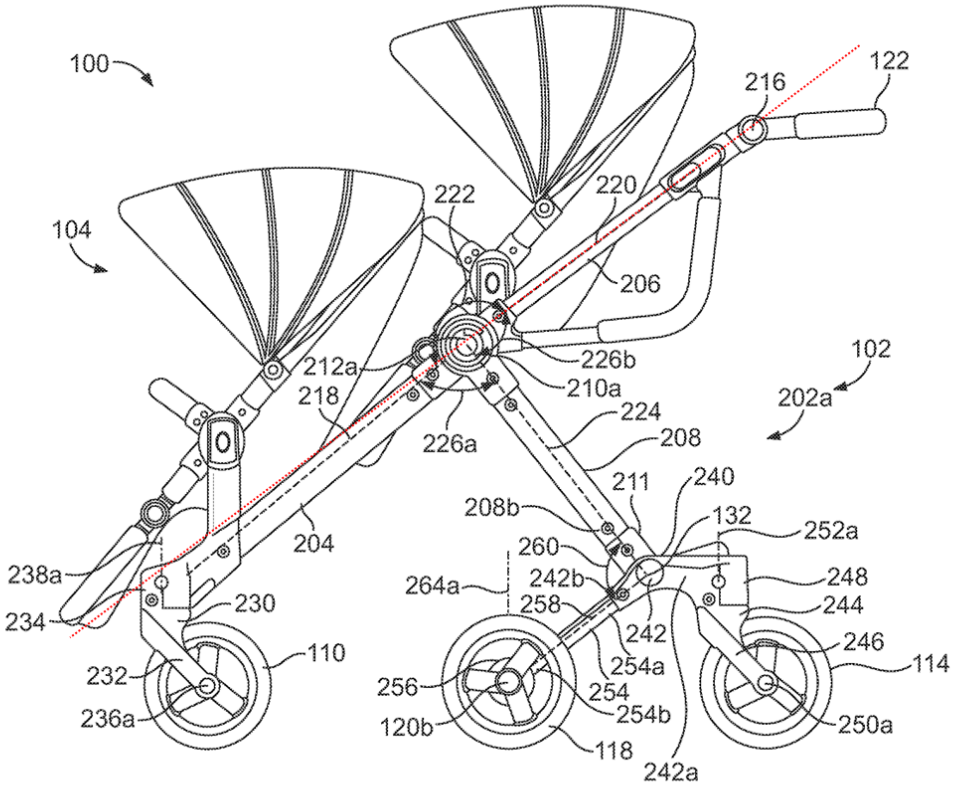


FIG. 2

EX1047, Rolicki, Fig. 2 (Annotated)

294. A POSITA would have further noticed the upper and lower frame supports are sized differently. Given the difference in sizing, a POSITA would have further understood (as I illustrate with red dashed line below) the lower frame support 204 is offset from a lower side of the upper frame support 206. A POSITA would have therefore understood the upper and lower support frames of Rolicki are "substantially parallel" to each other.

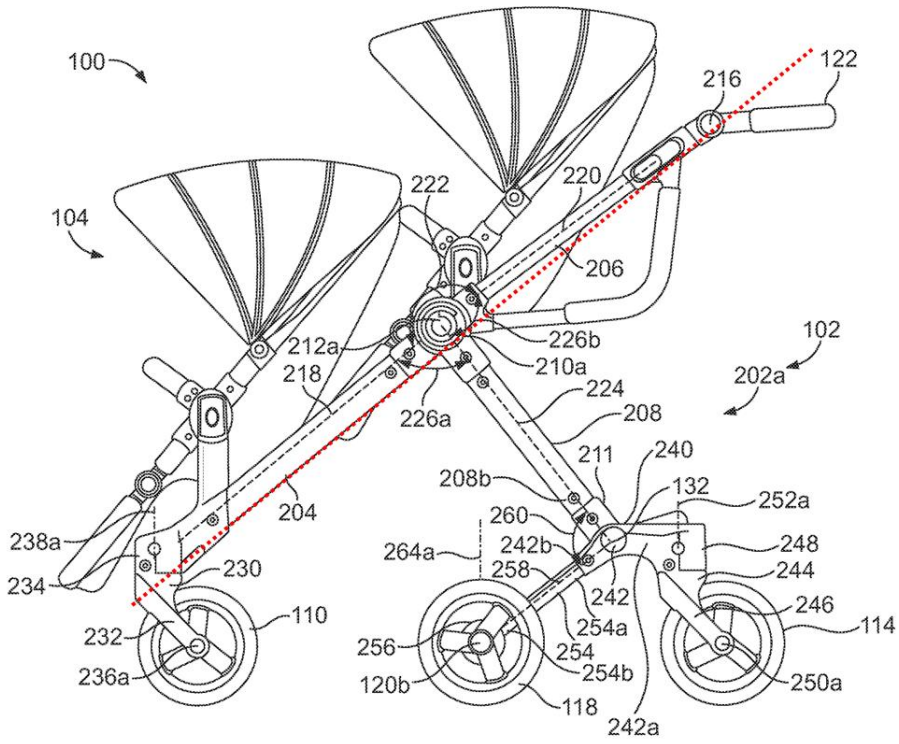
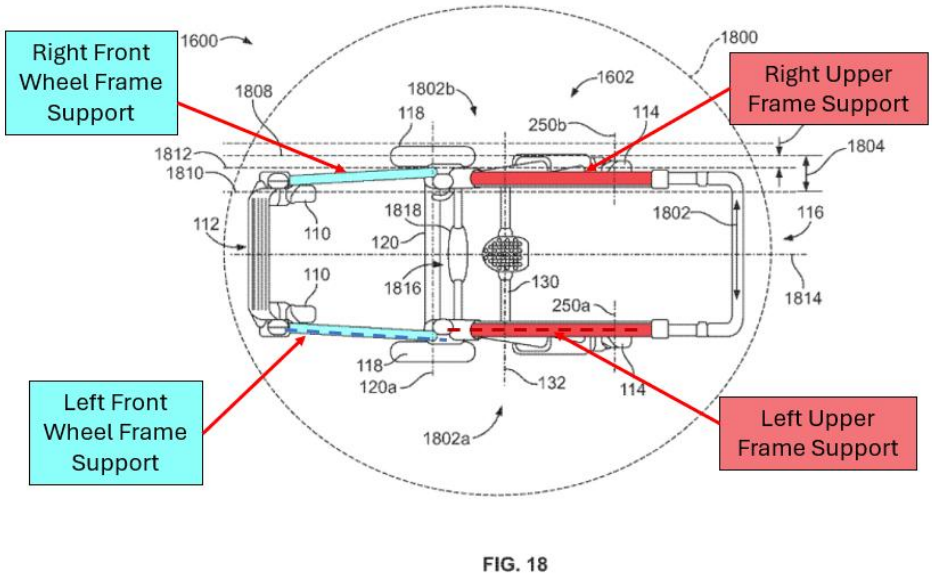


FIG. 2

EX1047, Rolicki, Fig. 2 (Annotated)

295. To the extent Patent Owner argues the upper and lower frame supports are not "substantially parallel," a POSITA would have further understood the upper and lower frame support members could have been designed with an even greater offset to be even more substantially parallel. Again, a POSITA would have understood the upper and lower frame supports are connected by a commonly used middle folding mechanism (*i.e.*, pivot joint 210). It would have been obvious that the connection could be slightly modified or the size of the frame supports could be changed to provide an even greater offset between the upper and lower support frames.

296. In addition, Figure 18 of Rolicki illustrates a top-view of an alternative design for the stroller. As I have annotated, the upper frame support (red) is slightly offset from the lower frame support (blue) when viewed from above. I have illustrated using red and blue dashed lines how the two frame supports are designed to be offset from each other. A POSITA looking at the top-view of the stroller would notice the upper and lower frame supports being offset and could be understood as being substantially parallel.



EX1047, Rolicki, Fig. 18 (Annotated)

FIG. 18 is a top plan view of the example stroller 1400 of FIG. 14. As shown in FIG. 18, the offset pivot points provided by the intermediate wheels 118 enables both the front end 112 of the stroller 1400 and the rear end 116 of the stroller 1400 to pivot or rotate in an arcuate path relative to the turning pivot provided by one of the intermediate wheels 118. For example, a user can apply a turning force 1802 to the handle

> 1622 to turn the stroller 1600 of the illustrated example about a pivot point provided by one of the intermediate wheels 118. As a result, the stroller 1600 of the illustrated example can turn about a pivot point provided by either of the intermediate wheels 118 with a relatively tight turning radius and with relative ease. For example, the stroller 1600 can turn in the arcuate path a full 360 degrees substantially within its own length as reflected by the circle 1800 in FIG. 18.

(EX1047, Rolicki, 15:23-37.)

297. While the lower frame support is angled slightly, therefore not allowing the upper and lower frames to be entirely parallel, Rolicki discloses the width of the front wheels could be increased to match the rear wheels. (EX1047, Rolicki, 16:11-14.) This would reduce the angle and make the relationship closer to parallel.

298. Moreover, a POSITA would have understood the angle of the lower frame portion 204 (blue) to be a design choice based on how each part is connected to the middle folding mechanism (*i.e.*, pivot joint 210). A POSITA would have understood the upper and lower frame support members could be positioned more parallel to each other when seen in top view. Indeed, Rolicki discloses the width of the front wheels can be increased or decreased. (EX1047, Rolicki, 16:11-14.)

299. Therefore, it is my opinion that Rolicki discloses or renders obvious limitations [1.2] and [1.3].

> … ***[1.4] a first back wheel support frame rotated with respect to the first upper tube support frame; and***
>
> … ***[1.5] a second back wheel support frame rotated with respect to the second upper tube support frame;***

300. The frame 102 has left-side and right-side frame supports 202a, 202b. Rolicki illustrates and discloses a perspective view of a stroller in Figure 1. Rolicki discloses each side frame assembly 202a, 202b further includes an intermediate frame support 208 (brown). Rolicki even states: "the first and second side frame assemblies 202a, 202b of the illustrated example are substantially similar or identical and are symmetrical." A POSITA would therefore understand the design of the intermediate frame support 208 on the right-hand side would be "substantially similar or identical and … symmetrical" to the intermediate frame support 208 on the left-hand side. Indeed, this is shown by Figures 2 and 3 below. A POSITA would have understood the right/left intermediate frame supports 208 are the "first/second back wheel support frame."

> FIG. 2 illustrates a first or left side view of the stroller 100. FIG. 3 illustrates a second or right side view of the example stroller 100 of FIG. 1. Referring to FIGS. 2 and 3, the frame 102 of the illustrated example includes a first side frame assembly 202*a* laterally spaced from a second side frame assembly 202*b* to define the seating area 104. The first and second side frame **assemblies 202*a*, 202*b*** of the illustrated example are **substantially similar or identical and are symmetrical**.

> The handle 122 of the illustrated example extends between the side frame assemblies 202*a*, 202*b* and may be formed from a single tube that is bent into a generally U-shaped structure.
>
> Referring to FIGS. 2 and 3, **each of the side frame assemblies 202*a*, 202*b*** of the illustrated example **includes** a lower frame support 204, an upper frame support 206, and an ***intermediate frame support 208***. In the illustrated example, the frame supports 204, 206 and 208 have a substantially linear profile (e.g., a straight and/or flat profile). However, in other examples, the frame supports 204, 206 and 208 may be any shape, including a generally curved shape or a shape having one or more curved and/or linear portions.

(EX1047, Rolicki, 5:35-55.)

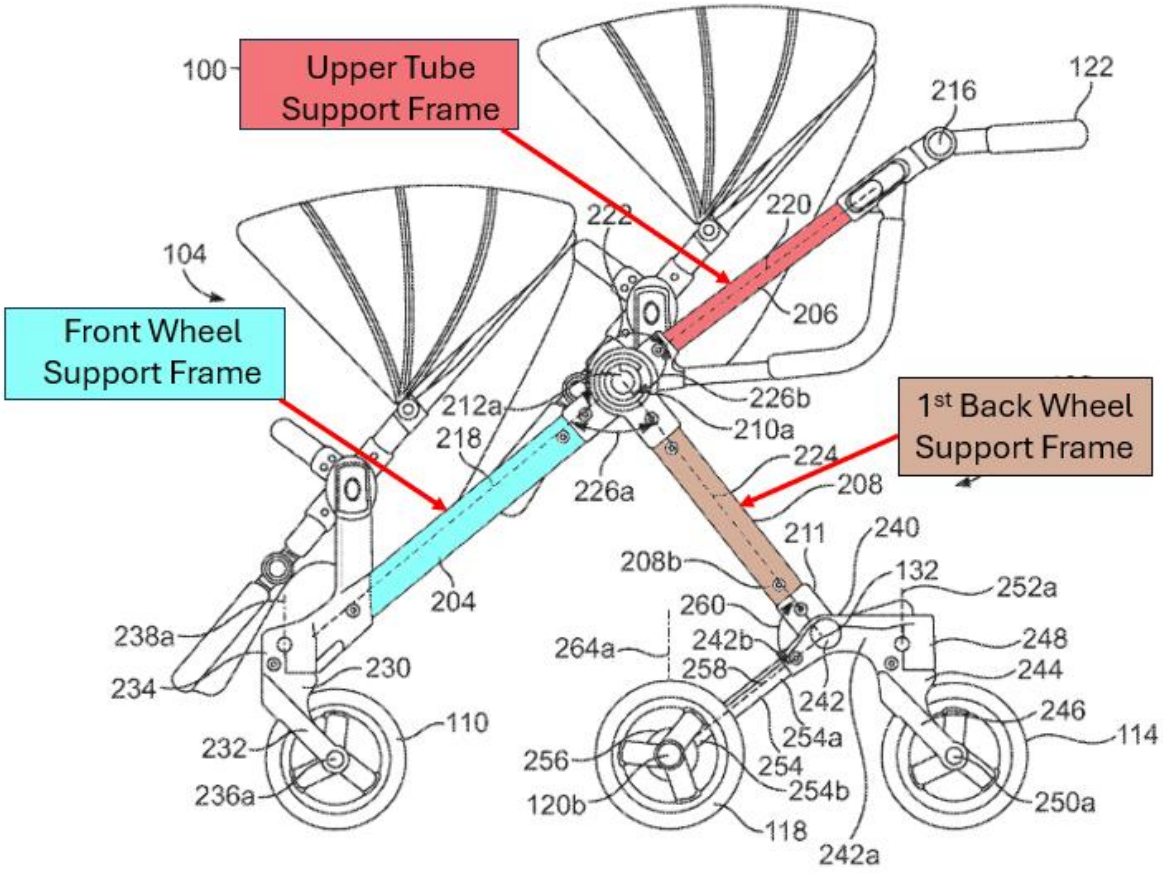


FIG. 2

EX1047, Rolicki, Fig. 2 (Annotated)

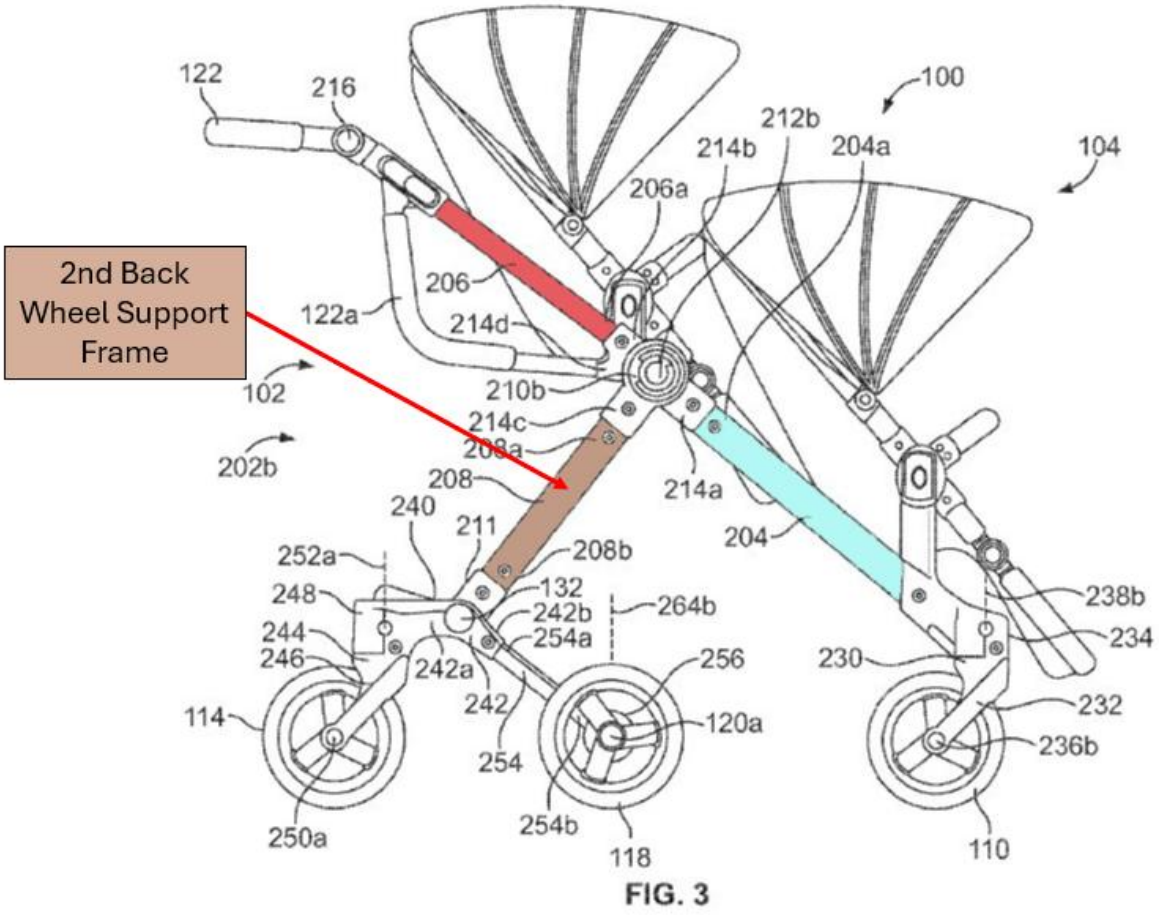


FIG. 3

EX1047, Rolicki, Fig. 3 (Annotated)

301. Both the right and left intermediate frame supports 208 (brown) extend from the pivot joint 210 to the rear wheels.

> The **intermediate support frame 208 of the illustrated example projects from the respective hubs 212*a* and 212*b* toward the rear wheels 114**. To enable the frame 102 to pivot relative to the intermediate wheels 118 and/or the rear wheels 114, **the intermediate frame support 208 is pivotally coupled to the axle 130** (FIG. 1). More specifically, in the illustrated example, a second end 208*b* of the intermediate frame support 208 is coupled to the axle 130 (FIG. 1) via a connector or bushing 211. The busing 211 of the illustrated example,

> which includes a portion coaxially coupled to the axle 130, enables the intermediate frame support 208 and, thus, the lower and upper frame supports 204, 206 to pivot about the axis 132 of the axle 130.

(EX1047, Rolicki, 6:41-53.)

302. The intermediate frame supports 208 are the portion of the side frames 202a, 202b that support the back wheels and are therefore first and second "back wheel support frame[s]."

303. As shown in Figures 2 and 3, the intermediate frame supports 208 (brown) are allowed to pivot, *i.e.*, rotate, with to respect to their corresponding upper frame supports 206 (red). (*See e.g.*, EX1047, Rolicki, 5:56-6:28.)

> The hub 212*a* of the illustrated example enables the frame supports 204, 206 and 208 to pivot relative to each other to, for example, collapse the stroller 100 as discussed in greater detail below.

(EX1047, Rolicki, 5:63-67.)

> Like the hub 212*a*, the hub 212*b* enables the frame supports 204, 206 and 208 of the second side frame assembly 202*b* to pivot relative to each other.

(EX1047, Rolicki, 6:6-8.)

304. Rolicki even illustrates and discloses that when the stroller is in the unlocked state, the upper frame support 206 and the intermediate frame support 208 "rotate or pivot relative to each other about a pivot 704[.]"

More specifically, in the unlocked condition, the **frame supports 204, 206 and/or 208 are freed to rotate or pivot relative to each other about a pivot 704 provided by the pivot connectors 210*a*, 210*b***. In the illustrated example, the lower and upper frame supports 204, 206 of the illustrated example pivot toward the intermediate frame support 208 in the direction shown by the respective arrows 706 and 708 into the configuration illustrated in FIGS. 7 and 8. Further, the carriage 240 of the illustrated example also rotates toward the intermediate frame support 208 in a direction represented by arrow 710 when folding the stroller 100 to the **folded** position 800.

(EX1047, Rolicki, 12:22-33.)

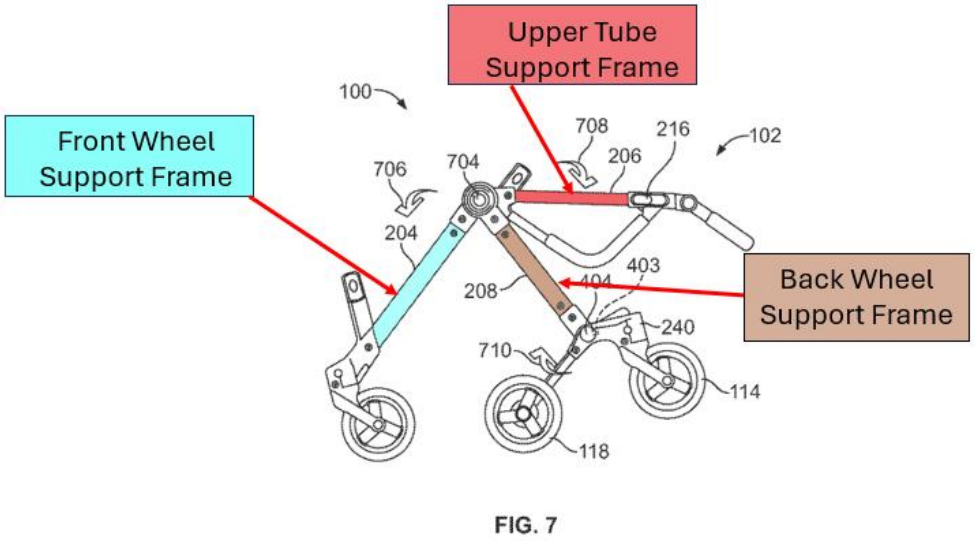


FIG. 7

EX1047, Rolicki, Fig. 7 (Annotated)

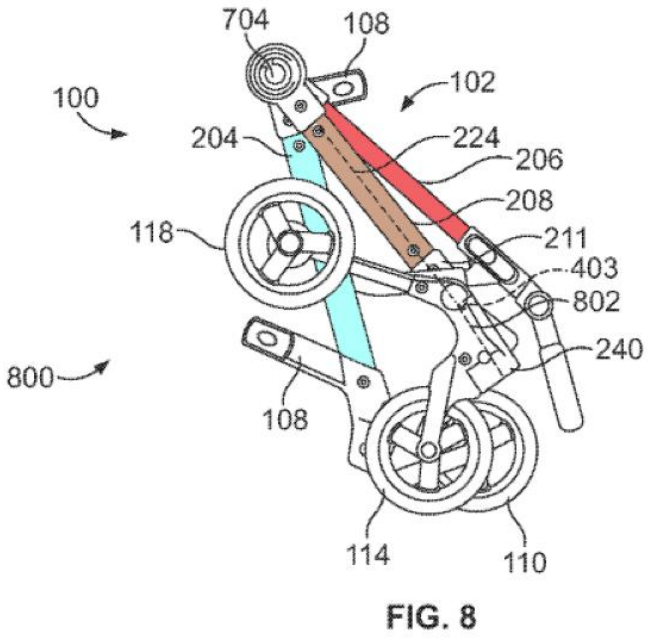


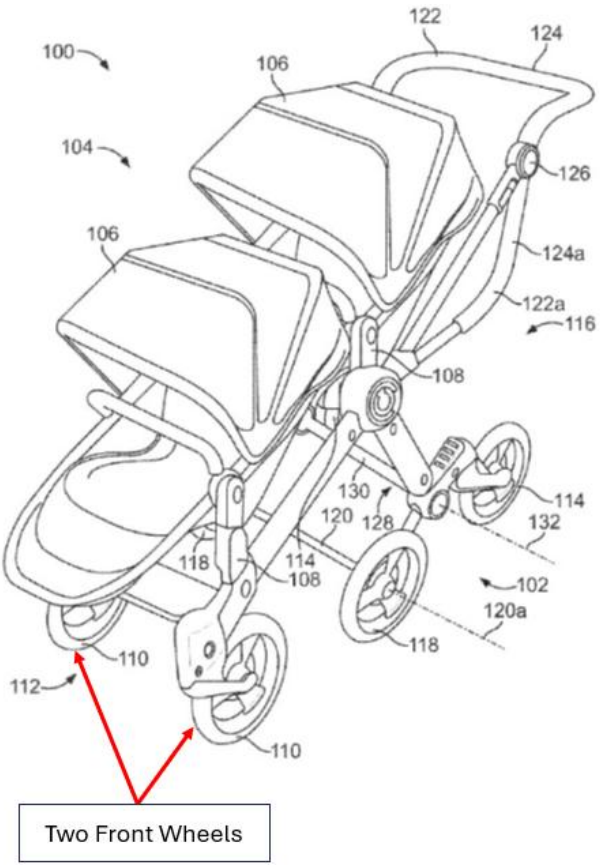
FIG. 8

EX1047, Rolicki, Fig. 8 (Annotated)

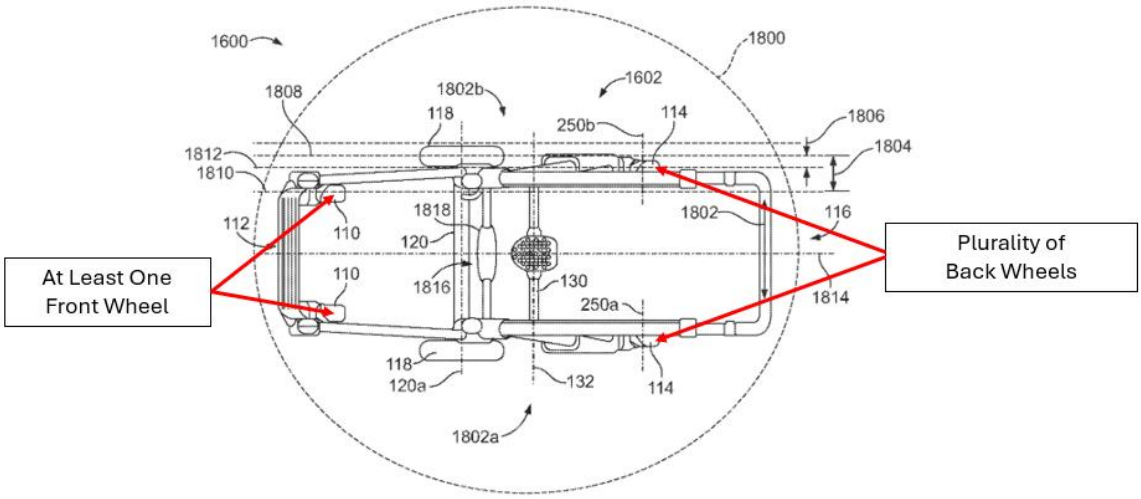
305. Therefore, it is my opinion that Rolicki discloses or renders obvious limitations [1.4] and [1.5].

… ***[1.6] a plurality of wheels comprising at least one front wheel and a plurality of back wheels;***

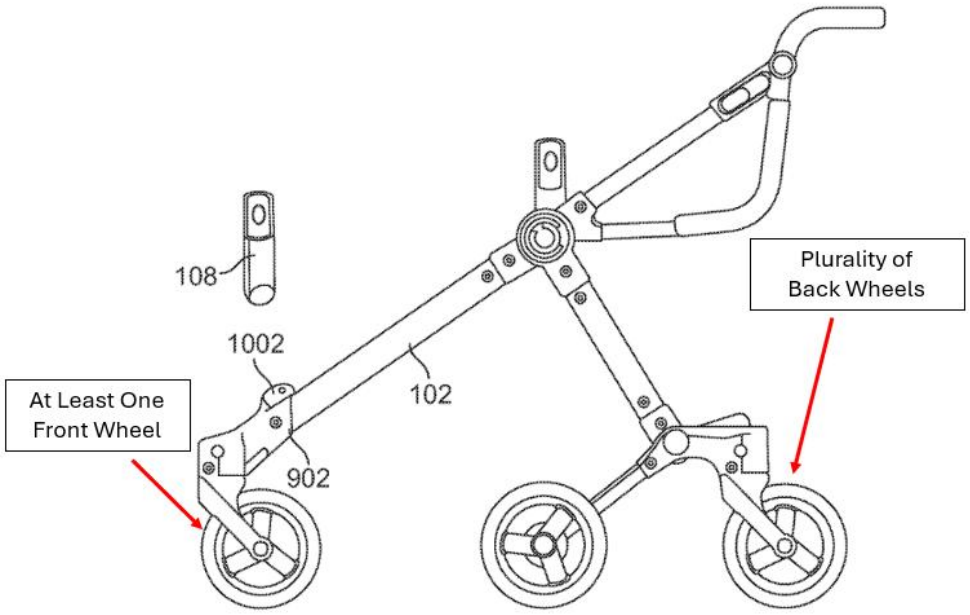
306. Rolicki discloses "one or more front wheels 110" and "one or more back wheels 114[.]" (EX1047, Rolicki, 3:65-4:1; 7:4-40.) As I have illustrated below, Rolicki discloses two front wheels (*i.e.*, "at least one front wheel") and two back wheels (*i.e.*, "a plurality of back wheels").



EX1047, Rolicki, Fig. 1 (Annotated)



EX1047, Rolicki, Fig. 18 (Annotated)



EX1047, Rolicki, Fig. 10 (Annotated)

307. Therefore, it is my opinion that Rolicki discloses or renders obvious limitation [1.6].

… ***[1.7] a first seat coupled along the first upper tube support frame and the second upper tube support frame at a first vertical position of the stroller frame;***

308. Rolicki discloses that frame 102 defines "a seating area 104" to support first and second child seats 106.

> The example stroller 100 of FIG. 1 includes a frame 102 defining a **seating area 104 to accommodate or support one or more child and/or infant seats 106**. To support the infant seats 106, the frame 102 of the illustrated example includes one or more infant seats mounts 108. More specifically, **the infant seats 106 removably couple to the seat mounts 108 via an interface** (e.g., a latch or connector) provided by

> the seats 106 and the seat mounts 108. More specifically, the infant seats 106 removably couple to the seat mounts 108 via an interface (e.g., a latch or connector) provided by the seats 106 and the seat mounts 108. To remove the infant seats 106 from the seat mounts 108, a connector defined by the interface is released via a release (e.g., a spring-loaded push button). Additionally or alternatively, the seat mounts 108 may be adjusted along the frame 102 to adjust a position of the infant seats 106 relative to the frame 102 and/or each other.

(EX1047, Rolicki, 3:51-58.)

309. Rolicki illustrates a pair of seats 106 arranged stadium-style with an upper seat and a lower seat. As I have annotated below, the upper and lower seats 106 are connected to the left and right sides of the stroller frame 102 via four seat mounts 108. (EX1047, Rolicki, 3:51-55.) The upper seat is coupled to the two upper mounts 108 located on both the left and right upper frame supports 206 (red), *i.e.*, the claimed "first/second upper tube support frame." The seat mounts 108 allow the seats 106 to be removably connected to the stroller 100. A POSITA would understand the upper support frame (red) and mounts 108 are connected at a common connection point – circled in red below. This connection point would be understood by a POSITA as allowing the seat mount 108 to be coupled to the upper frame support 206.

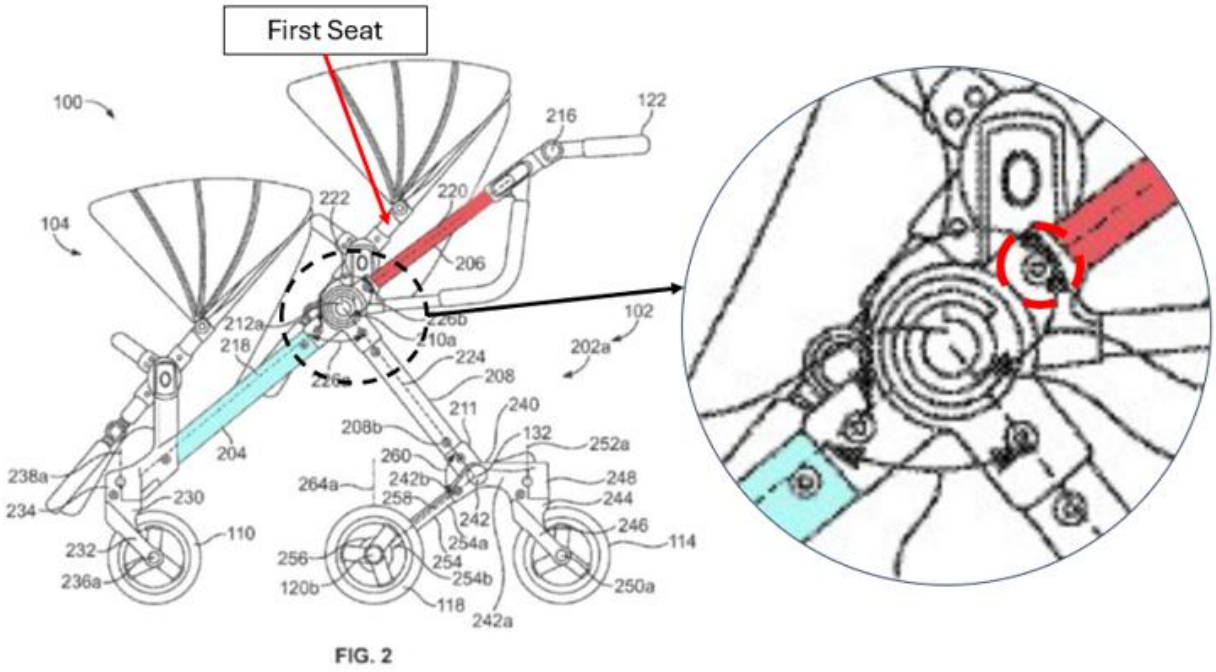
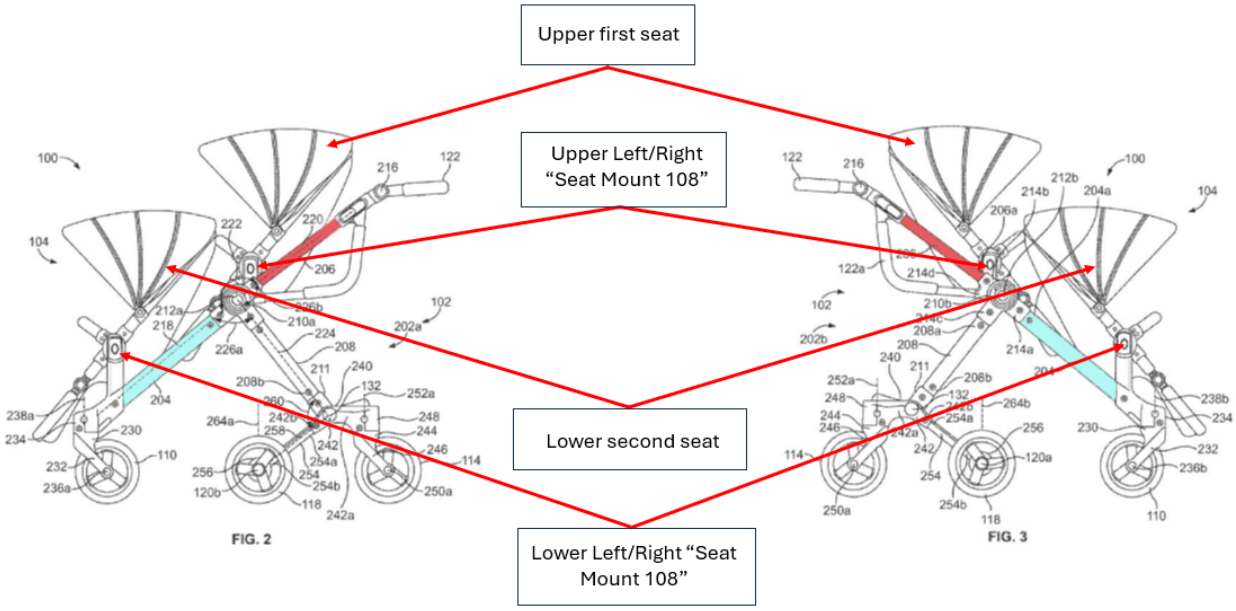


FIG. 2

EX1047, Fig. 2



EX1047, Rolicki, Figs. 2-3 (Annotated)

To support the infant seats 106, the frame 102 of the illustrated example includes one or more **infant seats mounts 108**. More specifically, the infant **seats 106 removably couple to the seat mounts 108 via an**

> **interface** (e.g., a latch or connector) provided by the seats 106 and the seat mounts 108. To remove the infant seats 106 from the seat mounts 108, a connector defined by the interface is released via a release (e.g., a spring-loaded push button).

(EX1047, Rolicki, 3:53-61.)

310. Rolicki illustrates (Figures 2/3) the seat mounts as being coupled to the stroller frame with what appears to be a bolt. Rolicki also discloses the seat mounts 108 can be permanently connected to the stroller frame 102 (e.g., FIG. (9A and 9B) or removably connected to the frame via a housing 902, *e.g.*, as shown in Figure 10.

> Referring to FIGS. 2 and 3, to mount or attach the front wheels 110 of the illustrated example to respective ones of the side frame assemblies 202a, 202b, each of the front wheels 110 of the illustrated example includes a front wheel housing 230. For example, the front wheel housing 230 may be coupled or attached to an end of the lower frame support 204.

(EX1047, Rolicki, 7:4-9.)

> The seat mounts 108 of the illustrated example are pivotally coupled or attached to a connector or housing 902 and/or the frame 202[19] of the stroller 1000.

(EX1047, Rolicki, 12:50-52.)

[19] Rolicki incorrectly calls the frame "202," instead of the correct "102," in some paragraphs of the specification.

> In some examples, the seat mounts 108 may be removed relative to the frame 102 prior to or after the stroller 100 is in the folded position 800. For example, FIG. 10 illustrates the example **seat mounts 108 being removed from** an opening or pocket 1002 of the **connector 902 or the frame 202**. To remove the seat mounts 108 from the connector 902 and/or the frame 102, a lock or latch mechanism securing the seat mounts 108 to the connector 902 and/or the frame 102 is released and the seat mount 108 is removed from the opening 1002.

(EX1047, Rolicki, 13:1-9.)

311. It is further clear to me that the upper seat mounts 108 are coupled to the upper frame supports 206 because they rotate in unison when the stroller folds. (EX1047, compare Figs. 7 and 8.) As I have annotated in blue, the upper (first) seat 106 is coupled along the upper frame supports 206 at a first vertical position (V1).

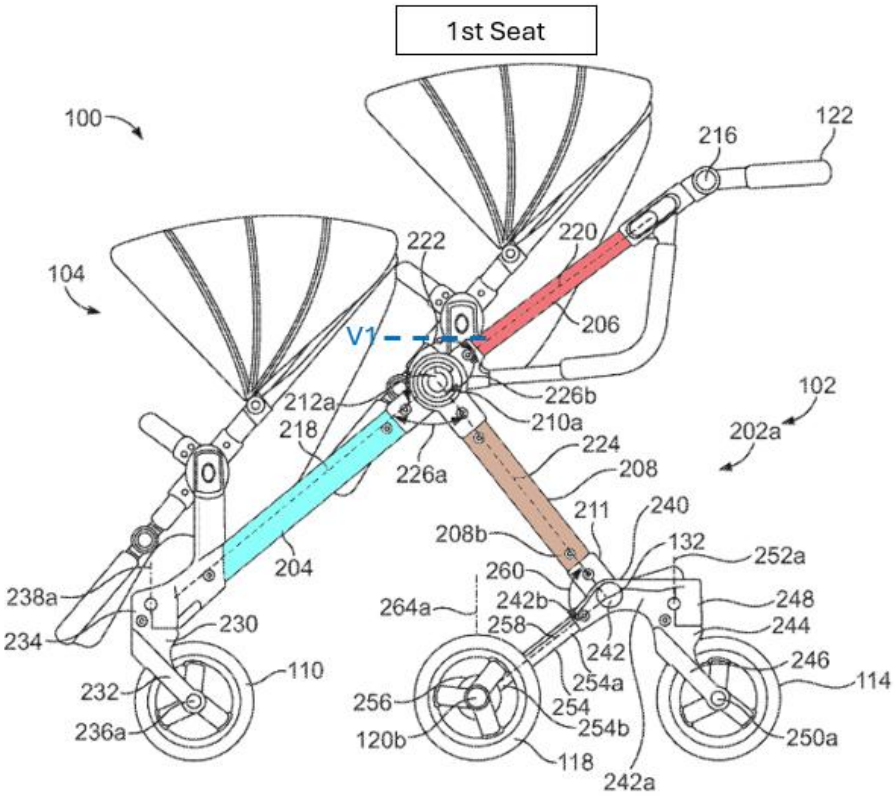


FIG. 2

EX1047, Rolicki, Fig. 2 (Annotated)

312. Rolicki teaches (as quoted above) the seat mounts 108 may be adjusted up and down the frame 102. A POSITA would have understood that Rolicki's mounts 108 for the upper seat could be moved upward on the upper frame supports (red). By adjusting the frame mounts upward, the coupling would necessarily be along the upper frame supports. Once adjusted, the vertical position shown above may also be adjusted upward along the upper support (red) further confirming that a POSITA would have found this limitation as being satisfied.

> Additionally or alternatively, the **seat mounts 108 may be adjusted along the frame 102** to adjust a position of the infant seats 106 relative to the frame 102 and/or each other.

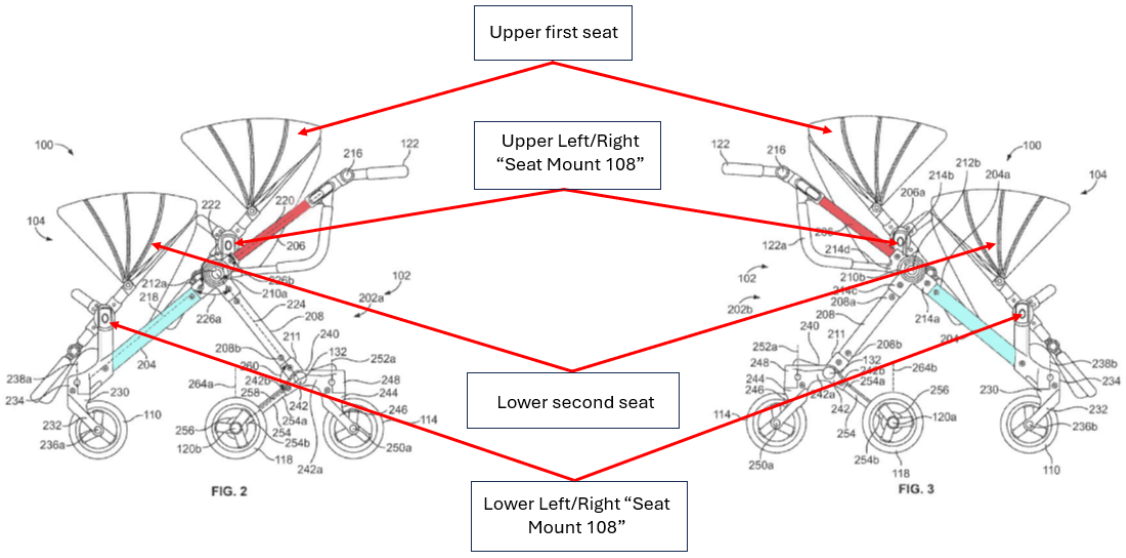
(EX1047, Rolicki, 3:61-64.)

313. Therefore, it is my opinion that Rolicki discloses or renders obvious limitation [1.7].

… ***[1.8] a first seat attachment adapter coupled to the first front wheel support frame at a second vertical position of the stroller frame that is below the first vertical position;***

… ***[1.9] a second seat attachment adapter coupled to the second front wheel support frame at a third vertical position of the stroller frame that is below the first vertical position;***

314. Rolicki discloses both the upper and lower seats 106 are coupled to the stroller 102 using right and left seat mounts 108. A POSITA would have understood the lower left/right "seat mounts 108" as being the "first/second seat attachment adapter."



EX1047, Rolicki, Figs. 2-3 (Annotated)

> FIG. 1 is a perspective view of an example stroller 100 constructed in accordance with the teachings disclosed herein. The example stroller 100 of FIG. 1 includes a frame 102 defining a seating area 104 to accommodate or support one or more child and/or infant seats 106. **To support the infant seats 106, the frame 102 of the illustrated example includes one or more infant seats mounts 108**. More specifically, the infant seats 106 removably couple to the seat mounts 108 via an interface (e.g., a latch or connector) provided by the seats 106 and the seat mounts 108. To remove the infant seats 106 from the seat mounts 108, a connector defined by the interface is released via a release (e.g., a spring-loaded push button). Additionally or alternatively, the seat mounts 108 may be adjusted along the frame 102 to adjust a position of the infant seats 106 relative to the frame 102 and/or each other.

(EX1047, Rolicki, 3:49-64.)

315. For instance, Rolicki states "[i]n the examples of FIGS. 1-11, the seat mounts 108 are bayonet-type mounts." (EX1047, Rolicki, 13:10-12, 16-20.) Rolicki further states that Figures 1-8 are a common embodiment. (EX1047, Rolicki, 1:26-46) and that Figure 11 is the embodiment of Figure 1 with the lower seat and seat mounts removed (EX1047, Rolicki, 13:10-20).

316. Therefore, a POSITA would have understood Rolicki as disclosing that the removeable seat mounts 108 can be used with any of the embodiments disclosed.

317. Rolicki discloses that Figure 10 is an example showing how the lower

seat mounts 108 (gold) are removably coupled to the lower frame supports 204 (blue) either directly to the frame or using a connector housing 902.

> In some examples, **the seat mounts 108** may be removed relative to the frame 102 prior to or after the stroller 100 is in the folded position 800. For example, FIG. 10 illustrates the **example seat mounts 108 being removed from an opening or pocket 1002 of the connector 902 or the frame 202**. To remove the seat mounts 108 from the connector 902 and/or the frame 102, a lock or latch mechanism securing the seat mounts 108 to the connector 902 and/or the frame 102 is released and the seat mount 108 is removed from the opening 1002.

(EX1047, Rolicki, 13:1-9.)

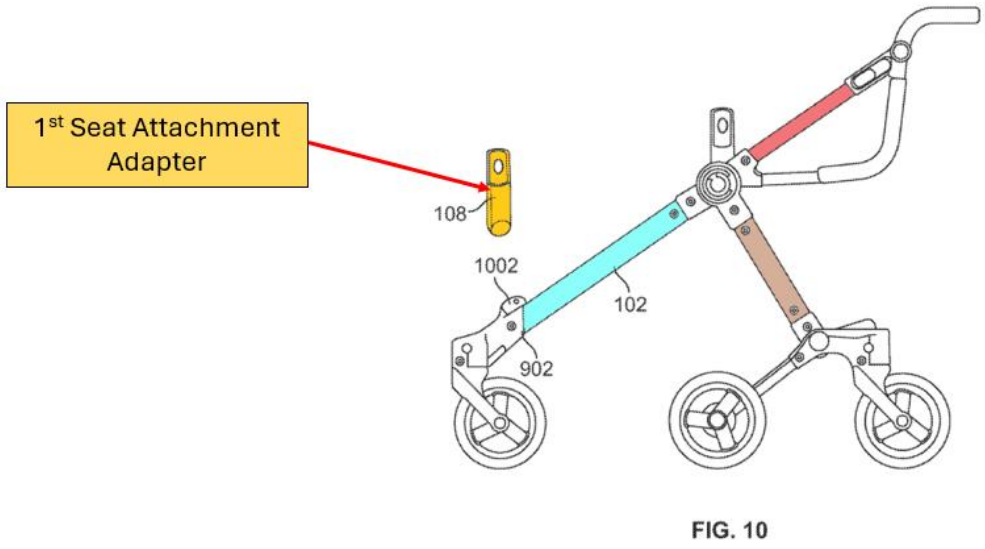


FIG. 10

EX1047, Rolicki, Fig. 10 (Annotated)

318. While only one side is shown, a POSITA would have understood there to be two seat attachments, one on the right side and one on the left side. As emphasized below, the adapter can be connected to a connector 902 or to the frame

102 (202). In other words, the adapter (gold) can be coupled to the lower support frame or to an intermediate part (connector 902).

319. The seat mounts 108 (gold) are also disclosed as being pivotally coupled to the frame.

> **Each of the seat mounts 108 of the illustrated example pivots relative to the connector 902 or frame 202 about a pivot point 904 between a first upright or in use position 906 and a second or lowered folded position 908**. In the illustrated example of FIG.9B, in the first position 906, a latch 910 (e.g., a protruding member or tab) of the seat mount 108 engages an opening or recess 912 in the frame 202 to lock or restrict rotation of the seat mount 108 relative to the frame 202 and/or the connector 902 about the pivot point 904. To fold the seat mount 108, the latch 910 is moved or withdrawn from the recess 912 to enable rotation of the seat mount 108 relative to the frame 202 and/or the connector 902.

(EX1047, Rolicki, 12:52-64.)

320. Rolicki discloses two lower seat mounts 108 (gold) used to selectively couple the lower infant seat 106 to the stroller. Each of the lower mounts is coupled to its corresponding lower frame support. (EX1047, Rolicki, 12:50-54.)

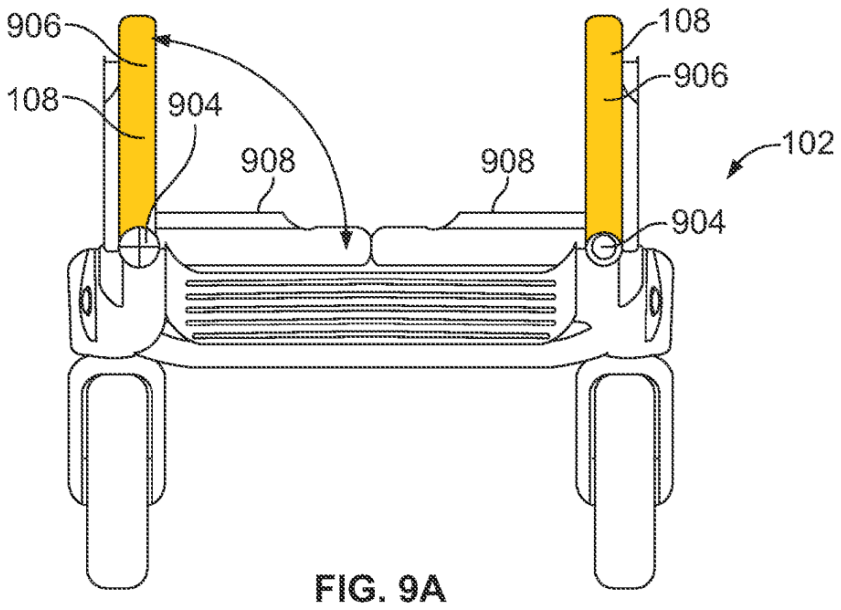


FIG. 9A

EX1047, Rolicki, Fig. 9A (Annotated)

321. The seat mounts 108 (gold) are coupled to the frame at second/third vertical positions (V2, V3) that are below the first vertical position V1.

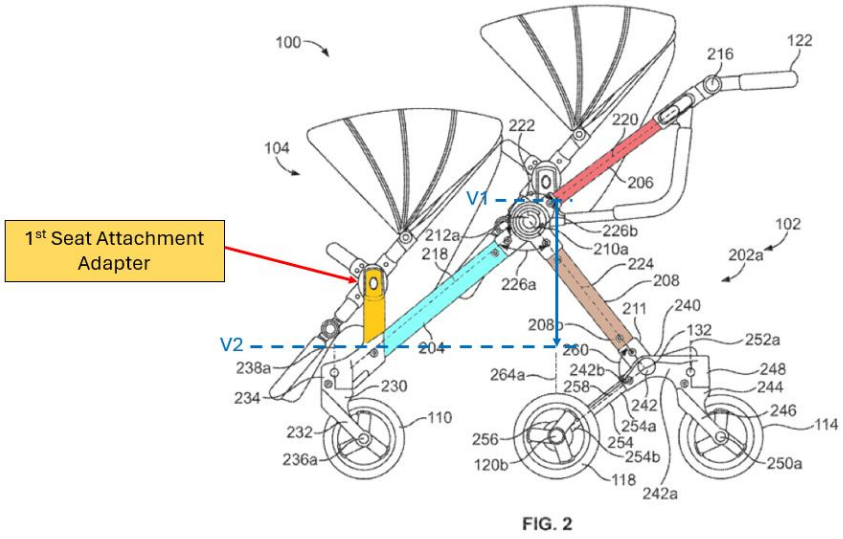


FIG. 2

EX1047, Rolicki, Fig. 2 (Annotated)

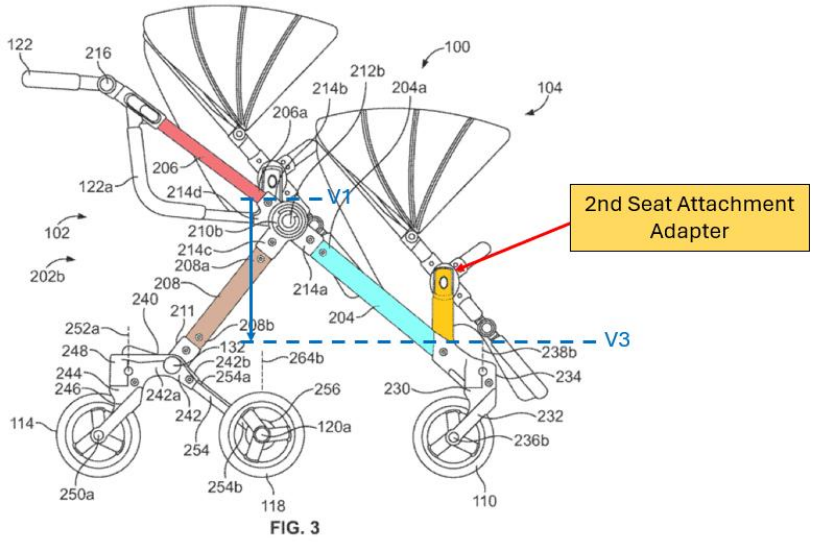


FIG. 3

EX1047, Rolicki, Fig. 3 (Annotated)

322. A POSITA would have understood the seat mounts 108 (gold) disclose a "first seat attachment adapter" and a "second seat attachment adapter."

323. Therefore, it is my opinion that Rolicki discloses or renders obvious limitations [1.8] and [1.9].

… ***[1.10] wherein a second seat is removably coupled to the first seat attachment adapter and the second seat attachment adapter to position the second seat at a fourth vertical position that is below the first vertical position and wherein the second vertical position and the third vertical position are at a same vertical height.***

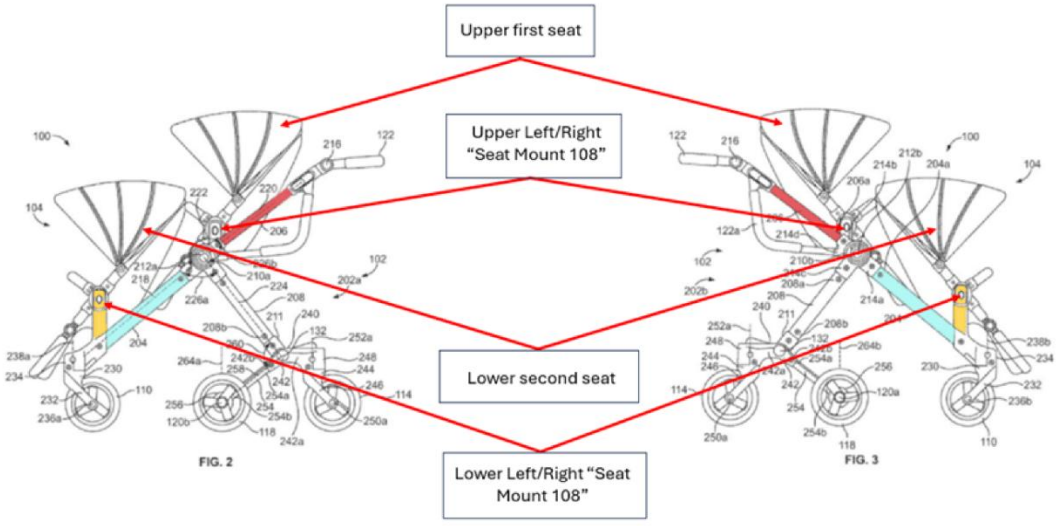
324. As discussed above, the frame 102 defines seating area 104 for supporting a pair of seats.

The example stroller 100 of FIG. 1 includes **a frame 102 defining a seating area 104 to accommodate or support one or more child**

> **and/or infant seats 106**. To support the infant seats 106, the frame 102 of the illustrated example includes one or more infant seats mounts 108. More specifically, the infant seats 106 removably couple to the seat mounts 108 via an interface (e.g., a latch or connector) provided by the seats 106 and the seat mounts 108.

(EX1047, Rolicki, 3:51-58.)

325. Rolicki discloses a second, lower infant seat 106 removably coupled to the lower pair of left and right seat mounts 108 (gold "adapters"), which are the first and second seat attachment adapters. The right/left seat mounts 108 include connectors allowing the second seat 106 to be removably coupled to the seat mounts 108.



EX1047, Rolicki, Figs. 2-3 (Annotated)

> More specifically, **the infant seats 106 removably couple to the seat mounts 108 via an interface (e.g., a latch or connector) provided by the seats 106 and the seat mounts 108**. To remove the infant seats 106

from the seat mounts 108, a connector defined by the interface is released via a release (e.g., a spring-loaded push button).

(EX1047, Rolicki, 3:55-61.)

326. The second lower seat 106 is removably coupled to the first and second lower mounts 108 (EX1047, Rolicki, 3:55-61) to position the second seat at a fourth vertical position (V4) that is below the first vertical position (V1).

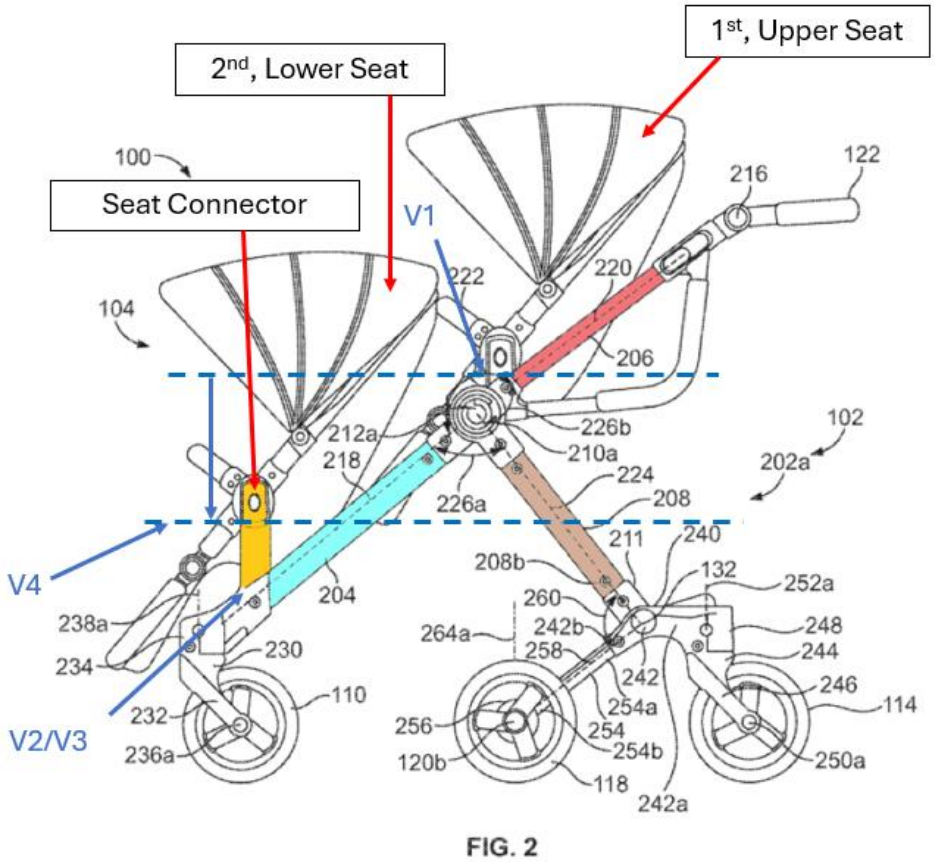


FIG. 2

EX1047, Rolicki, Fig. 2 (Annotated)

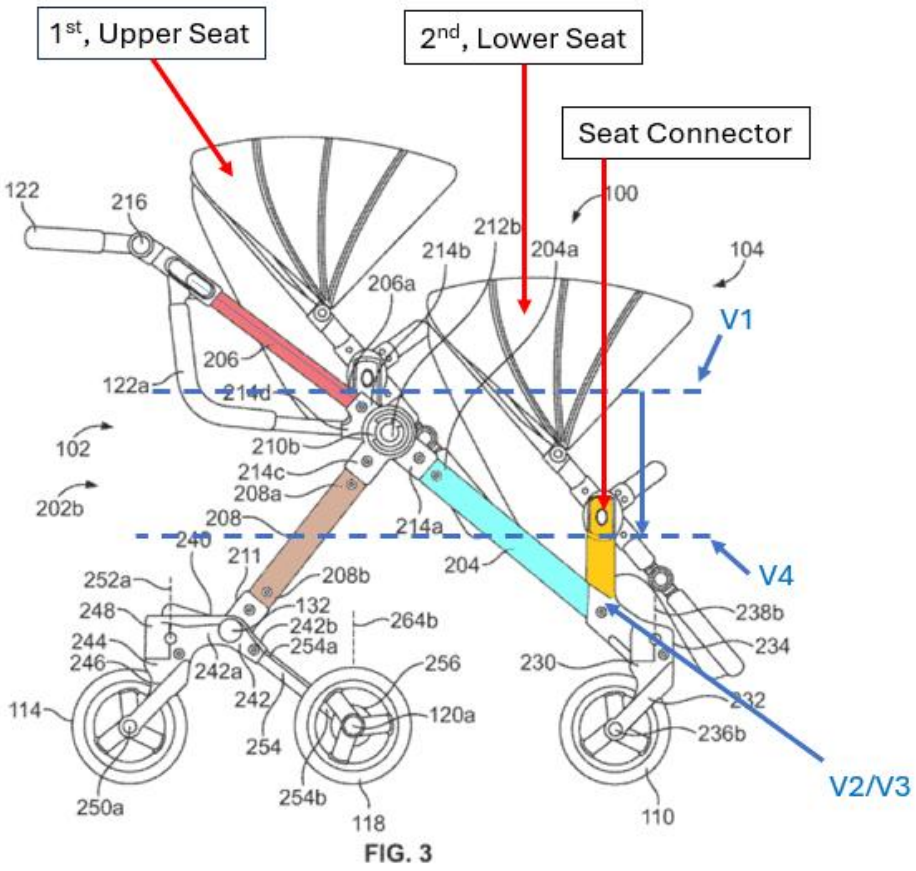
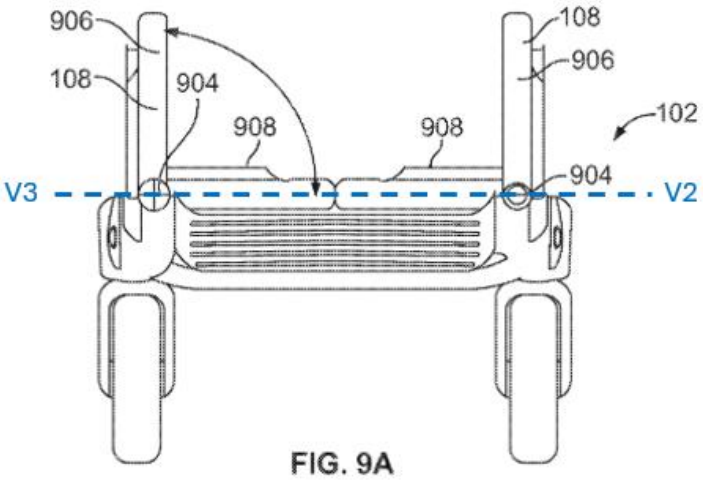


FIG. 3

EX1047, Rolicki, Fig. 3 (Annotated)

327. Again, Rolicki states: "The first and second side frame assemblies 202*a*, 202*b* of the illustrated example are substantially similar or identical and are symmetrical." (EX1047, Rolicki, 5:40-43.) Given the symmetry (as shown by Figures 2 and 3), A POSITA would understand the second vertical position (V2) and the third vertical position (V3) are at a same vertical height. (EX1047, Rolicki, 5:37-43.) This is also shown and confirmed by the front view of Figure 9A.



EX1047, Rolicki, Fig. 9A (Annotated)

328. Moreover, a POSITA would have understood that the second and third vertical positions must be at the same vertical position or the seat 106 would be slanted and unsafe.

329. Therefore, it is my opinion that Rolicki discloses or renders obvious limitation [1.10].

330. Therefore, Rolicki renders claim 1 obvious.

… ***[2.0] The stroller of claim 1, further comprising: a first seat attachment housing disposed adjacent the first front wheel support frame at the second vertical position; a second seat attachment housing disposed adjacent the second front wheel support frame at the third vertical position;***

331. Rolicki discloses the seat mounts 108 may be coupled by bolts to a front wheel housing 230 (Figs. 1, 2, and 3), pivotably coupled (Fig. 9B) to the stroller frame or the "housings" (labeled "902" in Figures 9-10), or removably coupled to

the stroller frame or the "housings" (Fig. 10). In the below annotated figures, I shade the "seat attachment housings" of the various embodiment in green.

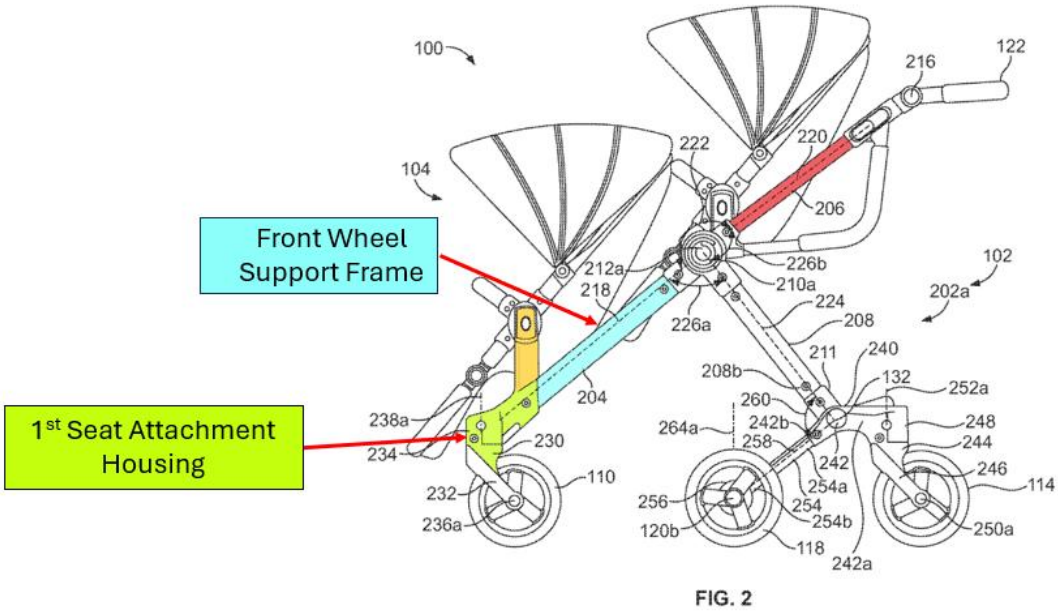


FIG. 2

EX1047, Rolicki, Fig. 2 (Annotated)

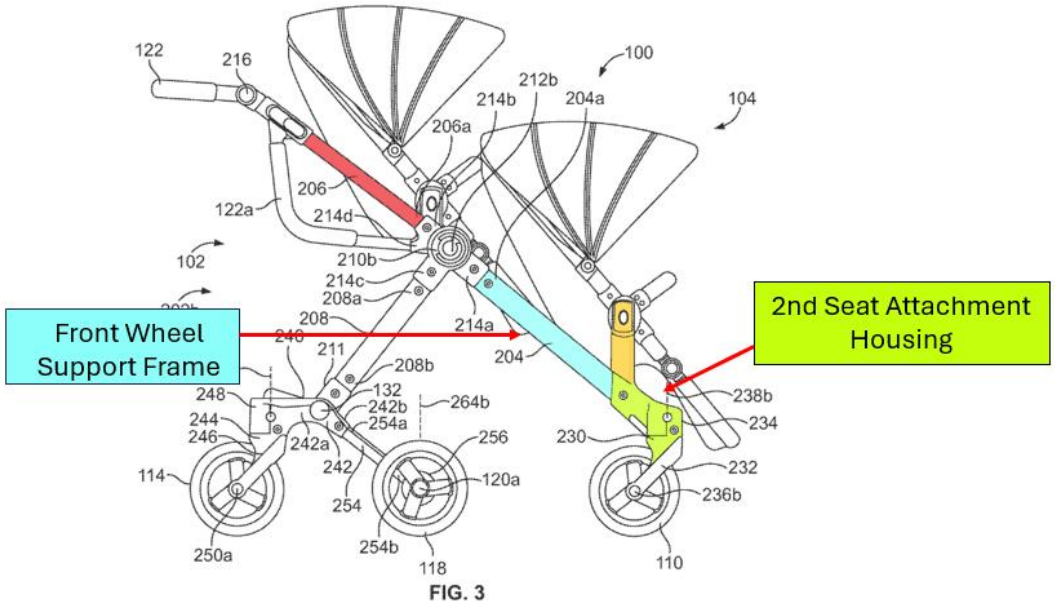


FIG. 3

EX1047, Rolicki, Fig. 3 (Annotated)

> FIG. 1 is a perspective view of an example stroller 100 constructed in accordance with the teachings disclosed herein. The example stroller 100 of FIG. 1 includes a frame 102 defining a seating area 104 to accommodate or support one or more child and/or infant seats 106. To support the infant seats 106, the frame 102 of the illustrated example includes one or more infant seat mounts 108. More specifically, the infant seats 106 removably couple to the seat mounts 108 via an interface (e.g., a latch or connector) provided by the seats 106 and the seat mounts 108. To remove the infant seats 106 from the seat mounts 108, a connector defined by the interface is released via a release (e.g., a spring-loaded push button). Additionally or alternatively, the seat mounts 108 may be adjusted along the frame 102 to adjust a position of the infant seats 106 relative to the frame 102 and/or each other.

(EX1047, Rolicki, 3:49-64.)

> Referring to FIGS. 2 and 3, to mount or attach the front wheels 110 of the illustrated example to respective ones of the side frame assemblies 202*a*, 202*b*, each of the front wheels 110 of the illustrated example includes a front wheel housing 230. For example, the front wheel housing 230 may be coupled or attached to an end of the lower frame support 204.

(EX1047, Rolicki, 7:4-9.)

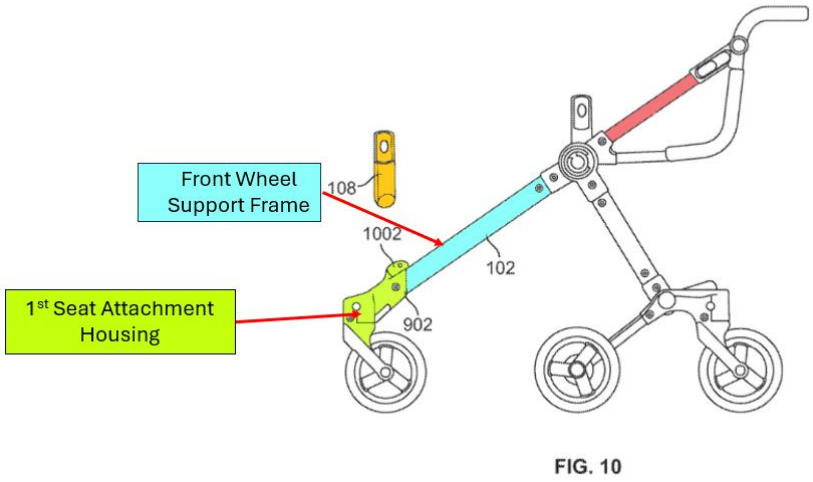
> The **seat mounts 108** of the illustrated example are pivotally coupled or attached to a connector or **housing 902** and/or the frame 202 of the stroller 1000.

(EX1047, Rolicki, 12:50-52.)

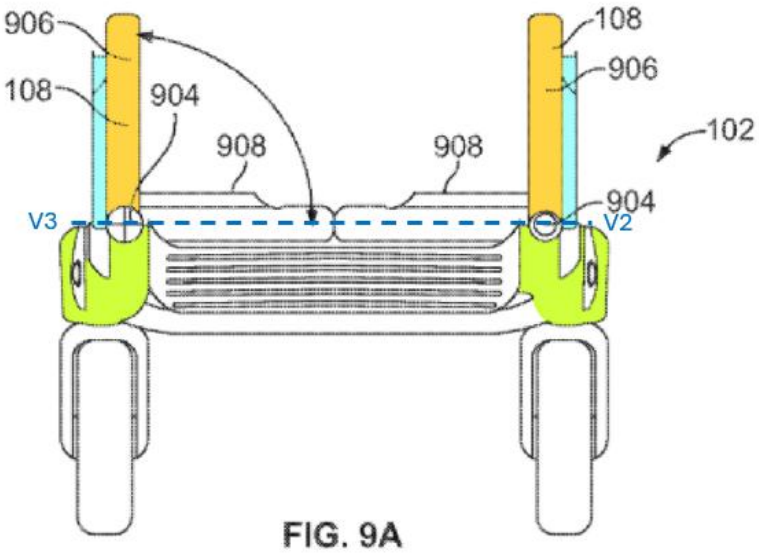
332. In the example shown by Figure 10, Rolicki discloses the right/left housings 902 (green) can include "pockets 1002" for receiving removable right/left seat mounts 108, *i.e.*, "first/second seat attachment adapters." A lock or latch is used to secure the lower ends of the seat mounts 108 in the housings 902. A POSITA would have understood each of the housings 902 to be a "seat attachment housing," as it is used to attach the seat mounts 108 to the frame by receiving them in a pocket.

> In some examples, the seat mounts 108 may be removed relative to the frame 102 prior to or after the stroller 100 is in the folded position 800. For example, FIG. 10 illustrates the example **seat mounts 108 being removed from an opening or pocket 1002 of the connector 902** or the frame 202. To remove the seat mounts 108 from the connector 902 and/or the frame 102, a **lock or latch mechanism securing the seat mounts 108 to the connector 902** and/or the frame 102 is released and the seat mount 108 is removed from the opening 1002.

(EX1047, Rolicki, 13:1-9.)



EX1047, Rolicki, Fig. 10 (Annotated)



EX1047, Rolicki, Fig. 9A (Annotated)

333. The housings 902 are connected to the lower ends of the left and right lower frame supports 204 (blue). The directly coupled housings 902 are adjacent to the frame supports 204. As shown by the above figures, a POSITA would have understood the first "housing 902" (*i.e.*, right-side or left-side) is "disposed adjacent the first front wheel support frame at the second vertical position" and the second

"housing 902" (*i.e.*, right-side or left-side) is "disposed adjacent the second front wheel support frame at the third vertical position."

334. Therefore, it is my opinion that Rolicki discloses or renders obvious limitation [2.0].

> … ***[2.1] wherein the first seat attachment adapter is coupled to the first seat attachment housing and the second seat attachment adapter is coupled to the second seat attachment housing.***

335. Rolicki discloses different embodiments for attaching the seat mounts 108 ("adapters" (gold)) such as fixed coupling (e.g., Figure 2), removable coupling (Figure 10), or pivotal coupling (Figure 9). For example, the left/right seat mounts 108 (gold), which a POSITA would understand as being the claimed "first/second seat attachment adapters," are received in the pockets 1002 of the left/right housings 902 ("first/second seat attachment housings" (green)." (e.g., Rolicki, EX1047, 13:1-9.)

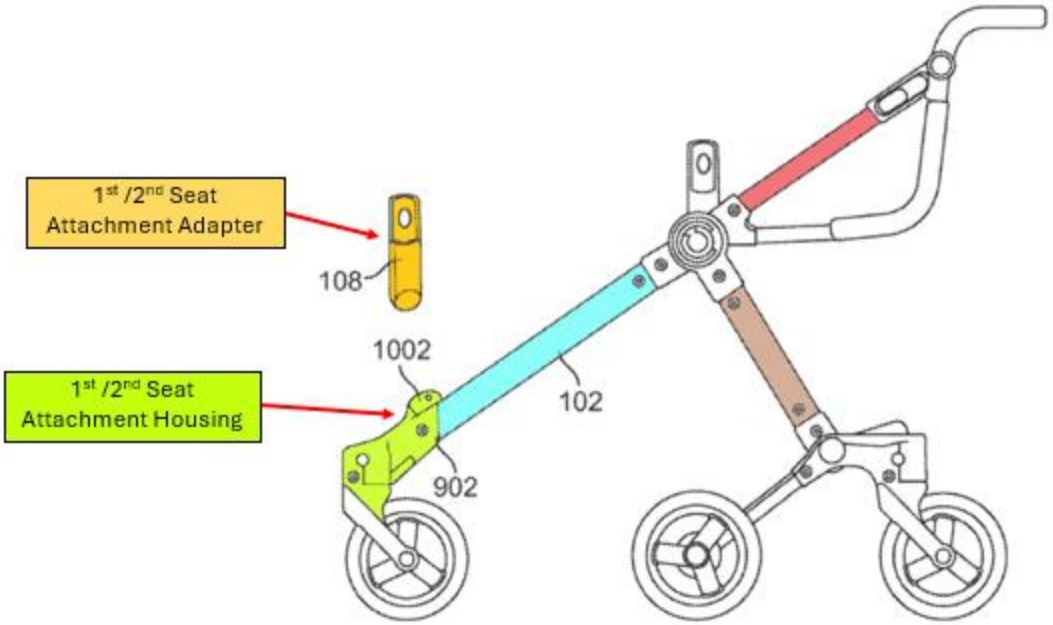


FIG. 10

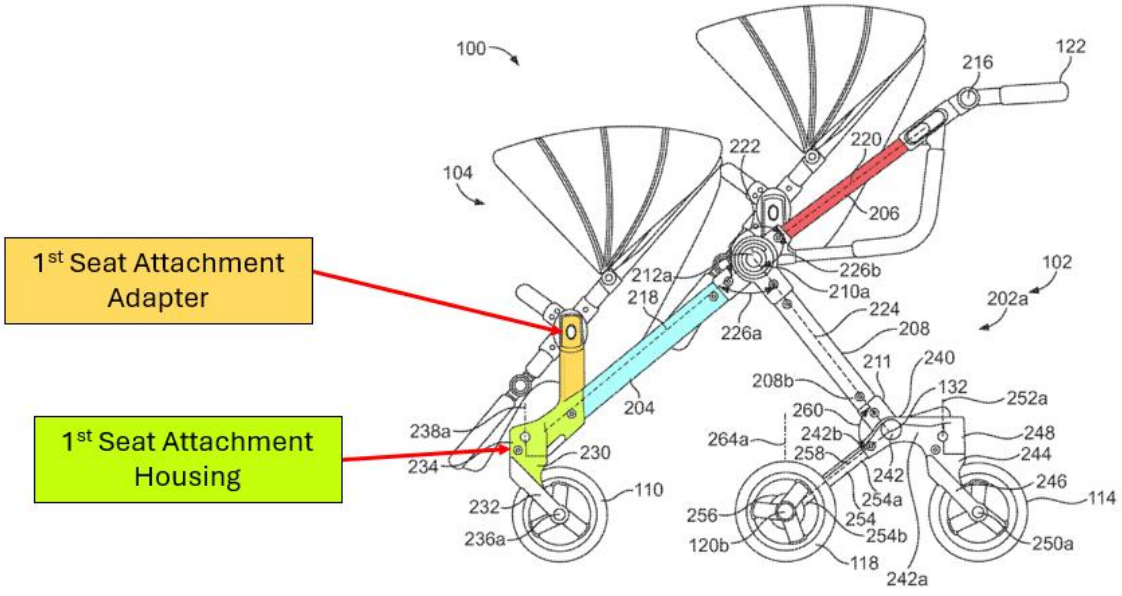


FIG. 2

EX1047, Rolicki, Fig. 2 (Annotated)

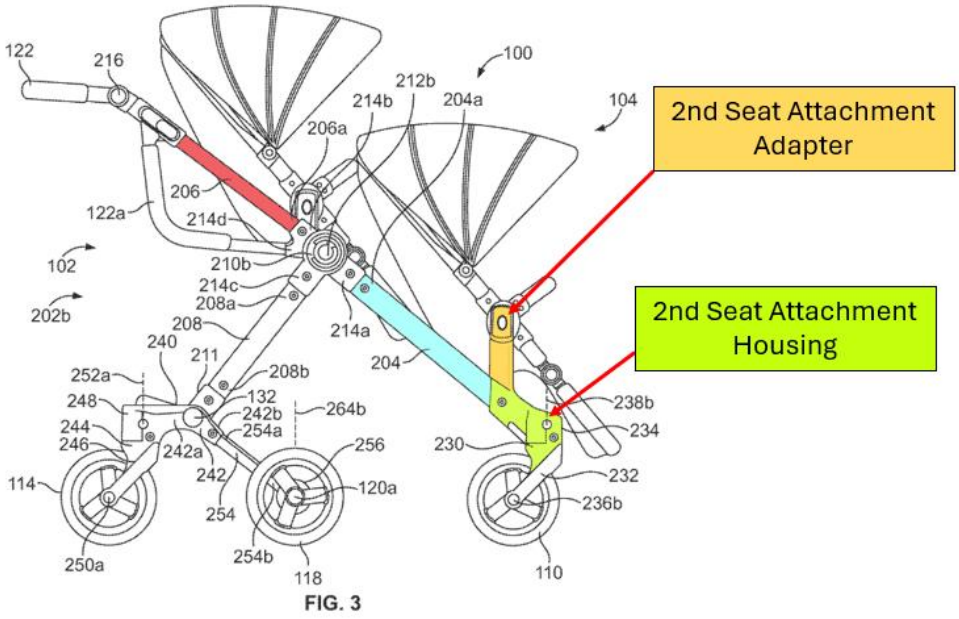


FIG. 3

EX1047, Rolicki, Fig. 3 (Annotated)

336. The pockets 1002 would be understood as coupling the left/right seat mounts 108 to the "housings." To allow for securing a removable left/right seat mounts 108, Rolicki discloses the housing 902 may include a "lock or latch mechanism." (EX1047, Rolicki, 13:4-9.)

> In some examples, the seat mounts 108 may be removed relative to the frame 102 prior to or after the stroller 100 is in the folded position 800. For example, FIG. 10 illustrates the example **seat mounts 108 being removed from an opening or pocket 1002 of the connector 902** or the frame 202. To remove the seat mounts 108 from the connector 902 and/or the frame 102, a **lock or latch mechanism securing the seat mounts 108 to the connector 902** and/or the frame 102 is released and the seat mount 108 is removed from the opening 1002.

(EX1047, Rolicki, 13:1-9.)

337. Therefore, it is my opinion that Rolicki discloses or renders obvious limitation [2.1].

… ***[3.0] The stroller of claim 2, wherein the first seat attachment housing extends into the first front wheel support frame and the second seat attachment housing extends into the second front wheel support frame.***

338. Rolicki discloses the lower end of the lower frame support 204 ("front wheel support frame") is coupled to the housing 902. (EX1047, Rolicki, 7:8-9.) The text of Rolicki is silent regarding how that connection occurs. The drawings show a telescopic connection with the lower frame support (blue) being received in the housing 902 and secured with a screw, bolt (not numbered). (See also EX1047, Rolicki, 6:9-15), explaining the telescopic connection at the upper end of the frame support 204 couples with the hub 212.)

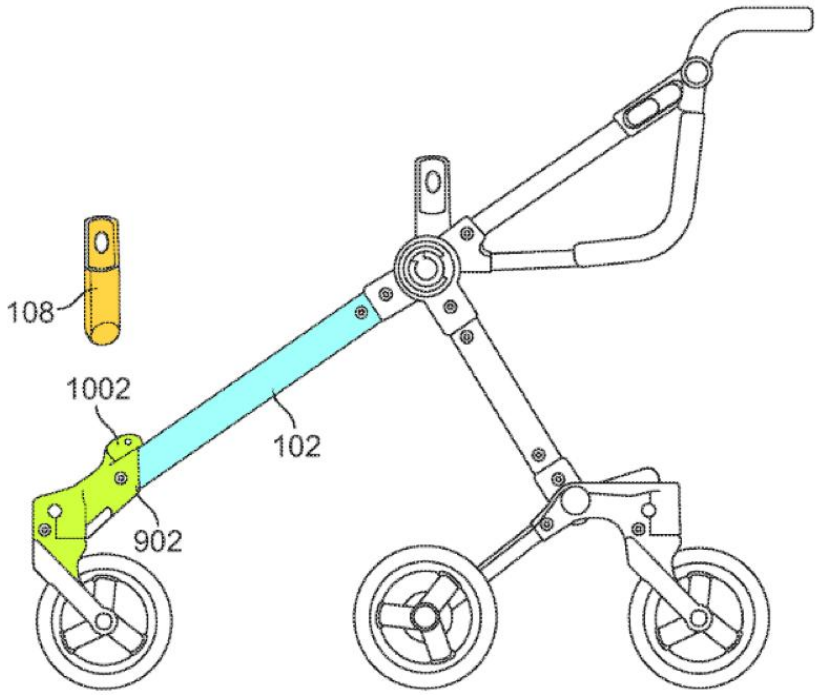


FIG. 10

EX1047, Rolicki, Fig. 10

339. A POSITA would understand that the bolted connection point where the housing and lower support frame are located would likely mean the lower support frame extends beyond that bolted location. A POSITA would understand that would provide a more rigid and secure connection.

340. A POSITA would also understand an opening or "pocket would be located in the top section to allow the "seat mount 108" to either be fixedly attached (like Figures 2/3) or removably coupled (like Figure 10 above). In either example, the seat mount would extend through the first/second "front wheel support frame" (blue) of Rolicki.

341. Rolicki therefore discloses the left/right side housings 902 appear to

extend into and connect with right/left-side lower frame supports.

342. It would have been obvious to a POSITA that Rolicki's housings extending into first/second front wheel support frame is a design choice. A POSITA would have understood the design could be modified so the housing 902 include a stub or extension that is received within the frame support 102. For example, the frame 102 could be designed hollow and have an open end to receive the stub. A POSITA would have understood this to be a design choice and that alternating the connection between two mechanical parts was well within the ability of a POSITA. Such a change is similar to the connection of PVC or copper piping within one's home where the diameter of a pipe could fit into a coupling mechanism or the coupling mechanism could be designed smaller to fit within the pipe. Indeed, Rolicki demonstrates multiple varying design connections between stroller parts demonstrating a POSITA would be knowledgeable and skilled in modifying the design if desired.

343. Therefore, it is my opinion that Rolicki discloses or renders obvious limitation [3.0].

… ***[4.0] The stroller of claim 2, wherein each of the first seat attachment adapter and the second seat attachment adapter has a first end and a distal second end.***

344. As shown below, both the right/left seat mounts 108 ("first/second seat attachment adapters") include a first end that will couple or connect into the housing

902 and a distal second end allowing for attachment to a seat. This would be the same for the seat mounts shown in Figures 2/3 above. The only difference would be the first end would be fixedly attached into the housing/stroller frame.

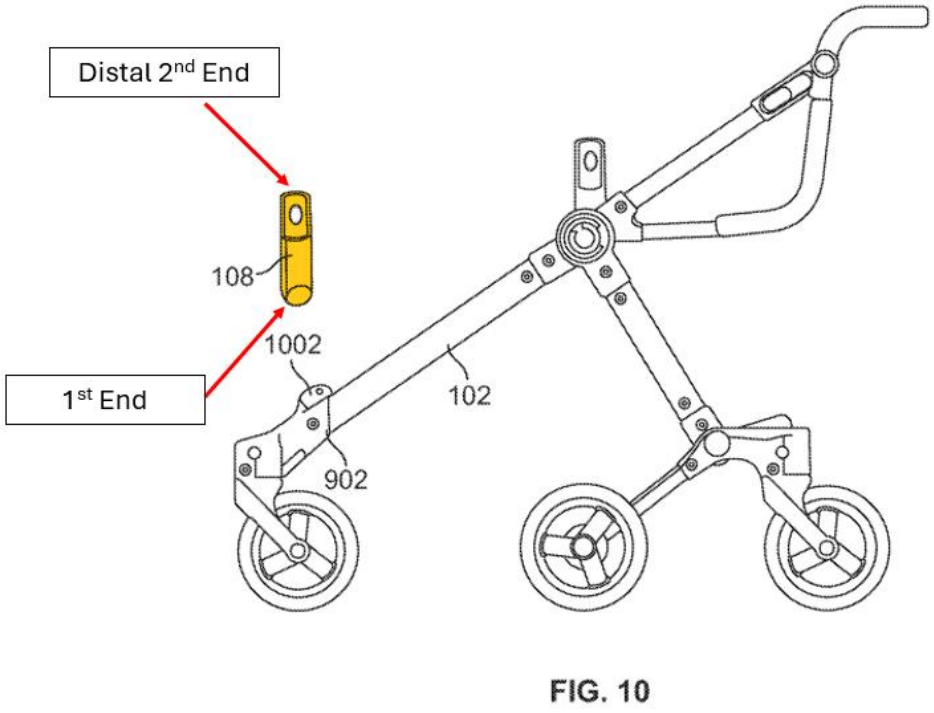


FIG. 10

EX1047, Rolicki, Fig. 10 (Annotated)

345. Therefore, it is my opinion that Rolicki discloses or renders obvious limitation [4.0].

… ***[5.0] The stroller of claim 4, wherein the first end comprises a connector portion and is coupled to one of the first seat attachment housing and the second seat attachment housing.***

346. Again, Rolicki discloses seat mounts 108 that are permanently coupled or removably coupled to the housing/stroller (EX1042, Rolicki, 3:49-64, 12:50-53,

13:1-9.) A POSITA would understand this to mean first ends of the seat mounts 108 could be Rolicki is permanently coupled to the wheel housings 230 (as shown by Figures 2 and 3) or removably coupled to the housings (as shown in Figure 10). In the embodiment of Figure 10, Rolicki discloses to couple each of the right/left seat mounts 108 ("first/second seat attachment adapters") to the right/left housings 902 ("first/second attachment housings") by inserting the "first end" of seat mount 108 into the pocket 1002 and securing it with a "lock or latch mechanism." (EX1047, Rolicki, 13:1-9.) Therefore, a POSITA would have considered the "first end" to be a "connector portion," as it is the portion used to connect the seat mount 108 to the housing 902.

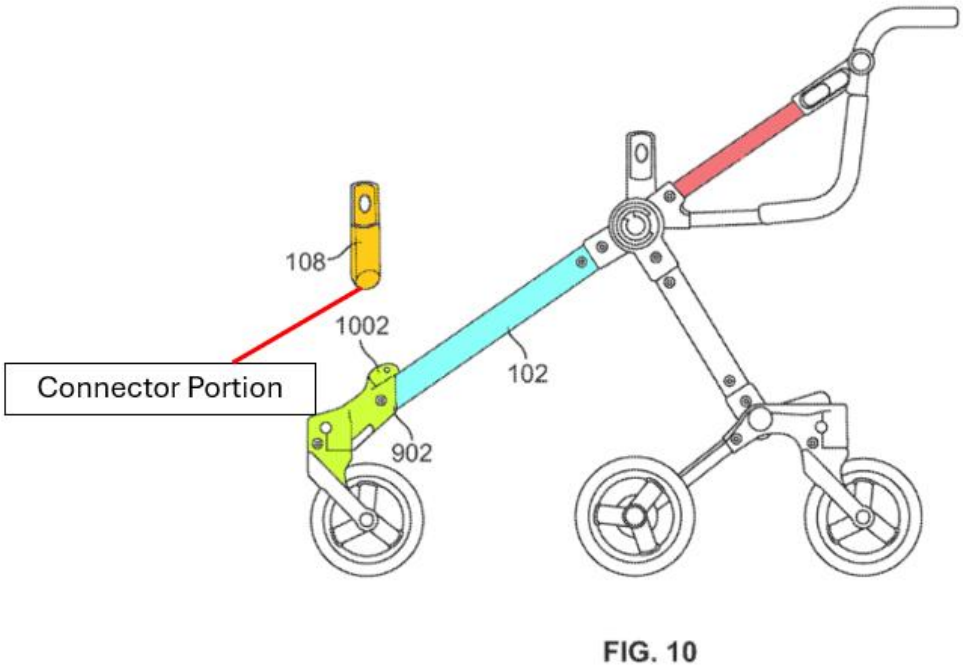


FIG. 10

EX1047, Rolicki, Fig. 10 (Annotated)

347. In another embodiment, Rolicki discloses the seat mounts 108 are pivotally coupled to a housing 902.

> In some examples, the seat mounts 108 may be folded relative to the frame 102 prior to or after the stroller 100 is in the folded position 800. For example, **FIGS. 9A and 9B illustrate example seat mounts 108 that fold relative to the frame 102. The seat mounts 108 of the illustrated example are pivotally coupled or attached to a connector or housing 902 and/or the frame 202 of the stroller 1000**. Each of the seat mounts 108 of the illustrated example pivots relative to the connector 902 or frame 202 about a pivot point 904 between a first upright or in use position 906 and a second or lowered folded position 908. **In the illustrated example of FIG. 9B, in the first position 906, a latch 910 (e.g., a protruding member or tab) of the seat mount 108 engages an opening or recess 912 in the frame 202 to lock or restrict rotation of the seat mount 108 relative to the frame 202 and/or the connector 902 about the pivot point 904.** To fold the seat mount 108, the latch 910 is moved or withdrawn from the recess 912 to enable rotation of the seat mount 108 relative to the frame 202 and/or the connector 902. In the folded position 908, the latch 910 engages a second recess 914 to prevent the seat mount 108 from inadvertently or unintentionally pivoting about the pivot point 904 when the stroller 100 is in the collapsed state 800.

(EX1047, Rolicki, 12:46-67.)

348. A POSITA would have considered the portion of the seat mount 108 pivotally coupled to the housing 902 as being a "connector portion." Additionally,

the "first end" of the seat mount 108 (gold) includes a latch 910 that engages a second recess 914 of the housing 902 (green) further reinforcing that it is a "connector portion." (EX1047, Rolicki, 12:56-65.)

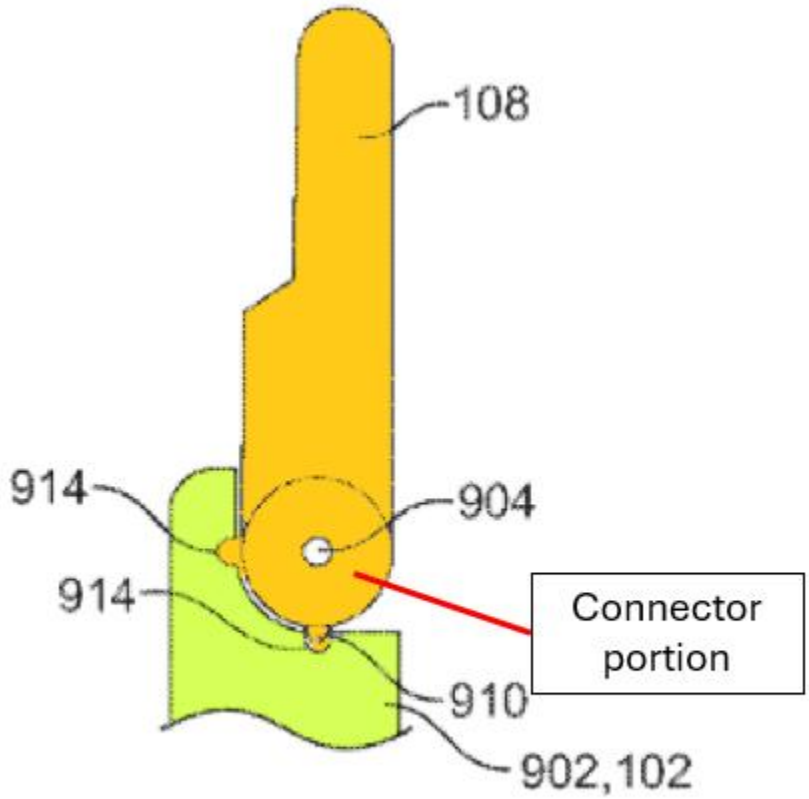


FIG. 9B

EX1047, Rolicki, Fig. 9B (Annotated)

349. Therefore, it is my opinion that Rolicki discloses or renders obvious limitation [5.0].

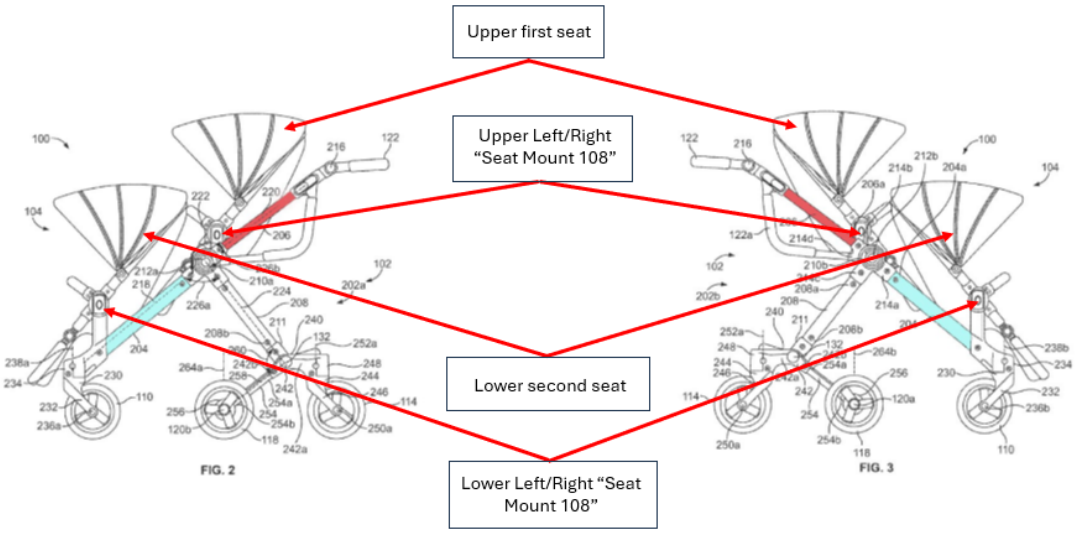
… ***[6.0] The stroller of claim 4, wherein the second seat is removably coupled to the second end.***

350. As I discussed immediately above, Rolicki discloses the infant seats

106 are removably coupled to the seat mounts 108 (gold) via an interface, such as a latch. The end where the latch or connector for removably coupling the seat is the "second end" of the seat mounts 108 or the first/second "seat attachment adapters."

> To support the infant seats 106, the frame 102 of the illustrated example includes one or more infant seats mounts 108. More specifically, **the infant seats 106 removably couple to the seat mounts 108 via an interface (e.g., a latch or connector) provided by the seats 106 and the seat mounts 108**. To remove the infant seats 106 from the seat mounts 108, a connector defined by the interface is released via a release (e.g., a spring-loaded push button).

(EX1047, Rolicki, 3:53-61.)



EX1047, Rolicki, Figs. 2-3 (Annotated)

351. The interface is located at the "second end."

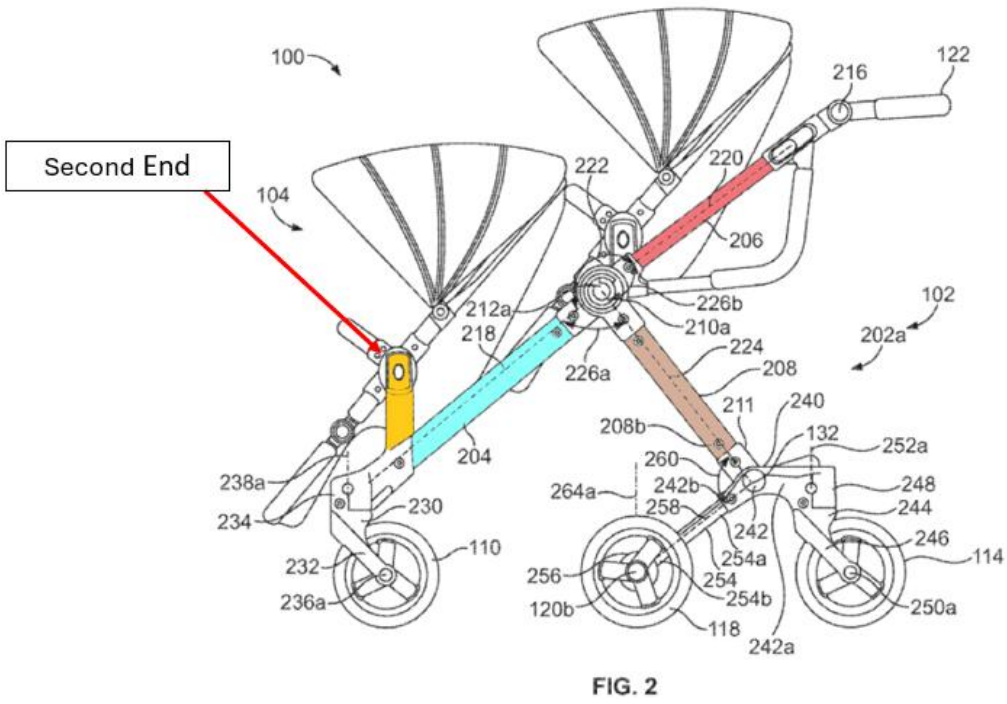


FIG. 2

EX1047, Rolicki, Fig. 2 (Annotated)

352. Therefore, it is my opinion that Rolicki discloses or renders obvious limitation [6.0].

> … ***[7.0] The stroller of claim 1, wherein the first seat is one of a baby seat, a car seat, a stroller seat, a bassinet, a baby carrier, or a pram and the second seat is one of a second baby seat, a second car seat, a second stroller seat, a second bassinet, a second baby carrier, or a second pram.***

353. As discussed above in claim 1, Rolicki discloses a "stroller 100" having "one or more child and/or infant seats 106." As I discussed in claim 1, the upper seat is the "first seat" and the lower seat is the "second seat". (EX1047, Rolicki, 3:50-53, Figs. 2-3.) A POSITA would recognize "infant seat" to be a "baby seat" and "child seat" to be a "stroller seat" as required by claim 7. Further, Rolicki's figures show,

and a POSITA would have understood, the stroller as including first and second "baby" or "stroller" seats.

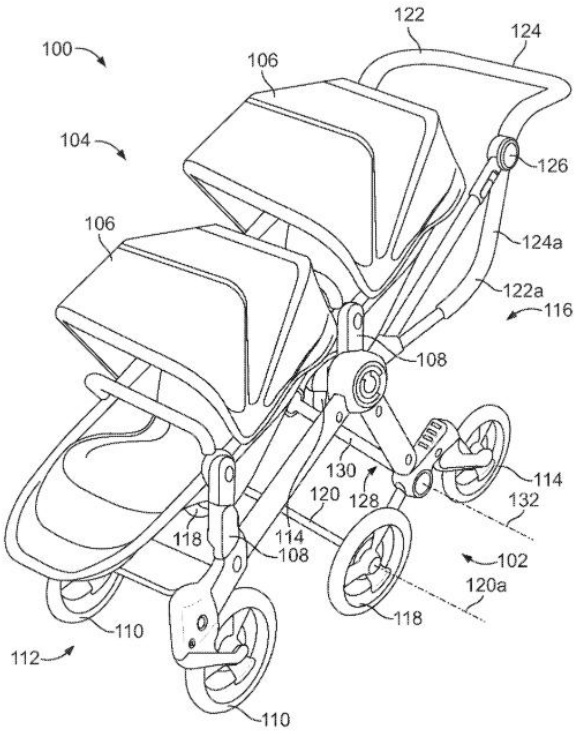


FIG. 1

EX1047, Rolicki, Fig. 1

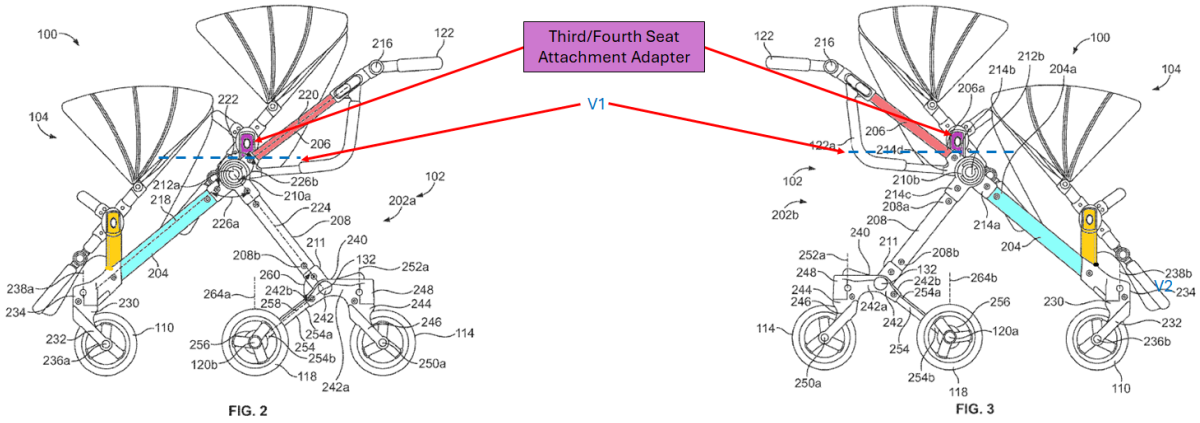
354. Accordingly, it is my opinion that Rolicki discloses or renders obvious limitation [7.0].

> … ***[8.0] The stroller of claim 1, further comprising: a third seat attachment adapter coupled to the stroller frame at the first vertical position; and a fourth seat attachment adapter coupled to the stroller frame at the first vertical position;***

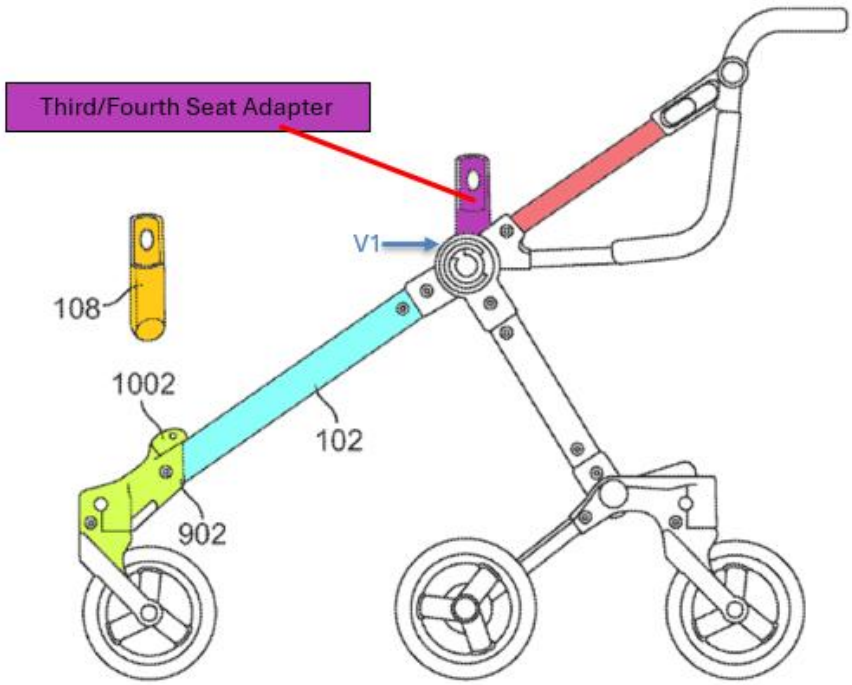
355. As I discussed above in claim 1, Rolicki discloses upper and lower seats 106 arranged stadium style. As I also discussed, the upper seat is coupled to the

frame 102 by two upper seat mounts 108 (purple) at the first vertical position (V1).

356. When describing the seat mounts 108, Rolicki does not differentiate the upper seat mounts (purple) from the lower seat mounts (gold). That is, Rolicki describes all of the seat mounts 108 together. Therefore, a POSITA would have understood the upper seat mounts 108 (purple) are "seat attachment adapters" for the same reasons provided above in limitations [1.8] and [1.9].



EX1047, Rolicki, Figs. 2-3 (Annotated)



EX1047, Rolicki, Fig. 10 (Annotated)

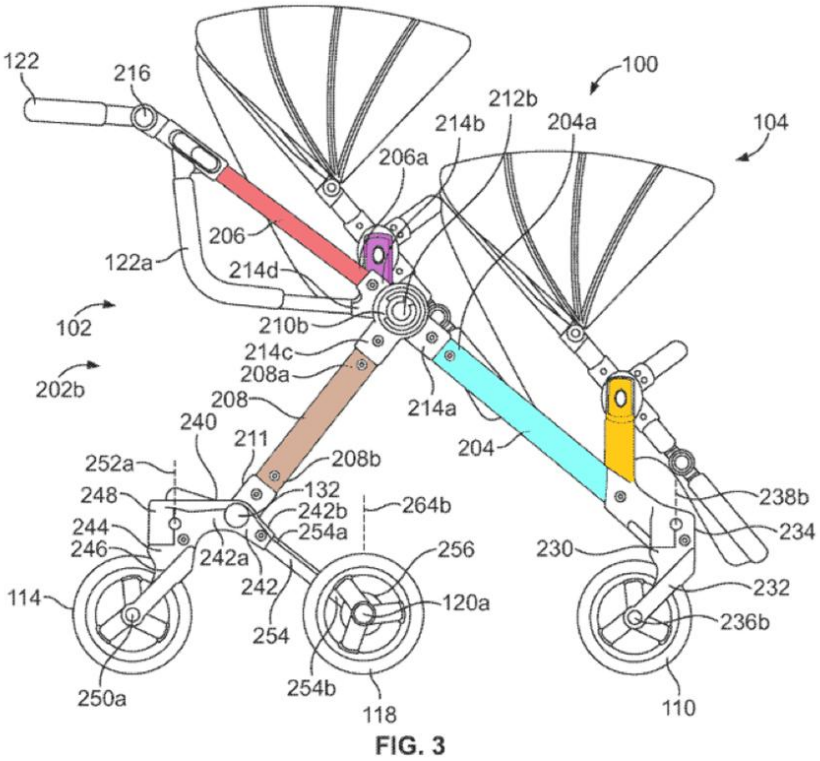


FIG. 3

EX1047, Rolicki, Fig. 3 (Annotated)

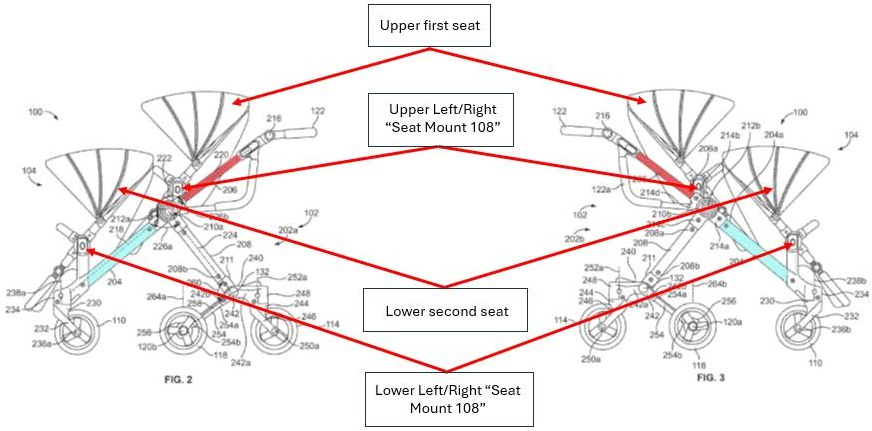
357. Therefore, it is my opinion that Rolicki discloses or renders obvious

limitation [8.0]

… ***[8.1] wherein the first seat is removably coupled to the third seat attachment adapter and the fourth seat attachment adapter.***

358. Rolicki teaches "seats 106" are removably coupled to the seat mounts 108 "via an interface (e.g., a latch or connector) provided by the seats 106 and the seat mounts 108." (EX1047, Rolicki, 3:55-61.) That teaches a POSITA that both the upper and lower seats are removably coupled to the seat mounts 108.

359. Rolicki discloses upper left/right seat mounts 108 ("third seat attachment adapter and the fourth seat attachment adapter".) Rolicki therefore teaches the upper seat ("first seat") is removably coupled to the "third seat attachment adapter and the fourth seat attachment adapter."



EX1047, Rolicki, Figs. 2-3 (Annotated)

360. Therefore, it is my opinion that Rolicki discloses or renders obvious limitation [8.1].

… ***[9.0] The stroller of claim 1, further comprising a handle comprising a first end coupled to the first upper tube support frame and a distal second end coupled to the second upper tube support frame.***

361. Rolicki discloses several different handle embodiments. In one embodiment, Rolicki discloses a handle 122 (orange) coupled to the frame 102 by an articulation hub (tilt joint 126). (EX1047, Rolicki, 5:15-18.) As illustrated in Figures 2 and 3 (left and right side views), the portion of the frame that is coupled to the articulation hub 126 is the upper frame support 206 (red). Here, the handle 122 has a first end coupled to the first upper frame support 206 via the first frame articulation hub 126 and a distal second end coupled to the first upper frame support 206 via the second frame articulation hub 126.

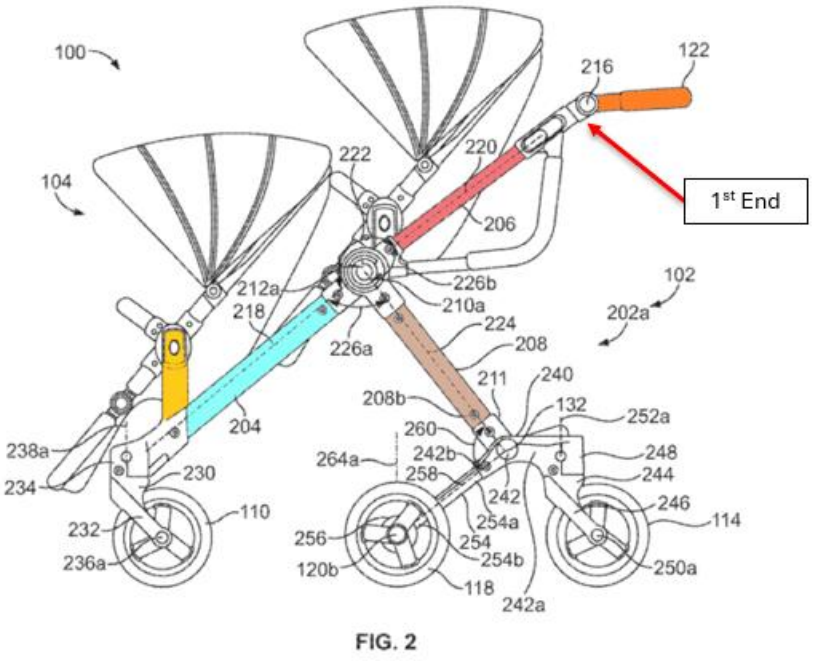


FIG. 2

EX1047, Rolicki, Fig. 2 (Annotated)

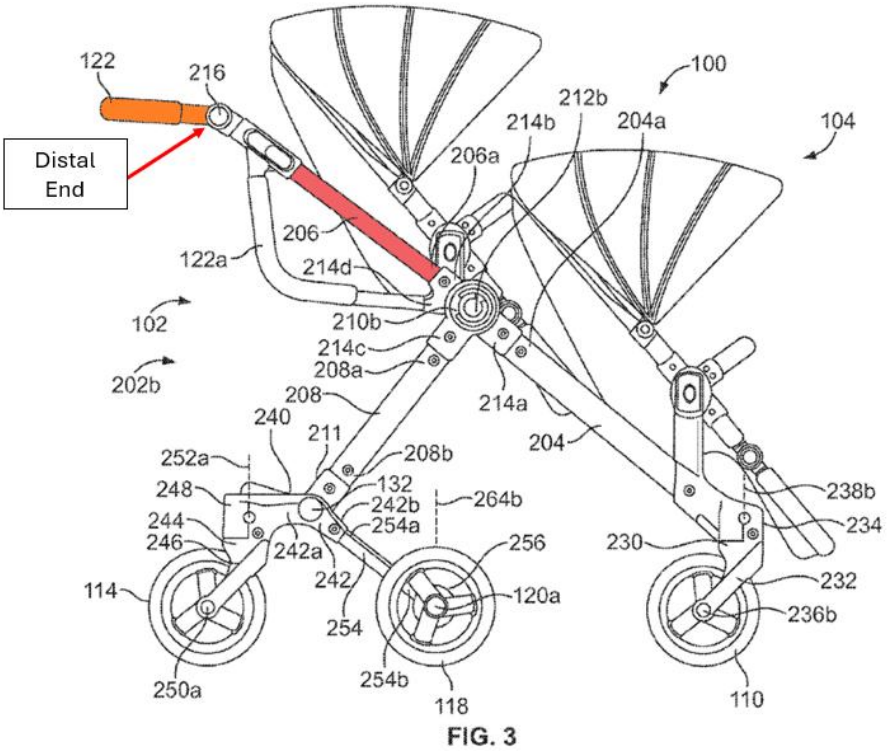


FIG. 3

EX1047, Rolicki, Fig. 3 (Annotated)

362. Rolicki further discloses "FIG. 13 is a plan view of the example handle 1222 coupled to the upper frame support 206 of FIG. 12." (EX1047, Rolicki, 13:60-14:4.) Rolicki makes clear

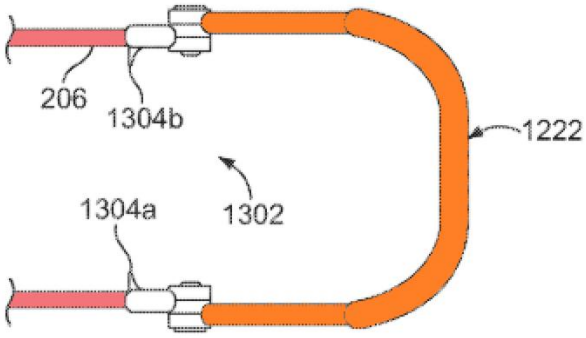


FIG. 13

EX1047, Rolicki, Fig. 13 (Annotated)

363. Figure 17 of Rolicki discloses the handle 1422 directly coupled to the

upper frame support 206 (red) at the first end and at the distal second end.

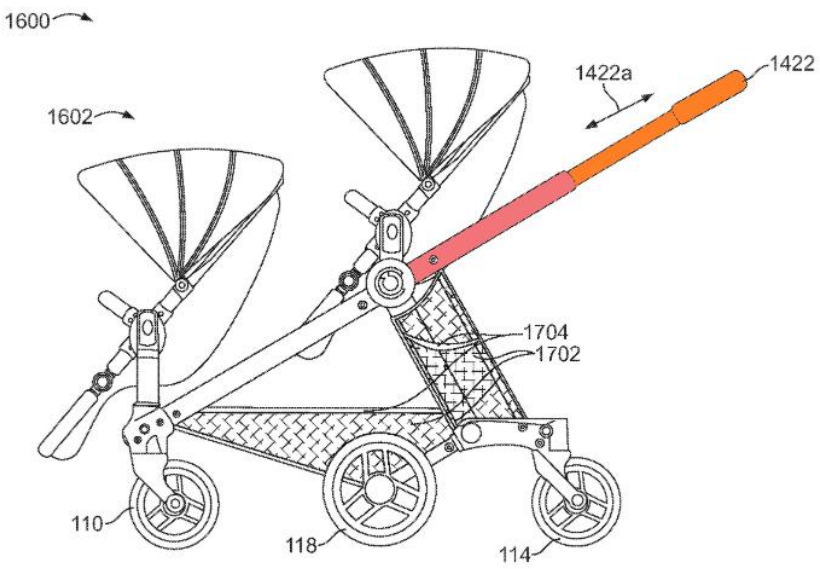


FIG. 17

EX1047, Rolicki, Fig. 17 (Annotated)

364. A POSITA would have understood that any of these embodiments disclose, "a handle comprising a first end coupled to the first upper tube support frame and a distal second end coupled to the second upper tube support frame."

365. Therefore, it is my opinion that Rolicki discloses or renders obvious limitation [9.0].

… ***[17.0] A stroller, comprising:***

366. Claim limitation [17.0] is obvious for the same reasons I discussed in claim limitation [1.0].

… ***[17.1] a stroller frame comprising: a first upper tube support frame; a second upper tube support frame;***

367. Claim limitation [17.1] is obvious for the same reasons I discussed in claim limitation [1.1].

… ***[17.2] a first back wheel support frame;***

368. Claim limitation [17.2] is obvious for the same reasons I discussed in claim limitation [1.4].

… ***[17.3] a second back wheel support frame;***

369. Claim limitation [17.3] is obvious for the same reasons I discussed in claim limitation [1.5].

… ***[17.4] a first front wheel support frame;***

370. Claim limitation [17.4] is obvious for the same reasons I discussed in claim limitation [1.2].

… ***[17.5] a second front wheel support frame;***

371. Claim limitation [17.5] is obvious for the same reasons I discussed in claim limitation [1.3].

… ***[17.6] a plurality of wheels comprising at least one front wheel and a plurality of back wheels;***

372. Claim limitation [17.6] is obvious for the same reasons I discussed in claim limitation [1.6].

… ***[17.7] a first seat coupled to the stroller frame at a first vertical position of the stroller frame;***

373. Claim limitation [17.7] is similar to claim limitation [1.7] and that analysis is incorporated herein. Rolicki discloses "a first seat is coupled to the stroller frame at a first vertical position of the stroller frame."

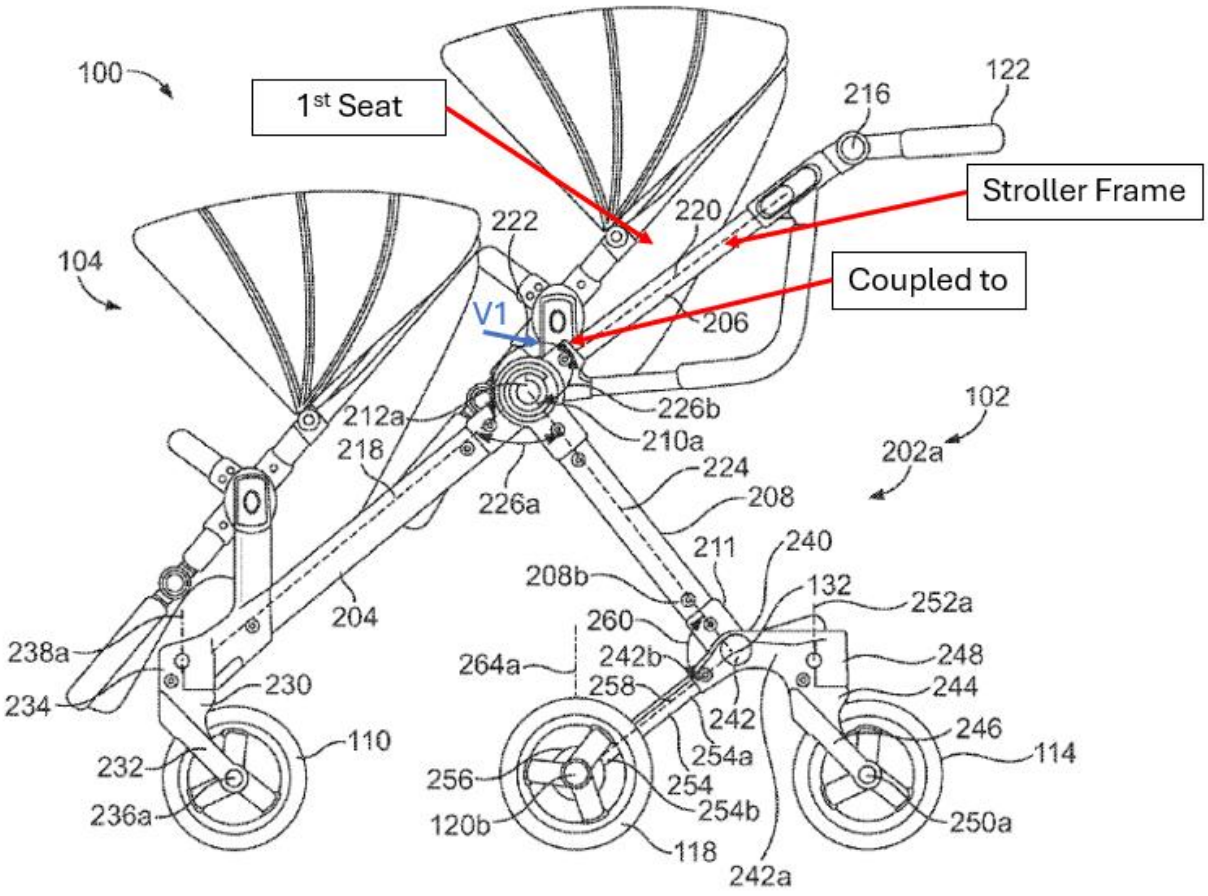


FIG. 2

EX1047, Rolicki, Fig. 2

374. As I discussed in claim limitation [1.7], the upper seat 106 is coupled to the frame by upper seat mounts 108 at a first vertical position (V1). (EX1047,

Rolicki, 3:51-61, 12:50-52.)

… ***[17.8] a first seat attachment housing disposed adjacent the first front wheel support frame:***

… ***[17.9] a second seat attachment housing disposed adjacent the second front wheel support frame;***

375. Claim limitations [17.8]-[17.9] are obvious for the same reasons I discussed in claim limitation [2.0].

… ***[17.10] a first seat attachment adapter coupled to the first seat attachment housing at a second vertical position of the stroller frame that is below the first vertical position when the first upper tube support frame is substantially parallel with the first front wheel support frame when the stroller frame is unfolded from a folded configuration;***

376. As I discussed above in claim limitations [1.8] and [2.0], Rolicki discloses a first seat attachment adapter (seat mount 108) coupled to first seat attachment housing (housing 902) at a second vertical position of the stroller frame that is below the first vertical position.

377. As I discussed above in claim limitations [1.2]-[1.3], Rolicki discloses pivot joints 210a, 210b that allow the stroller frame to fold and unfold.

378. As I also discuss in limitations [1.2]-[1.3], Rolicki discloses the upper tube frames (red) being substantially parallel to the lower tube frames (blue) when the stroller is in the unfolded configuration.

379. Therefore, as I annotated below, Rolicki discloses "a first seat attachment adapter ([gold]) coupled to the first seat attachment housing ([green]) at a second vertical position ([V2]) of the stroller frame that is below the first vertical position ([V1]) when the first upper tube support frame ([red]) is substantially parallel with the first front wheel support frame ([blue]) when the stroller frame is unfolded from a folded configuration."

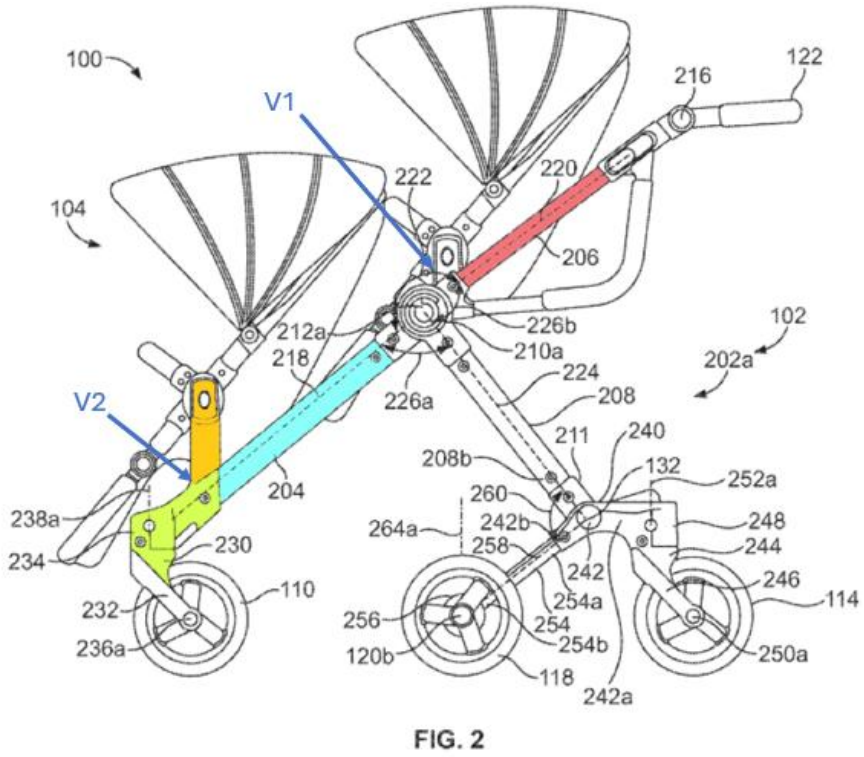


FIG. 2

EX1047, Rolicki, Fig. 2 (Annotated)

380. Rolicki states that the examples of Figures 1-11 all have removable seat mounts 108 and all are the same "bayonet-type mounts." (EX1047, Rolicki, 13:10-12, 16-20.)

381. Therefore, it is my opinion that Rolicki discloses or renders obvious

limitation [17.10].

… ***[17.11] a second seat attachment adapter coupled to the second seat attachment housing at a third vertical position of the stroller frame that is below the first vertical position when the second upper tube support frame is substantially parallel with the second front wheel support frame when the stroller frame is unfolded from a folded configuration;***

382. The stroller 100 of Rolicki is symmetrical (EX1047, Rolicki, 5:40-43); therefore, claim limitation [17.11] is obvious for the same reasons discussed in claim limitations [17.10] and [1.10].

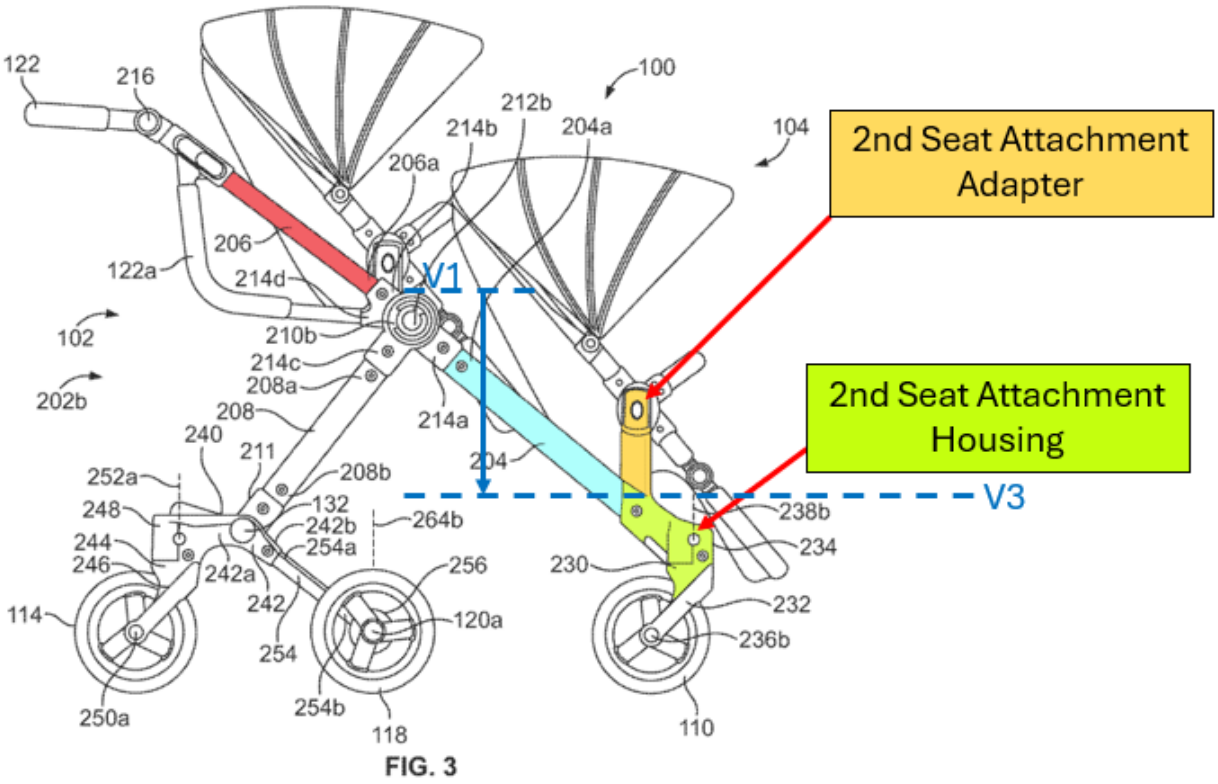


FIG. 3

EX1047, Rolicki, Fig. 3 (Annotated)

383. Therefore, it is my opinion that Rolicki discloses or renders obvious

limitation [17.11].

… ***[17.12] wherein the first seat is coupled along the first upper tube support frame and the second upper tube support frame and***

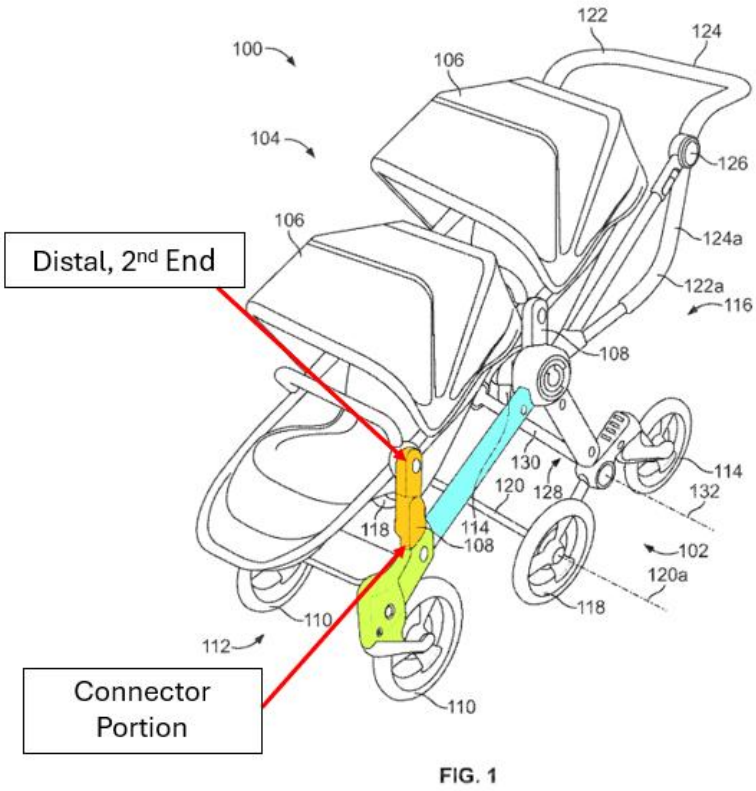
384. Claim limitation [17.12] is obvious for the same reasons I discussed in claim limitation [1.7].

… ***[17.13] wherein a second seat is removably coupled to the first seat attachment adapter and the second seat attachment adapter.***

385. Claim limitation [17.13] is obvious for the same reasons I discussed in claim limitation [1.10].

… ***[18.0] The stroller of claim 17, wherein each of the first seat attachment adapter and the second seat attachment adapter comprises: a first end comprising a connector portion coupled to one of the first seat attachment housing and the second seat attachment housing; and a distal second end, wherein the second seat is removably coupled to the second end.***

386. Claim limitation [18.0] is similar to claim limitations [1.8-1.10], [4.0]-[5.0], and I incorporate that analysis here. As I discussed above in claim limitations [1.8]-[1.9], Rolicki discloses "first and second seat attachment adapters" (gold). Each of the adapters (gold) comprises a "first end" comprising a "connector portion" coupled to one of the "first seat attachment housing" or the "second seat attachment housing" (green) and a "distal second end." The "second seat" is removably coupled to the "distal second end." (See above claim limitations [4.0]-[5.0].)



EX1047, Rolicki, Fig. 1 (Annotated)

387. Therefore, it is my opinion that Rolicki discloses or renders obvious limitation [18.0].

… ***[19.0] The stroller of claim 17, further comprising a handle comprising a first end coupled to the first upper tube support frame and a distal second end coupled to the second upper tube support frame.***

388. Claim limitation [19.0] is obvious for the same reasons I discussed in claim limitation [9.0].

… ***[20.0] The stroller of claim 17, further comprising: a third seat attachment adapter coupled to the first upper tube support frame; and a fourth seat attachment adapter coupled to the second upper tube support frame; wherein the first seat is removably coupled to the third seat attachment adapter and the fourth seat attachment adapter.***

389. Claim limitation [20.0] is obvious for the same reasons I discussed in claim limitations [8.0]-[8.1]. Claim 20 slightly differs by explicitly requiring the third and fourth seat attachment adapters are coupled to the first and second upper tube support frames (as opposed to the stroller frame generally). However, Rolicki discloses that "[t]he seat mounts 108 [(gold)] of the illustrated example are pivotally coupled or attached to a connector or housing 902 [(green)] and/or the frame 202 of the stroller 1000." (EX1047, Rolicki, 12:50-52.) Furthermore, as I discussed above in claim limitation [1.7], the upper seat mounts 108 are coupled to the upper support frames 206.

390. To the extent it is argued Rolicki does not disclose this limitation, a POSITA would have known the seat mounts 108 could have been connected to Rolicki's upper tube frames. Rolicki already contemplates seat mounts 108 that could be connected to the stroller frame, and adjusting the connections to be on the upper tube frame would have been within the ability of a POSITA. If the seat mounts 108 were adjusted, a POSITA would simply have to consider the weight distribution

between the front and rear seats. A POSITA would have understood this to be a necessary design consideration with respect to strollers and would know the minimum/maximum weight that would be allowed for the infant seats. Given these criteria, a POSITA could have adjusted the seat mounts to various locations along both the upper and lower stroller frame tubes. Indeed, Rolicki states, "the seat mounts 108 may be adjusted along the frame 102 to adjust a position of the infant seats 106 relative to the frame 102 and/or each other." (EX1047, Rolicki, 3:61-64.)

391. Therefore, it is my opinion that Rolicki discloses or renders obvious limitation [20.0].

B. Ground 2 – Claims 1-9 and 17-20 are obvious over Liao in view of Cheng and the general knowledge of a POSITA.

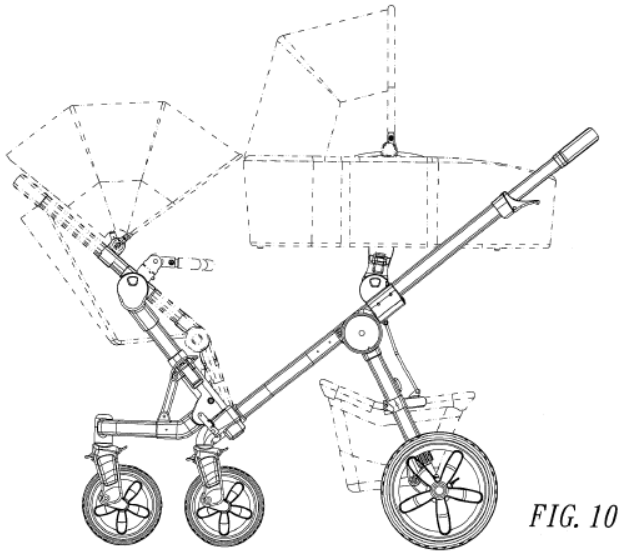
1. Analysis of Claims 1-9, and 17-20

… ***[1.0] A stroller, comprising:***

392. While Liao does not expressly describe the various elements, the figures are detailed engineering CAD drawings that enable a POSITA to fully understand the design of Liao with limited textual description. Liao discloses, "[t]he ornamental design for a combination pushchair frame[.]" (EX1048, Liao, CLAIM.)

393. When filed, Mr. Liao stated Figure 10 illustrates a "perspective schematic view of a combination pushchair frame showing my design while the pushchair frame attaches a seat unit, a pram body and a basket for illustrative purposes[.]" (EX1052, Liao File History, 2.) A POSITA would understand from the

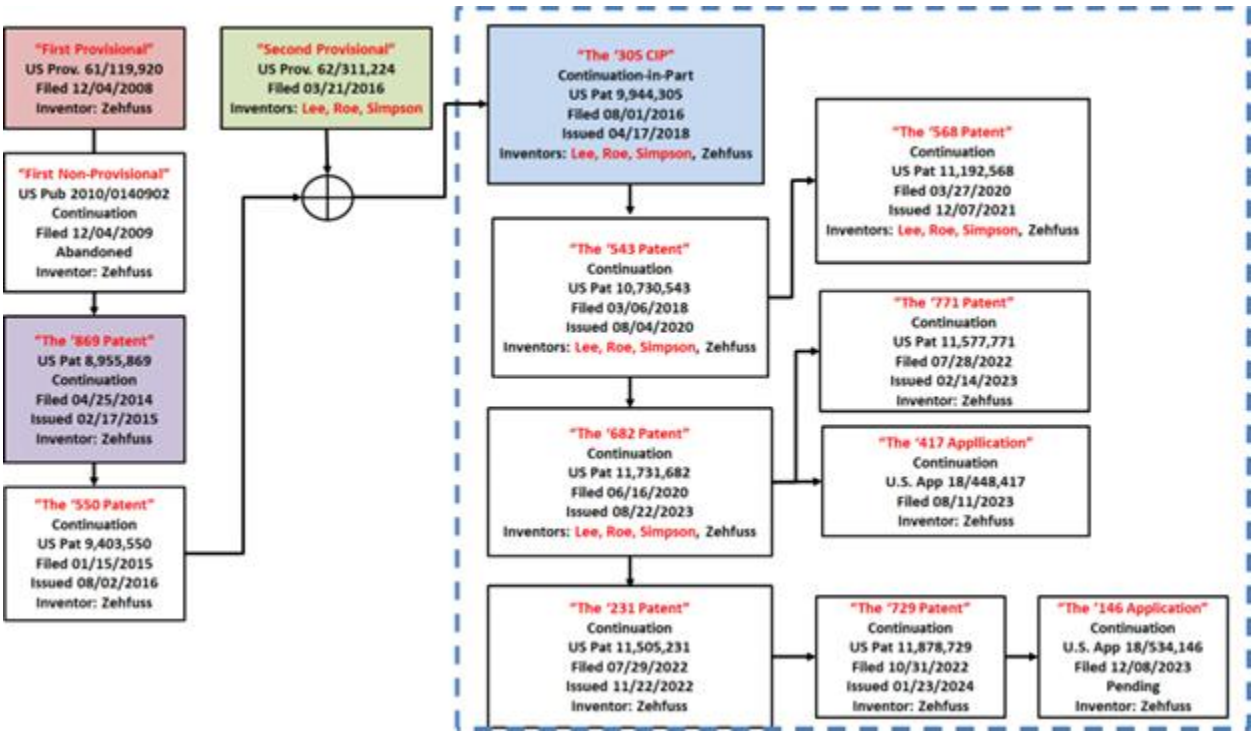
drawing and description of the figure within the file history that Liao teaches "a stroller." Indeed, Figure 10 illustrates the recited pushchair being used with a pram and child seat intended for infants/children.



EX1048, Liao, Fig. 10

394. A POSITA would further have understood that a "pushchair" by definition is another term commonly used in reference to a stroller.

395. My reading of Liao as disclosing a "stroller" is confirmed by the Examiner (who I understand is considered a POSITA) during prosecution of U.S. App. No. 18/448, 417 (shown below).



Baby Jogger Patent Family

396. In the '417 Application, I understand the Examiner found "Liao discloses: A convertible stroller … configured for being converted from a single to a double stroller[.]"

14. **Claims 2-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Liao (US D593,459).**

[Claim 2] Regarding Claim 2, Liao discloses: A convertible stroller (See, e.g., Fig. 1-13) configured for being converted from a single stroller to a double stroller (See, e.g., Fig. 1-13), the stroller comprising: a stroller frame (See, e.g., Fig. 1-13) configured for being adjusted between a folded configuration and an unfolded configuration (See, e.g., Fig. 1-13), the stroller frame comprising: a handle portion (See, e.g., Fig. 1-13); a front wheel support portion (See, e.g., Fig. 1-13); and a back wheel support portion (See, e.g., Fig. 1-13); and at least one front wheel secured to the stroller frame's front wheel support portion (See, e.g., Fig. 1-13); two rear wheels secured to the stroller frame's back wheel support portion (See, e.g., Fig. 1-13); a first seat (See, e.g., Fig. 1-13) removably attached to the stroller frame (See, e.g., Fig. 1-13); one or more seat attachment portions removably attached to the stroller frame (See, e.g., Fig. 1-13); and a second seat (See, e.g., Fig. 1-13) removably attached to the one or more seat attachment portions (See, e.g., Fig. 1-13) and positioned in front of the first seat (See, e.g., Fig. 1-13); wherein at least one of the first seat and the second seat is configured for being removably attached to the stroller frame in a forward-facing configuration and a backward-facing configuration (See, e.g., Fig. 11-12); and wherein the first seat and the second seat are positioned such that a center of gravity of the stroller is between the at least one front wheel and the plurality of back wheels (See, e.g., Fig. 1-13).

EX1024, '417 Patent File History, 1203

397. I understand the Patent Owner did not dispute the Examiner's finding that Liao taught a convertible stroller. (EX1024, '417 Patent File History, 1394.)

398. The Examiner's rejection and Patent Owner's response further confirm my opinion that a POSITA would have found Liao satisfies this limitation.

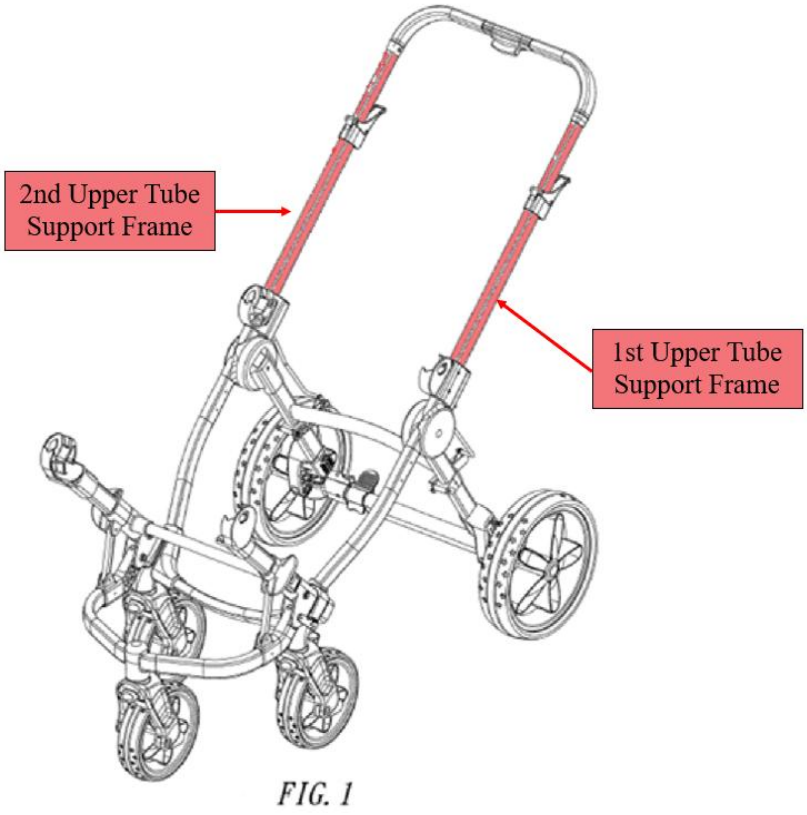
399. Therefore, it is my opinion that Liao discloses or renders obvious limitation [1.0].

… ***[1.1] a stroller frame comprising: a first upper tube support frame; a second upper tube support frame;***

400. A POSITA reviewing the drawings would understand Liao discloses a

stroller frame including left and right-side upper tube support frames (red).

401. A POSITA would consider the tubes I have highlighted in red as being the first and second upper tube support frames (red).



EX1048, Liao, Fig. 1 (Annotated)

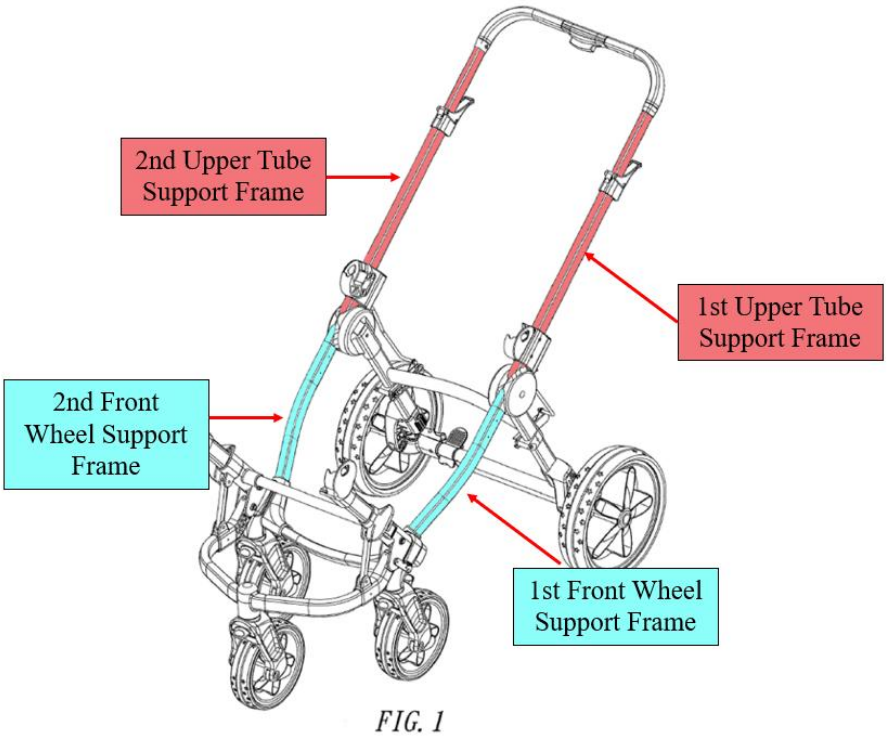
402. Therefore, it is my opinion that Liao discloses or renders obvious limitation [1.1].

… ***[1.2] a first front wheel support frame rotatably adjusted to be substantially parallel with respect to the first upper tube support frame when the stroller frame is unfolded from a folded configuration;***

… ***[1.3] a second front wheel support frame rotatably adjusted to be substantially parallel with respect to the second upper tube support frame when the stroller frame is unfolded from a folded configuration;***

403. In reviewing the drawings, a POSITA would find Liao illustrates two lower tubes (blue) of the side frames extending downwardly to connect with the front wheels.

404. A POSITA would consider these lower tubes to be a "first front wheel support frame" and a "second front wheel support frame," as they are the portion of Liao's frame supporting the front wheels. Furthermore, Liao discloses left and right sides that are virtually identically, allowing for either to be the first or second of this and any subsequent limitation. (EX1048, Fig. 1.)



EX1048, Liao, Fig. 1 (Annotated)

405. The side views of Liao (Figures 4 and 5) show the upper tube frames (red) being parallel to the front wheel frames (blue) and joined with a folding mechanism.

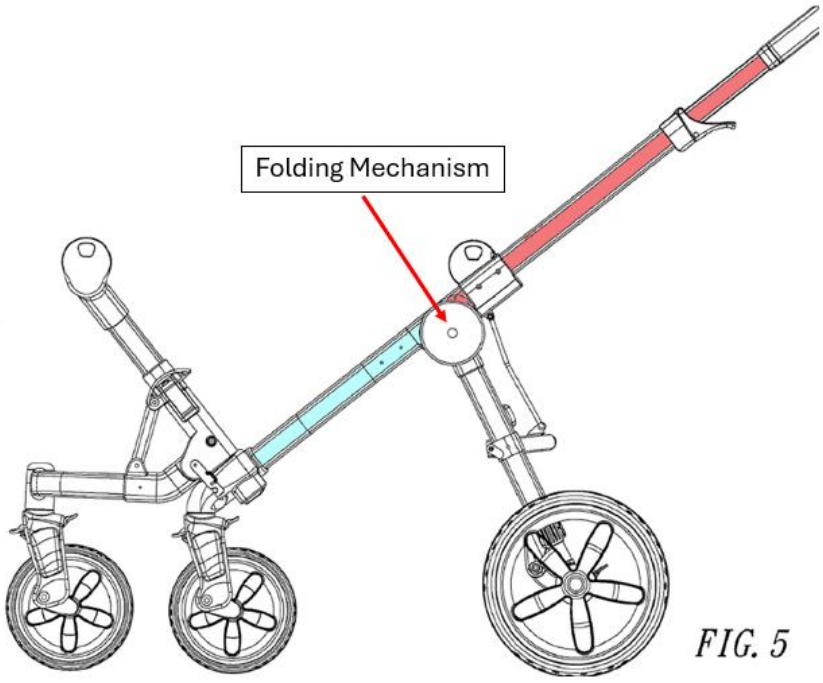


FIG. 5

EX1048, Liao, Fig. 5 (Annotated)

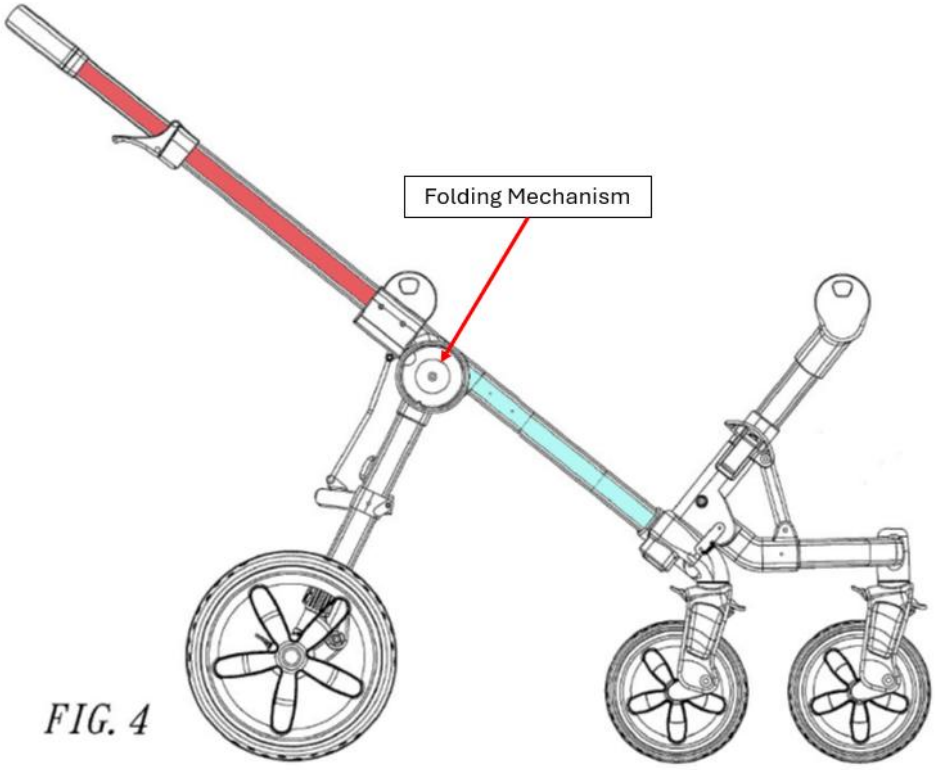


FIG. 4

EX1048, Liao, Fig. 4 (Annotated)

406. By 2008, a POSITA would have also known that strollers had folding mechanisms to provide the capability to collapse a stroller for storage or transporting. A POSITA therefore understood that nearly all strollers designed by 2008 were capable of being unfolded from a folded configuration and vice versa.

407. For instance, in my State of the Art section, I discuss the basic stroller structures that were known prior to December 2008 including a section titled "Folding Mechanisms" that details how strollers were known and designed to be folded or collapsed for storage and transportation. Folding (collapsing) of a stroller from an unfolded configuration is even demonstrated in a YouTube video demonstration of a commercial Uppababy Vista stroller. (EX1031, Hollie Schultz Dec., EX2[20] at 2 mins. 10 secs., 2 mins. 19 secs; see also EX1032, Greg Allen Dec., 39.)

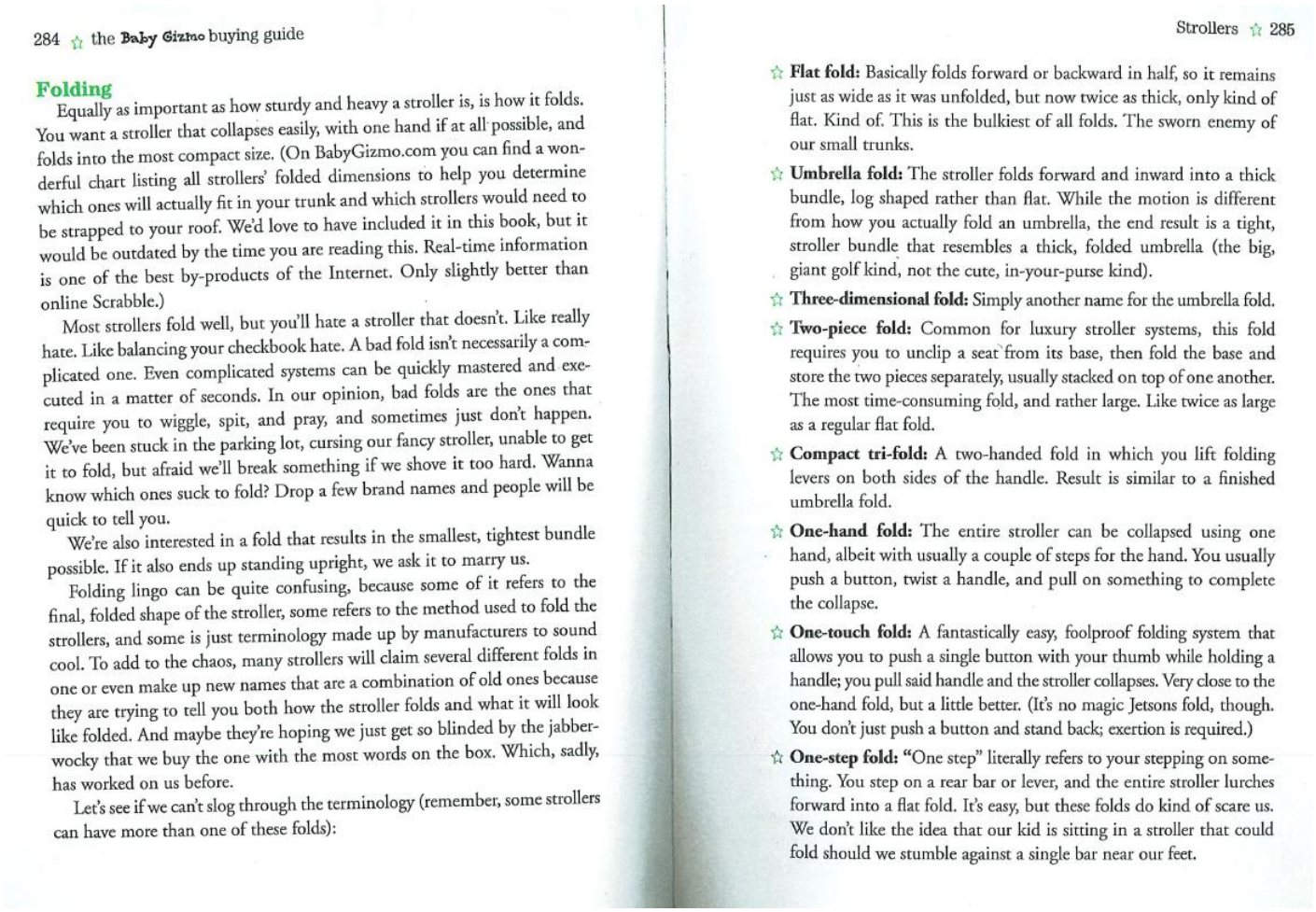


EX1031, Hollie Schultz Dec., EX2 at 2 mins. 10 secs., 2 mins. 19 secs.

408. The capability of a stroller folding via various types of folding

[20] https://www.youtube.com/watch?v=9IrmQs8kL5I

mechanisms were universal in stroller design at the time of the invention. (EX1031, Hollie Schultz Dec., ¶¶29-30, EX1031–*The Baby Gizmo Buying Guide*, EX10,284.)



284 ☆ the Baby Gizmo buying guide

Folding

Equally as important as how sturdy and heavy a stroller is, is how it folds. You want a stroller that collapses easily, with one hand if at all possible, and folds into the most compact size. (On BabyGizmo.com you can find a wonderful chart listing all strollers' folded dimensions to help you determine which ones will actually fit in your trunk and which strollers would need to be strapped to your roof. We'd love to have included it in this book, but it would be outdated by the time you are reading this. Real-time information is one of the best by-products of the Internet. Only slightly better than online Scrabble.)

Most strollers fold well, but you'll hate a stroller that doesn't. Like really hate. Like balancing your checkbook hate. A bad fold isn't necessarily a complicated one. Even complicated systems can be quickly mastered and executed in a matter of seconds. In our opinion, bad folds are the ones that require you to wiggle, spit, and pray, and sometimes just don't happen. We've been stuck in the parking lot, cursing our fancy stroller, unable to get it to fold, but afraid we'll break something if we shove it too hard. Wanna know which ones suck to fold? Drop a few brand names and people will be quick to tell you.

We're also interested in a fold that results in the smallest, tightest bundle possible. If it also ends up standing upright, we ask it to marry us.

Folding lingo can be quite confusing, because some of it refers to the final, folded shape of the stroller, some refers to the method used to fold the strollers, and some is just terminology made up by manufacturers to sound cool. To add to the chaos, many strollers will claim several different folds in one or even make up new names that are a combination of old ones because they are trying to tell you both how the stroller folds and what it will look like folded. And maybe they're hoping we just get so blinded by the jabberwocky that we buy the one with the most words on the box. Which, sadly, has worked on us before.

Let's see if we can't slog through the terminology (remember, some strollers can have more than one of these folds):

Strollers ☆ 285

☆ **Flat fold:** Basically folds forward or backward in half, so it remains just as wide as it was unfolded, but now twice as thick, only kind of flat. Kind of. This is the bulkiest of all folds. The sworn enemy of our small trunks.

☆ **Umbrella fold:** The stroller folds forward and inward into a thick bundle, log shaped rather than flat. While the motion is different from how you actually fold an umbrella, the end result is a tight, stroller bundle that resembles a thick, folded umbrella (the big, giant golf kind, not the cute, in-your-purse kind).

☆ **Three-dimensional fold:** Simply another name for the umbrella fold.

☆ **Two-piece fold:** Common for luxury stroller systems, this fold requires you to unclip a seat from its base, then fold the base and store the two pieces separately, usually stacked on top of one another. The most time-consuming fold, and rather large. Like twice as large as a regular flat fold.

☆ **Compact tri-fold:** A two-handed fold in which you lift folding levers on both sides of the handle. Result is similar to a finished umbrella fold.

☆ **One-hand fold:** The entire stroller can be collapsed using one hand, albeit with usually a couple of steps for the hand. You usually push a button, twist a handle, and pull on something to complete the collapse.

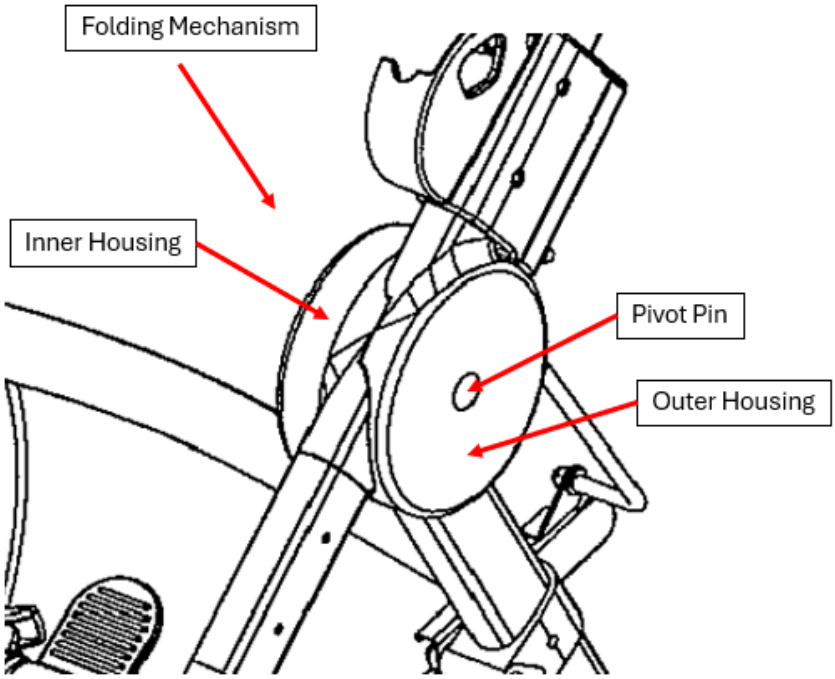
☆ **One-touch fold:** A fantastically easy, foolproof folding system that allows you to push a single button with your thumb while holding a handle; you pull said handle and the stroller collapses. Very close to the one-hand fold, but a little better. (It's no magic Jetsons fold, though. You don't just push a button and stand back; exertion is required.)

☆ **One-step fold:** "One step" literally refers to your stepping on something. You step on a rear bar or lever, and the entire stroller lurches forward into a flat fold. It's easy, but these folds do kind of scare us. We don't like the idea that our kid is sitting in a stroller that could fold should we stumble against a single bar near our feet.

EX1031, Hollie Schultz Dec., EX10, 284-285

409. For instance, a POSITA would have understood the pushchair of Liao depicts folding mechanisms that connect the upper tube frames (red) to the front wheel support frames (blue). In the zoomed drawing below, a POSITA would understand Liao illustrates the folding mechanisms coupling the upper tube support frame and the front wheel support frame. The illustrated nature of how these

components are connected by the round folding mechanism informs a POSITA that the stroller is designed such that the upper tube frames and front wheel support frames are designed to be folded for storage.



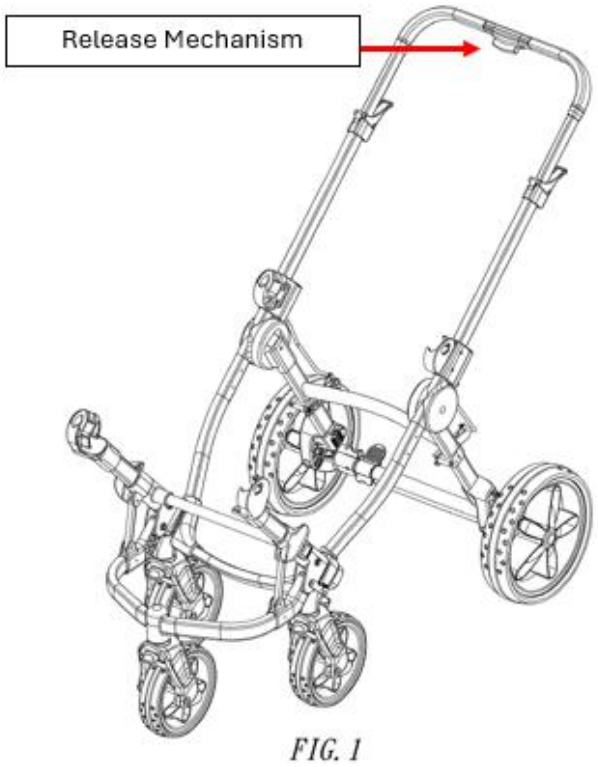
EX1048, Liao, Fig. 1 (Cropped and Annotated)

410. A POSITA would have also understood Figure 1 illustrates inner and outer circular housings (also known as hubs) and a pivot pin. These features inform a POSITA that Liao is illustrating a folding mechanism and not merely a fixed coupling between the frame members. A POSITA would understand a folding mechanism would include the shown circular housings and pivot pin to contain and support the arcuate internal components used for rotating the support frames relative to each other about the pivot axis defined through the pivot pin. There is no reason to include the circular housings and pivot pin in a stationary coupling due to its bulk

compared to a simple sleeve or tee coupling.

411. Therefore, it is clear to me (and a POSITA) that Liao has left and right folding mechanisms that allow the upper tubes (red) and front wheel support frames (blue) to pivot relative to each other and that Liao, in Figures 4 and 5, shows the upper support frames (red) and the front wheel frames (blue) parallel to each other when in the unfolded position.

412. Liao further illustrates what a POSITA would understand as being a "release mechanism" on the handlebar. It was known to a POSITA to include and place a release mechanism for unlocking the folding mechanism so that a stroller can be collapsed.



EX1048, Liao, Fig. 1 (Annotated)

413. For example, as explained in my State of the Art section, U.S. Patent Pub. No. 2008/0238042 (EX1035) illustrates a "collapsing operation device 14" (*i.e.*, release mechanism) similarly located on the handle. This "collapsing device" allows the stroller to be collapsed. A POSITA would have understood that Liao illustrates such a well-known and commonly employed release mechanism meant for collapsing the stroller from an expanded state to a collapsed state.

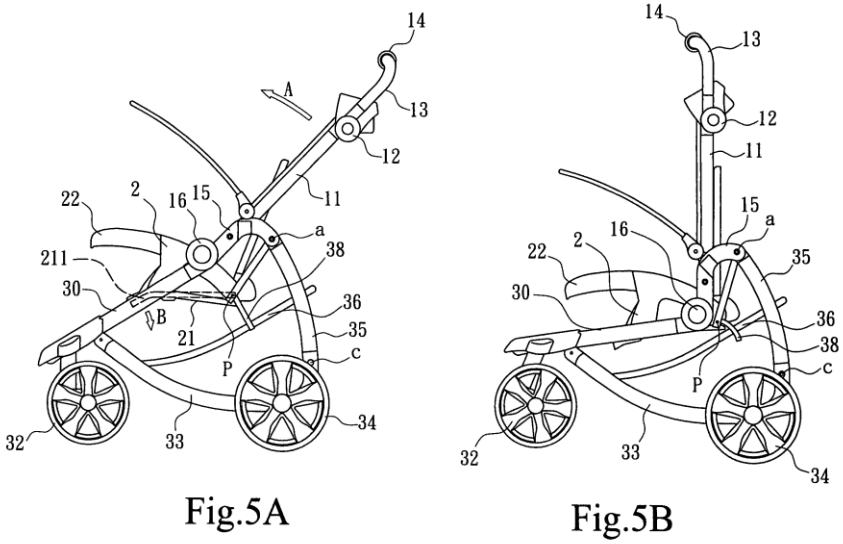


Fig.5A Fig.5B

EX1035, U.S. Patent Pub. No. 2008/0238042, Figs. 5A-5B.

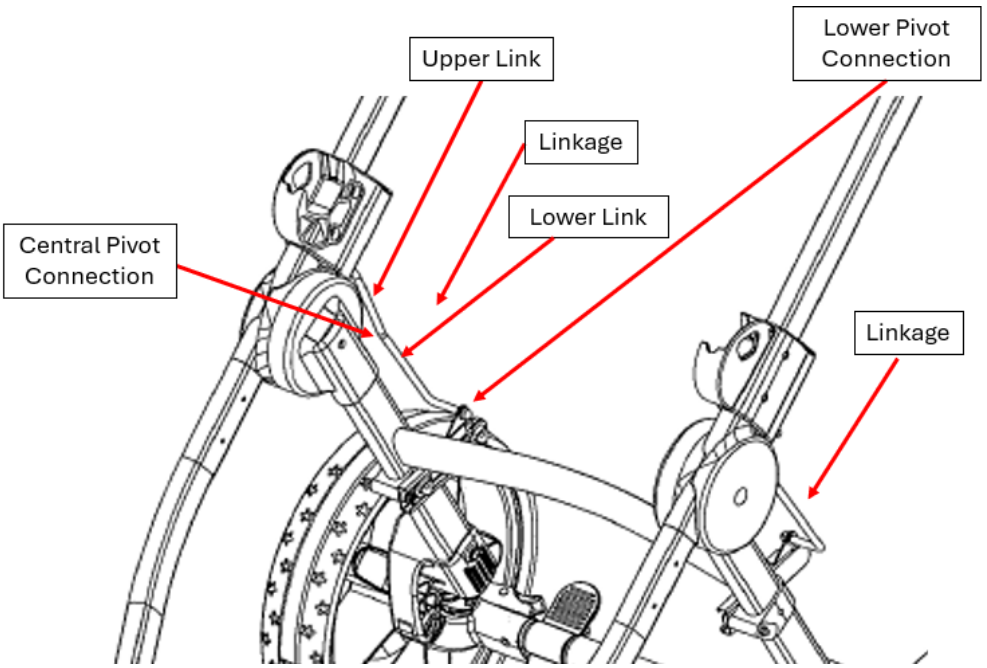
[0033] The collapsing operation of the collapsible stroller of the present invention will be described with reference to FIGS. 5A-5E.

[0034] The stroller shown in FIG. 5A is in a fully expanded state and when the stroller needs to be collapsed, the user first operate the collapsing operation device 14 disposed on the handle 13 to actuate the locking member (a first locking device) disposed on the upper frame tube 11 or the connecting member 15 to cause the upper frame tubes 11

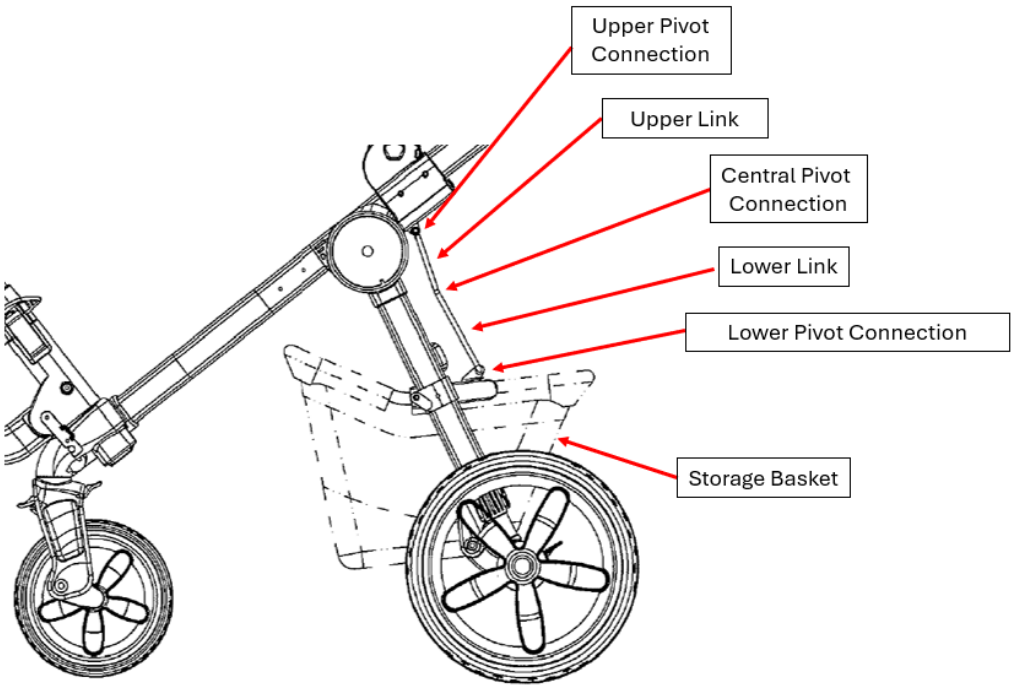
> unlocked from the front legs 30 and thus the upper frame tubes 11 and the handle 13 is able to pivot forwardly about the connecting seat 16 toward the front legs 30 (as indicated by arrow A), and the front legs 30 in turn pivot downwardly toward the base frame tubes 33 (as indicated by arrow B) and into a state in which they are substantially parallel to the supporting tubes 211 of the seat portion 21 of the seat unit 2 (i.e., the biasing spring 50 is not twisted), as shown in FIG. 5B.

(EX1035, U.S. Patent Pub. No. 2008/0238042, ¶¶0033-0034.)

414. Furthermore, Liao illustrates additional components designed to assist in proper operation during folding of the frame members. For example, Liao illustrates a pair of linkages, each connecting between the upper support frame and the back wheel support frame. Each linkage is illustrated as having an upper link with an upper pivot connection, a lower link with a lower pivot connection, and a central pivot connection joining the upper and lower links. Each linkage is also bent slightly forward at the central pivot with the links slightly angled relative to each other. These pivot connections, plus the forward angle of the links relative to each other, clearly illustrate that each linkage is designed to collapse about the central pivot, allowing the back wheel frames to rotate towards the upper frame members.



EX1048, Liao, Fig. 1 (Cropped and Annotated)



EX1048, Liao, Fig. 8 (Cropped and Annotated)

415. My reading of Liao is confirmed by the prosecution history of the related '417 Application where the Examiner also found Liao teaches "a stroller

frame … configured ***for being adjusted between a folded configuration and an unfolded configuration***[.]" (EX1024, '417 Patent File History, 1203.) It is my understanding the Patent Owner did not try to rebut the Examiner's finding that Liao teaches a foldable stroller. (See EX1024, '417 Patent File History, 1394.)

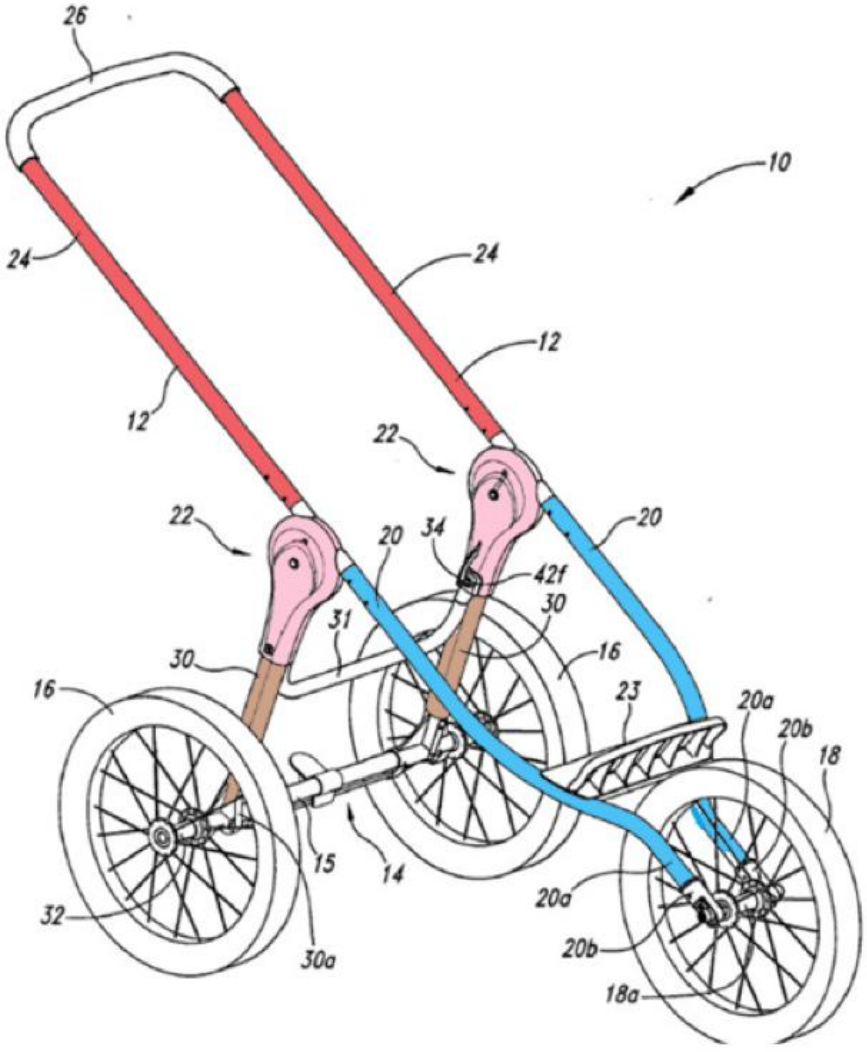
14. **Claims 2-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Liao (US D593,459).**

[Claim 2] Regarding Claim 2, Liao discloses: A convertible stroller (See, e.g., Fig. 1-13) configured for being converted from a single stroller to a double stroller (See, e.g., Fig. 1-13), the stroller comprising: a stroller frame (See, e.g., Fig. 1-13) configured for being adjusted between a folded configuration and an unfolded configuration (See, e.g., Fig. 1-13), the stroller frame comprising: a handle portion (See, e.g., Fig. 1-13); a front wheel support portion (See, e.g., Fig. 1-13); and a back wheel support portion (See, e.g., Fig. 1-13); and at least one front wheel secured to the stroller frame's front wheel support portion (See, e.g., Fig. 1-13); two rear wheels secured to the stroller frame's back wheel support portion (See, e.g., Fig. 1-13); a first seat (See, e.g., Fig. 1-13) removably attached to the stroller frame (See, e.g., Fig. 1-13); one or more seat attachment portions removably attached to the stroller frame (See, e.g., Fig. 1-13); and a second seat (See, e.g., Fig. 1-13) removably attached to the one or more seat attachment portions (See, e.g., Fig. 1-13) and positioned in front of the first seat (See, e.g., Fig. 1-13); wherein at least one of the first seat and the second seat is configured for being removably attached to the stroller frame in a forward-facing configuration and a backward-facing configuration (See, e.g., Fig. 11-12); and wherein the first seat and the second seat are positioned such that a center of gravity of the stroller is between the at least one front wheel and the plurality of back wheels (See, e.g., Fig. 1-13).

EX1024, '417 Patent File History, 1203

416. To the extent it is argued Liao does not teach a folding mechanism, it would have been obvious to a POSITA that Liao could have been designed to include a folding mechanism allowing the first/second front wheel support to be rotatably adjusted with respect to the first/second upper tube support frames when the stroller is unfolded from a folded configuration.

417. For instance, Cheng discloses a baby stroller 10 with folding mechanisms 22 (pink) coupling left/right upper tube support frames (red), left/right front wheel support frames (blue), and left/right back wheel support frames (brown). As shown, Cheng's baby stroller 10 has a similar frame structure as Liao's with upper support frames 24, front wheel support frames 20, and rear-wheel support frames 30 that are all joined at common point.



EX1049, Cheng, Fig. 2 (Annotated)

> The **frame 12** has no base frame members extending rearwardly from the front wheel 18 to the rear axle assembly 14 as do most conventional all-terrain strollers. Instead, **the frame 12 includes left and right side, downwardly and forwardly sloping front wheels frame members or supports 20, which each extend downward from a corresponding one of left and right side folding assemblies 22** in a converging configuration to the front wheel 18. A forward free-end 20*a* of each of the left and right side front wheel supports 20 has a plastic front wheel connector 20*b* fixedly attached thereto and a corresponding one of the left and right ends of an axle 18a of the front wheel 18 removably attached thereto to mount the front wheel to the stroller frame 12.

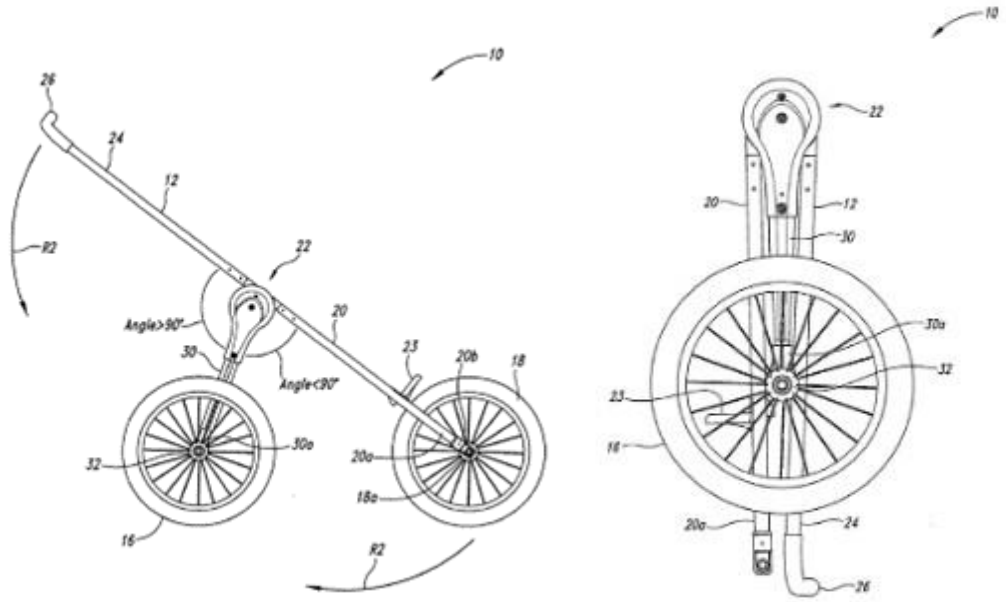
(EX1049, Cheng, ¶0040.)

> **The frame 12 also includes left and right side, upwardly and rearwardly sloping handle frame members or supports 24, which each extend upward from the corresponding one of the left and right side folding assemblies 22 in a generally parallel configuration to a handle 26 extending between the left and right side handle supports.** The handle 26 is covered by a foam grip. The handle supports 24 are interconnected by the handle 26 that spans between them at their rearwardmost and uppermost extension and that is fixedly attached to each.

(EX1049, Cheng, ¶0042.)

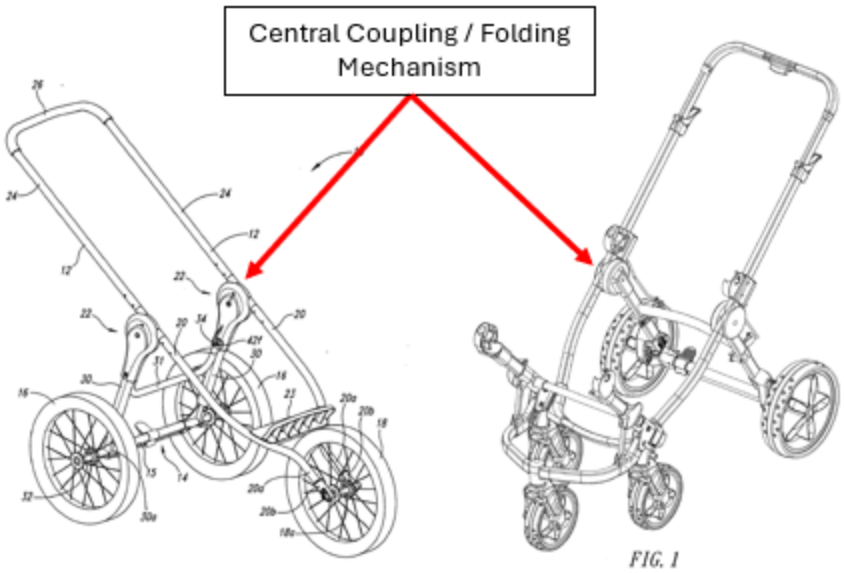
418. Cheng discloses a stroller folding mechanism allowing the stroller 10 to be operable between folded and unfolded configurations. (EX1049, Cheng, ¶0019.) As best shown in Figures 4 and 6 below, the folding assemblies 22 allow the

upper frames 24 and the front wheel frames 20 to fold toward the rear-wheel frames 30. Figure 4 shows the unfolded position in which the upper frames 24 and the front-wheel frames 20 are aligned and in the same plane.



EX1049, Cheng, Figs. 4 and 6

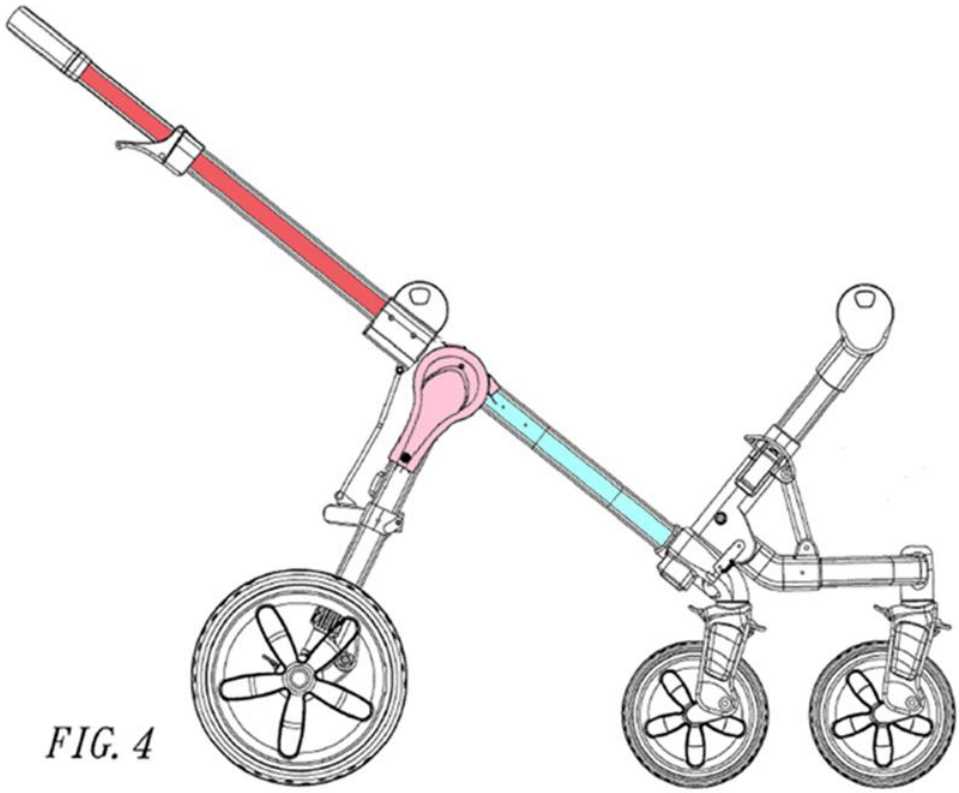
419. As I explain in my "Rationale to Combine" section below, Liao and Cheng are both in the field of baby strollers. (EX1048, Liao, CLAIM; EX1049, Cheng, ¶0003.) Both Liao and Cheng also disclose frame designs for the baby strollers. In fact, both Liao and Cheng disclose a similar frame structure of the baby stroller. As shown in the below images, Liao and Cheng have upper frame members connected with the handle, front wheel frame members, and back wheel frame members that are all joined at a central coupling, *e.g.*, a folding mechanism. (EX1048, Liao, Fig. 1; EX1049, Cheng, ¶0040, Fig. 2.)



EX1049, Cheng, Fig. 2; EX1048, Liao, Fig. 1 (Both Annotated)

420. A POSITA would have understood that given the similarities in frame structure, the folding assemblies 22 of Cheng could have been added to Liao in place of the illustrated coupling. As shown below, it would have been obvious to a POSITA that Cheng's folding assembly 22 (pink) could be added to the frame of Liao,[21] allowing the upper frame structure (red) to fold relative to the front wheel frame structure (blue).

[21] Assuming, of course, that Liao does not fold, which is not my opinion.



EX1048, Liao, Fig. 4 (Annotated) with Cheng's folding assembly (EX1049, Fig. 5.)

421. Unmodified, it is my opinion a POSITA would have understood Liao illustrates folding mechanisms and thus disclosed the rotatably adjusted limitations of [1.2] and [1.3]. But it is also my opinion that it would have been obvious to modify and add the known folding mechanisms of Cheng to Liao as I explain below in my "Rationale to Combine." Once modified, Liao would disclose the rotatably adjusted limitations of [1.2] and [1.3].

422. Limitations [1.2] and [1.3] also recite the first/second front wheel support frames are "substantially parallel with respect to" the first/second upper tube support frames.

423. As I have discussed in my "Priority of the '568 Patent," I do not believe the Patent Owner disclosed nor was in possession of this claimed relationship between these components until the pending claims of the '568 Patent were amended during prosecution on *June 28, 2021* and therefore was not in possession of this subject matter prior to the filing of the '568 Patent. (EX1019, '568 Certified File History, 838, 842.)

424. However, as I also stated, the '305 CIP (based on disclosure from the Second Provisional) introduced a definition for "substantially parallel."[22] (EX1007, '305 CIP, 3:52-55.) While this definition did not disclose what elements could be designed as being "substantially parallel," it is the first time the Patent Owner possessed and provided written support for elements of the stroller being substantially parallel. This is why, in the alternative, it is my opinion the Patent Owner should only be entitled to a priority date of the March 21, 2016 filing date of the Second Provisional.

425. However, if the Board finds the First-Non Provisional (and First Provisional) provides the Patent Owner with written description support for a "front

[22] I understand the Patent Owner has stated in a district court filing that this was an express definition for the term "substantially parallel." (EX1056, Baby Jogger Claim Construction, 17.)

wheel support frame" that is ***substantially parallel*** with the "upper tube support frame," it is my opinion that Liao discloses this limitation.

426. For instance, it is my understanding the Patent Owner has asserted in district court litigation that "a POSITA would understand two components oriented in the same direction, or approximately the same direction, would be considered parallel or substantially parallel to each other." (EX1056, Baby Jogger Claim Construction, 18.) Patent Owner then states that "Figure 8A [of the '568 Patent] clearly shows an example of the alignment of the front wheel support frame and upper tube support frame when the frame is unfolded." (EX1056, Baby Jogger Claim Construction, 18.)

427. Using Figure 8A, Patent Owner seems to be arguing that two components orientated in the same direction (as shown by the red line) satisfy the recited claim language. Patent Owner is also asserting in district court (as shown below) that a stroller having a "front wheel support frame" arranged in the same direction with the "upper tube support frame" is considered "substantially parallel." I do disagree and would argue the alleged design is collinear and not parallel nor substantially parallel. But I reference Patent Owner's assertion only to address this alternative argument.

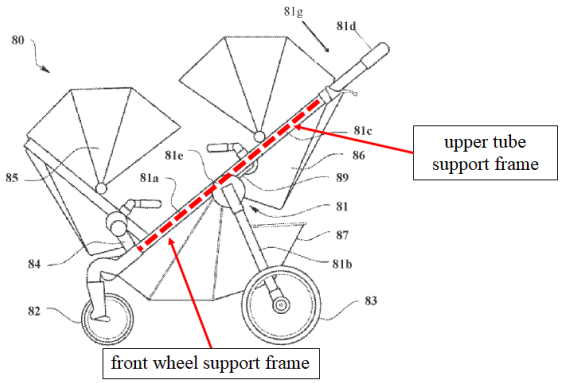


FIGURE 8A

EX1009, '568 Patent, Fig. 8A



EX1057, Baby Jogger Infringement Contentions, 5-6

428. While I do not agree Patent Owner's assertions are correct, to the extent this is Patent Owner's position and the Board agrees, Liao would likewise teach a "front wheel support frame" that is "arranged in the same direction" and therefore ***substantially parallel*** with the "upper tube support frame" In addition, I note that the Examiner in reviewing similar claims based on a 2008 priority date has found

Liao teaches front wheel support frames and upper tube support frames as being "substantially parallel."[23] (EX1024, 1206 - rejection of Claim 16.) The Examiner's findings further support my opinion (if a 2008 priority date is provided) that Liao renders obvious this limitation.

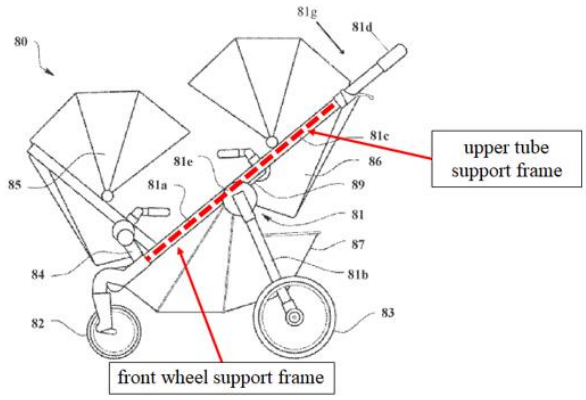


FIGURE 8A

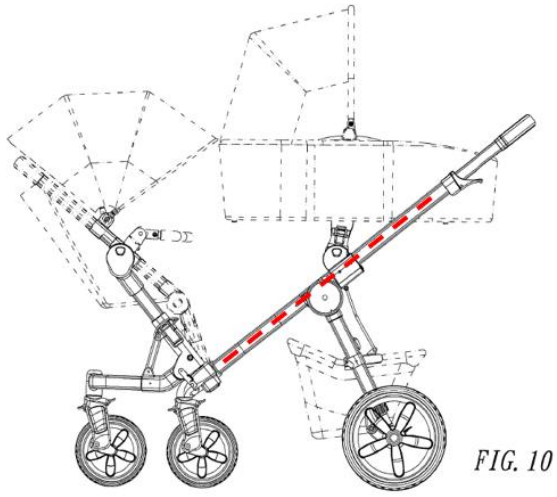


FIG. 10

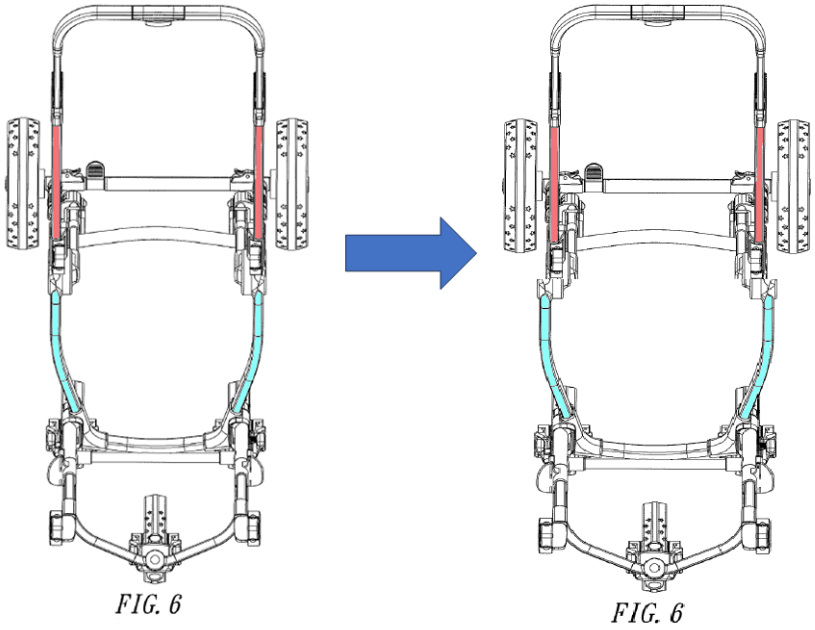
Comparison Fig. 8A '568 Patent (EX1009) and Fig. 10 Liao (EX1048)

429. It also would have been obvious to a POSITA that the Design of Liao

[23] In the '417 Application, Patent Owner used the term "handle portion" as being the upper tube support frame. Patent Owner appears to be relying on how the term "handle portion" was used prior to the 2016 '305 CIP filing. I have analyzed and noted that after the '305 CIP the term "handle portion" becomes more limiting and does not include the entire upper support frame. POs attempt to use terminology from the earlier 2008 First Provisional, does not alter my opinion.

could be adjusted such that the front wheel support frame is "substantially parallel" to the upper tube support frame. For instance, Liao illustrates a top-view of its stroller below. While the connection between the front wheel support frames (blue) and upper tube support frames (red) appear inline or colinear, a POSITA would have understood they could be adjusted to be offset. This would be a design choice which would require a modification to the connection between the upper and lower frame portions. A POSITA would have understood the middle connection point to allow the upper (red) or lower (blue) frame members to be offset from each other. A POSITA would have understood this would be no more than modifying a well-known connection point to possibly include more material thereby allowing the offset. But, a POSITA would have had the knowledge and capability to make such a modification. A POSITA would have understood the slight offset could be done in a way that would not affect the foldability of the stroller. Instead, a POSITA would have realized the modification would likely only minimally affect the aesthetic look of the stroller. But the ultimate design process would ensure this modification would not only function and operate as desired, but would ultimately be designed such that the extension has an appealing look and feel. A POSITA would have therefore understood that Liao could be modified (as shown below right) such that the front wheel support frame is "substantially parallel" upper tube support frame as I would understand these terms. This might require a bit more material to extend the lower

portion, but such a modification would have been within a POSITA's skill and capability.

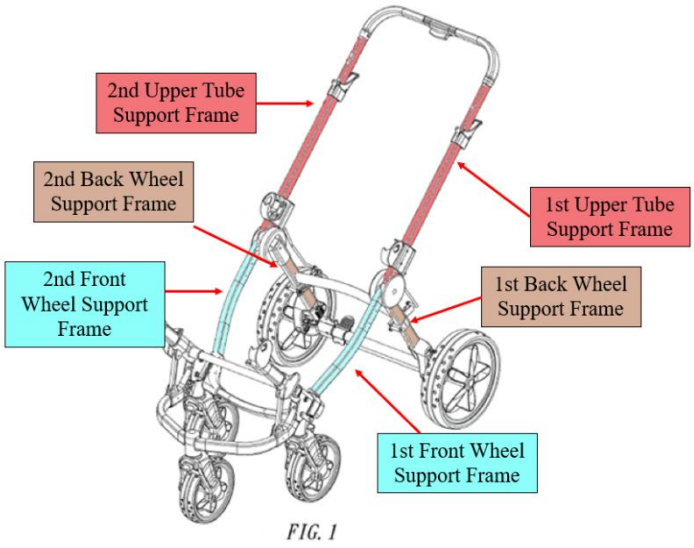


EX1048, Liao, Fig. 6 (Annotated and Modified)

… ***[1.4] a first back wheel support frame rotated with respect to the first upper tube support frame; and***

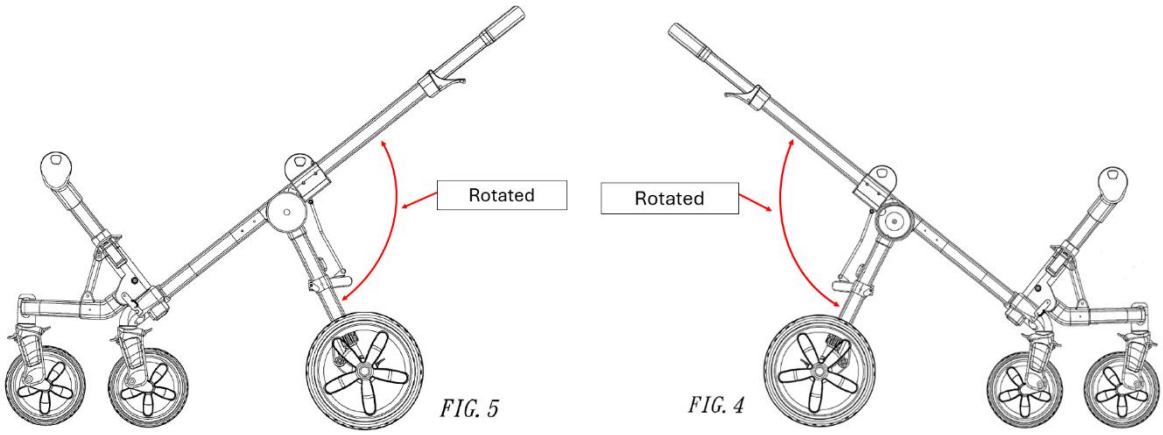
… ***[1.5] a second back wheel support frame rotated with respect to the second upper tube support frame;***

430. Liao illustrates what a POSITA would understand as being a first and second back wheel support frames (brown). These are clearly back wheel support frames as the extend toward the back of the stroller and are visually associated with the back wheels.



EX1048, Liao, Fig. 1 (Annotated)

431. As I have annotated further below, a POSITA would understand that the first/second back wheel support frames are rotated with respect to the first and second upper tube support frames (red).



EX1048, Liao, Figs. 4-5 (Annotated)

432. Claim limitations [1.4]/[1.5] merely recite "rotated" and do not require the back wheel support frames to be rotatable. Therefore, the orientation of the back wheel support frames shown in Figures 4 and 5 is sufficient to disclose limitations

[1.4]/[1.5]

433. To the extent required, as I explained in limitations [1.3]/[1.4] above, a POSITA would have understood Liao as teaching a stroller that could be folded for storage. I have previously mentioned how it was known that foldability was a "universal" or common stroller design prior to December 4, 2008. (*See e.g.*, EX1031, Holly Schultz Dec., EX10, 284.) A POSITA would have therefore understood the "back wheel support frame" of Liao would be designed to be rotatable with respect to the first/second "upper tube support frames" so that the stroller was foldable. A POSITA would have understood the need to have the back wheel support frame fold so the stroller could be stored (e.g., within a car trunk) or transported easily. This was a common and well-known design choice.

434. My understanding is further confirmed by the Examiner's rejection in the related '417 Application. As I have highlighted below, the Examiner held Liao teaches a stroller frame that can be adjusted between a folded and unfolded configuration. The Examiner held Liao's "back wheel support portion" was part of the frame which could be rotated (*i.e.*, adjusted) between the folded and unfolded configurations. (EX1024, '417 Patent File History, 1203.) It is my understanding the Patent Owner did not rebut the Examiner's finding that Liao teaches a foldable (*i.e.*, rotatable) stroller frame. (EX1024, '417 Patent File History, 1394.) While the terminology is slightly different, the Examiner has clearly recognized Liao's frame,

including the back wheel support frame, is capable of being folded for storage or transportation.

14. **Claims 2-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Liao (US D593,459).**

[Claim 2] Regarding Claim 2, Liao discloses: A convertible stroller (See, e.g., Fig. 1-13) configured for being converted from a single stroller to a double stroller (See, e.g., Fig. 1-13), the stroller comprising: a stroller frame (See, e.g., Fig. 1-13) configured for being adjusted between a folded configuration and an unfolded configuration (See, e.g., Fig. 1-13), the stroller frame comprising: a handle portion (See, e.g., Fig. 1-13); a front wheel support portion (See, e.g., Fig. 1-13); and a back wheel support portion (See, e.g., Fig. 1-13); and at least one front wheel secured to the stroller frame's front wheel support portion (See, e.g., Fig. 1-13); two rear wheels secured to the stroller frame's back wheel support portion (See, e.g., Fig. 1-13); a first seat (See, e.g., Fig. 1-13) removably attached to the stroller frame (See, e.g., Fig. 1-13); one or more seat attachment portions removably attached to the stroller frame (See, e.g., Fig. 1-13); and a second seat (See, e.g., Fig. 1-13) removably attached to the one or more seat attachment portions (See, e.g., Fig. 1-13) and positioned in front of the first seat (See, e.g., Fig. 1-13); wherein at least one of the first seat and the second seat is configured for being removably attached to the stroller frame in a forward-facing configuration and a backward-facing configuration (See, e.g., Fig. 11-12); and wherein the first seat and the second seat are positioned such that a center of gravity of the stroller is between the at least one front wheel and the plurality of back wheels (See, e.g., Fig. 1-13).

Claim 2 is amended to clarify that "at least one front wheel [is] secured directly to the front wheel support portion," and "a first seat attachment portion [is] removably attached directly to the stroller frame." Liao does not teach or suggest at least these elements of claim 2.

In particular, with reference to representative FIG. 5 of Liao (reproduced below), the alleged seat attachment portion of Liao is not attached directly to the stroller frame. If the handle portion of Liao is considered the stroller frame, to which the rearmost of the front wheels is coupled, the alleged seat attachment portion is not directly attached to the stroller frame. Instead, the alleged seat attachment portion appears to be coupled to a separate discrete component that is coupled to the frontmost front wheels.

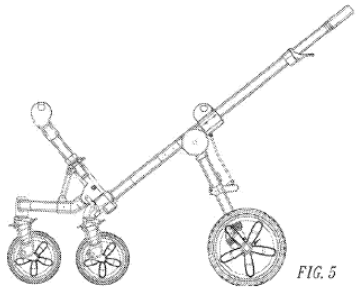


FIG. 5

As a result, Liao does not teach or fairly suggest each and every element of claim 2. Reconsideration and allowance of claims 2-16 is therefore respectfully requested.

EX1024, '417 Patent File History, 1203, 1394

435. Therefore, it is my opinion that Liao discloses or renders obvious limitations [1.4] and [1.5].

… ***[1.6] a plurality of wheels comprising at least one front wheel and a plurality of back wheels;***

436. Liao discloses at least one front wheel and a pair ("plurality") of back wheels.

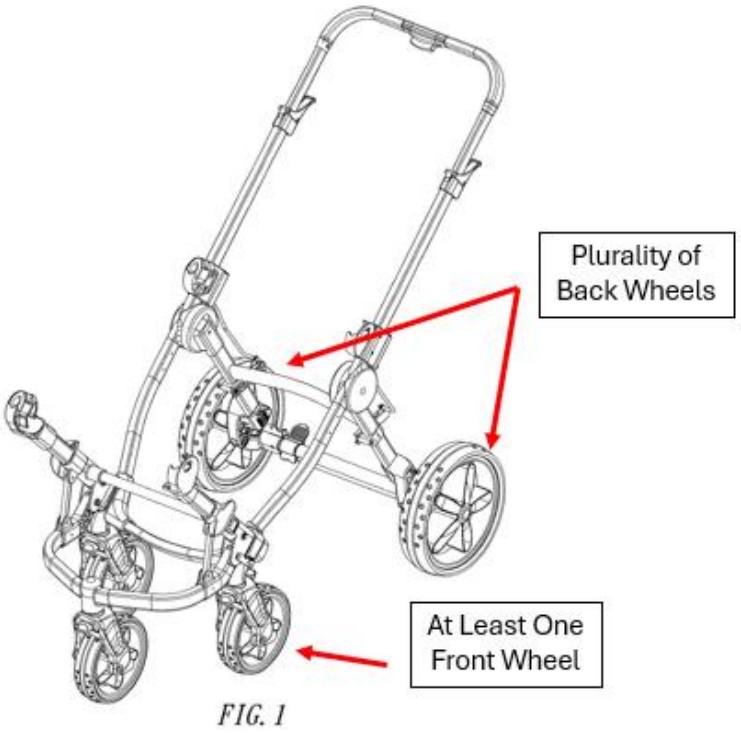


FIG. 1

EX1048, Liao, Fig. 1 (Annotated)

437. My understanding is confirmed by an Examiner's finding that Liao teaches a stroller with "at least one front wheel" and two back wheels. (EX1024, '417 Patent File History, 1203.) It is my understanding the Patent Owner did not attempt to reject the Examiner's findings that Liao teaches these limitations. (EX1024, '417 Patent File History, 1394.)

14. **Claims 2-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Liao (US D593,459).**

[Claim 2] Regarding Claim 2, Liao discloses: A convertible stroller (See, e.g., Fig. 1-13) configured for being converted from a single stroller to a double stroller (See, e.g., Fig. 1-13), the stroller comprising: a stroller frame (See, e.g., Fig. 1-13) configured for being adjusted between a folded configuration and an unfolded configuration (See, e.g., Fig. 1-13), the stroller frame comprising: a handle portion (See, e.g., Fig. 1-13); a front wheel support portion (See, e.g., Fig. 1-13); and a back wheel support portion (See, e.g., Fig. 1-13); and at least one front wheel secured to the stroller frame's front wheel support portion (See, e.g., Fig. 1-13); two rear wheels secured to the stroller frame's back wheel support portion (See, e.g., Fig. 1-13); a first seat (See, e.g., Fig. 1-13) removably attached to the stroller frame (See, e.g., Fig. 1-13); one or more seat attachment portions removably attached to the stroller frame (See, e.g., Fig. 1-13); and a second seat (See, e.g., Fig. 1-13) removably attached to the one or more seat attachment portions (See, e.g., Fig. 1-13) and positioned in front of the first seat (See, e.g., Fig. 1-13); wherein at least one of the first seat and the second seat is configured for being removably attached to the stroller frame in a forward-facing configuration and a backward-facing configuration (See, e.g., Fig. 11-12); and wherein the first seat and the second seat are positioned such that a center of gravity of the stroller is between the at least one front wheel and the plurality of back wheels (See, e.g., Fig. 1-13).

Claim 2 is amended to clarify that "at least one front wheel [is] secured directly to the front wheel support portion," and "a first seat attachment portion [is] removably attached directly to the stroller frame." Liao does not teach or suggest at least these elements of claim 2.

In particular, with reference to representative FIG. 5 of Liao (reproduced below), the alleged seat attachment portion of Liao is not attached directly to the stroller frame. If the handle portion of Liao is considered the stroller frame, to which the rearmost of the front wheels is coupled, the alleged seat attachment portion is not directly attached to the stroller frame. Instead, the alleged seat attachment portion appears to be coupled to a separate discrete component that is coupled to the frontmost front wheels.

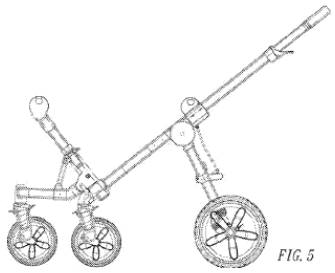


FIG. 5

As a result, Liao does not teach or fairly suggest each and every element of claim 2. Reconsideration and allowance of claims 2-16 is therefore respectfully requested.

EX1024, '417 Patent File History, 1203, 1394

438. Therefore, it is my opinion that Liao discloses or renders obvious limitation [1.6].

… ***[1.7] a first seat coupled along the first upper tube support frame and the second upper tube support frame at a first vertical position of the stroller frame;***

439. Liao discloses attaching the upper seat to the upper frames just like the embodiment of '568 Figure 8E. Liao shows two coupling mechanisms (one on each upper support frame) to attach an upper seat to the stroller. (EX1048, Liao, Fig. 1.)

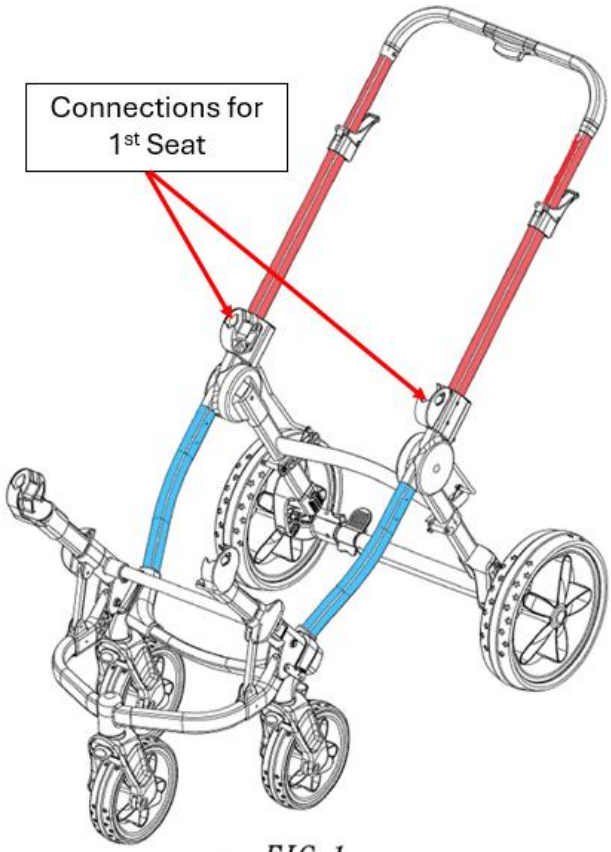
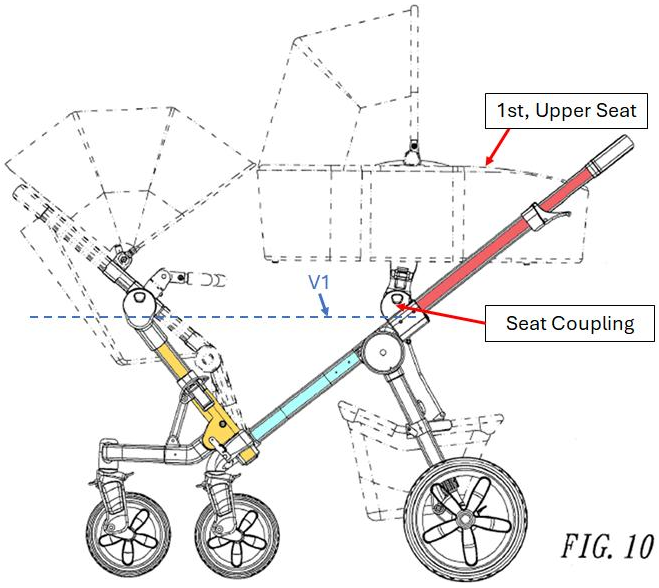


FIG. 1

EX1048, Liao, Fig. 1 (Annotated)

440. Figures 8-13 of Liao illustrate various seats and attachments that can be "coupled along" Liao's upper tube support frame. For instance, Figure 10 illustrates a baby bassinet being "coupled along" the upper support frames (red) at a first vertical position (V1).



EX1048, Liao, Fig.10 (Annotated)

441. Again, during prosecution of the related '417 Application, the Examiner confirmed my understanding that Liao teaches both a "first seat" and a "second seat" attached to Liao's stroller frame. (EX1024, '417 Patent File History, 1203.) The Examiner further found (based on pending dependent claims) that Liao teaches a "first seat" removably attached to "seat attachment portions" which are located adjacent the "handle portion."

14. **Claims 2-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Liao (US D593,459).**

[Claim 2] Regarding Claim 2, Liao discloses: A convertible stroller (See, e.g., Fig. 1-13) configured for being converted from a single stroller to a double stroller (See, e.g., Fig. 1-13), the stroller comprising: a stroller frame (See, e.g., Fig. 1-13) configured for being adjusted between a folded configuration and an unfolded configuration (See, e.g., Fig. 1-13), the stroller frame comprising: a handle portion (See, e.g., Fig. 1-13); a front wheel support portion (See, e.g., Fig. 1-13); and a back wheel support portion (See, e.g., Fig. 1-13); and at least one front wheel secured to the stroller frame's front wheel support portion (See, e.g., Fig. 1-13); two rear wheels secured to the stroller frame's back wheel support portion (See, e.g., Fig. 1-13); a first seat (See, e.g., Fig. 1-13) removably attached to the stroller frame (See, e.g., Fig. 1-13); one or more seat attachment portions removably attached to the stroller frame (See, e.g., Fig. 1-13); and a second seat (See, e.g., Fig. 1-13) removably attached to the one or more seat attachment portions (See, e.g., Fig. 1-13) and positioned in front of the first seat (See, e.g., Fig. 1-13); wherein at least one of the first seat and the second seat is configured for being removably attached to the stroller frame in a forward-facing configuration and a backward-facing configuration (See, e.g., Fig. 11-12); and wherein the first seat and the second seat are positioned such that a center of gravity of the stroller is between the at least one front wheel and the plurality of back wheels (See, e.g., Fig. 1-13).

[Claim 4] Regarding Claim 4, Liao discloses: wherein the first seat is positioned substantially over the two rear wheels (See, e.g., Fig. 11-12).

[Claim 5] Regarding Claim 5, Liao discloses: wherein the first seat is positioned adjacent to the stroller frame's handle portion (See, e.g., Fig. 11-12).

[Claim 10] Regarding Claim 10, Liao discloses: wherein the one or more seat attachment portions comprise one or more first seat attachment portions and the stroller further comprises one or more second seat attachment portions connected to the stroller frame (See, e.g., Fig. 1-13); and wherein the first seat is removably attached to the one or more second seat attachment portions (See, e.g., Fig. 1-13).

[Claim 11] Regarding Claim 11, Liao discloses: wherein the one or more first seat attachment portions are removably attached to the stroller frame's front wheel support portion (See, e.g., Fig. 1-13), and wherein the one or more second seat attachment portions are connected to the stroller frame adjacent to the frame's handle portion (See, e.g., Fig. 1-13).

EX1024, '417 Patent File History, 1203-1205

442. Therefore, it is my opinion that Liao discloses or renders obvious limitation [1.7].

… ***[1.8] a first seat attachment adapter coupled to the first front wheel support frame at a second vertical position of the stroller frame that is below the first vertical position;***

443. It is my opinion that Liao teaches the use of a first seat attachment adapter (gold) coupled to the first front wheel support frame (blue) at a second vertical position (V2) of the stroller frame that is below the first vertical position (V1). While I use Figure 10 below, as I have used elsewhere, Liao teaches both sides of the stroller being symmetrical. (EX1048, Figs 4, 5.)

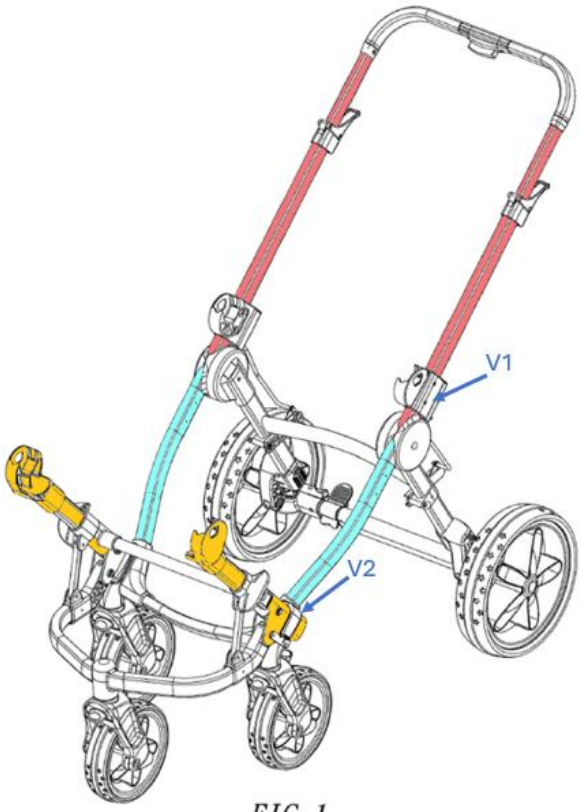


FIG. 1

EX1048, Liao, Fig. 1 (Annotated)

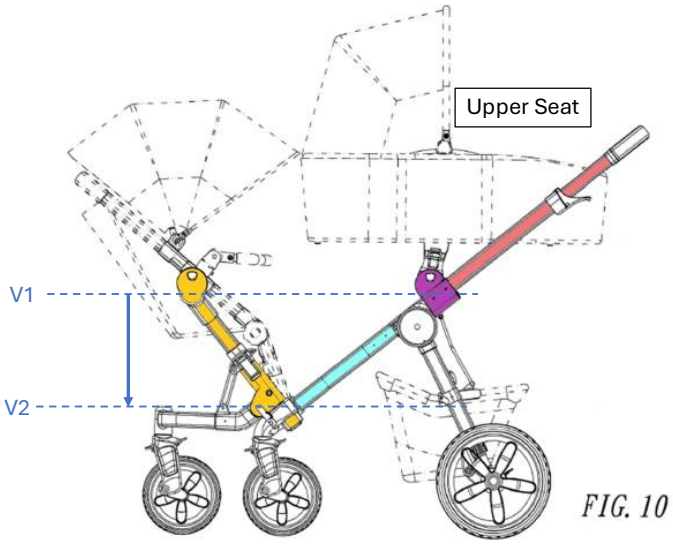


FIG. 10

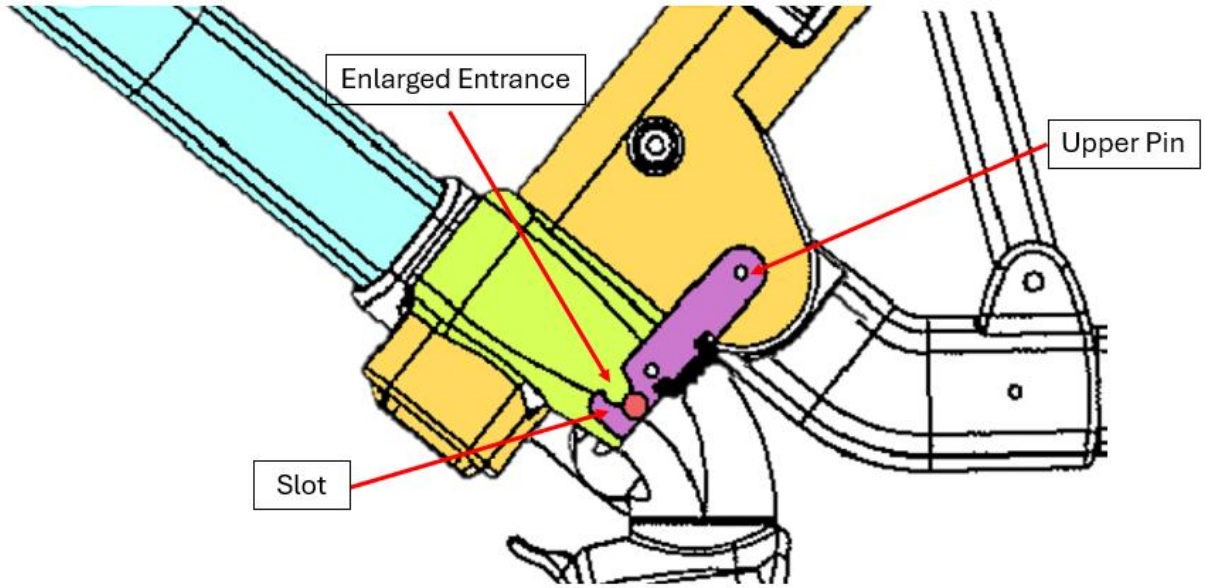
EX1048, Liao, Fig. 10 (Annotated)

444. The adapter (gold) of Liao is used to connect a second seat to the stroller. The adapter is part of a subassembly for the second seat that also includes a

U-shaped front bar that supports a front-most wheel. This allows the stroller to be converted from a single-seat stroller to a dual-seat stroller. The lower end of the adapter is coupled to the front wheel support frame (blue) at V2, which is lower than V1.

445. As illustrated by Liao, Figure 4 reproduced below, the lower ends of the adapters are received through openings or slots defined by a housing (green) coupled with the front wheel support frame (blue). The upper end of the adapter (gold) couples with the second, lower seat.

446. Figure 4 illustrates the latch in detail, including depiction of an enlarged entrance of the slot. A POSITA would have understood the enlarged entrance is provided to facilitate insertion of the latch pin (red) into the slot by providing additional clearance in case the latch (purple) becomes misaligned either during assembly or over time. Moreover, the enlarged entrance would not be present in a stationary part. That is, the enlarged entrance of the slot is a definitive depiction that Liao has a rotating latch used to secure a removable second-seat subassembly.



EX1048, Liao, Fig. 4 (Annotated and Magnified)

447. As I have highlighted below, during prosecution of the ’568 Patent, the Examiner confirmed Liao teaches a “stroller seat design to provide seat attachment adapters coupled to the front wheel support frame of the stroller.” The Examiner’s finding further supports and confirms my finding that Liao satisfies this limitation.

[Claim 1] Regarding Claim 1, Cheng teaches:

A stroller (See, e.g., Fig. 4-8), comprising:

a stroller frame (See, e.g., Fig. 4-8, 3+4+5+10+etc.) comprising: a first upper tube support frame (See, e.g., Fig. 4-8, 411+421); a second upper tube support frame (See, e.g., Fig. 4-8, 411+421); a first front wheel support frame (See, e.g., Fig. 4-8, 31) adjustable with respect to the first upper tube support frame (See, e.g., Fig. 4-8); a second front wheel support frame (See, e.g., Fig. 4-8, 31) adjustable with respect to the second upper tube support frame (See, e.g., Fig. 4-8); a first back wheel support frame (See, e.g., Fig. 4-8, 32) rotatable with respect to the first upper tube support frame (See, e.g., Fig. 4-8); and a second back wheel support frame (See, e.g., Fig. 4-8, 32) rotatable with respect to the second upper tube support frame (See, e.g., Fig. 4-8);

a plurality of wheels (See, e.g., Fig. 4-8, 33+34) comprising at least one front wheel (See, e.g., Fig. 4-8, 33) and a plurality of back wheels (See, e.g., Fig. 4-8, 34);

a first seat (See, e.g., Fig. 4-8, 71) coupled along the first upper tube support frame and the second upper tube support frame at a first vertical position of the stroller frame (See, e.g., Fig. 4-8);

a first seat attachment adapter (See, e.g., Fig. 4-8, 410) coupled to the stroller frame below the first vertical position (See, e.g., Fig. 4-8); a second seat attachment adapter (See, e.g., Fig. 4-8, 410) coupled at a third vertical position of the stroller frame that is below the first vertical position (See, e.g., Fig. 4-8);

wherein a second seat (See, e.g., Fig. 4-8, 72) is removably coupled to the first seat attachment adapter and the second seat attachment adapter to position the second seat at a fourth vertical position that is below the first vertical position (See, e.g., Fig. 4-8) and wherein the second vertical position and the third vertical position are at a same vertical height (See, e.g., Fig. 4-8).

Cheng fails to explicitly teach: wherein the first seat attachment adapter is coupled to the first front wheel support frame, and wherein the second seat attachment adapter is coupled to the second front wheel support frame.

However, Liao teaches a similar stroller with seat attachment (See, e.g., Liao: Fig.1-13) wherein a first seat attachment adapter is coupled to the first front wheel support frame (See, e.g., Liao: Fig.1-13), and wherein a second seat attachment adapter is coupled to the second front wheel support frame (See, e.g., Liao: Fig.1-13).

Liao teaches that it is well known in the art of stroller seat design to provide seat attachment adapters coupled to the front wheel support frame of the stroller. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to provide the system taught by Cheng modified with the seat attachment adapters coupled to the front wheel support frame such as taught by Liao, for the purpose of conveniently and beneficially allowing a user to mount the front stroller seat at a position that is lower to the ground level thereby not requiring a parent to hoist the heavy baby seat up as high off the ground when mounting/dismounting from the stroller. Moreover, the modification is obvious as no more than the use of familiar elements according to known methods in a manner that achieves predictable results. (See, e.g., KSR Int'l Co. v. Teleflex Inc., 550 U.S. 398,416 (2007)).

EX1019, '568 Certified File History, 557-559

448. My understanding of Liao is also confirmed by his original design patent application. Liao included a specification that described his invention as a combination pushchair frame.

> I, Gordon Liao, have invented a new, original and ornamental design for a combination pushchair frame of which the following is a specification, reference being had to the accompanying drawings, forming a part hereof.

(EX1052, U.S. App. No. 29/324,044 File History, 1.)

449. My understanding is again confirmed by the Examiner's rejection in the related '417 Application. The Examiner found Liao discloses (1) removable seat

attachment portions (adapters) attached to Liao's front wheel support portion; (2) the attachment portions (adapters) having seat connectors configured for connecting a second seat in a forward/backward configuration; and (3) the second seat being removably attached to the seat attachment portions (adapters) at a second vertical position that is below the first vertical position.

14. **Claims 2-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Liao (US D593,459).**

[Claim 2] Regarding Claim 2, Liao discloses: A convertible stroller (See, e.g., Fig. 1-13) configured for being converted from a single stroller to a double stroller (See, e.g., Fig. 1-13), the stroller comprising: a stroller frame (See, e.g., Fig. 1-13) configured for being adjusted between a folded configuration and an unfolded configuration (See, e.g., Fig. 1-13), the stroller frame comprising: a handle portion (See, e.g., Fig. 1-13); a front wheel support portion (See, e.g., Fig. 1-13); and a back wheel support portion (See, e.g., Fig. 1-13); and at least one front wheel secured to the stroller frame's front wheel support portion (See, e.g., Fig. 1-13); two rear wheels secured to the stroller frame's back wheel support portion (See, e.g., Fig. 1-13); a first seat (See, e.g., Fig. 1-13) removably attached to the stroller frame (See, e.g., Fig. 1-13); one or more seat attachment portions removably attached to the stroller frame (See, e.g., Fig. 1-13); and a second seat (See, e.g., Fig. 1-13) removably attached to the one or more seat attachment portions (See, e.g., Fig. 1-13) and positioned in front of the first seat (See, e.g., Fig. 1-13); wherein at least one of the first seat and the second seat is configured for being removably attached to the stroller frame in a forward-facing configuration and a backward-facing configuration (See, e.g., Fig. 11-12); and wherein the first seat and the second seat are positioned such that a center of gravity of the stroller is between the at least one front wheel and the plurality of back wheels (See, e.g., Fig. 1-13).

[Claim 7] Regarding Claim 7, Liao discloses: wherein the one or more seat attachment portions are removably attached to the stroller frame's front wheel support portion (See, e.g., Fig. 1-13).

[Claim 8] Regarding Claim 8, Liao discloses: wherein the one or more seat attachment portions are positioned to support the second seat above the at least one front wheel (See, e.g., Fig. 11-12).

[Claim 9] Regarding Claim 9, Liao discloses: wherein the one or more seat attachment portions each comprise a seat connector configured for connecting to the second seat (See, e.g., Fig. 1-13).

[Claim 11] Regarding Claim 11, Liao discloses: wherein the one or more first seat attachment portions are removably attached to the stroller frame's front wheel support portion (See, e.g., Fig. 1-13), and wherein the one or more second seat attachment portions are connected to the stroller frame adjacent to the frame's handle portion (See, e.g., Fig. 1-13).

[Claim 15] Regarding Claim 15, Liao discloses: wherein the first seat is configured for being removably attached to the stroller frame at a first vertical position (See, e.g., Fig. 1-13), and the second seat is configured for being removably attached to the one or more seat attachment portions at a second vertical position that is below the first vertical position (See, e.g., Fig. 1-13).

EX1024, '417 Patent File History, 1203-1205

450. I understand the Patent Owner did not rebut most of the Examiner's findings. Instead, I understand the Patent Owner rebutted whether Liao teaches a "seat attachment portion" that *directly* attaches to the stroller frame. The Patent Owner argued that Liao teaches a "seat attachment portion … coupled to a separate discrete component that is coupled to the frontmost front wheels." The Patent Owner's position does not alter my opinion as claim 1 does not require "direct

coupling." In fact, dependent claim 2 (below) allows for the adapter to be coupled to a "seat attachment housing" that is not recited as being part of the stroller frame, which I understand would allow claim 1 to include indirect coupling.

Claim 2 is amended to clarify that "at least one front wheel [is] secured directly to the front wheel support portion," and "a first seat attachment portion [is] removably attached directly to the stroller frame." Liao does not teach or suggest at least these elements of claim 2.

In particular, with reference to representative FIG. 5 of Liao (reproduced below), the alleged seat attachment portion of Liao is not attached directly to the stroller frame. If the handle portion of Liao is considered the stroller frame, to which the rearmost of the front wheels is coupled, the alleged seat attachment portion is not directly attached to the stroller frame. Instead, the alleged seat attachment portion appears to be coupled to a separate discrete component that is coupled to the frontmost front wheels.

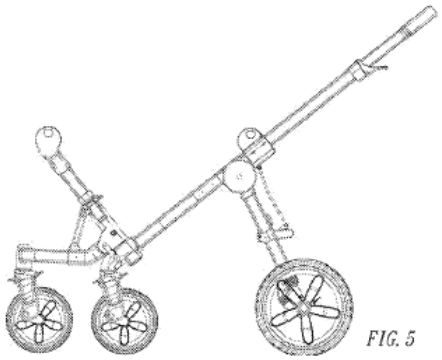


FIG. 5

As a result, Liao does not teach or fairly suggest each and every element of claim 2. Reconsideration and allowance of claims 2-16 is therefore respectfully requested.

EX1024, '417 File History, 1394

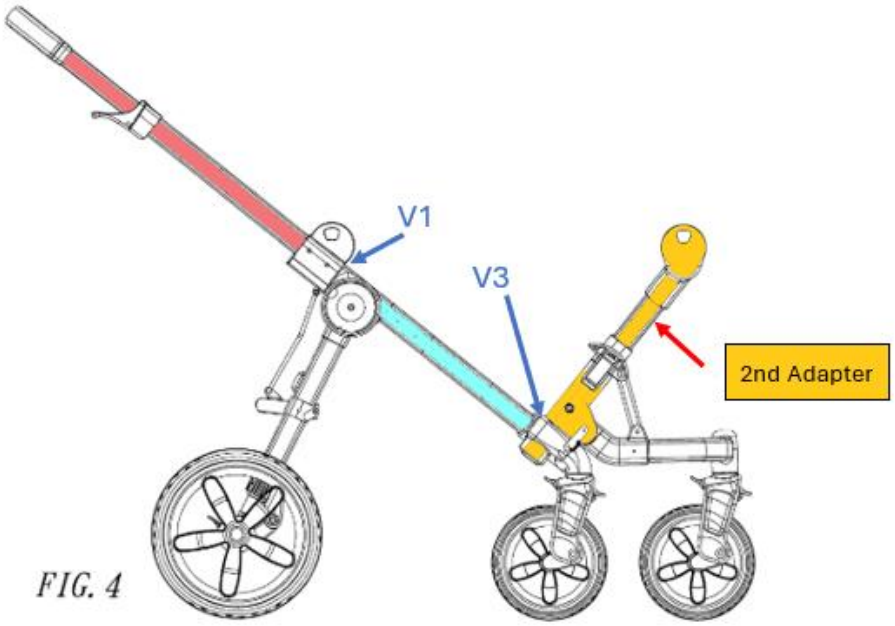
451. A POSITA would have understood the term "seat attachment adapter" is a component that changes (adapts) the stroller from one configuration to another. In Liao, the stroller can be adapted from a single-seat stroller to a dual-seat stroller by connecting the second-seat subassembly to the main stroller frame. Since the adapters I identify in Liao are part of a removable subassembly that changes the configuration of the stroller, are the components used for that connection, and

connect the lower seat to the stroller, a POSITA would have considered the part I shaded in gold to be a "seat attachment adapter."

452. Therefore, it is my opinion that Liao discloses or renders obvious limitation [1.8].

… ***[1.9] a second seat attachment adapter coupled to the second front wheel support frame at a third vertical position of the stroller frame that is below the first vertical position;***

453. Liao is symmetrical and has a second adapter for the second seat that is just like the above first adapter. Like the first seat attachment adapter, the second seat attachment adapter (gold) is coupled to the second front wheel support frame (blue) at a third vertical position (V3) of the stroller frame that is below the first vertical position (V1). The upper end of the second adapter also couples with the seat just like the first adapter.



EX1048, Liao, Fig. 4 (Annotated)

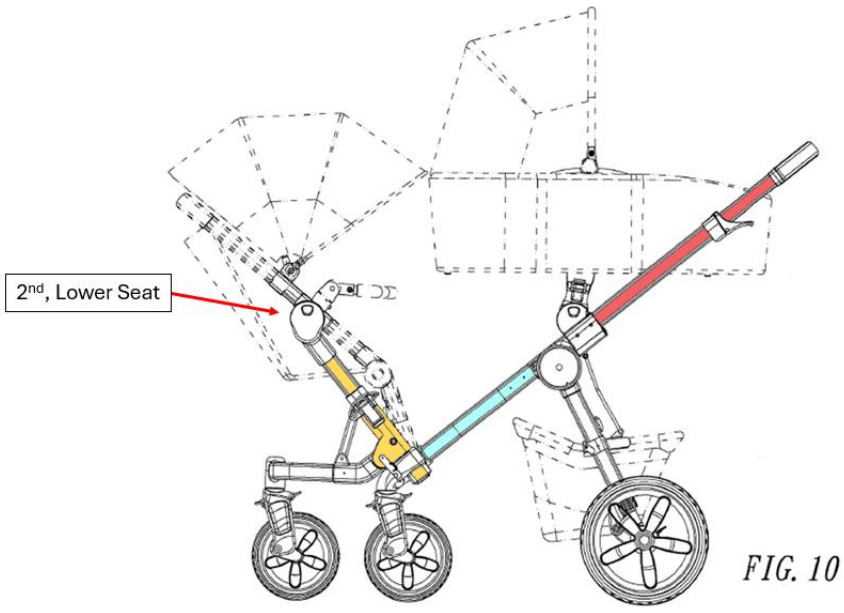
454. As discussed in limitation 1.8 the Examiner noted the attachment portion, and Applicant did not deny what Liao taught a POSITA.

455. Therefore, it is my opinion that Liao discloses or renders obvious limitation [1.9].

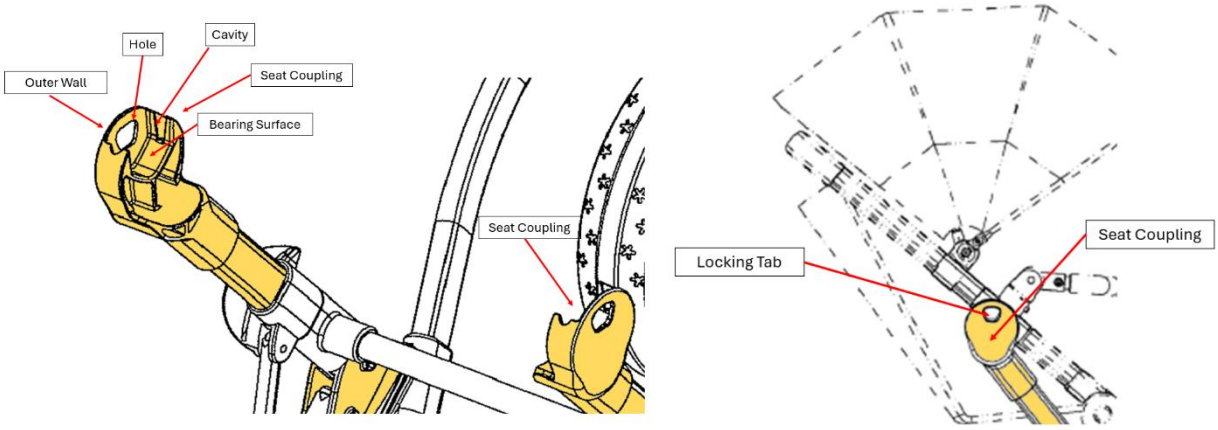
> … ***[1.10] wherein a second seat is removably coupled to the first seat attachment adapter and the second seat attachment adapter to position the second seat at a fourth vertical position that is below the first vertical position and wherein the second vertical position and the third vertical position are at a same vertical height.***

456. Liao discloses a lower seat ("second seat") coupled to the upper ends of the previously identified first/second "seat attachment adapters" (gold). Again, a POSITA would understand Liao's figures are detailed engineering drawings that clearly depict the mechanical components without requiring textual explanation. The

seat couplings, shown in magnified views of Figures 1 and 10, inform a POSITA Liao has an outer wall, an open top, no inner wall, and a cavity. A POSITA would understand the cavity receives and supports a portion of the second seat on a bearing surface at the bottom. The outer wall includes a hole that engages a resilient locking tab or button on the second seat. As the seat is inserted, the tab deflects and snaps into the hole, securing the seat. The seat can be removed by pressing the tab through the hole, releasing it for upward removal through the open top. Given Liao has couplings on both the right and left side (*see* Figures 4 and 5) it has a first/second "seat attachment adapter" allowing the "second seat" to be "removably coupled" thereto.



EX1048, Liao, Fig. 10



EX1048, Liao, Figs. 1 and 10 (Cropped and Annotated)

457. With regard to the requirement between the "fourth vertical position" and "first vertical position" I understand during prosecution of the '568 Patent the Patent Owner argued Liao "only show[ed] seats in a relatively level orientation with each other, wherein one seat is not higher than the other seat, thus teaching away from Applicant's claimed embodiments wherein one seat is positioned higher than the other seat." (EX1019, p.972.)

458. But the primary rejection the Patent Owner was addressing was not based on Liao but was instead based on a different primary references. (*see* EX1019, p.971.) So it is unclear whether the Examiner ever gave significant weight to Patent Owner's argument of what it believed Liao teaches. Regardless I disagree with Patent Owner for several reasons.

459. First, in the later-filed '417 Application[24] I understand the Examiner clarified his opinion regarding what he believes Liao teaches. As shown by the prosecution history of the '417 Application below, the Examiner found "Liao discloses the first seat is configured for being removably attached to the stroller frame at a ***first vertical position*** … and the second seat is configured to be removably coupled ***at a second vertical position that is below the first vertical position***." (EX1024, p.1205.)

14. **Claims 2-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Liao (US D593,459).**

[Claim 2] Regarding Claim 2, Liao discloses: A convertible stroller (See, e.g., Fig. 1-13) configured for being converted from a single stroller to a double stroller (See, e.g., Fig. 1-13), the stroller comprising: a stroller frame (See, e.g., Fig. 1-13) configured for being adjusted between a folded configuration and an unfolded configuration (See, e.g., Fig. 1-13), the stroller frame comprising: a handle portion (See, e.g., Fig. 1-13); a front wheel support portion (See, e.g., Fig. 1-13); and a back wheel support portion (See, e.g., Fig. 1-13); and at least one front wheel secured to the stroller frame's front wheel support portion (See, e.g., Fig. 1-13); two rear wheels secured to the stroller frame's back wheel support portion (See, e.g., Fig. 1-13); a first seat (See, e.g., Fig. 1-13) removably attached to the stroller frame (See, e.g., Fig. 1-13); one or more seat attachment portions removably attached to the stroller frame (See, e.g., Fig. 1-13); and a second seat (See, e.g., Fig. 1-13) removably attached to the one or more seat attachment portions (See, e.g., Fig. 1-13) and positioned in front of the first seat (See, e.g., Fig. 1-13); wherein at least one of the first seat and the second seat is configured for being removably attached to the stroller frame in a forward-facing configuration and a backward-facing configuration (See, e.g., Fig. 11-12); and wherein the first seat and the second seat are positioned such that a center of gravity of the stroller is between the at least one front wheel and the plurality of back wheels (See, e.g., Fig. 1-13).

[Claim 7] Regarding Claim 7, Liao discloses: wherein the one or more seat attachment portions are removably attached to the stroller frame's front wheel support portion (See, e.g., Fig. 1-13).

[Claim 8] Regarding Claim 8, Liao discloses: wherein the one or more seat attachment portions are positioned to support the second seat above the at least one front wheel (See, e.g., Fig. 11-12).

[Claim 9] Regarding Claim 9, Liao discloses: wherein the one or more seat attachment portions each comprise a seat connector configured for connecting to the second seat (See, e.g., Fig. 1-13).

[Claim 11] Regarding Claim 11, Liao discloses: wherein the one or more first seat attachment portions are removably attached to the stroller frame's front wheel support portion (See, e.g., Fig. 1-13), and wherein the one or more second seat attachment portions are connected to the stroller frame adjacent to the frame's handle portion (See, e.g., Fig. 1-13).

[Claim 15] Regarding Claim 15, Liao discloses: wherein the first seat is configured for being removably attached to the stroller frame at a first vertical position (See, e.g., Fig. 1-13), and the second seat is configured for being removably attached to the one or more seat attachment portions at a second vertical position that is below the first vertical position (See, e.g., Fig. 1-13).

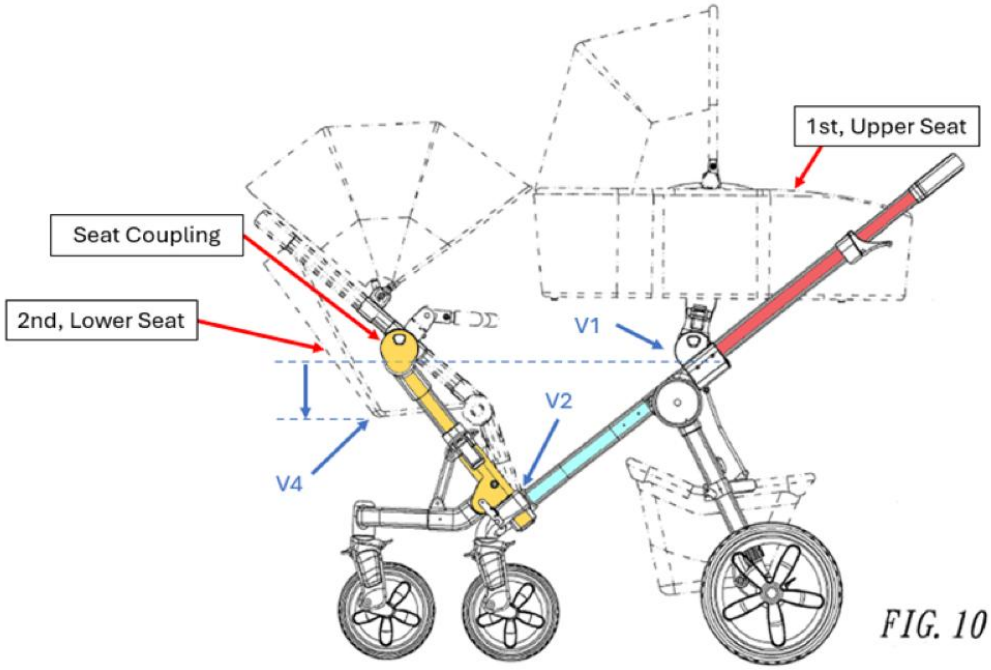
EX1024, '417 Patent File History, 1203-1205

[24] Again, the '417 Application was filed several years after the '568 Patent. But I understand both the '568 Patent and '417 Application share a common specification.

460. The Examiner's finding in the '417 Application shows the Examiner[25] disagrees with Patent Owner's position of what Liao teaches. To the extent he previously agreed, the Examiner's rejection in the '417 Application clarifies he previously made an error in what Liao teaches. The Examiner's rejection in the '417 Application confirms my belief that Liao renders obvious limitation [1.10].

461. Contrary to the Patent Owner's position, a POSITA would understand that Liao discloses a stroller with couplings that allow various seat types (e.g., infant carriers, bassinets, infant seats) to be attached as either the first or second seat. As shown in Figure 10, Liao depicts a second seat coupled to the first and second adapters (in gold), positioned at a fourth vertical position (V4) below the first vertical position of the first seat.

[25] It is my understanding that the examiner during prosecution of the '568 Patent, Examiner James Dolak, is the same Examiner for the '417 Application. (*see* EX1024, p.1207; EX1019, p.983.)



EX1048, Liao, Fig. 10 (Annotated)

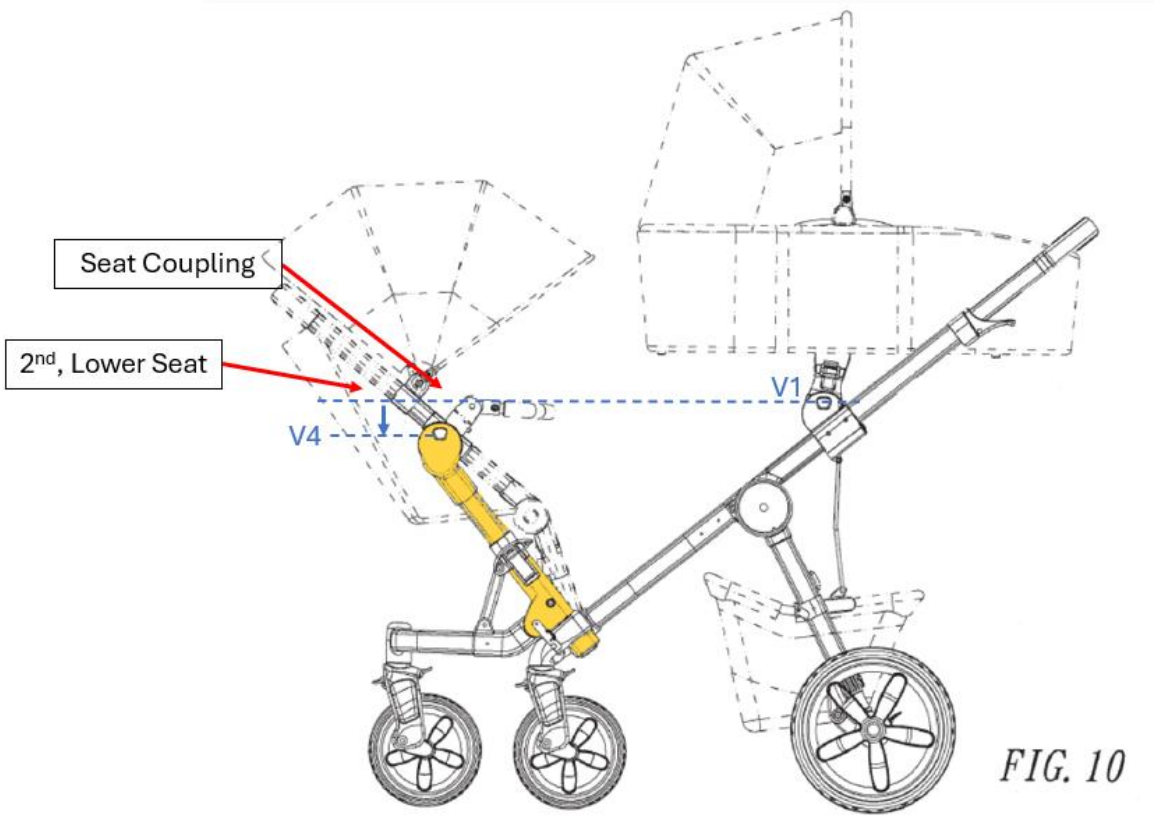
462. A POSITA would interpret the "position" of the second seat as referring to the location of the child's seating area—i.e., where the child's rear-end is situated—not to the location of the couplings themselves, as argued by the Patent Owner during prosecution. A POSITA therefore would have understood that Liao discloses, "a second seat is removably coupled to the first seat attachment adapter and the second seat attachment adapter to position the second seat at a fourth vertical position that is below the first vertical position[.]"

463. Alternatively, a POSITA would understand that Liao's upper and lower seat coupling mechanisms (on the first and second adapters) could be offset to position the first seat connector higher than the second connector. Specifically, the upper couplings appear mounted on a stability brace attached to the rear wheel

support frame (brown).

464. A POSITA would recognize that these couplings are designed to be adjusted upward along the upper support frames. When raised, the stability brace would continue to distribute the infant's weight to the rear wheel support frame. As shown below, this adjustment shifts the "first vertical position" higher along the upper support frames. Thus, if the "first" and "fourth" vertical positions are based on the coupling locations, a POSITA would understand that raising the upper couplings satisfies the claim. A POSITA would have understood Liao to already be designed to provide this functionality with the structure disclosed. A POSITA would have understood adjusting the upper coupling upward would have been a minor modification in placement of the upper seat connector to be a design choice. Indeed, as I explained in the State of the Art Section, stadium-style seating was well known and is replete with examples of different seat placements. (See e.g., EX1039 and EX1040, each showing upper connector place on the upper tubes well above lower connectors.) A POSITA would have understood if modified, the weight of the child in the second seat would still be distributed onto the back wheel support frame. Liao's design ensures the stability of the stroller (if the coupling is moved) and ensures the weight is evenly balanced to prevent tipping. Moving the coupling upwards could provide the second seat occupant enhanced visibility over the first seat, something that was known and commonly used in stadium-seating stroller

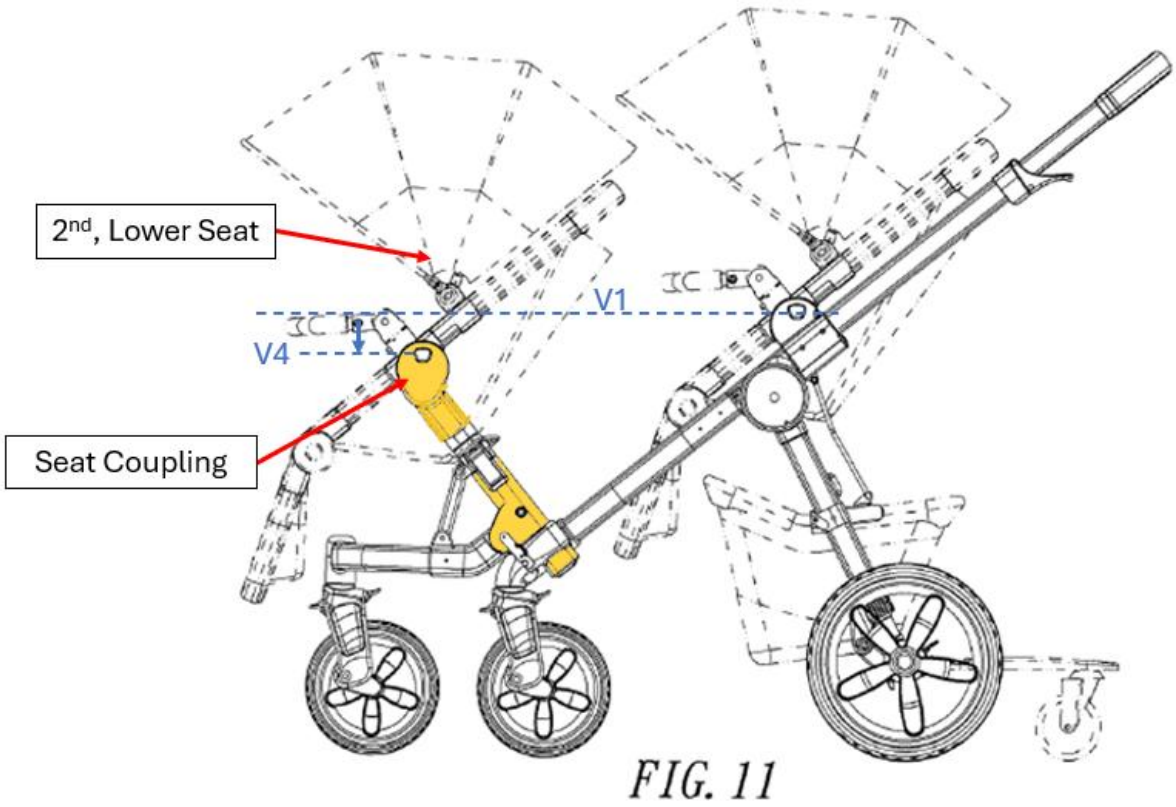
designs.



Liao, EX1048, Fig. 10 (Modified)

465. Alternatively, a POSITA would understand that Liao's first and second adapters could be modestly shortened without compromising the stroller's stability or functionality. In fact, shortening the front "adapters" (gold) as annotated below would lower the front seat couplings below the rear seat couplings. A POSITA would have been motivated to shorten the front adapter because it would lower (and improve) the stroller's center of gravity place, reduce moment at the connection with the housing, and increase visibility for the child in the upper seat. Moreover, the dimensional change is merely a design choice. (In yet another alternative, both could

be modified to achieve the desired height differential between the connectors of the front and rear seats.) Thus, under the Patent Owner's interpretation, the fourth vertical position would be below the first, satisfying the claim.



Liao, EX1048, Fig. 11 (Modified)

466. Regardless, if Liao is modified or unmodified, it still would require the first and second adapters are at the same vertical height. Also, where the first and second adapters are coupled to the front wheel support frames would remain the same. Therefore, as I have shown below, the second and third vertical positions are—and would remain—at the same vertical height. (EX1048, Liao, Fig. 2.)

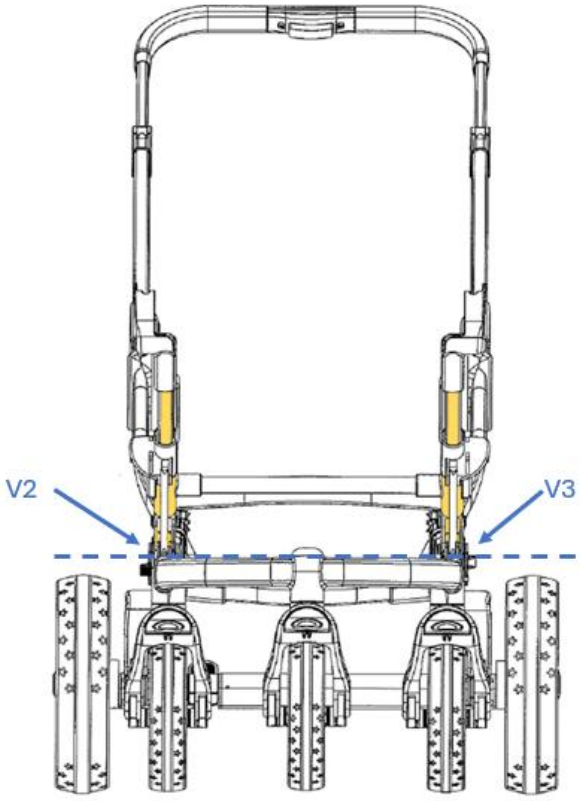


FIG. 2

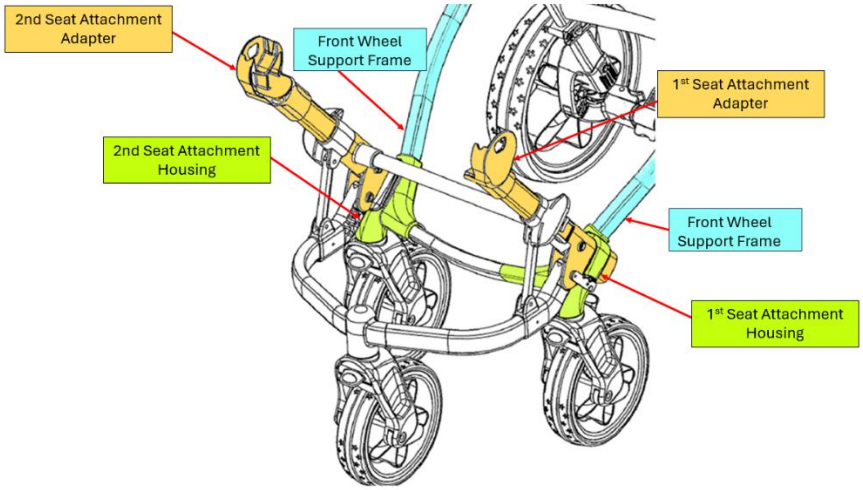
EX1048, Liao, Fig. 2 (Annotated)

467. Therefore, it is my opinion that Liao discloses or renders obvious claim [1.10].

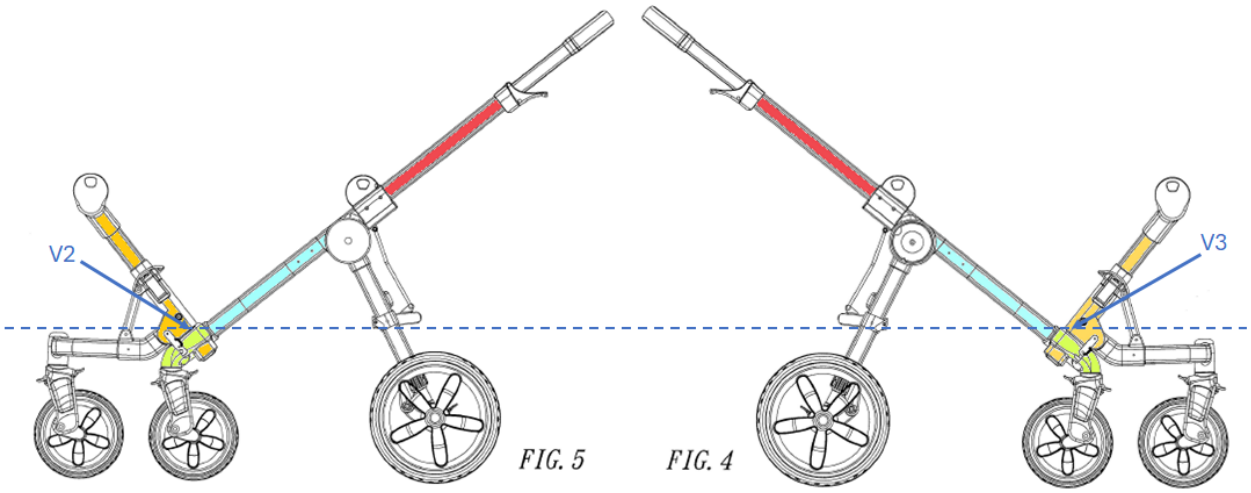
[2.0] The stroller of claim 1, further comprising: a first seat attachment housing disposed adjacent the first front wheel support frame at the second vertical position; a second seat attachment housing disposed adjacent the second front wheel support frame at the third vertical position;

[2.1] wherein the first seat attachment adapter is coupled to the first seat attachment housing and the second seat attachment adapter is coupled to the second seat attachment housing.

468. As discussed above, Liao discloses first and second "front wheel support frames" (blue). The support frames (blue) are connected to seat attachment housings (green) as I discussed above in claim 1. Therefore, the housings (green) are "adjacent" to the front wheel support frames. Each of the "seat attachment adapters" (gold) is coupled to a corresponding one of the housings (green). The detailed drawings of Liao show the lower ends of the "adapters" (gold) received through openings of the housings (green) and secured thereto with latches as I discussed above in claim 1. Thus, the housings (green) of Liao disclose the claimed "first seat attachment housing" and the "second seat attachment housing" as they are housings used to attach the seats. As I have also annotated below, the first/second "seat attachment housings" are disposed adjacent (*i.e.*, next to) the first/second front wheel support frames (blue) at the second/third "vertical positions."



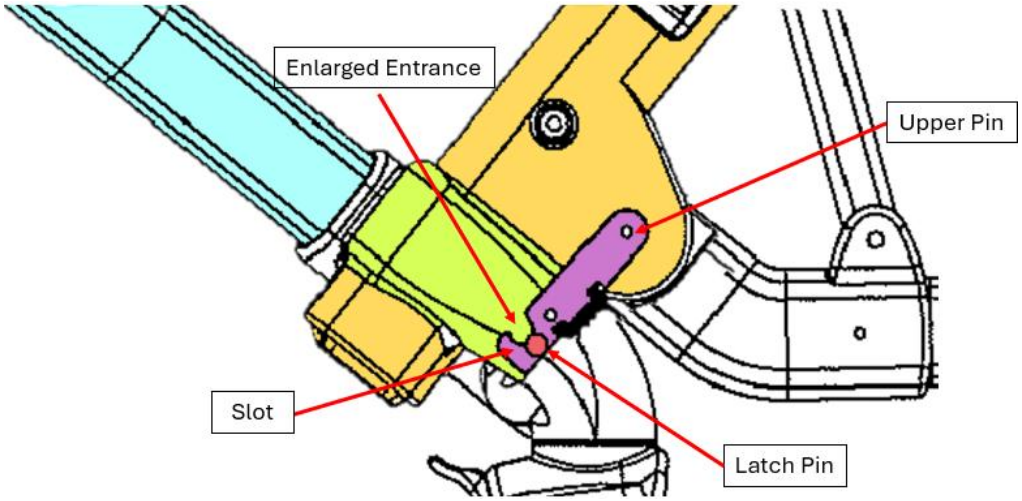
EX1048, Liao, Fig. 1 (Cropped and Annotated)



EX1048, Liao, Figs. 4-5 (Annotated)

469. The second-seat subassembly is removably connected to the main stroller frame by the insertion and removal of the "adapters" (gold) from the "housings" (green). This is made clear by the two latches (purple) that secure the lower-seat subassembly to the main stroller frame. Each latch (purple) is depicted as being pivotally coupled to the associated adapter (gold) by an upper pin connection at its upper end. The lower end has an open slot configured to receive a latch pin

(red) connected to and raised from the housing (green). The latch secures the adapters to the front wheel support frame when the latch pin is received in the slot and allows for removal of the adapters when the latch is rotated away from the latch pin.



EX1048, Liao, Fig. 4 (Cropped and Annotated)

470. As I have discussed with respect to claim 1, during prosecution of the related ’417 Application, the Examiner found Liao discloses (1) removable seat attachment portions (adapters) attached to Liao’s front wheel support portion; (2) the attachment portions (adapters) having seat connectors configured for connecting a second seat in a forward/backward configuration; and (3) the second seat being removably attached to the seat attachment portions (adapters) at a second vertical position that is below the first vertical position. (EX1024, ’417 Patent File History, 1203-1205.)

471. I understand the Patent Owner modified the pending claims of the ’417

Application and argued Liao teaches a "seat attachment portion" that directly attaches to the stroller frame. The Patent Owner then argued that Liao teaches a "seat attachment portion … coupled to a separate discrete component that is coupled to the frontmost front wheels." Patent Owner's amendment and argument confirm my opinion that Liao teaches first/second seat attachment housings (*i.e.*, a separate discrete component) that indirectly connects the first/second seat attachment adapters to the stroller frame.

Claim 2 is amended to clarify that "at least one front wheel [is] secured directly to the front wheel support portion," and "a first seat attachment portion [is] removably attached directly to the stroller frame." Liao does not teach or suggest at least these elements of claim 2.

In particular, with reference to representative FIG. 5 of Liao (reproduced below), the alleged seat attachment portion of Liao is not attached directly to the stroller frame. If the handle portion of Liao is considered the stroller frame, to which the rearmost of the front wheels is coupled, the alleged seat attachment portion is not directly attached to the stroller frame. Instead, the alleged seat attachment portion appears to be coupled to a separate discrete component that is coupled to the frontmost front wheels.

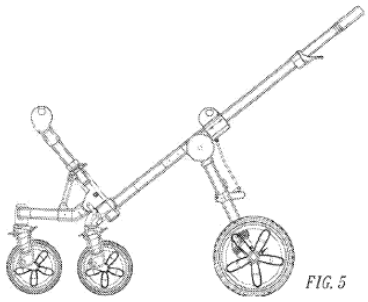


FIG. 5

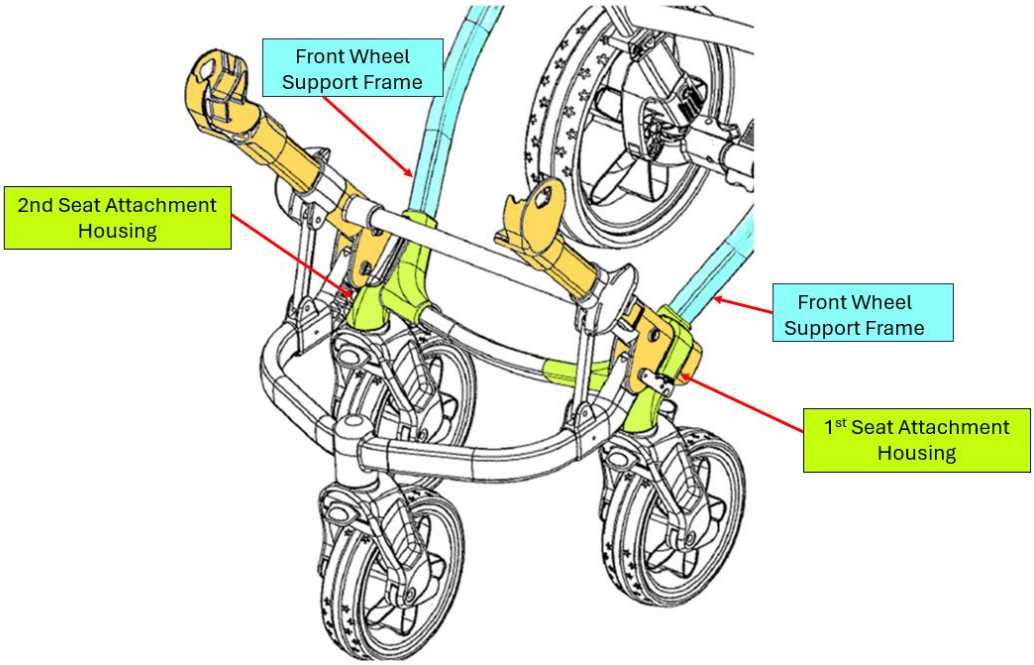
As a result, Liao does not teach or fairly suggest each and every element of claim 2. Reconsideration and allowance of claims 2-16 is therefore respectfully requested.

EX1024, '417 Patent File History, 1394

472. Therefore, it is my opinion that Liao discloses or renders obvious limitations [2.0] and [2.1].

… ***[3.0] The stroller of claim 2, wherein the first seat attachment housing extends into the first front wheel support frame and the second seat attachment housing extends into the second front wheel support frame.***

473. Claim 3 recites telescopic connections with the "housings" extending into the "front wheel frames." Liao illustrates telescopic connections with the housings receiving the "front wheel frames."



EX1048, Liao, Fig. 1 (Cropped and Annotated)

474. Again, Liao teaches left/right seat attachment housings (green) that are coupled to first/second front wheel support frames (blue). As shown, the housings receive the first/second front wheel support frames.

475. Telescopic connections are simple joints with a female portion that receives a male portion. Those are the only two options. It is immaterial which is the

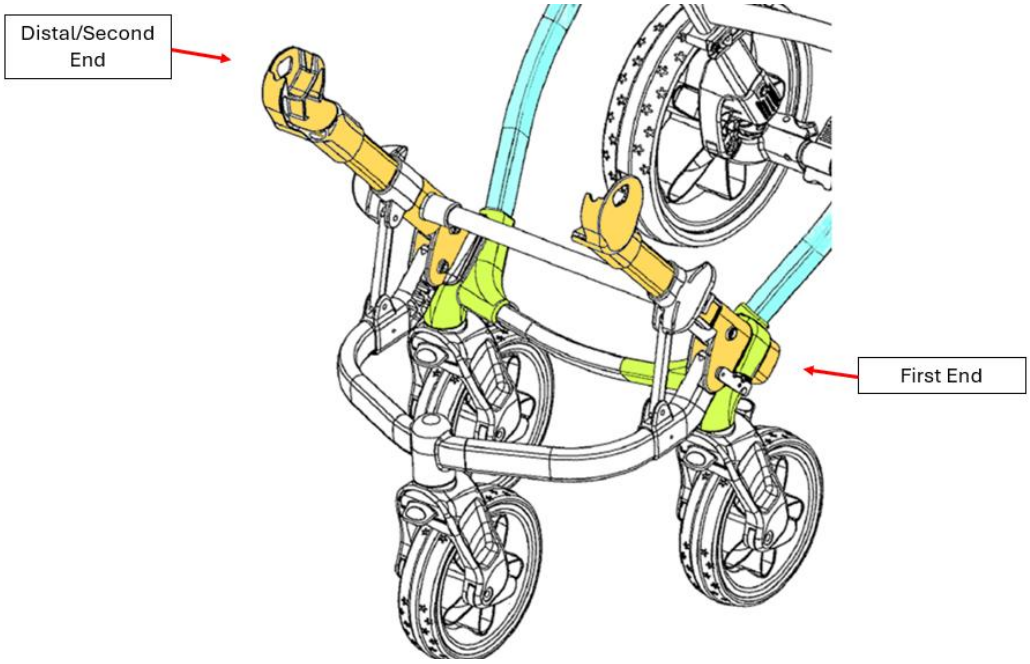
male portion and which is the female portion. Whether the "housing" is received in the "front wheel frame support" or vise verse is merely a design choice.

476. A POSITA would have therefore understood and been capable of designing the stroller such that the diameter of the "first/second front wheel support frames" (blue) were large enough to receive a portion of the "first/second seat attachment housings (green)." For example, a POSITA would have understood that the "housing" could include a stub received in the "support frame."

477. Therefore, it is my opinion that flipping the male and female portions of Liao would have been obvious and, once modified, Liao discloses limitation [3.0].

… ***[4.0] The stroller of claim 2, wherein each of the first seat attachment adapter and the second seat attachment adapter has a first end and a distal second end.***

478. As I have annotated below, Liao teaches first and second seat attachment adapters having a first end and a distal second end;

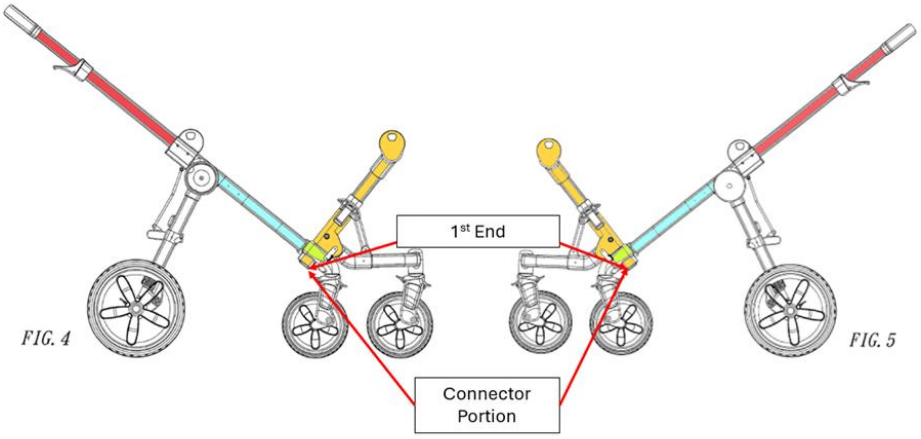


EX1048, Liao, Fig. 1 (Cropped and Annotated)

479. Therefore, it is my opinion that Liao discloses or renders obvious limitations [4.0].

… ***[5.0] The stroller of claim 4, wherein the first end comprises a connector portion and is coupled to one of the first seat attachment housing and the second seat attachment housing.***

480. As shown below, the first ends of the adapters (gold) are received within the housings (green). A POSITA would have understood the section or portion of the adapters received through the housings to be "connector portions," as these are the portions of the adapters that connect the adapters to the housings. A POSITA would understand the adapter would need to extend through the housing to secure it to the stroller frame. The overlap (as Liao illustrates) helps provide rigidity and stability to the connection.



EX1048, Liao, Figs 4 and 5 (Annotated)

481. Therefore, it is my opinion that Liao discloses or renders obvious limitation [5.0].

… ***[6.0] The stroller of claim 4, wherein the second seat is removably coupled to the second end.***

482. As I discussed above in [1.10], Liao discloses the second seat is removably connected to the second end of the adapters. Again, the removability of the seat is evident to a POSITA both by the connector which can be seen in Figure 1 and the numerous seat options Liao depicts in Figures 8-13.

483. I further understand in the ’417 Application the Examiner confirmed my understanding that Liao teaches a “second seat” that is removably attached to the attachment portion (*i.e.*, adapter). The Examiner also stated (for claim 9) that the attachment portions of Liao include “seat connectors configured for connecting to the second seat.”

14. **Claims 2-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Liao (US D593,459).**

[Claim 2] Regarding Claim 2, Liao discloses: A convertible stroller (See, e.g., Fig. 1-13) configured for being converted from a single stroller to a double stroller (See, e.g., Fig. 1-13), the stroller comprising: a stroller frame (See, e.g., Fig. 1-13) configured for being adjusted between a folded configuration and an unfolded configuration (See, e.g., Fig. 1-13), the stroller frame comprising: a handle portion (See, e.g., Fig. 1-13); a front wheel support portion (See, e.g., Fig. 1-13); and a back wheel support portion (See, e.g., Fig. 1-13); and at least one front wheel secured to the stroller frame's front wheel support portion (See, e.g., Fig. 1-13); two rear wheels secured to the stroller frame's back wheel support portion (See, e.g., Fig. 1-13); a first seat (See, e.g., Fig. 1-13) removably attached to the stroller frame (See, e.g., Fig. 1-13); one or more seat attachment portions removably attached to the stroller frame (See, e.g., Fig. 1-13); and a second seat (See, e.g., Fig. 1-13) removably attached to the one or more seat attachment portions (See, e.g., Fig. 1-13) and positioned in front of the first seat (See, e.g., Fig. 1-13); wherein at least one of the first seat and the second seat is configured for being removably attached to the stroller frame in a forward-facing configuration and a backward-facing configuration (See, e.g., Fig. 11-12); and wherein the first seat and the second seat are positioned such that a center of gravity of the stroller is between the at least one front wheel and the plurality of back wheels (See, e.g., Fig. 1-13).

[Claim 7] Regarding Claim 7, Liao discloses: wherein the one or more seat attachment portions are removably attached to the stroller frame's front wheel support portion (See, e.g., Fig. 1-13).

[Claim 8] Regarding Claim 8, Liao discloses: wherein the one or more seat attachment portions are positioned to support the second seat above the at least one front wheel (See, e.g., Fig. 11-12).

[Claim 9] Regarding Claim 9, Liao discloses: wherein the one or more seat attachment portions each comprise a seat connector configured for connecting to the second seat (See, e.g., Fig. 1-13).

EX1024, 1203-1205

… ***[7.0] The stroller of claim 1, wherein the first seat is one of a baby seat, a car seat, a stroller seat, a bassinet, a baby carrier, or a pram and the second seat is one of a second baby seat, a second car seat, a second stroller seat, a second bassinet, a second baby carrier, or a second pram.***

484. Liao discloses many different types of seats that may be connected to the pushchair frame. For example, Figure 8 shows a bassinet as the first seat and an infant/baby carrier as the second seat.

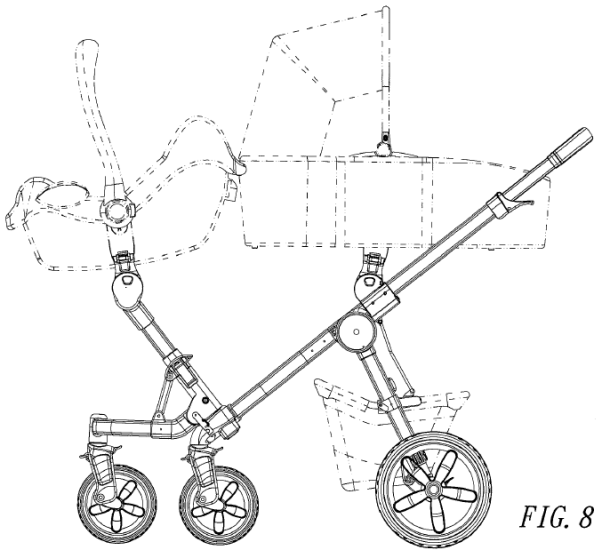


FIG. 8

EX1048, Liao, Fig. 8

485. Figure 9 shows an infant/baby carrier as the first seat and a stroller seat as the second seat:

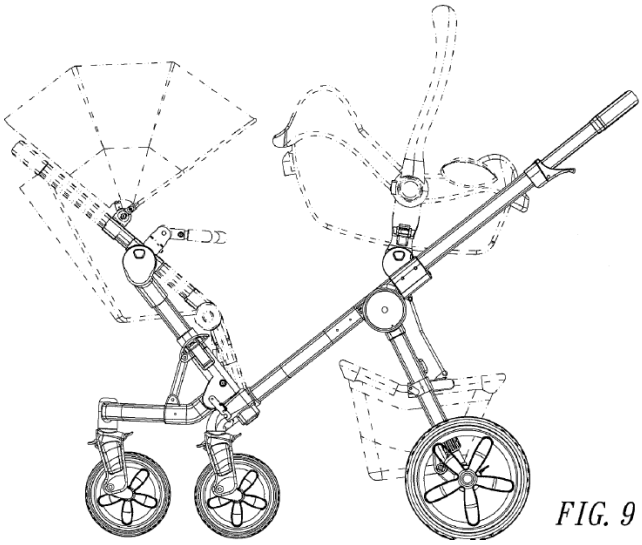


FIG. 9

EX1048, Liao, Fig. 9

486. Figure 10 shows a bassinet as the first seat and a stroller seat as the second seat:

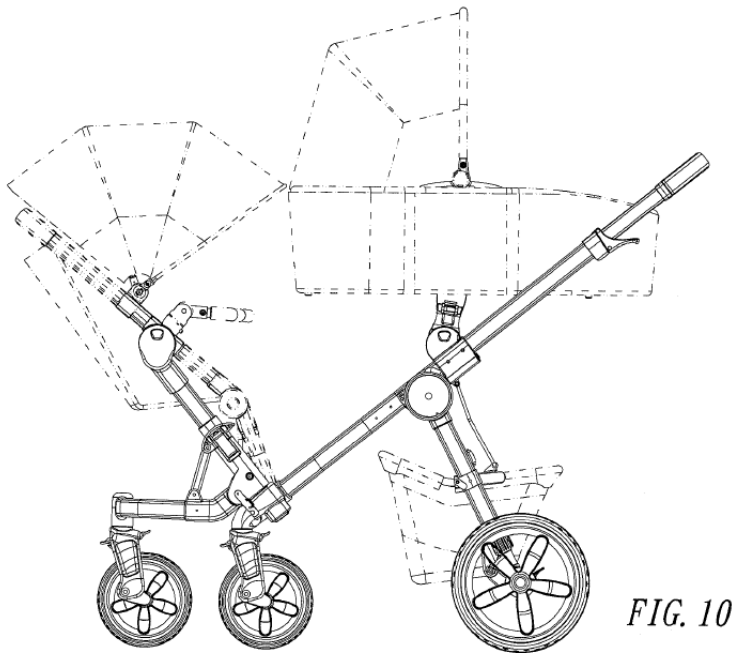


FIG. 10

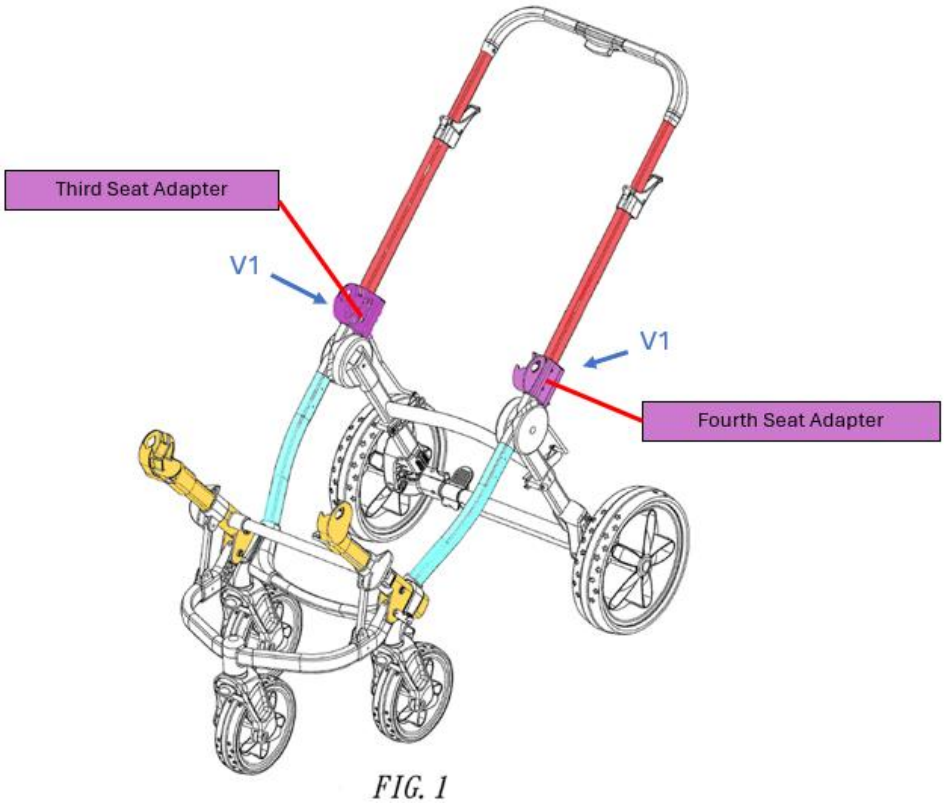
EX1048, Liao, Fig. 10

487. Therefore, it is my opinion that Liao discloses or renders obvious limitation [7.0].

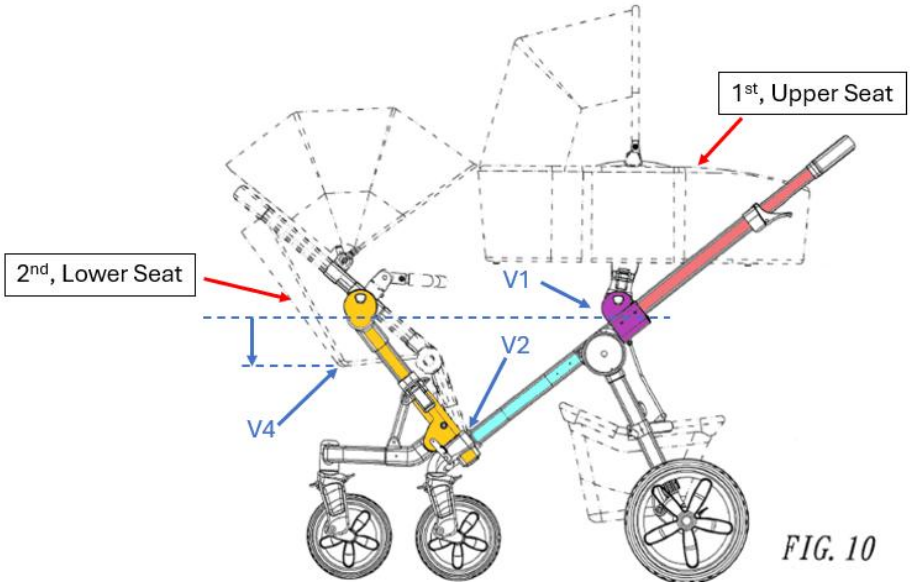
> … ***[8.0] The stroller of claim 1, further comprising: a third seat attachment adapter coupled to the stroller frame at the first vertical position; and a fourth seat attachment adapter coupled to the stroller frame at the first vertical position;***
>
> … ***[8.1] wherein the first seat is removably coupled to the third seat attachment adapter and the fourth seat attachment adapter.***

488. Liao also discloses a pair of upper seat attachment adapters (purple) for connecting the first, upper seat to the pushchair frame. Both of these upper seat adapters are coupled directly to the upper tube support frames (red) at the first vertical position (V1).

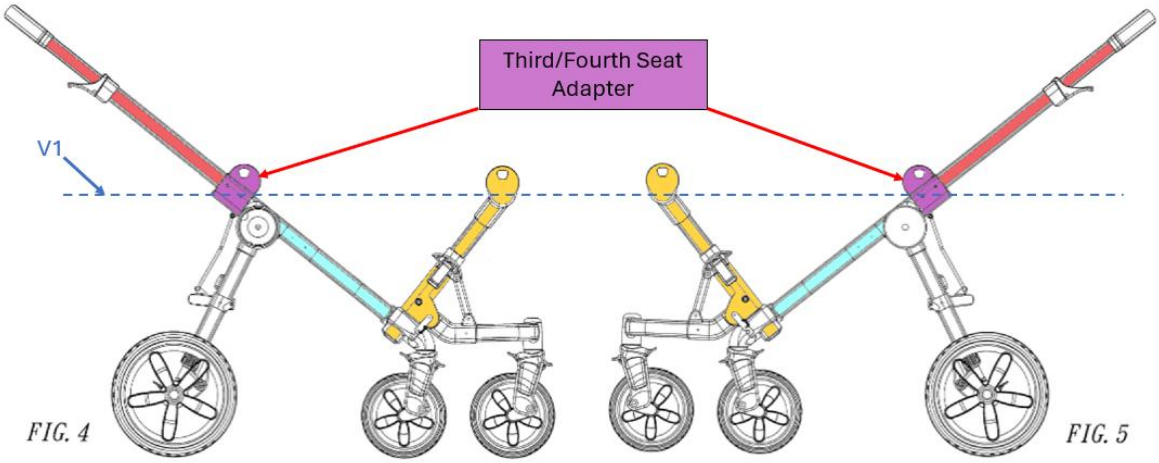
489. These "adapters" appear to be the same type of seat connectors I have described above. Indeed the figures of Liao (e.g., Figures 8-13) illustrate the third/fourth attachment adapters function to allow the first seat to be removably coupled.



EX1048, Liao, Fig. 1 (Annotated)



EX1048, Liao, Fig. 10 (Annotated)



EX1048, Figs. 4 and 5

490. Again, during prosecution of the related '417 Application, the Examiner confirmed my understanding that Liao teaches both a "first seat" and a "second seat" attached to Liao's stroller frame. (EX1024, '417 Patent File History, 1203.) The Examiner further found (based on pending dependent claims) that Liao

teaches a "first seat" removably attached to "seat attachment portions" which are located adjacent the "handle portion." These "seat attachment portions" would be understood by a POSITA as being the third/fourth seat attachment adapters claimed. The Examiner further found the "first seat" is configured to be removably attached to the third/fourth seat attachment adapters at a "first vertical position" that is above the "second vertical position" where the "second seat" is attached. The "first vertical position" found by the Examiner would correspond to the first vertical position recited by the claims of the '568 Patent.

14. **Claims 2-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Liao (US D593,459).**

[Claim 2] Regarding Claim 2, Liao discloses: A convertible stroller (See, e.g., Fig. 1-13) configured for being converted from a single stroller to a double stroller (See, e.g., Fig. 1-13), the stroller comprising: a stroller frame (See, e.g., Fig. 1-13) configured for being adjusted between a folded configuration and an unfolded configuration (See, e.g., Fig. 1-13), the stroller frame comprising: a handle portion (See, e.g., Fig. 1-13); a front wheel support portion (See, e.g., Fig. 1-13); and a back wheel support portion (See, e.g., Fig. 1-13); and at least one front wheel secured to the stroller frame's front wheel support portion (See, e.g., Fig. 1-13); two rear wheels secured to the stroller frame's back wheel support portion (See, e.g., Fig. 1-13); a first seat (See, e.g., Fig. 1-13) removably attached to the stroller frame (See, e.g., Fig. 1-13); one or more seat attachment portions removably attached to the stroller frame (See, e.g., Fig. 1-13); and a second seat (See, e.g., Fig. 1-13) removably attached to the one or more seat attachment portions (See, e.g., Fig. 1-13) and positioned in front of the first seat (See, e.g., Fig. 1-13); wherein at least one of the first seat and the second seat is configured for being removably attached to the stroller frame in a forward-facing configuration and a backward-facing configuration (See, e.g., Fig. 11-12); and wherein the first seat and the second seat are positioned such that a center of gravity of the stroller is between the at least one front wheel and the plurality of back wheels (See, e.g., Fig. 1-13).

[Claim 4] Regarding Claim 4, Liao discloses: wherein the first seat is positioned substantially over the two rear wheels (See, e.g., Fig. 11-12).

[Claim 5] Regarding Claim 5, Liao discloses: wherein the first seat is positioned adjacent to the stroller frame's handle portion (See, e.g., Fig. 11-12).

[Claim 10] Regarding Claim 10, Liao discloses: wherein the one or more seat attachment portions comprise one or more first seat attachment portions and the stroller further comprises one or more second seat attachment portions connected to the stroller frame (See, e.g., Fig. 1-13); and wherein the first seat is removably attached to the one or more second seat attachment portions (See, e.g., Fig. 1-13).

[Claim 11] Regarding Claim 11, Liao discloses: wherein the one or more first seat attachment portions are removably attached to the stroller frame's front wheel support portion (See, e.g., Fig. 1-13), and wherein the one or more second seat attachment portions are connected to the stroller frame adjacent to the frame's handle portion (See, e.g., Fig. 1-13).

[Claim 15] Regarding Claim 15, Liao discloses: wherein the first seat is configured for being removably attached to the stroller frame at a first vertical position (See, e.g., Fig. 1-13), and the second seat is configured for being removably attached to the one or more seat attachment portions at a second vertical position that is below the first vertical position (See, e.g., Fig. 1-13).

EX1024, '417 Patent File History, 1203-1205

491. The third and fourth upper seat adapters (purple) are illustrated as having the same structure as the lower first and second seat adapters (gold).

492. Furthermore, it is my understanding the Examiner found Liao teaches

a first seat that can be "removably attached" to "seat attachment portions" which a POSITA would understand are the claimed third/fourth seat attachment adapters. (EX1024, '417 Patent File History, 1204-1205, 1390.)

[Claim 10] Regarding Claim 10, Liao discloses: wherein the one or more seat attachment portions comprise one or more first seat attachment portions and the stroller further comprises one or more second seat attachment portions connected to the stroller frame (See, e.g., Fig. 1-13); and wherein the first seat is removably attached to the one or more second seat attachment portions (See, e.g., Fig. 1-13).

[Claim 12] Regarding Claim 12, Liao discloses: wherein the first seat is configured for being attached to the stroller frame in a forward-facing configuration and a backward-facing configuration (See, e.g., Fig. 11-12).

EX1024, '417 Patent File History, 1204-1205

493. Therefore, it is my opinion that Liao discloses or renders obvious limitations [8.0]/ [8.1].

… ***[9.0] The stroller of claim 1, further comprising a handle comprising a first end coupled to the first upper tube support frame and a distal second end coupled to the second upper tube support frame.***

494. The pushchair frame of Liao has a handle (orange) comprising a first end coupled to the first upper tube support frame (red) and a distal second end coupled to the second upper tube support frame (red).

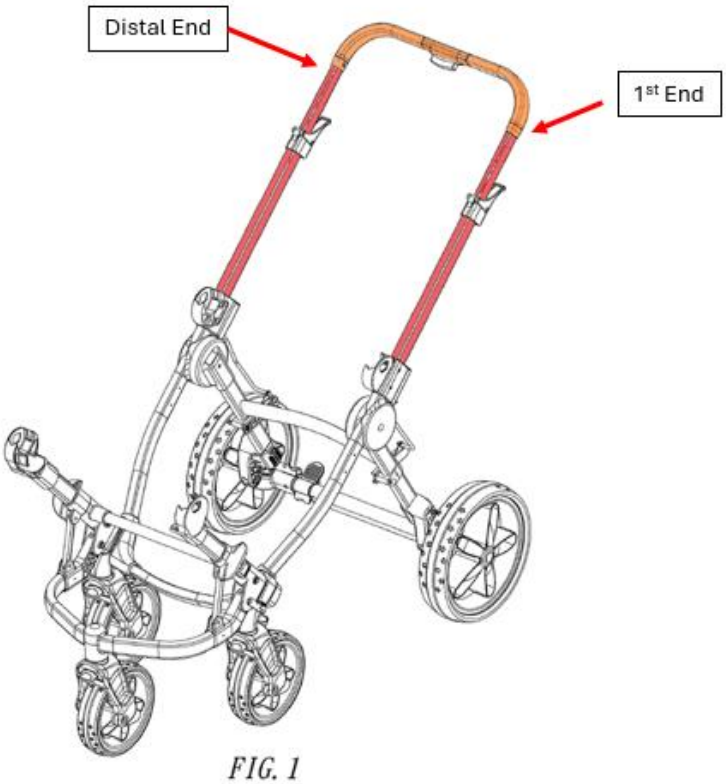


FIG. 1

EX1048, Liao, Fig. 1 (Annotated)

495. Therefore, it is my opinion that Liao discloses or renders obvious limitation [9.0].

… ***[17.0] A stroller, comprising:***

496. Claim limitation [17.0] is obvious for the same reasons I discussed in claim limitation [1.0].

… ***[17.1] a stroller frame comprising: a first upper tube support frame; a second upper tube support frame;***

497. Claim limitation [17.1] is obvious for the same reasons I discussed in claim limitation [1.1].

… ***[17.2] a first back wheel support frame;***

498. Claim limitation [17.2] is obvious for the same reasons I discussed in claim limitation [1.4].

… ***[17.3] a second back wheel support frame;***

499. Claim limitation [17.3] is obvious for the same reasons I discussed in claim limitation [1.5].

… ***[17.4] a first front wheel support frame;***

500. Claim limitation [17.4] is obvious for the same reasons I discussed in claim limitation [1.2].

… ***[17.5] a second front wheel support frame;***

501. Claim limitation [17.5] is obvious for the same reasons I discussed in claim limitation [1.3].

… ***[17.6] a plurality of wheels comprising at least one front wheel and a plurality of back wheels;***

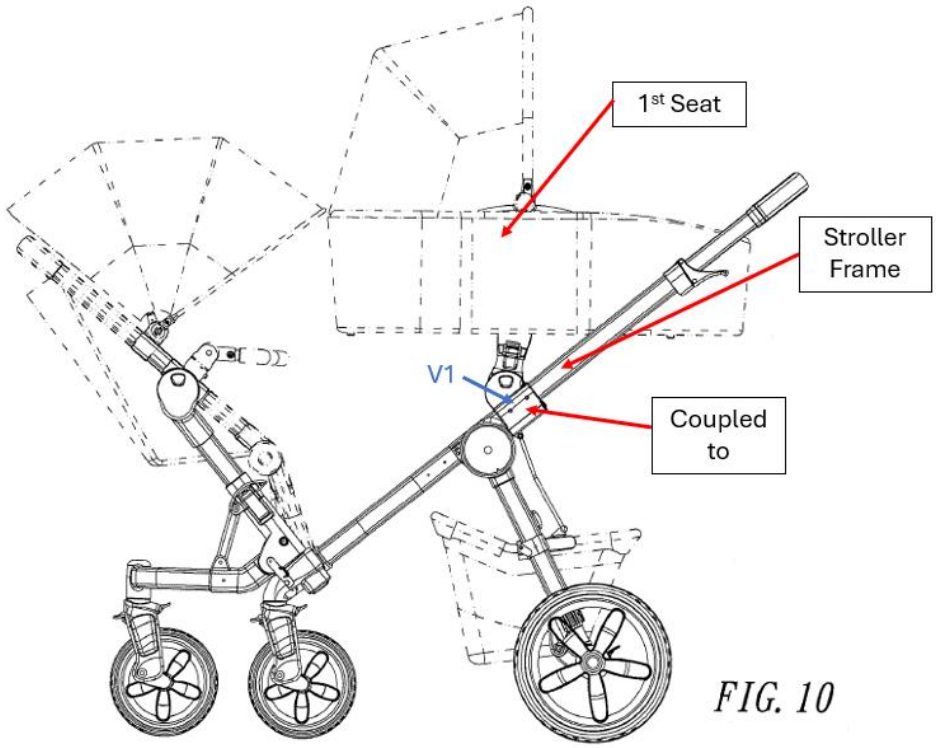
502. Claim limitation [17.6] is obvious for the same reasons I discussed in claim limitation [1.6].

… ***[17.7] a first seat coupled to the stroller frame at a first vertical position of the stroller frame;***

503. Claim limitation [17.7] is similar to claim limitation [1.7] but is broader in that it merely requires "first seat coupled to the stroller frame" (as opposed to the "upper tube support frames") and slightly differs by reciting "coupled to" verses

"coupled along."

504. A POSITA would have found claim [17.7] obvious for the reasons discussed in claim limitation [1.7]. Below I address the minor differences to show that Liao discloses the "first seat" is "coupled to" the "stroller frame" at "a first vertical position" (V1) of the stroller frame.



EX1048, Liao, Fig. 10

… ***[17.8] a first seat attachment housing disposed adjacent the first front wheel support frame:***

… ***[17.9] a second seat attachment housing disposed adjacent the second front wheel support frame;***

505. Claim limitations [17.8]-[17.9] are obvious for the same reasons I

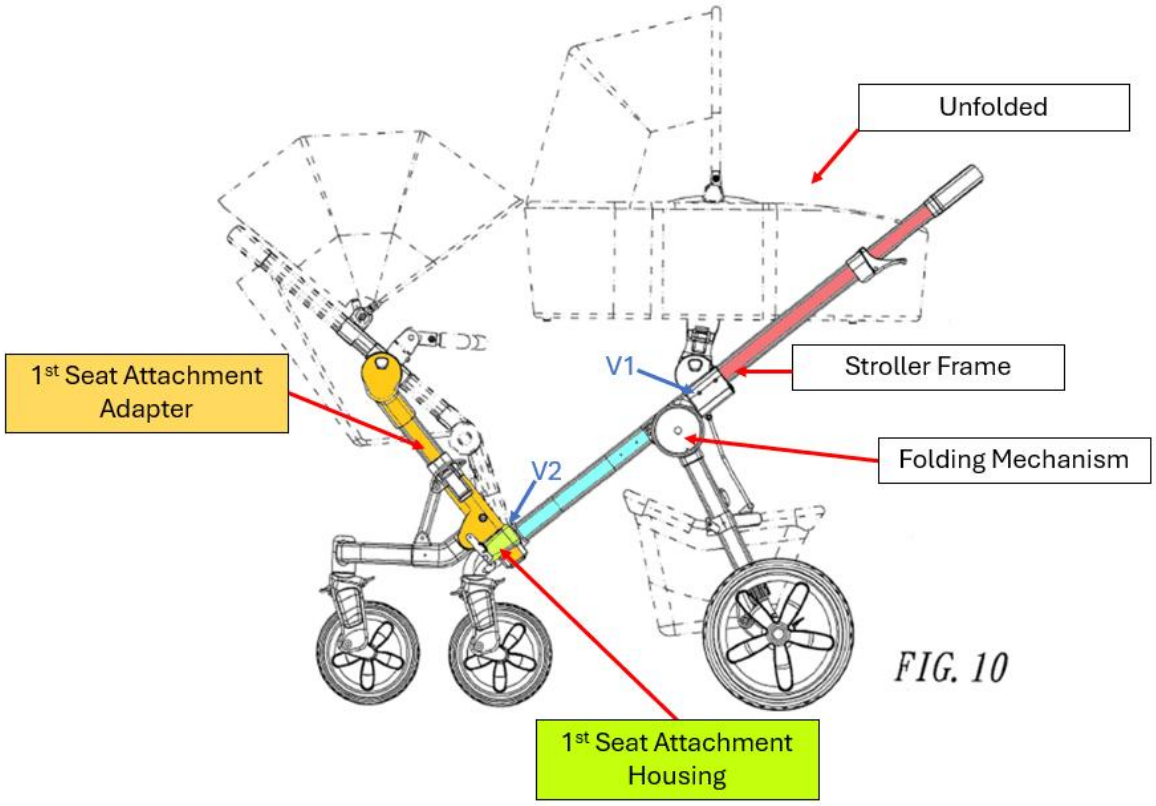
discussed in claim limitation [2.0].

> … ***[17.10] a first seat attachment adapter coupled to the first seat attachment housing at a second vertical position of the stroller frame that is below the first vertical position when the first upper tube support frame is substantially parallel with the first front wheel support frame when the stroller frame is unfolded from a folded configuration;***

506. As I discussed above in claim limitations [1.8] and [2.0], Liao discloses, "a first seat attachment adapter coupled to the first seat attachment housing at a second vertical position of the stroller frame that is below the first vertical position."

507. As I discussed above in claim limitation [1.2]-[1.3], Liao alone, or in combination with Cheng, discloses folding mechanisms that allow the stroller frame to fold and unfold and that the "first/second upper tube support frames" are "substantially parallel" with the "first/second front wheel support frames" when the stroller frame is unfolded.

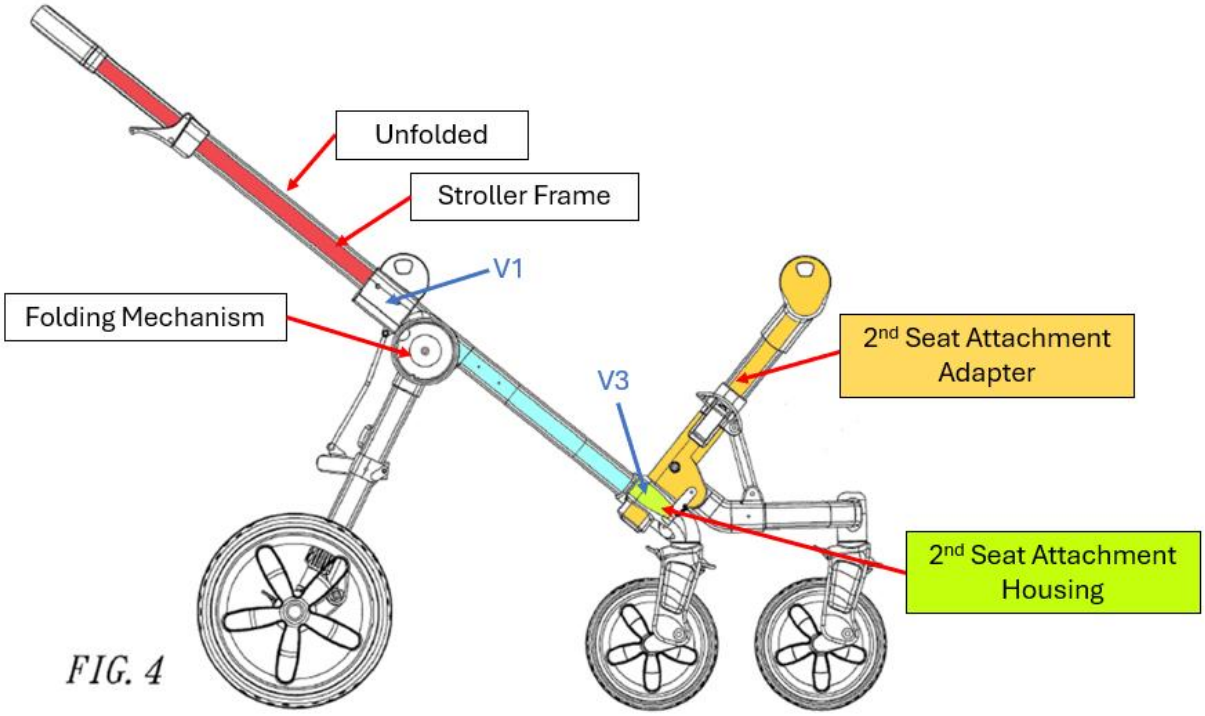
508. Therefore, Liao, either alone or in combination with Cheng discloses "a first seat attachment adapter (gold) coupled to the first seat attachment housing (green) at a second vertical position (V2) of the stroller frame that is below the first vertical position (V1) when the first upper tube support frame (red) is substantially parallel with the first front wheel support frame (blue) when the stroller frame is unfolded from a folded configuration."



EX1048, Liao, Fig. 10 (Annotated)

… ***[17.11] a second seat attachment adapter coupled to the second seat attachment housing at a third vertical position of the stroller frame that is below the first vertical position when the second upper tube support frame is substantially parallel with the second front wheel support frame when the stroller frame is unfolded from a folded configuration;***

509. The pushchair of Liao is symmetrical; therefore, claim limitation [17.11] is obvious for the same reasons discussed in claim limitations [17.10], [1.2]-[1.3], [1.8], [1.9], and [2.0] and as shown below:



EX1048, Liao, Fig. 4

… ***[17.12] wherein the first seat is coupled along the first upper tube support frame and the second upper tube support frame and***

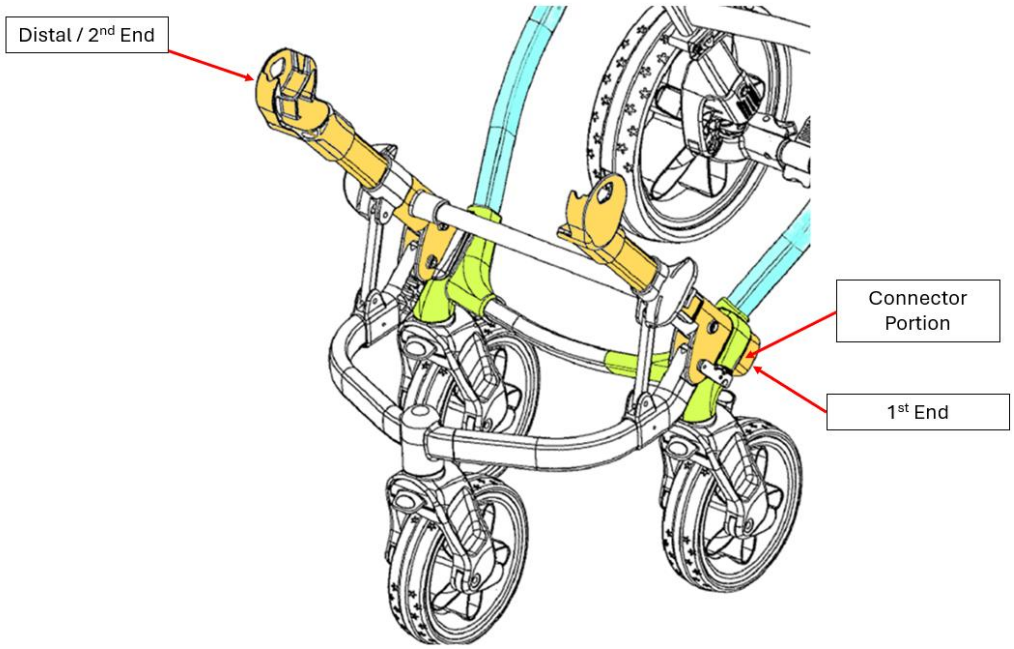
510. Claim limitation [17.12] is obvious for the same reasons I discussed in claim limitation [1.7].

… ***[17.13] wherein a second seat is removably coupled to the first seat attachment adapter and the second seat attachment adapter.***

511. Claim limitation [17.13] is obvious for the same reasons I discussed in claim limitation [1.10].

… ***[18.0] The stroller of claim 17, wherein each of the first seat attachment adapter and the second seat attachment adapter comprises: a first end comprising a connector portion coupled to one of the first seat attachment housing and the second seat attachment housing; and a distal second end, wherein the second seat is removably coupled to the second end.***

512. Claim limitation [18.0] is similar to claim limitations [1.8-1.10], [4.0]-[5.0], and I incorporate that analysis herein. As I discussed above, Liao discloses first and second seat attachment adapters (gold). Each of the adapters (gold) comprises a first end comprising a connector portion coupled to one of the first seat attachment housing and the second seat attachment housing (green) and a distal second end, wherein the second seat is removably coupled to the distal second end.



EX1048, Liao, Fig. 1 (Cropped and Annotated)

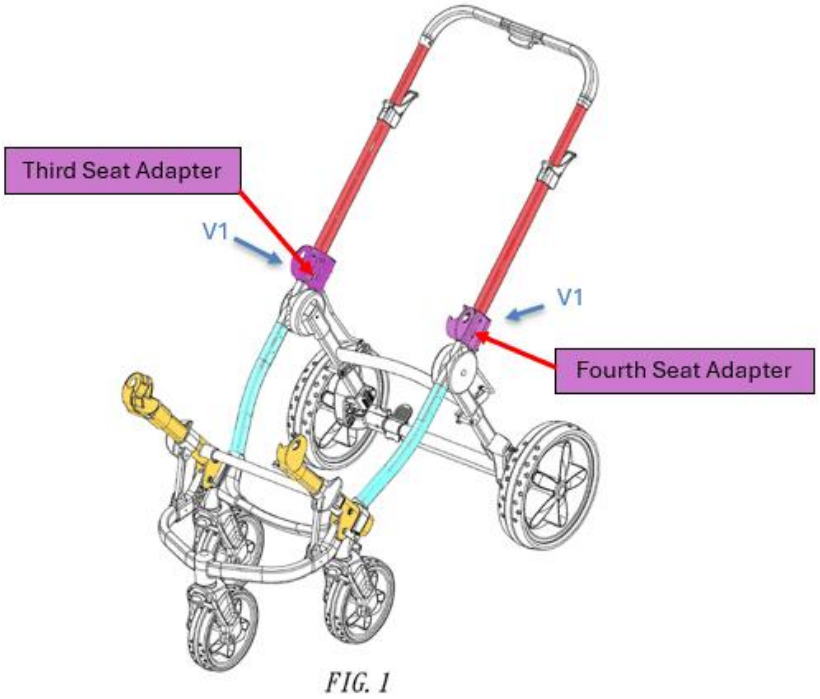
513. Therefore, it is my opinion that Liao discloses or renders obvious limitation [18.0].

… ***[19.0] The stroller of claim 17, further comprising a handle comprising a first end coupled to the first upper tube support frame and a distal second end coupled to the second upper tube support frame.***

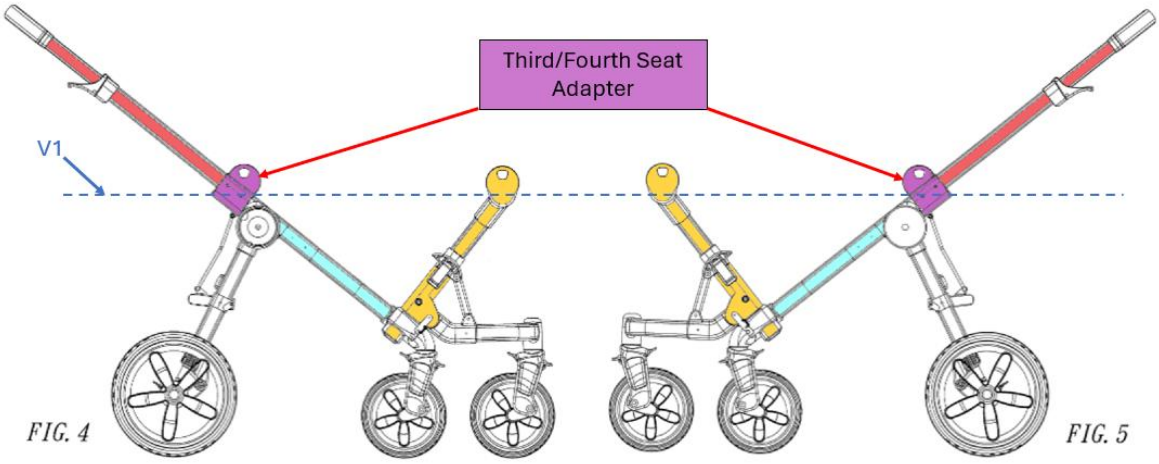
514. Claim limitation [19.0] is obvious for the same reasons I discussed in claim limitation [9.0].

… ***[20.0] The stroller of claim 17, further comprising: a third seat attachment adapter coupled to the first upper tube support frame; and a fourth seat attachment adapter coupled to the second upper tube support frame; wherein the first seat is removably coupled to the third seat attachment adapter and the fourth seat attachment adapter.***

515. Claim limitation [20.0] is obvious for the same reasons I discussed in claim limitation [8.0]-[8.1]. Claim 20 slightly differs by explicitly requiring the third and fourth seat attachment adapters are coupled to the first and second upper tube support frames (as opposed to the "stroller frame" generally); however, Liao discloses that "the third seat … and fourth seat attachment adapter[s]" (purple) are "coupled to the first … and second upper tube support frame[s]" (red).



EX1048, Liao, Fig. 1 (Annotated)



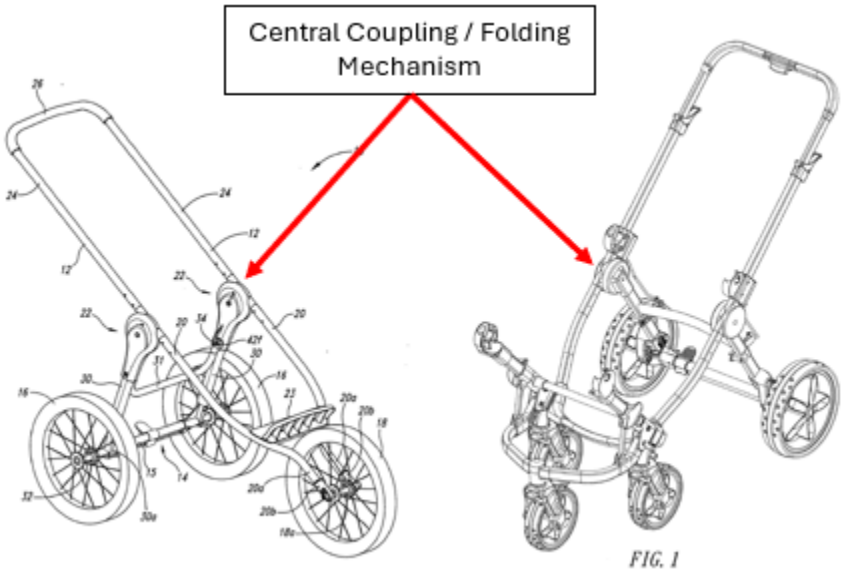
EX1048, Liao, Figs. 4 and 5

516. Therefore, it is my opinion that Liao discloses or renders obvious limitation [20.0].

2. Rational to combine Liao and Cheng.

517. Liao and Cheng are both in the field of baby strollers. (EX1048, Liao,

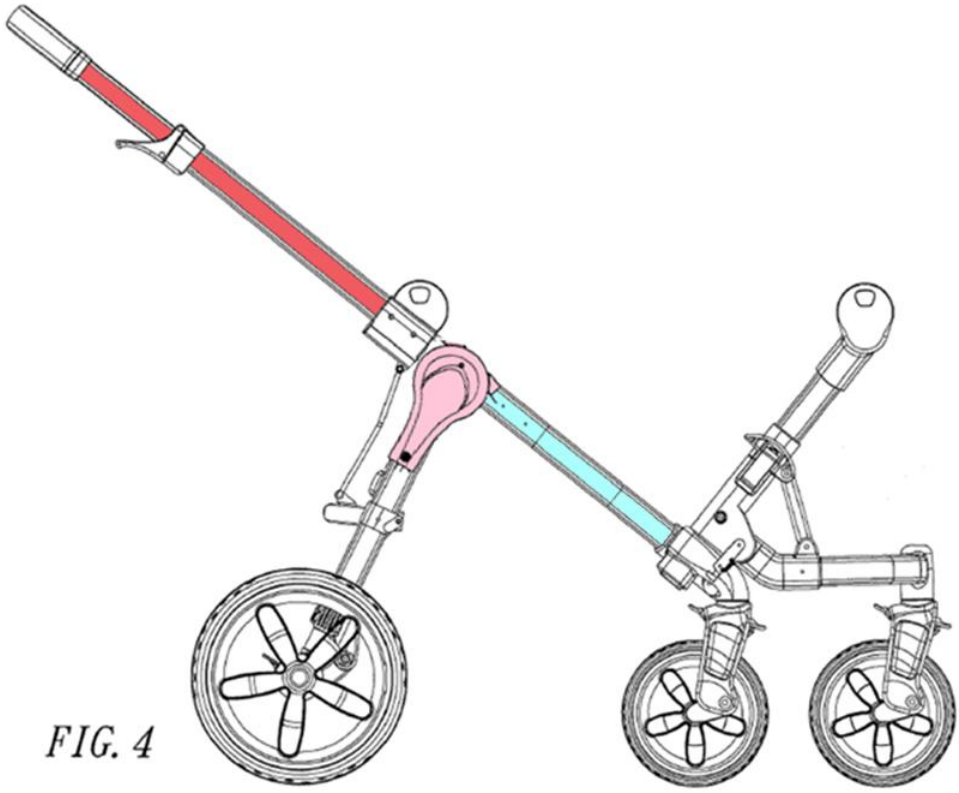
CLAIM; EX1049, Cheng, ¶0003.) Both Liao and Cheng also disclose frame designs for the baby strollers. In fact, both Liao and Cheng disclose a same frame structure of the baby stroller. As shown in the below images, Liao and Cheng have upper frame members connected with the handle, front wheel frame members, and back wheel frame members that are all joined at a central coupling, e.g., a folding mechanism. (EX1048, Liao, Fig. 1; EX1049, Cheng, ¶0040, Fig. 2.)



EX1049, Cheng, Fig. 2; EX1048, Liao, Fig. 1 (Both Annotated)

518. To the extent that Liao does not already disclose folding mechanisms, it would have been obvious to add the folding assemblies 22 of Cheng to Liao. A POSITA would have understood that, given the similarities in frame structure, the folding assemblies 22 of Cheng could have been added to Liao in place of the illustrated coupling. As shown below, it would have been obvious to add Cheng's

folding assembly 22 (pink) to the frame of Liao,[26] allowing the upper frame structure (red) to fold relative to the front wheel frame structure (blue).



EX1048, Liao, Fig. 4 (Annotated) with Cheng's folding assembly (EX1049, Fig. 5.)

519. A POSITA would have understood how to modify Liao to include the folding assembly of Cheng. Cheng's folding mechanism 22 already includes three connections, connection 40'' for the upper frame member 24, connection 40' for the front wheel frame member 20, and connection 42a for the rear wheel frame member 30. (*See e.g.*, EX1049, Cheng, Fig. 8 and ¶0052.) These connection points

[26] Assuming, of course, that Liao does not fold, which is not my opinion.

correspond to the frame components shown in Liao. A POSITA would have understood the folding assembly 22 could have been attached to the upper tube support frame, the front wheel support frame, and the back wheel support frame of Liao in the same way as disclosed in Cheng (and just like the illustrated circular coupling of Liao) with little to no modification. (See Overview of Cheng section, ¶271.) Adding the folding assembly 22 of Cheng to Liao would have predictably resulted in Liao being foldable between folded and unfolded positions as disclosed in Cheng. (See Overview of Cheng section, ¶272.) A POSITA would have understood that folding assembly 22, once added to Liao, would have allowed the upper tube support frames (red) to be rotated downwardly toward the rear wheel support frame (brown) and the front wheel support frames (blue) to be rotated rearwardly to fold the pushchair into a compact package like that shown in Figure 6 of Cheng.

520. A POSITA would have been motivated to add the folding assembly 22 of Cheng to Liao because they would have understood strollers are bulky items that can be difficult to fit in one's vehicle and take up substantial storage space in one's home or garage. (EX1031, Hollie Schultz Dec, EX10, 284.) A POSITA would have understood that being able to fold the stroller into a more compact footprint when not in use is beneficial for transporting the stroller, *i.e.*, fitting the stroller within one's vehicle and taking up less storage space. These are important attributes for

consumers. As such, a POSITA would have been motivated to add the folding assembly 22 of Cheng to the frame of Liao to enable folding of the pushchair when not in use.

521. A POSITA would have been particularly motivated to add the folding assembly 22 of Cheng to Liao (as opposed to other known types of folding mechanisms) because the folding mechanism 22 of Cheng is specifically designed for a three-way coupling between the upper frame members, the front wheel frame members, and the rear wheel frame members. That is, Cheng's folding mechanism fits with the overall frame design of Liao without requiring modification to the overall frame structure.

522. Replacing the illustrated couplings of Liao with the folding assemblies 22 of Cheng is merely the substitution of one known three-way coupling for another. As I explained above, both Liao and Cheng disclose three-way couplings. The only difference between these couplings is that Liao is a design patent, and the issued specification of Liao did not explicitly state that the illustrated couplings include folding mechanisms. From Cheng, a POSITA would have understood that foldable assemblies for strollers were known. Given the above-described structural similarities of the couplings disclosed in Liao and Cheng, a POSITA would have known that the folding assemblies 22 could have been substituted for the couplings illustrated in Liao wholesale. The folding assemblies 22 of Cheng would operate in

the same manner when installed on Liao as they did in Cheng. Therefore, the substitution would have predictably resulted in Liao's stroller being foldable and the substitution would have had a high expectation of success.

C. Ground 3 – Claims 1-9 and 17-20 are obvious over Hsia '316 in view of Hsia '902 and the general knowledge of a POSITA

1. Analysis of Claims 1-9 and 17-20

… ***[1.0] A stroller, comprising:***

523. Hsia '316 discloses a stroller. (*See e.g.*, EX1050, Hsia '316, 2:39-42, Fig. 4.)

524. Therefore, it is my opinion that Hsia '316 discloses or renders obvious limitation [1.0].

… ***[1.1] a stroller frame comprising: a first upper tube support frame; a second upper tube support frame;***

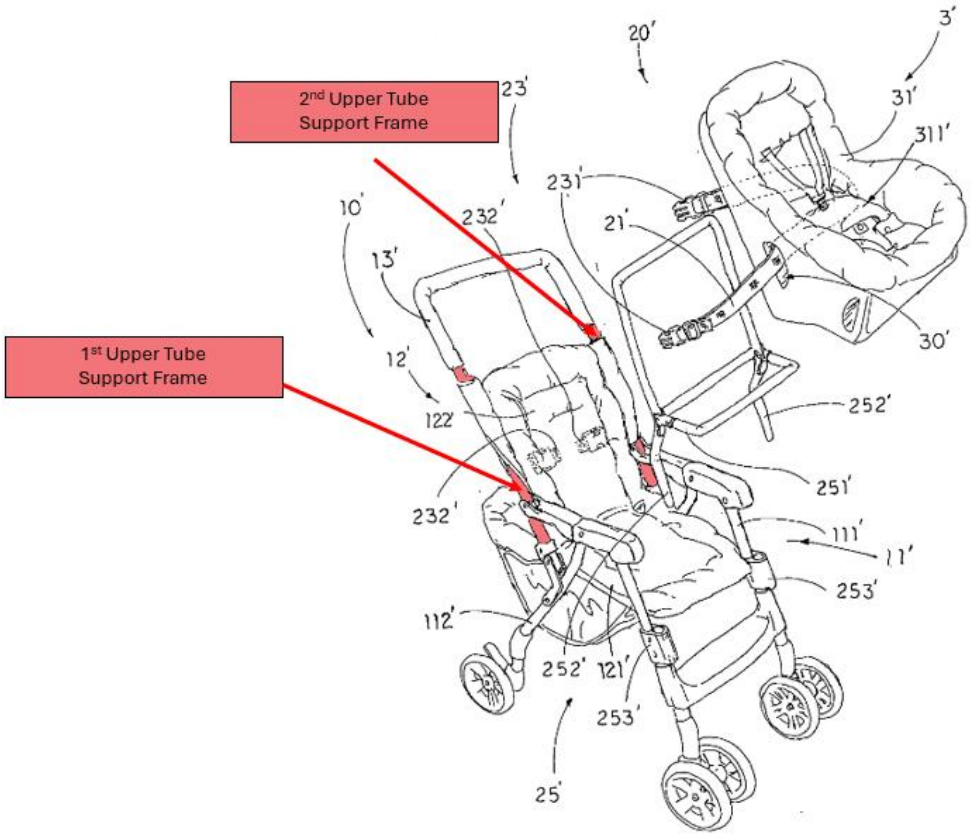
525. Hsia '316 discloses a stroller having a stroller frame 11'.

> As shown in FIG. 4, the stroller comprises a supporting frame 11' having two front frame legs 111' and two back frame legs 112', a regular seat 12' comprising a seat support 121' horizontally supported by the supporting frame 11' and a back support 122' upwardly extended from the seat support 121', and a handle frame 13' upwardly extended from the supporting frame 11'.

(EX1050, Hsia '316, 4:32-38.)

526. The frame 11' has first and second portions (red) that extend at an

upward diagonal angle from a coupling with the back legs 112' to the handle frame 13'. A POSITA would have considered the red portions of the stroller frame 11' to disclose "a first upper tube support frame; a second upper tube support frame" as they are the upper portions of the frame 11' that connect with the handle frame 13'. (EX1050, Hsia '316, 4:32-38, Fig. 4.)



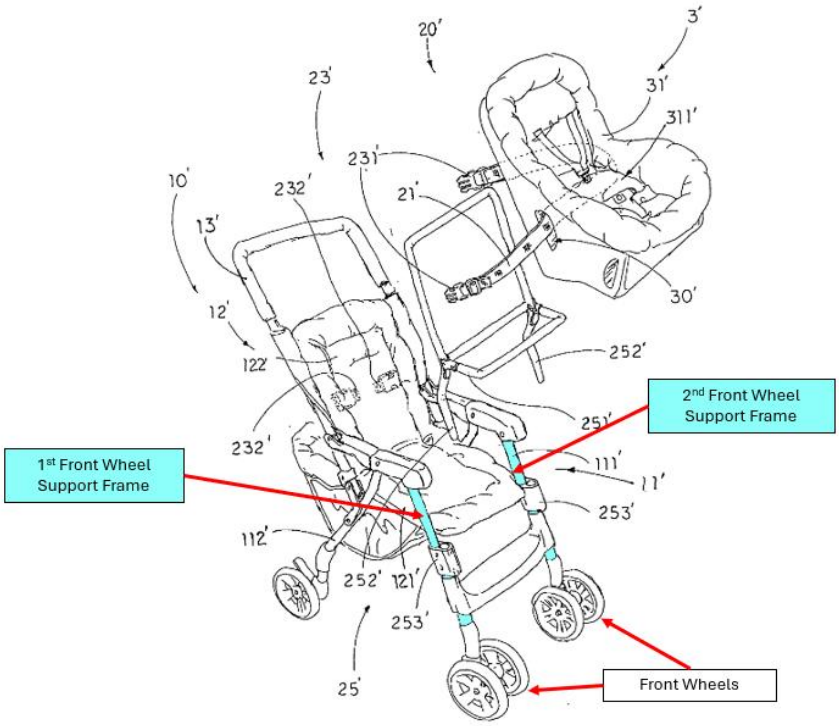
EX1050, Hsia '316, Fig. 4 (Annotated)

527. Therefore, it is my opinion that Hsia '316 discloses or renders obvious limitation [1.1].

… ***[1.2] a first front wheel support frame rotatably adjusted to be substantially parallel with respect to the first upper tube support frame when the stroller frame is unfolded from a folded configuration;***

… ***[1.3] a second front wheel support frame rotatably adjusted to be substantially parallel with respect to the second upper tube support frame when the stroller frame is unfolded from a folded configuration;***

528. The stroller frame 11' of Hsia '316 is symmetrical and further includes first and second front legs 111' (blue) that connect with the front wheels of the stroller. A POSITA would have understood the first front leg (blue) discloses the claimed "first front wheel support frame" and the second front leg (blue) discloses the claimed "second front wheel support frame."



EX1050, Hsia '316, Fig. 4 (Annotated)

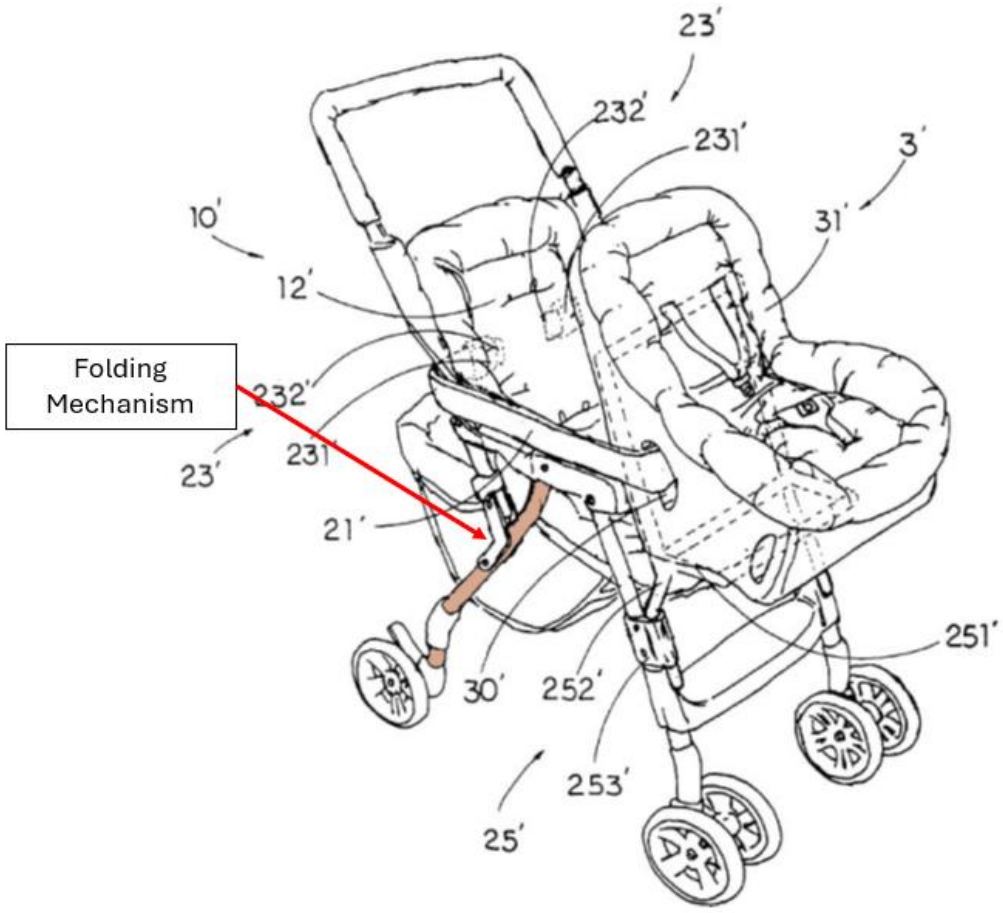
> As shown in FIG. 4, the stroller comprises a supporting frame 11' having two front frame legs 111' and two back frame legs 112', a regular seat 12' comprising a seat support 121' horizontally supported by the supporting frame 11' and a back support 122' upwardly extended from the seat support 121', and a handle frame 13' upwardly extended from the supporting frame 11'.

(EX1050, Hsia '316, 4:32-38.)

529. A POSITA would have understood that the stroller frame 11' is foldable. As I discussed in my "State of the Art-Folding Mechanism" section above, it was well known prior to December 4, 2008 to have mechanisms allowing stroller frames to be folded for storage and transportation.

530. A POSITA reviewing Hsia '316 would have understood the frame 11'

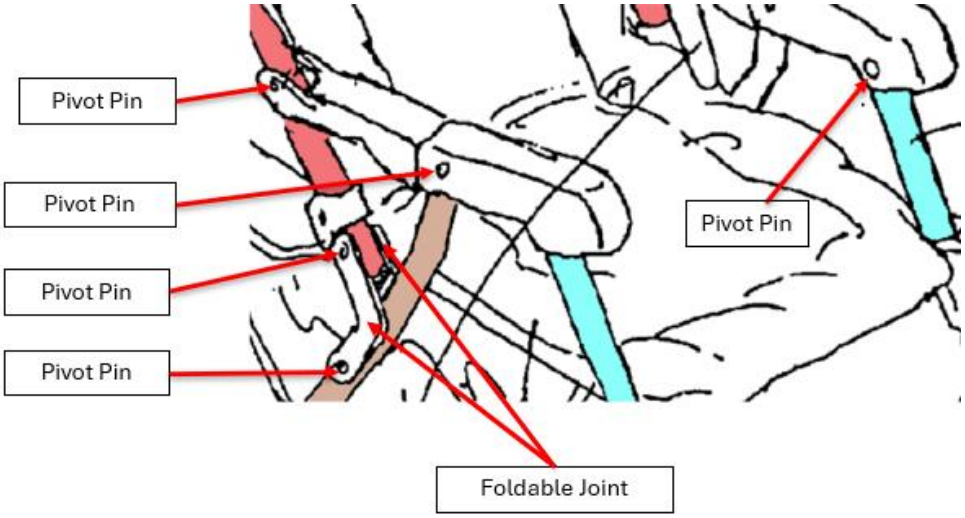
includes such well-known folding mechanisms allowing the stroller to be collapsed for storage and transportation. The folding mechanisms are visibly shown in the figures. Folding joints (brackets) are connected between the back legs 112' (brown) and the upper support tubes allowing the upper support tubes and handle frame 13' to rotate towards the back legs 112' and towards the front legs 111' to fold the stroller.



EX1050, Hsia '316, Fig. 6 (Annotated)

531. Hsia '316 shows what a POSITA would understand as being pivot pin connections permitting it to fold and unfold when the folding mechanism is

engaged/disengaged. A POSITA would have understood the pivot pins and folding mechanism would allow the upper frame (red), back-wheel support (brown) and front wheel support (blue) to rotatably pivot using the folding joint.



EX1050, Hsia '316, Fig. 4 (Cropped and Annotated)

532. A POSITA would have understood that the figures of Hsia '316 depict the stroller frame 11' in the unfolded (in-use) configuration. A POSITA would have understood the figures (*e.g.*, Figure 4) show the front legs (blue) are offset and visually appear substantially parallel to the upper tube support frame (red) when in the unfolded configuration.

533. Therefore, Hsia '316 discloses "a first front wheel support frame rotatably adjusted to be substantially parallel with respect to the first upper tube support frame when the stroller frame is unfolded from a folded configuration" and "a second front wheel support frame rotatably adjusted to be substantially parallel with respect to the second upper tube support frame when the stroller frame is

unfolded from a folded configuration."

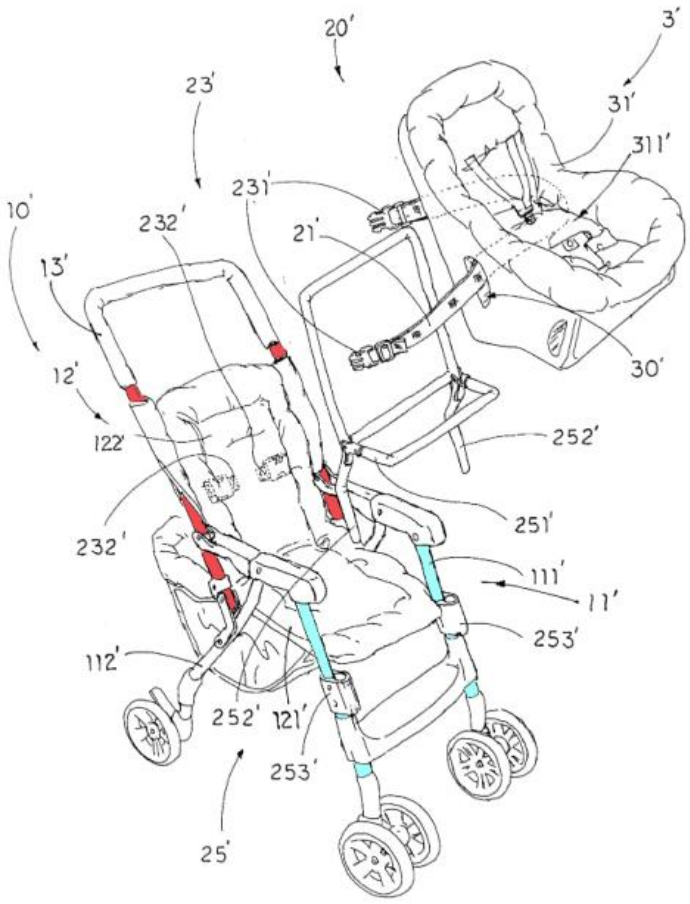
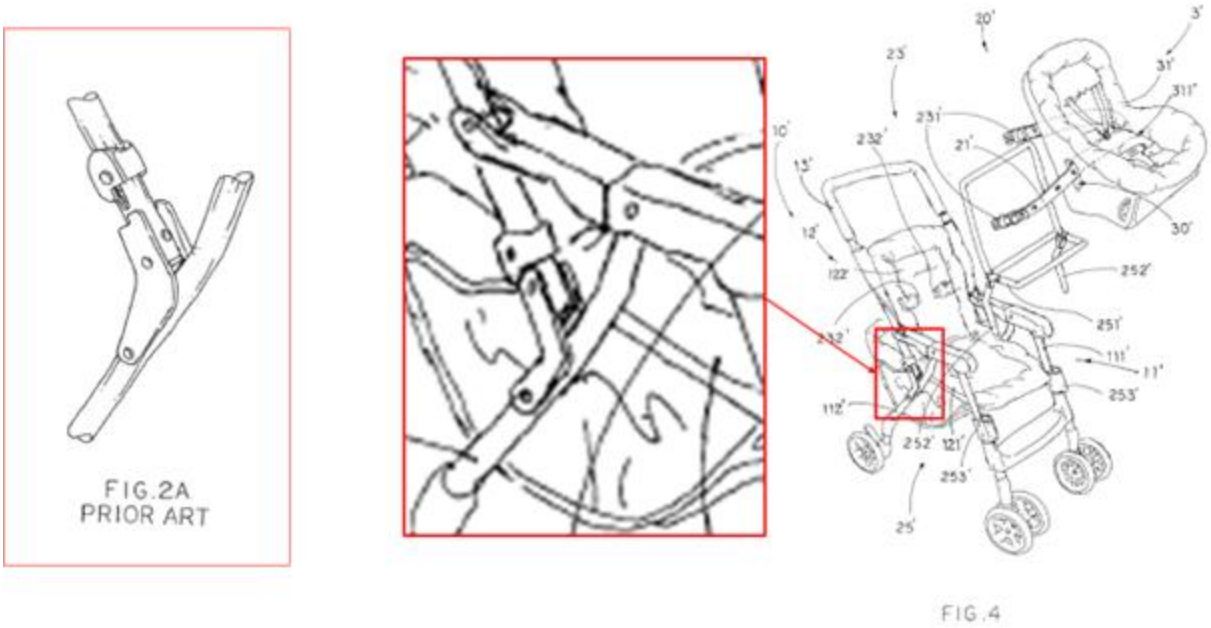


FIG.4

EX1050, Hsia '316, Fig. 4 (Annotated)

534. My opinion regarding the foldability of Hsia '316 is confirmed by the inventor's related patent filings. The inventor of Hsia '316, Ben Hsia, filed several patents between 2001-2003 showing the same stroller frame in each patent but focusing on different details of the stroller. Hsia '316 focused on means for attaching a second seat, while Hsia '902 focused on the folding mechanisms. A POSITA would have also understood Hsia 316's foldable joint (enlarged below right) is the

"prior art" foldable joint disclosed within Hsia '902 (shown below left). A POSITA would have realized (as confirmed by Hsia '902) such a prior art folding joint when disengaged was known and used for allowing the stroller to be folded. (EX1054, Hsia '902, ¶¶0004-0007.) While a POSITA would have understood Hisa '316 alone clearly illustrates a known "prior art" folding joint, a POSITA's understanding would therefore be confirmed by Hsia '902's disclosure of the "prior art" folding mechanism and how it operates.



EX1054, Hsia '904, Figs. 2A and EX1050, Hsia '316, Fig. 4

535. Hsia '902 further discloses an improved one-handed operating mechanism (labeled "31") that assists in the foldability process disclosed. The joints 13 have associated engaging units 20 for locking the joints 13 in the unfolded position. (EX1054, Hsia '902, ¶¶0029-0030.)

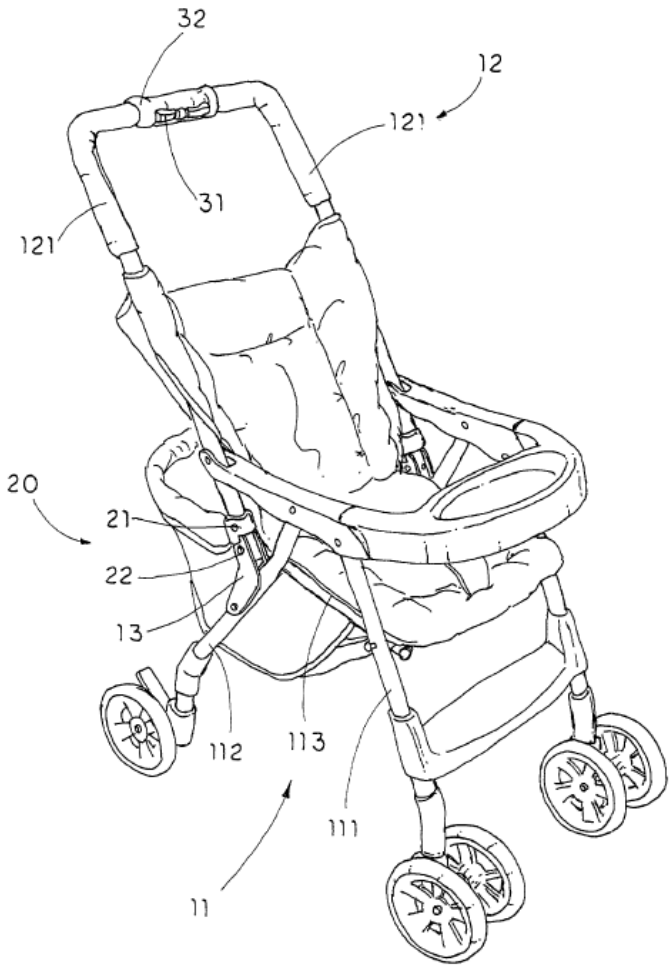
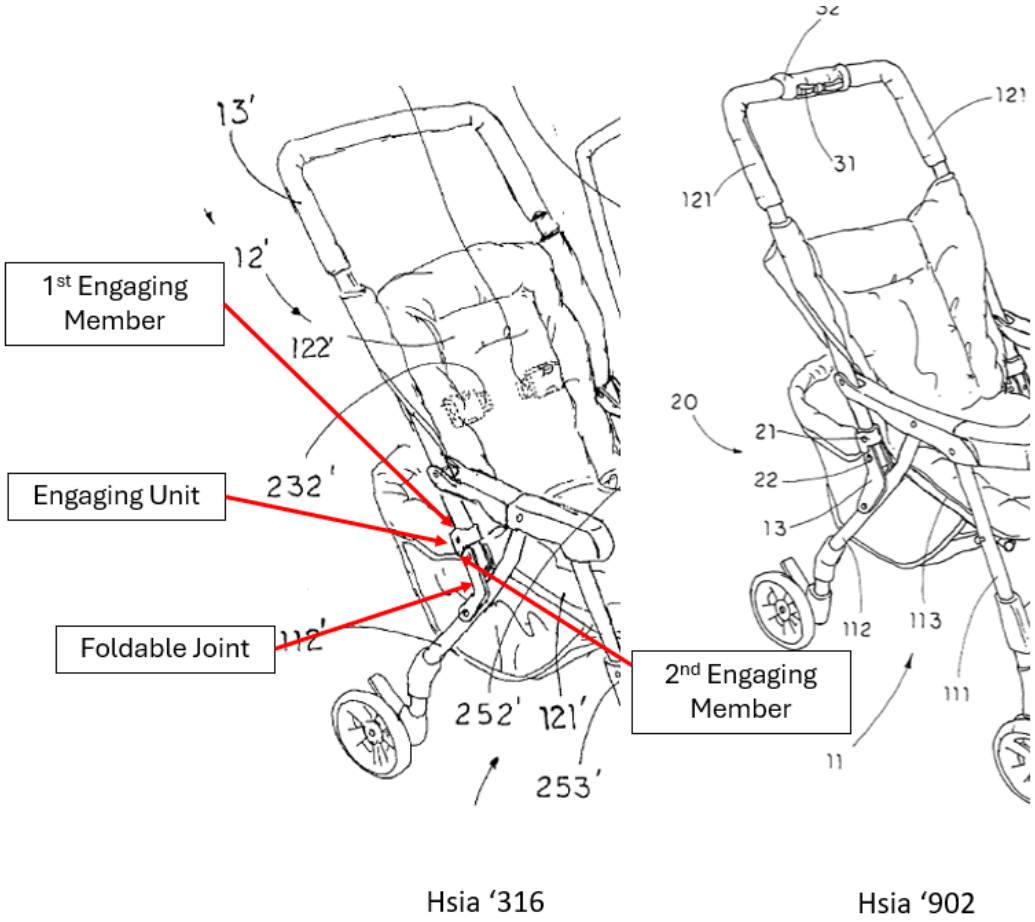


FIG.3

EX1054, Hsia '902, Fig. 3

536. Each engaging unit 20 includes a first engagement member 21 coupled to the pivot arm 121 and a second engagement member 22 provided at the foldable joint 13. These engagement members 21/22 are biased into engagement to lock the stroller frame 11 into the unfolded position. (EX1054, Hsia '902, ¶0031.) Hsia '316 shows the same stroller frame as Hsia '902, including the foldable joints 13 and engaging unit 20 with first engaging member 21 and second engaging member 22.



Comparison of EX1050, Hsia '316, Fig. 4 (Annotated) with EX1054, Hsia '902, Fig. 3 (Cropped)

537. Hsia '316 even shows the locking tabs of the first engaging members 21, 22 exactly as shown in Hsia '902. Therefore, my opinion that a POSITA would have understood that Hsia '316 is likely foldable as confirmed by Hsia '902.

538. To the extent that Hsia '316 does not fold (which I do not believe to be true), it would have been obvious to POSITA to make the frame of Hsia '316 foldable to as disclosed in Hsia '902 (background) or by incorporating its improved one-handed folding mechanism design. As I discussed above, Hisa '316 and Hsia '902 have nearly identical frames. Thus, a POSITA would have understood, given

the similarities, that the folding joints 13 of Hsia '902 could have been added to Hsia '316 with minimal modification and with a high expectation of success. The modification would merely require replacing the unlabeled bracket of Hsia '316 with the folding bracket 13 of Hsia '902, which would be attached to the "upper tube support frames" and the back frames 112' in the same way and adding the engaging units 20 and release mechanism 31/32. (EX1054, Hsia '902, ¶0033.) A skilled artisan would have been motivated to modify Hsia '316 in view of Hsia '902 to provide the advantageous benefits of folding – and even the advantage of a one-handed folding mechanism. (EX1031, Hollie Schultz Dec, EX10, 284.) A POSITA would have understood strollers are bulky items that can be difficult to fit in one's vehicle and takes up substantial storage space in one's home or garage. A skilled artisan would have understood that being able to fold the stroller into a more compact footprint when not in use is beneficial for transporting the stroller, i.e., fitting the stroller within one's vehicle, and take up less storage space. (EX1054, Hisa '902, ¶0004.) A POSITA would have also understood being able to fold using one-hand would just be a further advantage that would be desirable to a consumer.

539. As such, a skilled artisan would have been motivated to add the folding joints 13, the engaging units 20, and the release mechanism 31/32 to Hsia '316. Adding the folding mechanism of Hsia '902 would predictably result in Hsia being foldable as it is merely the combination of a well-known stroller-folding device into

a similar stroller frame. The folding device of Hsia ’902 will continue to function the same in combination with Hsia as it does separately. Additionally, Hsia ’902 teaches an improved mechanism allowing one-handed operation for folding the stroller. (EX1054, ¶¶0009-0013.) A POSITA would have found this to be a desirable feature to add to Hsia’s stroller and again the modifications would be minimal given the very close relationship in the two stroller designs. As shown in the annotated figure below, the “upper tube support frames” of Hsia are offset from and, rotated to be “substantially parallel” with, the “front wheel support frames” when in the unfolded position.

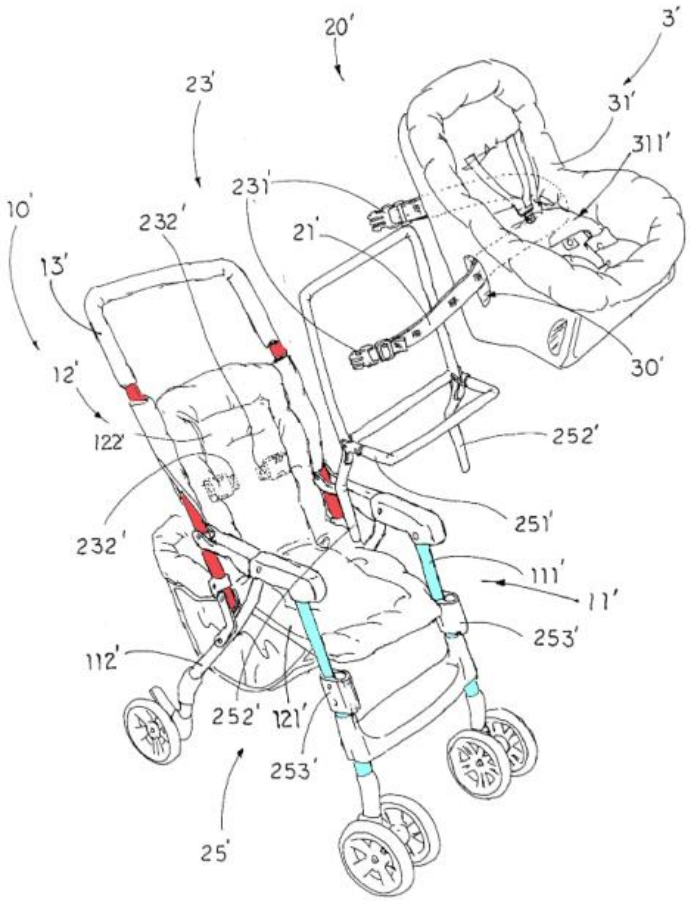


FIG.4

EX1050, Hsia '316, Fig. 4 (Annotated)

540. Therefore, it is my opinion that Hsia '316 discloses or renders obvious limitations [1.2] and [1.3].

… ***[1.4] a first back wheel support frame rotated with respect to the first upper tube support frame; and***

… ***[1.5] a second back wheel support frame rotated with respect to the second upper tube support frame;***

541. Hsia '316 discloses a pair of back legs 112'.

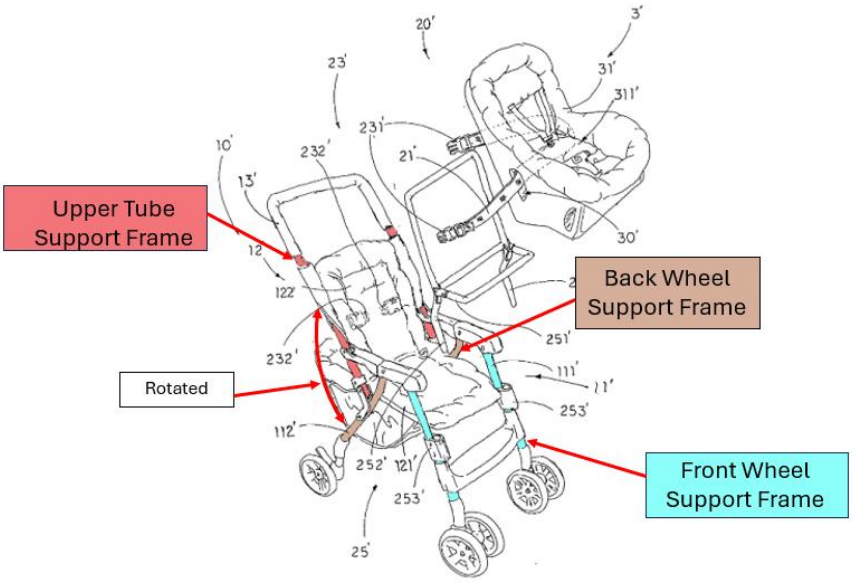
> **[T]wo back frame legs 112'**, a regular seat 12' comprising a seat support 121' horizontally supported by the supporting frame 11' and a back support 122' upwardly extended from the seat support 121', and a handle frame 13' upwardly extended from the supporting frame 11'.

(EX1050, Hsia '316, 4:33-38.)

542. The first (brown) and second (brown) back legs 112' have a lower end connected to the rear wheels and an upper end pivotally connected[27] to the armrests of the regular seat 12'. A POSITA would have understood the back legs 112' (brown) as being a "back wheel support frame," since they are connected to the back wheels.

543. The first (brown) and second (brown) back legs 112' are rotated with respect the upper tube support frame (red). As shown in Figure 4, the upper support frames (red) are coupled to an intermediate portion of the back frames 112' by angle brackets allowing the upper support frames to couple with the back frames at an angle.

[27] The drawings show the pin connection.

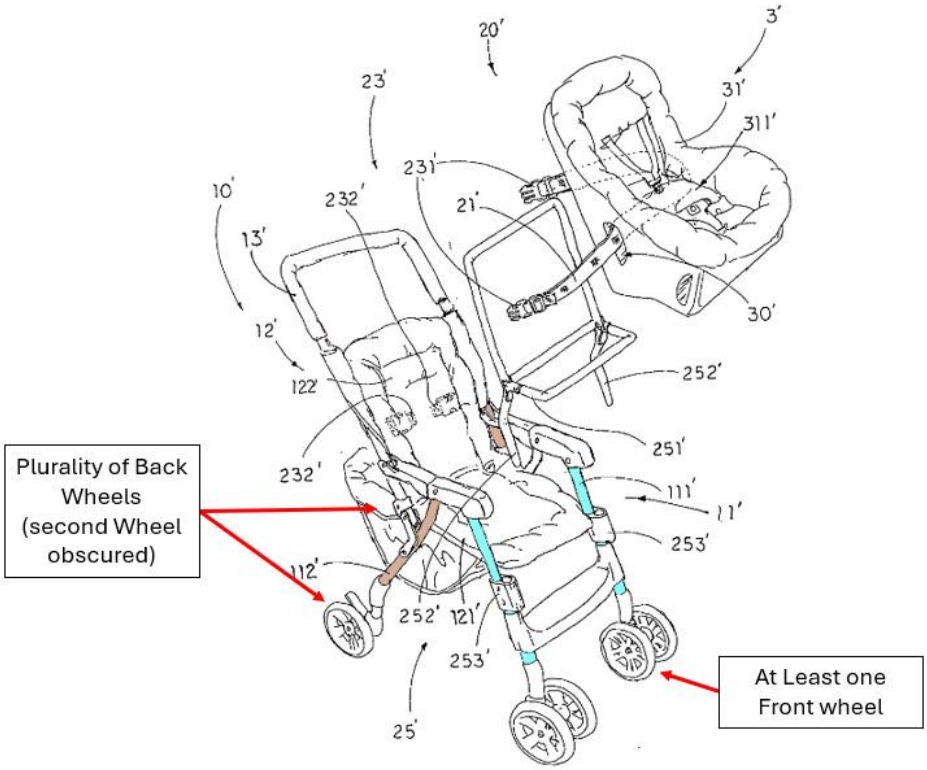


EX1050, Hsia ’316, Fig. 4 (Annotated)

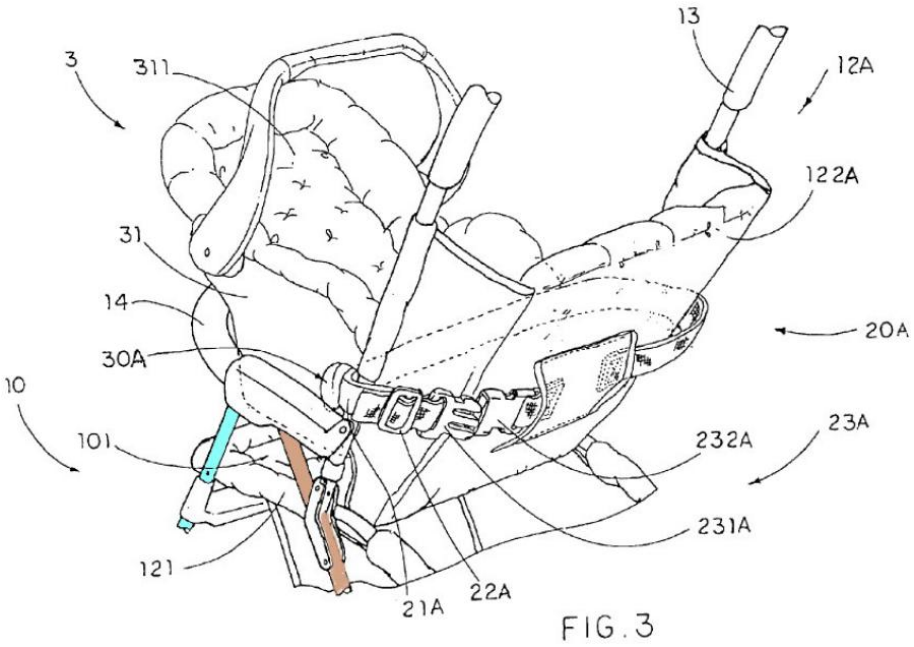
544. Therefore, it is my opinion that Hsia ’316 discloses or renders obvious limitations [1.4] and [1.5].

… ***[1.6] a plurality of wheels comprising at least one front wheel and a plurality of back wheels;***

545. Hsia ’316 discloses front wheels coupled to the front legs 111’ and back wheels coupled to the back legs 112’. (EX1050, Hsia ’316, Fig. 4.) While Hsia ’316’s second back wheel is obscured from view in the figures, a POSITA would have understood that the stroller must include a second back wheel attached to the end of the second back frame leg. (EX1050, Hsia ‘316, 4:32-34.) Indeed, Figure 3 of Hsia ’316 shows the left back leg, which, of course, must be attached to the second back wheel. Without the second back wheel, the stroller would not be operable.



EX1050, Hsia '316, Fig. 4 (Annotated)



EX1050, Hsia '316, Fig. 3 (Annotated)

546. Therefore, it is my opinion that Hsia '316 discloses or renders obvious

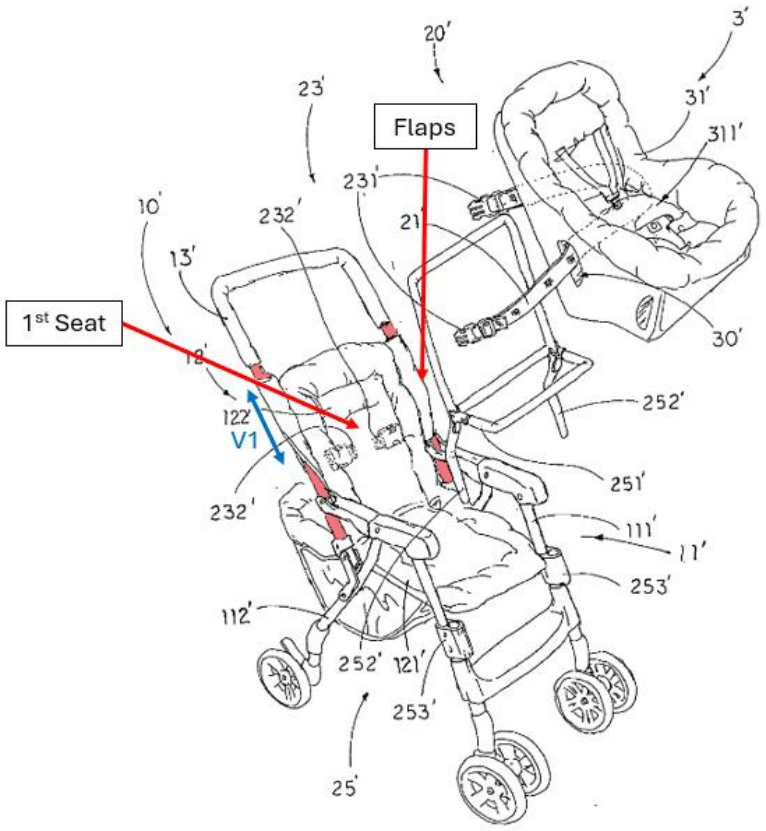
limitation [1.6].

> … ***[1.7] a first seat coupled along the first upper tube support frame and the second upper tube support frame at a first vertical position of the stroller frame;***

547. Hsia ’316 discloses a regular seat 12’ having a seat support 121’ (a sitting surface) and back support 122’. The seat support 121’ is supported by the frame 11’ and the back support 112’ is in turn supported by the seat support 122’.

> As shown in FIG. 4, the stroller comprises a supporting frame 11’ having two front frame legs 111’ and two back frame legs 112’, **a *regular seat 12’* comprising a seat support 121’ horizontally supported by the supporting frame 11’ and a back support 122’ upwardly extended from the seat support 121’**, and a handle frame 13’ upwardly extended from the supporting frame 11’.

(EX1050, Hsia ’316, 4:32-38.)



EX1050, Hsia '316, Fig. 4 (Annotated)

548. The seat support 122' includes outer flaps that wrap around the upper tube support frame (red) to connect or "couple" the seat support 122' to the frame. Figure 4, for example, illustrates the upper frames extending through (blue arrow) a pocket defined by the flaps. The upper flaps support the seat back 122' by connecting the seat back to the upper support frames (red). Hsia '316 explains the back support 122' has a cantilever connection with the seat support 121'. (EX1050, Hsia '316, 4:32-38.)

549. A POSITA would have understood that cantilever connections are prone to bending and that additional support of the seat back is needed to prevent

bending of the back support 122' at the cantilever connection. A POSITA viewing Hsia '316's figures would have immediately recognized that the seat 12' is coupled to the upper frames (red) at the flaps to further support the seat back 122' and prevent backward movement thereof.

550. Hsia '316 illustrates the flaps of the seat cover extending over a substantial distance (blue arrow) of the upper frame portions. As such, the first seat 12' is coupled "*along* the first [and second] upper tube support frame[s] … at a first vertical position [(V1)] of the stroller frame[.]"

551. Therefore, it is my opinion that Hsia '316 discloses or renders obvious limitation [1.7].

… ***[1.8] a first seat attachment adapter coupled to the first front wheel support frame at a second vertical position of the stroller frame that is below the first vertical position;***

552. Hsia '316 discloses a car-seat fastening arrangement 20' used to connect a car seat 3' to the stroller frame 10' to provide a second seat in addition to the regular seat 12'. This provides a dual-seat configuration.

(EX1050, Hsia '316, 4:26-31.)

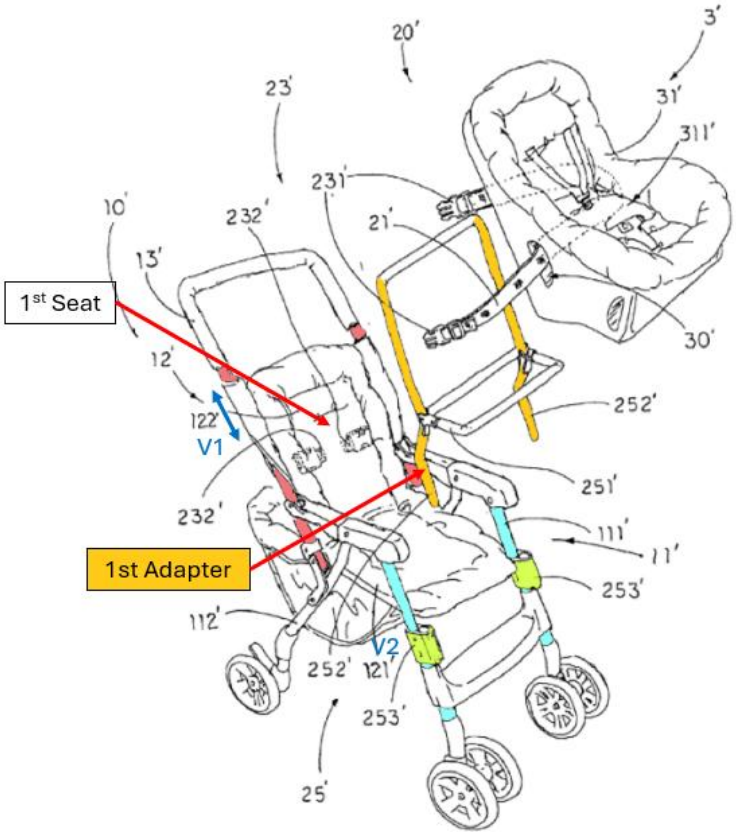
553. Hsia '316 further discloses:

> [T]he **car seat fastening arrangement 20' further comprises *a car seat adaptor frame 25'*** detachably mounted in front of the vehicle frame 10' and adapted for substantially supporting the car seat 3'

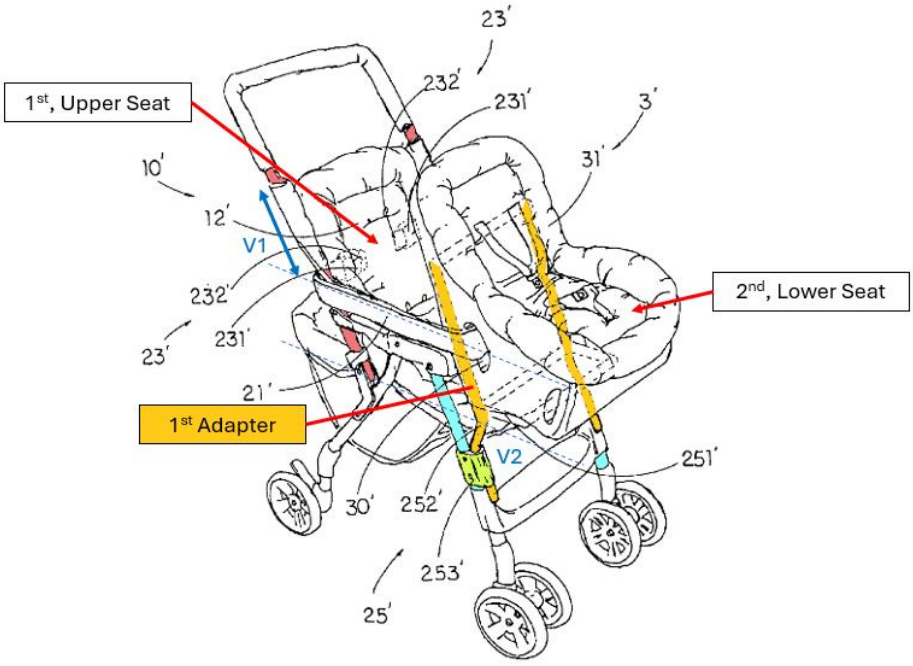
> thereon. The ***car seat adaptor frame 25' comprises*** **a support frame 251' for substantially supporting the car seat 3' thereon, *a pair of supporting frame legs 252'* downwardly extended from the support frame 251', and a pair of tubular holders 253' provided on the *two front frame legs 111'* respectively such that the *tubular holders 253' is adapted to detachably hold the two supporting frame legs 252' respectively so as to substantially mount the support frame 251' in front of the stroller frame 10'***.

(EX1050, Hsia '316, 4:66-5:11.)

554. The frame legs 252' of the adaptor frame 25' are "seat attachment adapters" (gold) used to couple the car seat 3' to the stroller 11. (EX1050, Hsia '316, 4:66-5:11.) A first of these legs 252' (gold) discloses a "first seat attachment adapter" is coupled to the front leg 11' (blue) by a tubular holder 253' (green) at a second vertical position (V2). The second vertical position (V2) is lower than the first vertical position (V1).



EX1050, Hsia '316, Fig. 4 (Annotated)



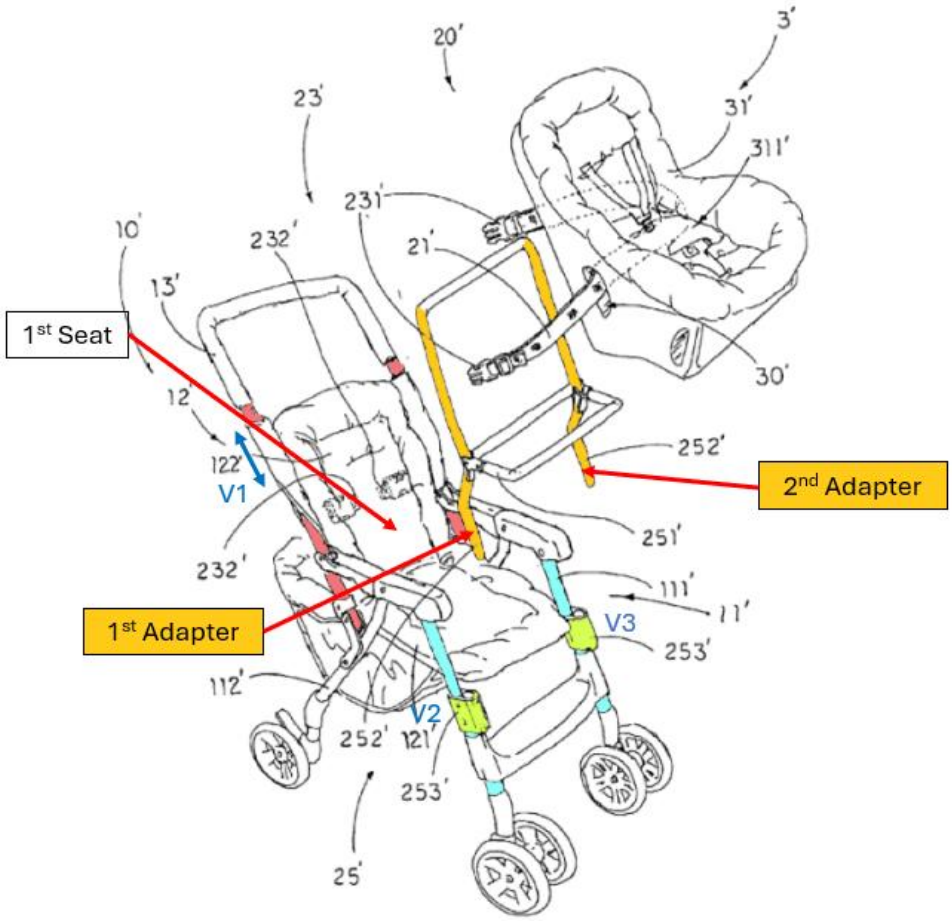
EX1050, Hsia '316, Fig. 6 (Annotated)

555. Therefore, it is my opinion that Hsia ’316 discloses or renders obvious limitation [1.8].

… ***[1.9] a second seat attachment adapter coupled to the second front wheel support frame at a third vertical position of the stroller frame that is below the first vertical position;***

556. The stroller of Hsia ’316 is symmetrical. As discussed above in claim limitation [1.8], the car seat adaptor frame 25’ comprises a support frame 251’ having a pair of supporting frame legs 252’ (“adapters”) that couple with a pair of tubular holders 253’ provided on the two front frame legs 111’ to connect the frame legs 252’ to it. (EX1050, Hsia ’316, 4:66-5:11.)

557. A second of the support frame legs 252’ are a “second seat attachment adapter” (gold) coupled to the “second front wheel support frame” (blue) at a third vertical position (V3) of the stroller frame that is below the first vertical position (V1).



EX1050, Hsia '316, Fig. 4 (Annotated)

558. Therefore, it is my opinion that Hsia '316 discloses or renders obvious limitation [1.9].

… ***[1.10] wherein a second seat is removably coupled to the first seat attachment adapter and the second seat attachment adapter to position the second seat at a fourth vertical position that is below the first vertical position and wherein the second vertical position and the third vertical position are at a same vertical height.***

559. Hsia '316 discloses a second seat (car seat 3'): "In other words, the stroller can provide two seats when the car seat 3' is mounted in front of the stroller."

(EX1050, Hsia ’316, 5:19-20, claim 14.)

560. The car seat 3’ is coupled to the stroller frame 10’ by the car seat adapter frame 25’, which includes the frame legs 252’ (gold, “first/second seat attachment adapters”) received in the tubular holders 253’ provided on the two front frame legs 111’. The adapter frame 25’ includes a bottom support frame 251’ and a back support, including the first and second frame legs 252’ and a top cross bar. The bottom and back supports cooperate to support and receive the car seat 3’, which is removably coupled to them.

> As shown in FIG. 5, **the car seat fastening arrangement 20’ further comprises a car seat adaptor frame 25’ detachably mounted in front of the vehicle frame 10’ and adapted for substantially supporting the car seat 3’ thereon.** The car seat adaptor frame 25’ comprises a support frame 251’ for substantially supporting the car seat 3’ thereon, a pair of supporting frame legs 252’ downwardly extended from the support frame 251’, **and a pair of tubular holders 253’ provided on the two front frame legs 111’ respectively such that the tubular holders 253’ is adapted to detachably hold the two supporting frame legs 252’ respectively so as to substantially mount the support frame 251’ in front of the stroller frame 10’.**

(EX1050, Hsia ’316, 4:66-5:11, Figs. 5 and 6.)

561. The car seat 3’ is removably coupled to the car seat adapter frame 25’ (including the frame legs 252’) by a holding belt 21’. The holding belt 21’ is fed through the car seat 3’ and has first connectors 231’ (buckle plugs) that connect with

second connectors 232’ (buckle sockets) disposed on the back of the regular seat 12’.

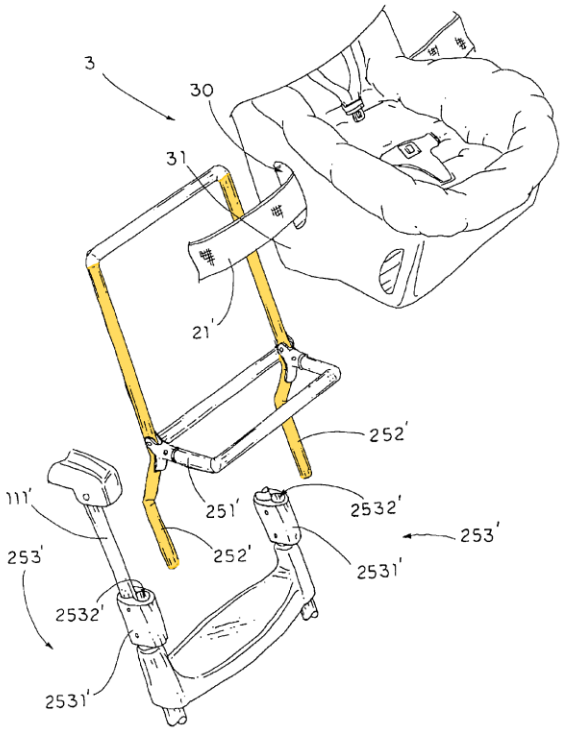
> The ***holding belt 21’*** **has a length adapted to extend from one side portion of the back support 122’ of the regular seat 12’ to another opposed side portion of the back support 122’ of the regular seat 12’ through the fastening slot 30’ of the car seat 3’ when the car seat 3’ is supported on the stroller frame 10’.**

(EX1050, Hsia ’316, 4:44-49.)

> The connecting unit 23’ comprises **two *first connectors 231’* provided at two free end portions of the holding belt 21’ and two *second connectors 232’* provided at two side portions of a rear surface of the back support 122’ of the regular seat 12’** respectively wherein **the first connectors 231’ are adapted to securely engage with the second connectors 232’ respectively so as to connect the holding belt 21’ to form the holding loop of the holding belt 21’.** Accordingly, the first and second connectors 231’, 232’ are a pair of buckle sockets and buckle plugs adjustably affixed to the free end portions of the holding belt 21’ and firmly attached to the rear surface of the back support 122’ of the regular seat 12’ respectively.

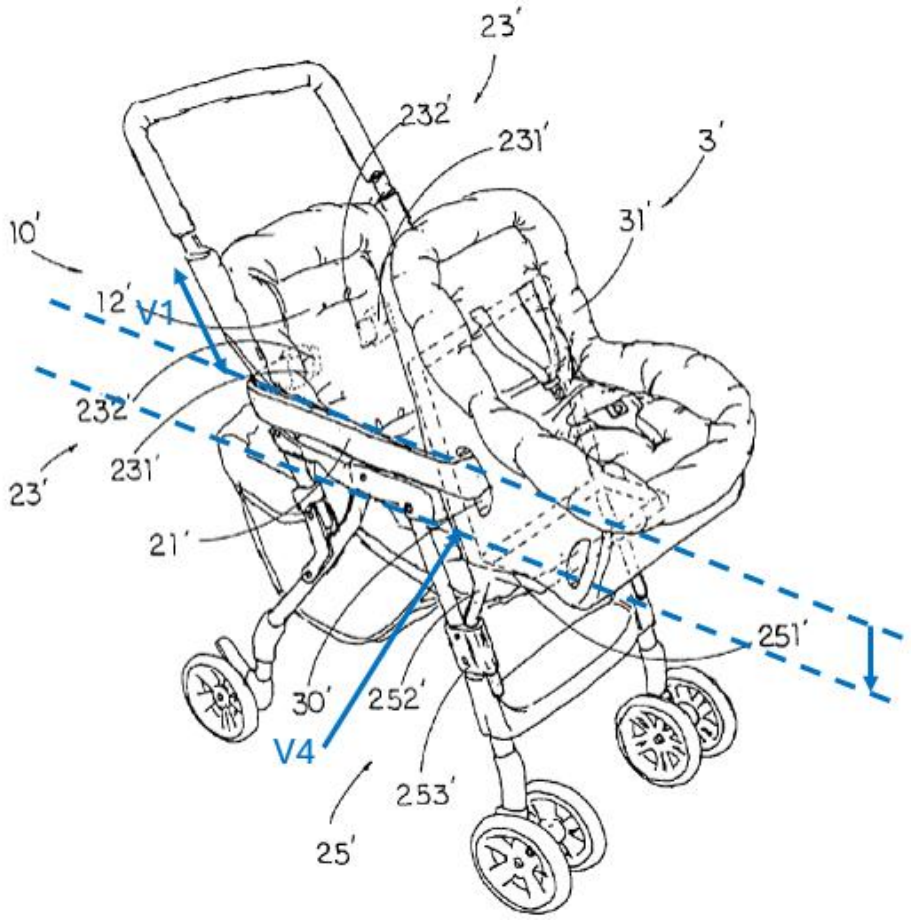
(EX1050, Hsia ’316, 4:54-4:65, see also Fig. 2.)

562. Therefore, the car seat 3’ is removably coupled to the first and second seat attachment adapters (gold) by the belt 21’.



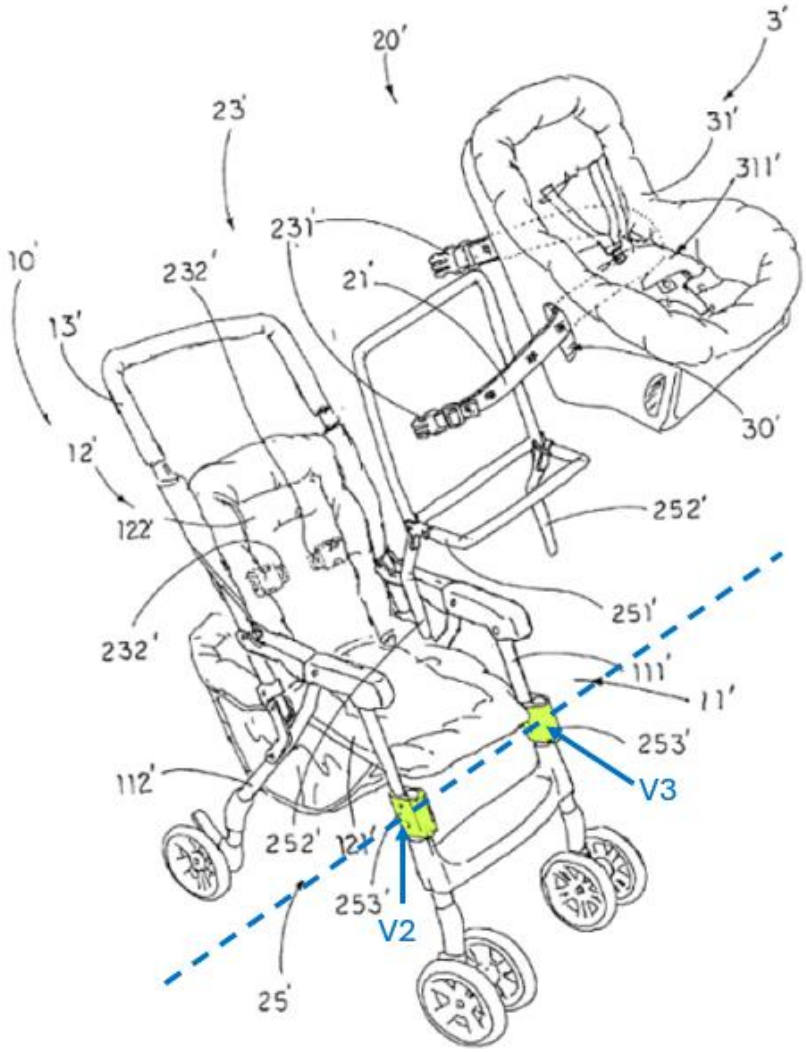
EX1050, Hsia '316, Fig. 5 (Annotated)

563. Hsia '316 discloses the car seat 3' is removably coupled to the first seat attachment adapter and the second seat attachment adapter at a fourth vertical position (V4) that is below the first vertical position (V1).



EX1050, Hsia '316, Fig. 6 (Annotated)

564. As best shown in Figure 4 (reproduced below), the stroller of Hsia '316 is symmetrical and has the holders 253' (green) located at the same height. The car-seat fastening arrangement 20' is also symmetrical. This results in the second and third vertical positions (V2/V3) being at a same vertical height.



EX1050, Hsia '316, Fig. 4 (Annotated)

565. Therefore, it is my opinion that Hsia '316 discloses or renders obvious limitation [1.10].

… ***[2.0] The stroller of claim 1, further comprising: a first seat attachment housing disposed adjacent the first front wheel support frame at the second vertical position; a second seat attachment housing disposed adjacent the second front wheel support frame at the third vertical position;***

566. As discussed in claim limitation [1.8] above, Hsia '316 discloses

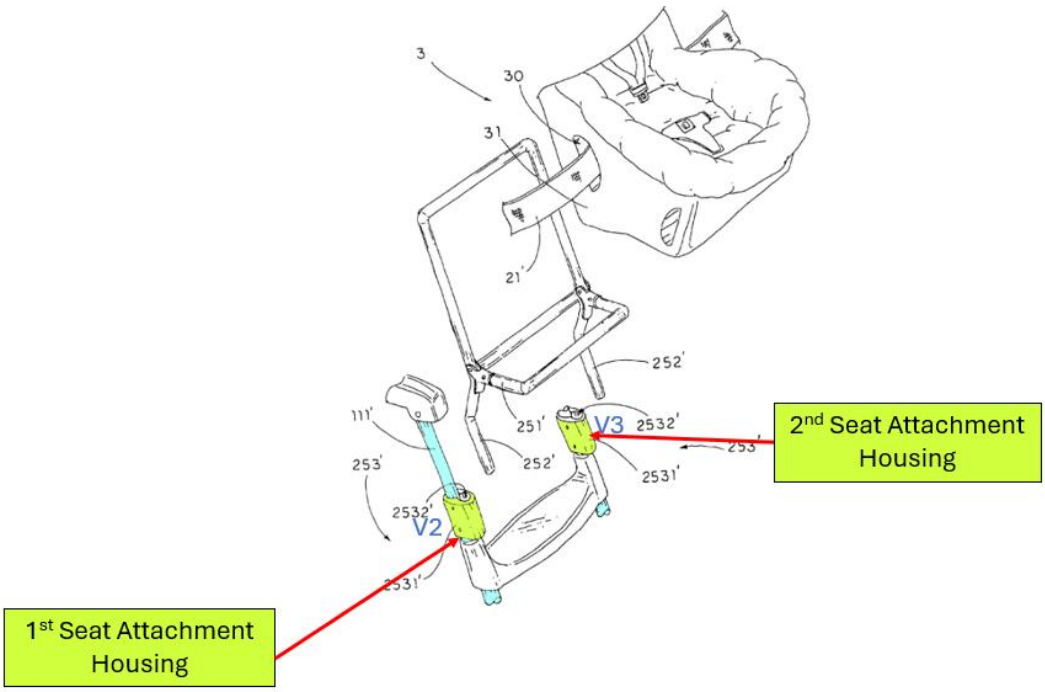
tubular holders 253' (green) attached to the front legs (blue). (EX1050, Hsia '316, 5:6-7.)

567. A POSITA would have understood the tubular holders 253' to be the first and second "seat attachment housings." Each tubular holder 253' includes a body defining a socket 2532' for receiving the adapters (frame legs 252').

> Each of the **tubular holders 253'** comprises a **holder body 2531' affixed to the respective front frame leg 111'** and having a **holder socket 2532'** which has a diameter slightly larger than the **supporting frame leg 252' and vertically extended to the holder body 2531' for an end portion of the supporting frame leg 252' slidably inserting thereinto**, as shown in FIG. 5.

(EX1050, Hsia '316, 5:12-18.)

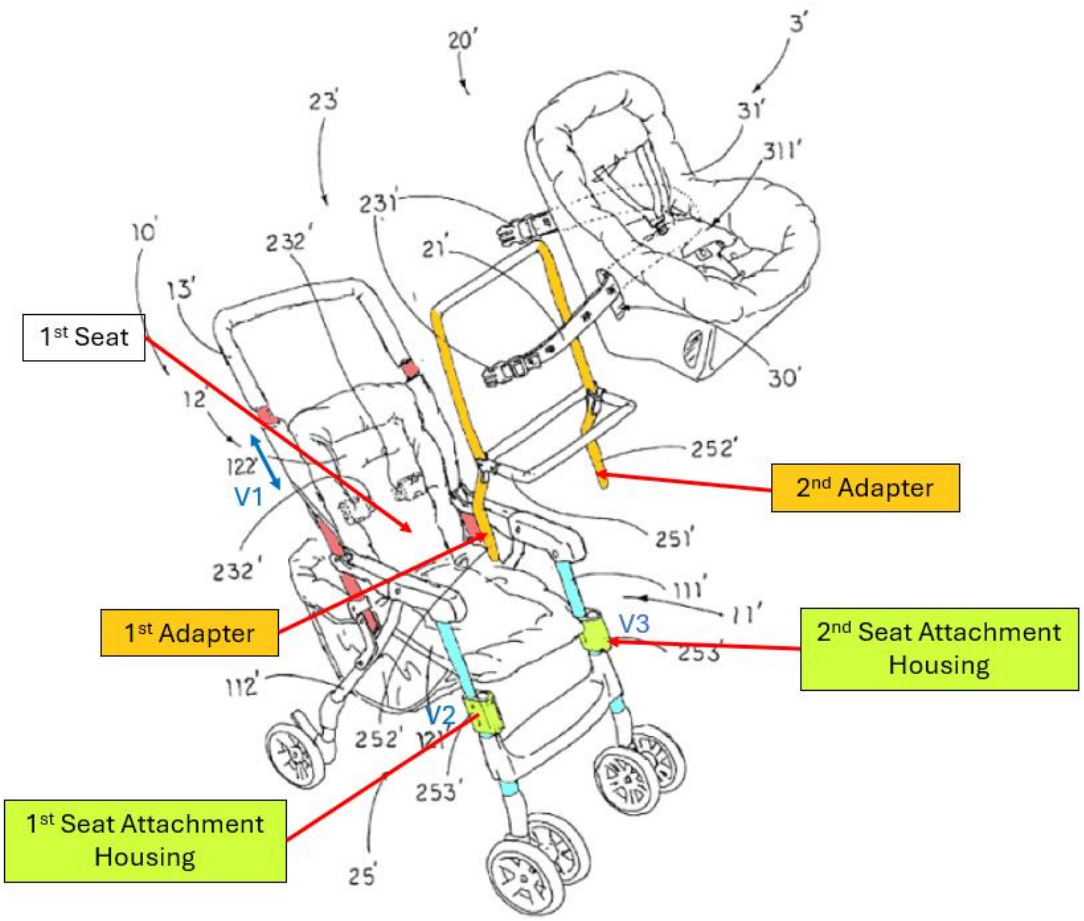
568. The holders 253' are attached to the front legs 111' and thus are "adjacent." The sockets 2532' are also adjacent to the front legs 111'



EX1050, Hsia '316, Fig. 5 (Annotated)

569. As shown in annotated Figure 5, the first and second holders 253' are located on the front legs 111' at the second and third vertical positions (V2/V3).

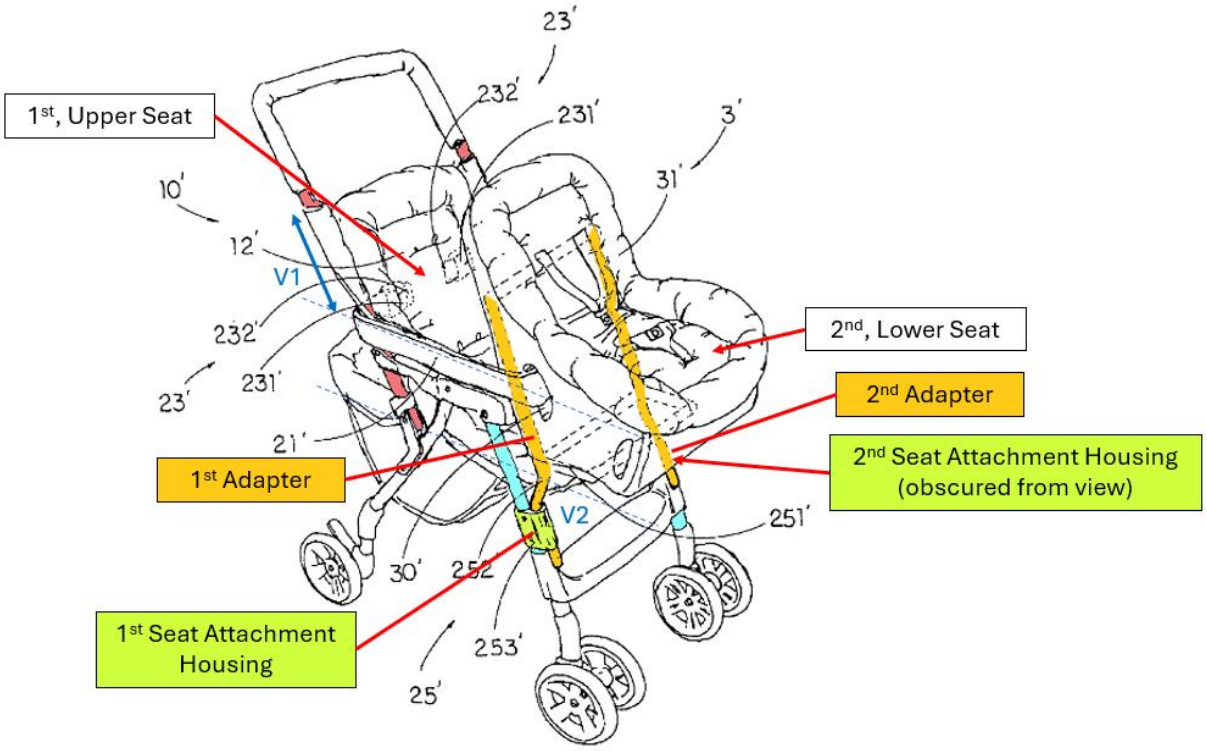
570. Therefore, it is my opinion that Hsia '316 discloses or renders obvious limitation [2.0].



EX1050, Hsia '316, Fig. 6 (Annotated)

… ***[2.1] wherein the first seat attachment adapter is coupled to the first seat attachment housing and the second seat attachment adapter is coupled to the second seat attachment housing.***

571. The frame legs 252' (gold, "adapters") are received in the sockets 2532' of the holders 253' (green, "housings") to couple the adapters to the housings. (EX1050, Hsia '316, 5:12-24.) Therefore, it is my opinion that Hsia '316 discloses or renders obvious claim limitation [2.1].

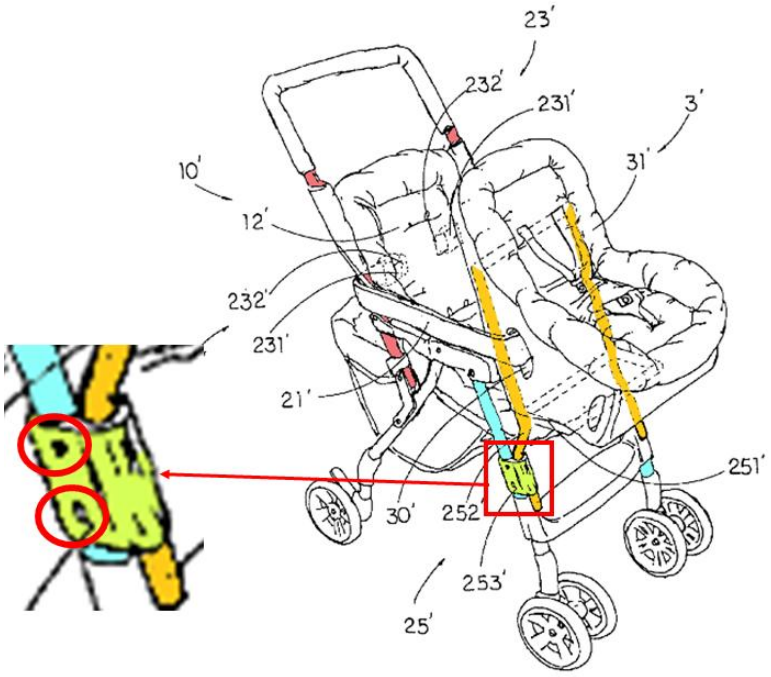


EX1050, Hsia '316, Fig. 6 (Annotated)

… ***[3.0] The stroller of claim 2, wherein the first seat attachment housing extends into the first front wheel support frame and the second seat attachment housing extends into the second front wheel support frame.***

572. As shown below, Hsia's first and second "housings" are secured to the corresponding front wheel supports using "a holder socket" (circled in red) which is likely a rivet or bolt. These fasteners form part of the "housings" and extend into the front wheel supports, ensuring that the housings remain fixed in place. A POSITA would have understood that this attachment method was merely one of several known techniques and that the housing structure could be readily modified. For example, a POSITA would have recognized that the front wheel supports could

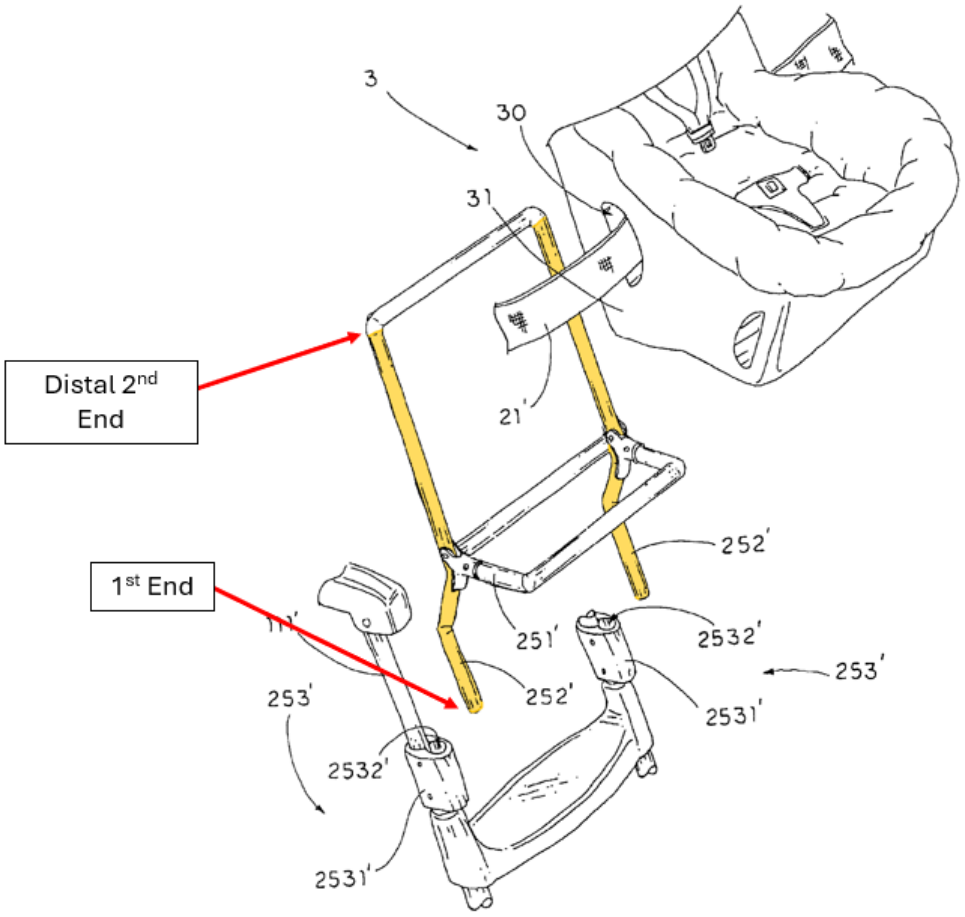
include recessed openings or cavities configured to receive a portion of the housings, allowing the housings to extend into the frame and engage with internal structural features (e.g., grooves, sockets, or detents) for added stability. This configuration would improve the strength and durability of the connection, reduce lateral movement under load, and provide a more integrated assembly. It also would reduce reliance on external fasteners, which may loosen over time or require more complex assembly. Additionally, incorporating such a feature would align with common design practices in the stroller and mobility device fields, where components are often nested or interlocked for increased robustness and manufacturing efficiency. Thus, modifying the housings to extend into the stroller frame would have been a predictable, straightforward improvement well within the level of skill of a POSITA.



EX1050, Hsia '316, Fig. 6

… ***[4.0] The stroller of claim 2, wherein each of the first seat attachment adapter and the second seat attachment adapter has a first end and a distal second end.***

573. Each of the frame legs 252' ("seat attachment adapters") has a first end and a distal second end as shown below.

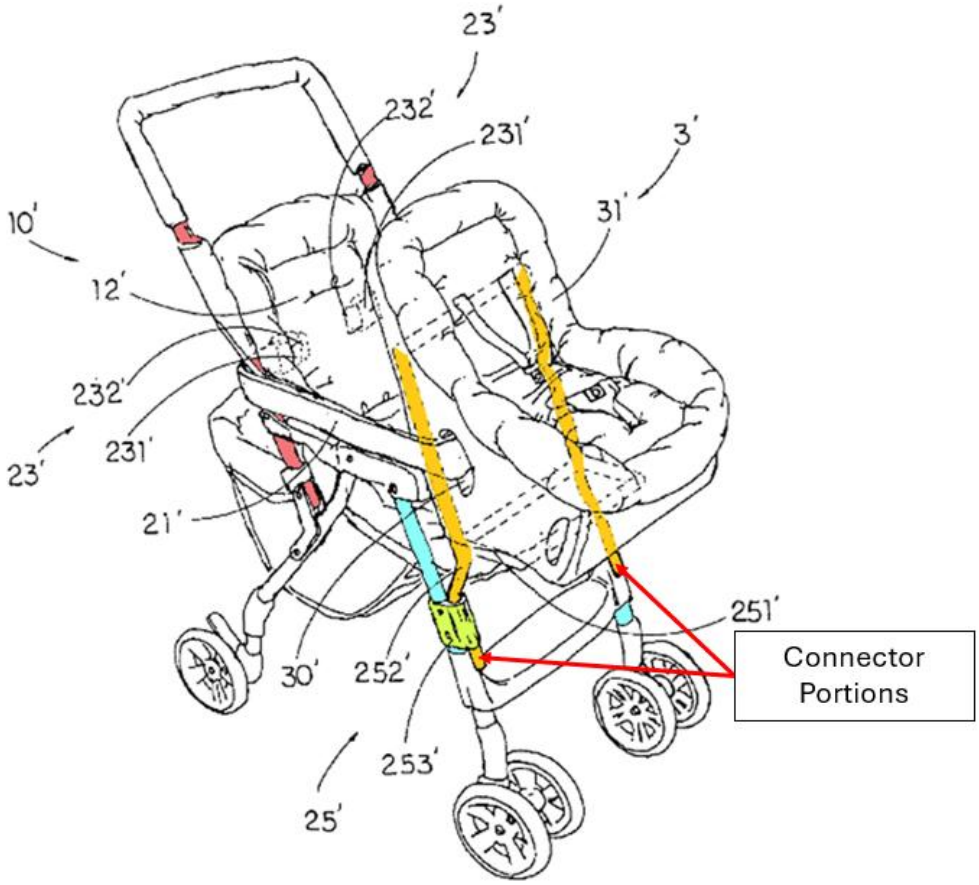


EX1050, Hsia '316, Fig. 5 (Annotated)

574. Therefore, it is my opinion that Hsia '316 discloses or renders obvious limitation [4.0].

… ***[5.0] The stroller of claim 4, wherein the first end comprises a connector portion and is coupled to one of the first seat attachment housing and the second seat attachment housing.***

575. Hsia ’316 discloses that the first end of the frame legs 252’ (gold “adapters”) are received in the holders 253’ (green, “housings”) to couple the adapter frame 25’ to the front legs 111’ of the stroller frame 10’. The portions of the first ends of the frame legs 252’ that are received in the holders 253’ are “connector portion[s]” and are “coupled to one of the first seat attachment housing and the second seat attachment housing.”



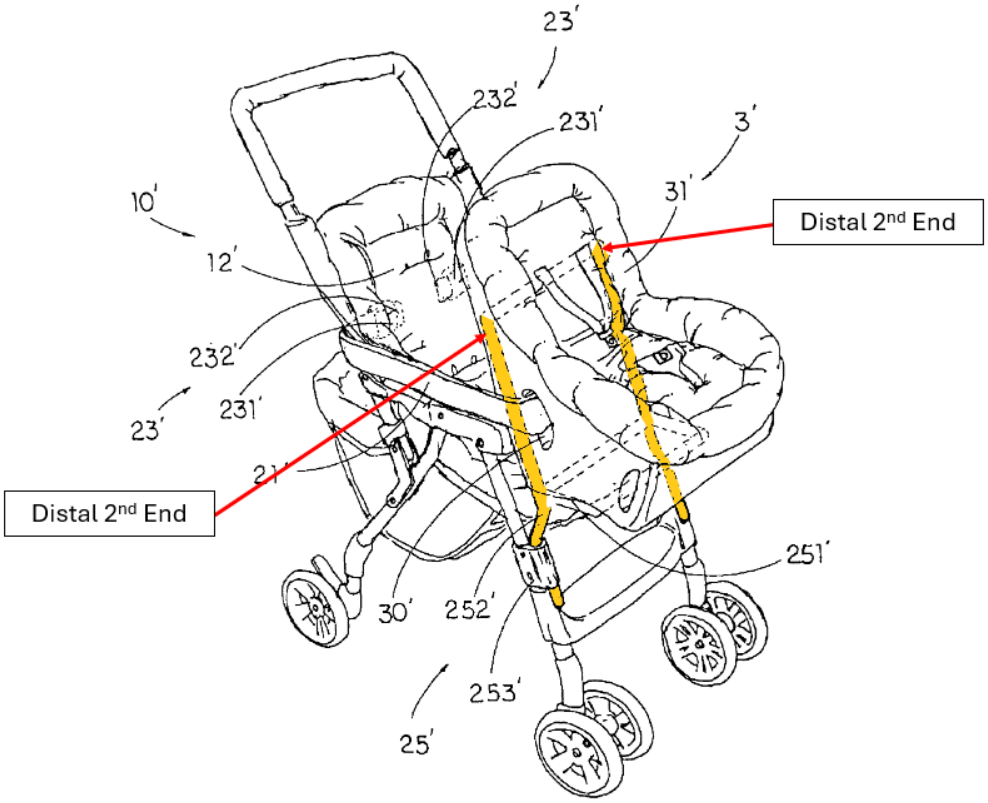
EX1050, Hsia ’316, Fig. 6 (Annotated)

576. Therefore, it is my opinion that Hsia ’316 discloses or renders obvious limitation [5.0].

… ***[6.0] The stroller of claim 4, wherein the second seat is removably coupled to the second end.***

577. As I discussed above in claim 1, Hsia ’316 discloses a second seat (car seat 3’). (EX1050, Hsia ’316, 5:19-24.) The car seat 3’ is coupled to the stroller frame 10’ by the car seat adapter frame 25’, which includes the frame legs 252’ (gold, “adapters”) (EX1050, Hsia ’316, 4:66-5:11.) The car seat 3’ is secured to the car seat adapter frame 25’ (including the frame legs 252’) by the holding belt 21’. (EX1050, Hsia ’316, 4:44-4:65.) The holding belt 21’ includes connector portions allowing the car seat 3’ to be removably coupled to the adapter frame 25’. (See EX1050, Hsia ’316, Fig. 6.)

578. As shown in Figure 6, reproduced below, the back of the car seat 3’ is disposed against the second ends of the frame legs 252’ (gold, “adapters”) when the car seat 3’ is installed. Therefore, the holding belt 21’ selectively couples the car seat 3’ to the second ends.



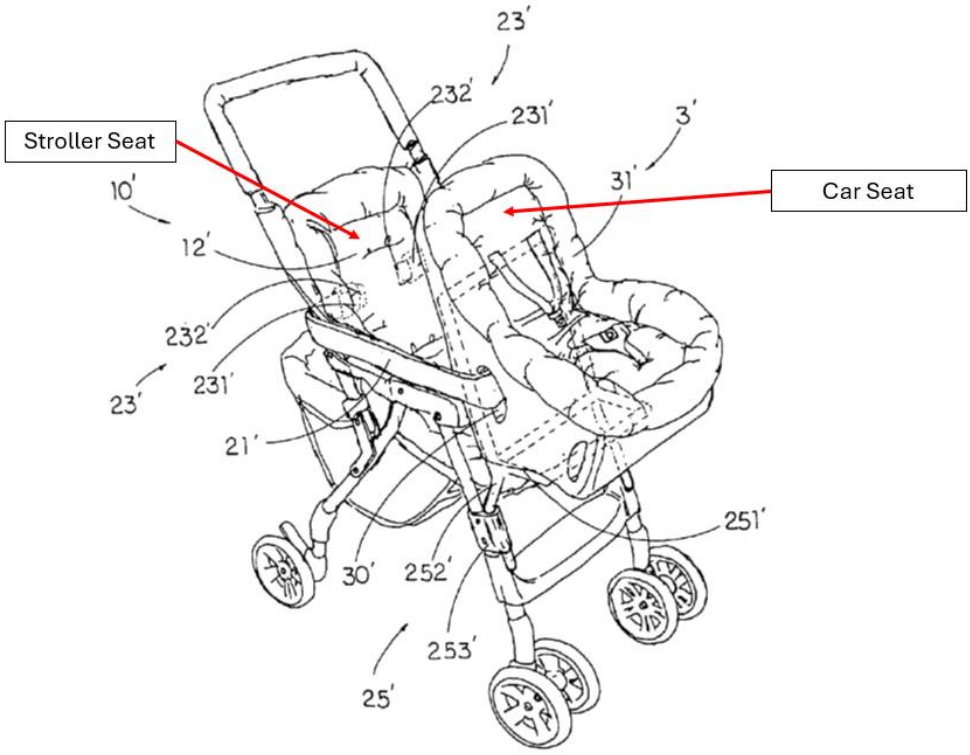
EX1050, Hsia '316, Fig. 6 (Annotated)

579. Therefore, it is my opinion that Hsia '316 discloses or renders obvious limitation [6.0].

> … ***[7.0] The stroller of claim 1, wherein the first seat is one of a baby seat, a car seat, a stroller seat, a bassinet, a baby carrier, or a pram and the second seat is one of a second baby seat, a second car seat, a second stroller seat, a second bassinet, a second baby carrier, or a second pram.***

580. As discussed above, Hsia '316 discloses a first seat (regular seat 12') and a second seat (car seat 3'). (EX1050, Hsia '316, 3:7-20.) A POSITA would understand "regular seat" means "stroller seat." The car seat 3' discloses a "second

car seat."



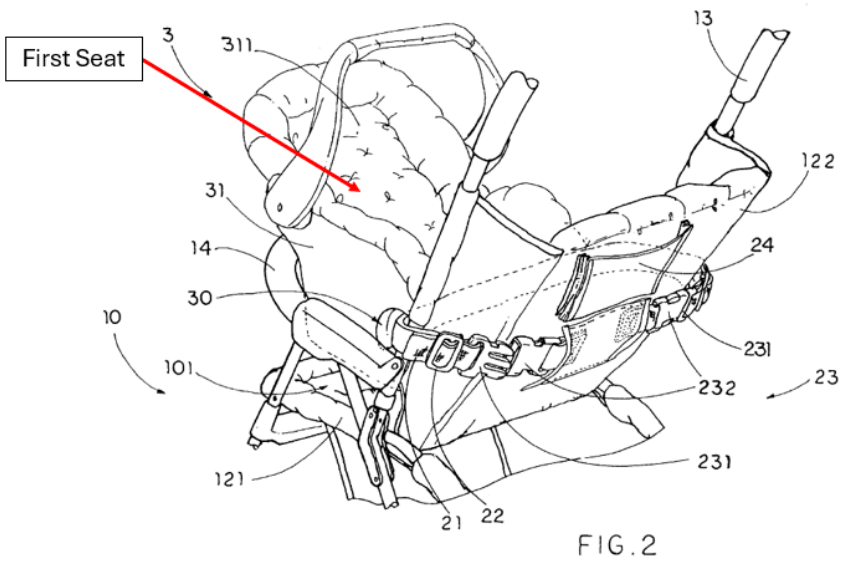
EX1050, Hsia '316, Fig. 6 (Annotated)

581. Therefore, it is my opinion that Hsia '316 discloses or renders obvious limitation [7.0]

> … ***[8.0] The stroller of claim 1, further comprising: a third seat attachment adapter coupled to the stroller frame at the first vertical position; and a fourth seat attachment adapter coupled to the stroller frame at the first vertical position;***
>
> … ***[8.1] wherein the first seat is removably coupled to the third seat attachment adapter and the fourth seat attachment adapter.***

582. Hsia also discloses an embodiment where two infant carriers are supported by the stroller frame 10. (EX1050, Hsia '316, claims 13-14.)

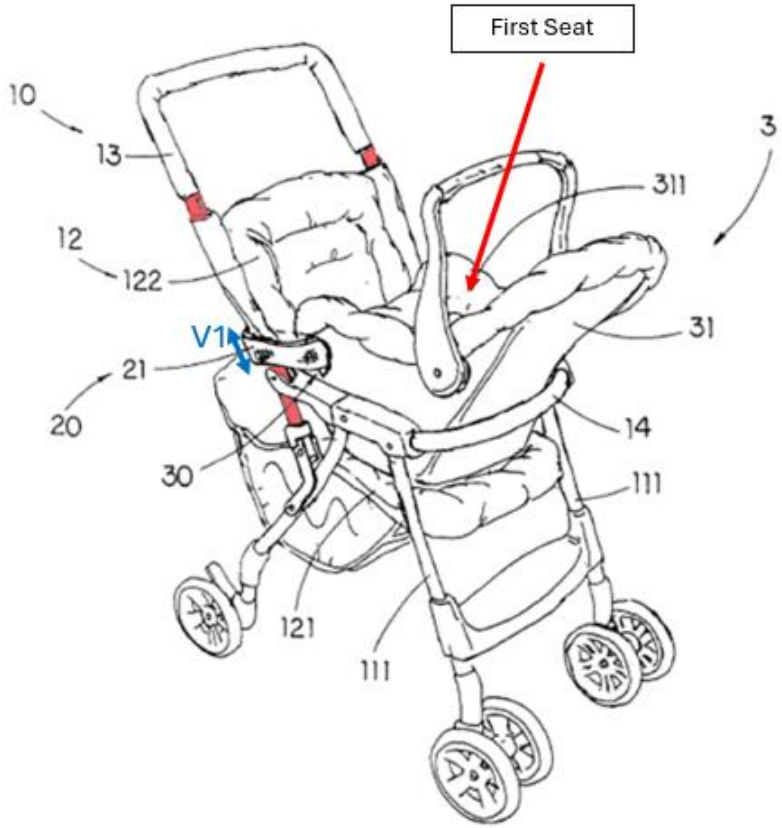
583. As shown in Figure 1, Hsia '316 discloses an infant seat car seat 3 connectable to the stroller frame 10. (EX1050, Hsia '316, 2:62-67.) The car seat 3 includes a fastening arrangement 20 comprising a holding belt 21 that connects with a connecting unit 23 provided on the seat back support 122. (EX1050, Hsia '316, 3:1-5, 4:44-53.) Hsia '316 discloses the holding belt 21 wraps around the first/second upper tube support frames (red) and has first connectors 231 mating with female second connectors 232 located on the back support 122. (EX1050, Hsia '316, 3:32-58.)



EX1050, Hsia '316, Fig. 2 (Annotated)

584. A POSITA would have considered the car seat 3 to be the claimed "first seat" as I show above. The holding belt 21 extends around the "upper tube support frames" (red) of the frame 10 to connect with the connecting unit 23. The holding belt 21 is in direct contact with the "upper tube support frames" (red) to couple the

car seat 3 to the stroller frame 10. Therefore, the holding belt 21 is coupling the car seat 3 ("first seat") along or to the "upper tube support frames" at a first vertical position (V1).



Hsia '316, Fig. 1 (Annotated)

585. But if it is argued this limitation requires direct coupling to the first/second upper tube support frames, a POSITA would have understood it would have been obvious that Hsia could be modified such that the female second connectors 232 could have been attached to or along the upper tube support frames (red). A POSITA would have understood the second connectors 232 include a small portion of strap that is sewn to the back support 122. A POSITA would have also

understood, however, this belt could have been affixed in various ways to the first/second upper tube support frames. For instance, the second connector's strap could have been attached at or along the portion of the back support 122 (of seat 12) that is coupled to the first/second upper tube support frames.

586. Or, a POSITA would have understood the second connector's strap could have been wrapped around and coupled directly to the upper tube support frames. A POSITA would have understood a fastening mechanism (*e.g.*, a rivet or screw) could be used to ensure the second connector's strap is fixedly attached to the first/second upper tube support frames to prevent movement and to provide a more robust and secure connection.

587. Once modified, the first connectors would be coupled directly to the first/second upper tube support frames.

588. A POSITA would have had the capability and knowledge to make such a modification as this would have been nothing more than using known techniques commonly employed in the field of stroller design. A POSITA would have been motivated to try the modification as affixing the second connector's strap to the first/second upper tube support frames could provide a more secure and stable connection for the infant carrier. This modification would also result in a shorter belt 21 and place the clip connectors 231/232 on the sides of the frame 10, which is a more convenient location for the user.

589. The issued claims (claims 13 and 14) of Hsia ’316 teach a POSITA that the removable infant carrier could be used in connection with Hsia’s attachment adapter that I previously opine is used to attach the “second seat.”

> 13. A stroller adapted for securely supporting **a car seat** which has a securing arrangement for a seat belt of a vehicle to fasten in position, comprising:
>
> at least **a regular seat** comprising a seat support and a back support extended from a rear portion of said seat support;
>
> a movable stroller frame supporting said regular seat;
>
> **a car seat fastening arrangement** comprising:
>
> a connecting unit provided at a rear side of said back support of said regular seat, wherein said connecting unit comprises at least a unit connector;
>
> a holding belt having a first end connected to said connecting unit and a second end affixed with a belt connector which is capable of detachably fastening to said unit connector of said connecting unit so as to define a holding loop having a predetermined size large enough for encirclingly holding **said car seat** on said stroller while fastening with said securing arrangement of said car seat, wherein said unit and belt connectors are a buckle socket and a buckle plug affixed to said connecting unit and said end of said second end of said holding belt respectively, wherein said holding belt is securely connected to said connecting unit by fastening said buckle socket with said buckle plug;

a belt pocket provided at said rear side of said back support of said regular seat for storing said holding belt when said holding belt is detached; and

means for adjusting a length of said holding loop of said holding belt for tightly holding said car seat with said stroller frame, wherein said adjustment means comprises at least an adjusting member coupled on said holding belt to selectively lock up said belt connector at a predetermined position along said holding belt, so that said size of said holding loop is able to be adjusted by controlling a length between said belt connector and said first end of said holding belt.

14. The stroller, as recited in claim 13, wherein **said car fastening arrangement further comprises a car seat adaptor frame which comprises a support frame for substantially supporting said car seat thereon**, a pair of supporting frame legs downwardly extended from said support frame, and a pair of tubular holders, which are provided on a pair of front frame legs of said stroller frame respectively, each having a longitudinal holder socket provided at a front portion thereof, wherein said support frame is capable of detachably mounted in front of said stroller frame by inserting said two supporting frame legs into said two holder sockets of said two holders respectively so that **a car seat** is able to be sat on said support frame and be securely fastened by fastening said holding belt with said securing arrangement of said car seat **in order to prevent occupying said regular seat and provide an additional seat for said stroller**.

(EX1050, Hsia ’316, Claims 13 and 14.)

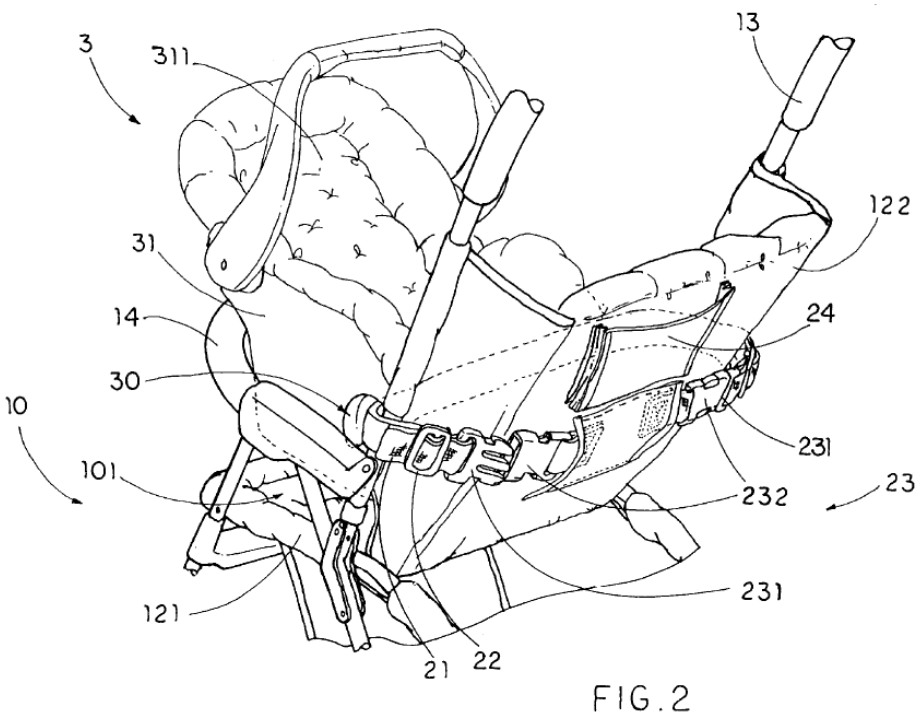
590. A POSITA would understand from claim 13 (and the text describing

Figures 1 and 2) that a car seat can be placed in the regular seat 12, *e.g.*, as shown in Figure 2. Claim 14 recites "a car seat adapter frame" that can support a car seat in "in order to prevent occupying said regular seat and provide an additional seat for said stroller." Claim 14 does not explicitly state that a second car seat can be the "additional seat," instead merely stating that the "regular seat" remains unoccupied to provide the additional seat.

591. A POSITA, however, would understand from the embodiment of Figures 1 and 2 that a car seat could be placed in the unoccupied "regular seat" to provide a dual car seat embodiment. A POSITA seeking to transport two infants with a single stroller would have recognized that Hsia '316 provides a stroller frame that could carry two infants with the mere addition of a modified fastening arrangement 20. Hsia '316 only discloses a single connecting unit 23; however, it was well within the level of ordinary skill to duplicate the connecting unit 23 so that a second belt of the additional car seat could also be attached to the stroller 10.

592. Moreover, to the extent the illustrated stroller 10 of Hsia '316 is not correctly sized to fit two car seats 3, a POSITA would have known how to modify dimensions of the stroller frame 12' and the adapter frame 25' to provide clearance for two cars seats. For example, a POSITA would have found it obvious to try increasing the forward kink of the frame legs 252' to increase the room behind the forward car seat for another car seat positioned in the regular seat 12.

593. Hsia ’316, adapted for dual car seats, would have a forward car seat 3 (“second seat”) supported on the adapter frame 25’ (Hsia ’316, 4:66-5:11) and a rear car seat 3 (“first seat) supported in the regular seat as shown in Figure 2 of Hsia.



Hsia, Fig. 2

594. The “first seat” would be removably coupled to the stroller frame by the holding belt 21 and the connectors 232’. (Hsia ’316, 3:38-62, 4:54-65.) A POSITA would consider the connectors 232’ to be third and fourth seat attachment adapters because they are used to releasably connect the “first seat” to the stroller frame 12, thus adapting the stroller 10 into a dual car seat configuration. The connectors 232’ (“third/fourth adapters”) “are coupled to the stroller frame” at a first vertical position (V1) as I explained above.

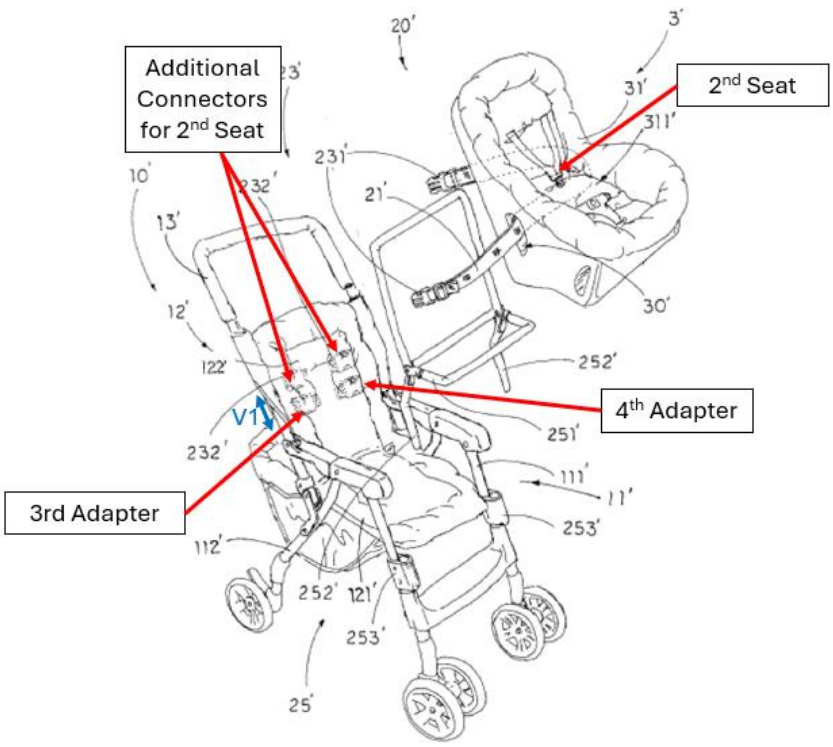


FIG.4

EX1050, HSIA '316, Fig. 4 modified for two car seats

595. The second set of connectors 232' (third/fourth seat attachment adapters) are located at the first vertical position.

596. Therefore, it is my opinion that Hsia '316 discloses or renders obvious limitations [8.0]-[8.1].

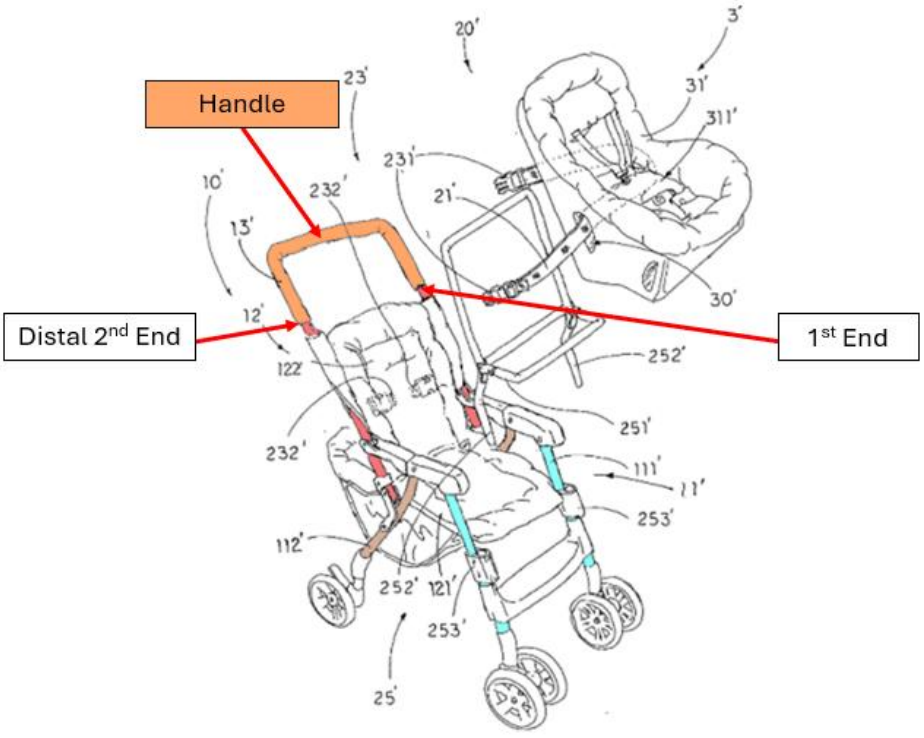
… ***[9.0] The stroller of claim 1, further comprising a handle comprising a first end coupled to the first upper tube support frame and a distal second end coupled to the second upper tube support frame.***

597. Hsia '316 discloses a handle frame 13/13'.

> According to the preferred embodiment, the stroller frame 10, such as an ordinary stroller frame, comprises a supporting frame 11 having two front frame legs 111, a regular seat 12 comprising a seat support 121 horizontally supported by the supporting frame 11 and a back support 122 upwardly extended from the seat support 121, and **a handle frame 13** upwardly extended from the supporting frame 11.

(EX1050, Hsia '316, 3:7-13.)

598. The handle frame 13/13' (orange) discloses the claimed "handle comprising a first end coupled to the first upper tube support frame and a distal second end coupled to the second upper tube support frame" as I show below.



EX1050, Hsia '316, Fig. 4 (Annotated)

599. Therefore, it is my opinion that Hsia '316 discloses or renders obvious limitation [9.0].

… ***[17.0] A stroller, comprising:***

… ***[17.1] a stroller frame comprising: a first upper tube support frame; a second upper tube support frame;***

600. Claim limitation [17.1] is obvious for the same reasons I discussed in claim limitation [1.1].

… ***[17.2] a first back wheel support frame;***

601. Claim limitation [17.2] is obvious for the same reasons I discussed in claim limitation [1.4].

… ***[17.3] a second back wheel support frame;***

602. Claim limitation [17.3] is obvious for the same reasons I discussed in claim limitation [1.5].

… ***[17.4] a first front wheel support frame;***

603. Claim limitation [17.4] is obvious for the same reasons I discussed in claim limitation [1.2].

… ***[17.5] a second front wheel support frame;***

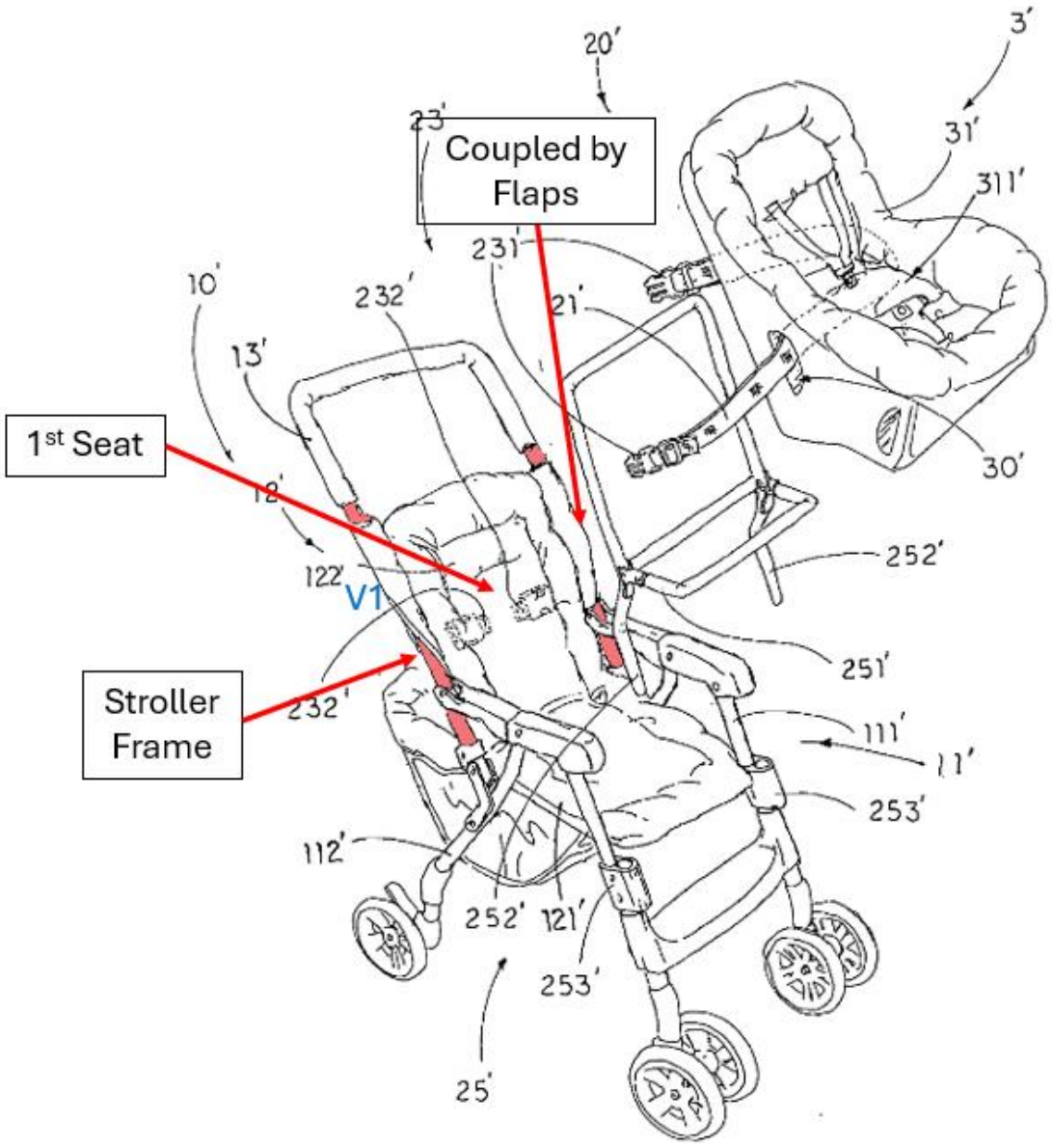
604. Claim limitation [17.5] is obvious for the same reasons I discussed in claim limitation [1.3].

… ***[17.6] a plurality of wheels comprising at least one front wheel and a plurality of back wheels;***

605. Claim limitation [17.6] is obvious for the same reasons I discussed in claim limitation [1.6].

… ***[17.7] a first seat coupled to the stroller frame at a first vertical position of the stroller frame;***

606. Claim limitation [17.7] is similar to claim limitation [1.7] and that analysis is incorporated herein. Hsia '316 discloses "a first seat is coupled to the stroller frame at a first vertical position of the stroller frame."



EX1050, Fig. 4

607. As I discussed in claim limitation [1.7], the first seat support 12' includes outer flaps that wrap around the upper tube support frame (red) to connect or "couple" the back (seat support 122') of the seat 12' to the frame.

… ***[17.8] a first seat attachment housing disposed adjacent the first front wheel support frame:***

… ***[17.9] a second seat attachment housing disposed adjacent the second front wheel support frame;***

608. Claim limitations [17.8]-[17.9] are obvious for the same reasons I discussed in claim limitation [2.0].

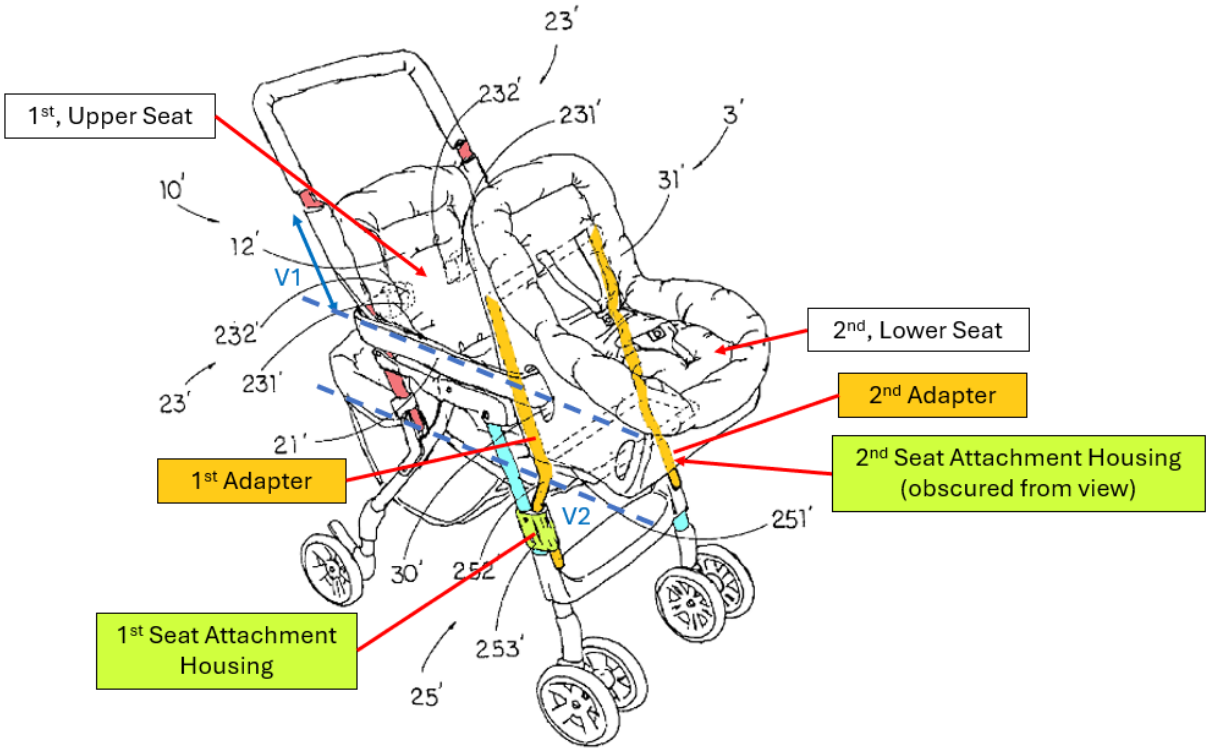
… ***[17.10] a first seat attachment adapter coupled to the first seat attachment housing at a second vertical position of the stroller frame that is below the first vertical position when the first upper tube support frame is substantially parallel with the first front wheel support frame when the stroller frame is unfolded from a folded configuration;***

609. As I discussed above in claim limitation [1.8], Hsia '316 discloses, "a first seat attachment adapter coupled to the first front wheel support frame at a second vertical position of the stroller frame that is below the first vertical position[.]" I also discussed above in claim limitation [2.0] that Hsia '316 discloses "a first seat attachment housing disposed adjacent the first front wheel support frame at the second vertical position[.]"

610. As I discussed above in claim limitation [1.2]-[1.3], Hsia '316 discloses

folding mechanisms that allow the stroller frame to fold and unfold and that the "upper tube support frames" are "substantially parallel" to the "front wheel support frames" when unfolded.

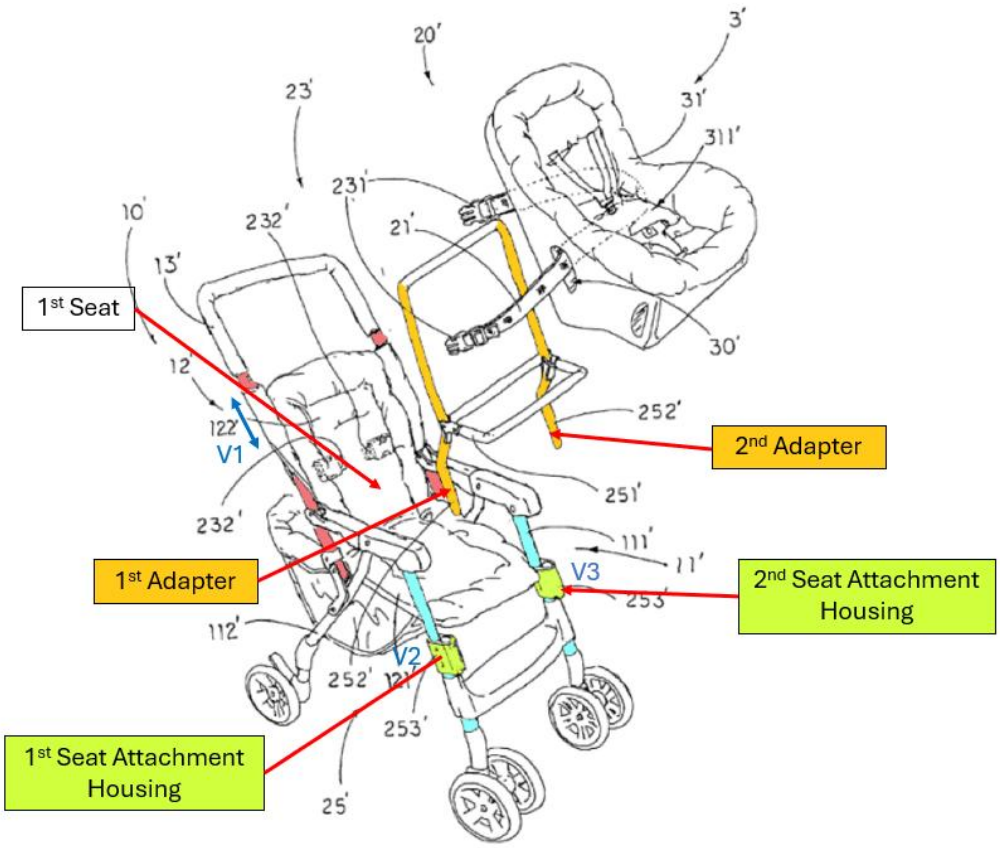
611. Therefore, Hsia '316 discloses "a first seat attachment adapter [(gold)] coupled to the first seat attachment housing [(green)] at a second vertical position [(V2)] of the stroller frame that is below the first vertical position [(V1)] when the first upper tube support frame [(red)] is substantially parallel with the first front wheel support frame [(blue)] when the stroller frame is unfolded from a folded configuration."



EX1050, Hsia '316, Fig. 6 (Annotated)

… ***[17.11] a second seat attachment adapter coupled to the second seat attachment housing at a third vertical position of the stroller frame that is below the first vertical position when the second upper tube support frame is substantially parallel with the second front wheel support frame when the stroller frame is unfolded from a folded configuration;***

612. The pushchair of Hsia '316 is symmetrical. Thus, claim limitation [17.11] is obvious for the same reasons discussed in claim limitations [17.10], [1.2]-[1.3], [1.8], [1.9], and [2.0] and as shown below:



EX1050, Hsia '316, Fig. 4

… ***[17.12] wherein the first seat is coupled along the first upper tube support frame and the second upper tube support frame and***

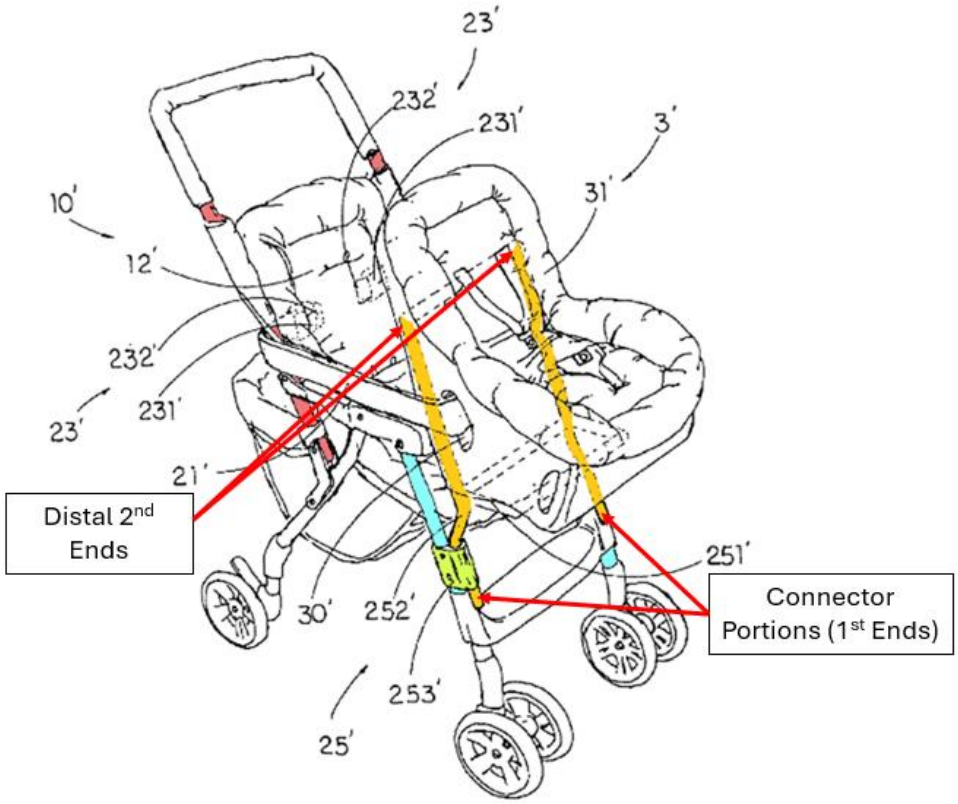
613. Claim limitation [17.12] is obvious for the same reasons I discussed in claim limitation [1.7].

… ***[17.13] wherein a second seat is removably coupled to the first seat attachment adapter and the second seat attachment adapter.***

614. Claim limitation [17.13] is obvious for the same reasons I discussed in claim limitation [1.10].

… ***[18.0] The stroller of claim 17, wherein each of the first seat attachment adapter and the second seat attachment adapter comprises: a first end comprising a connector portion coupled to one of the first seat attachment housing and the second seat attachment housing; and a distal second end, wherein the second seat is removably coupled to the second end.***

615. Claim limitation [18.0] is similar to claim limitations [1.8-1.10], [4.0]-[5.0], and I incorporate that analysis herein. As I discussed above in claim limitations [1.8]/[1.9], Hsia ’316 discloses first and second seat attachment adapters (gold). Each of the adapters (gold) comprises a first end comprising a connector portion coupled to one of the first seat attachment housing and the second seat attachment housing (green) and a distal second end, wherein the second seat is removably coupled to the distal second end.



EX1050, Hsia '316, Fig. 6 (Annotated)

616. Therefore, it is my opinion that Hsia '316 discloses or renders obvious limitation [18.0].

… ***[19.0] The stroller of claim 17, further comprising a handle comprising a first end coupled to the first upper tube support frame and a distal second end coupled to the second upper tube support frame.***

617. Claim limitation [19.0] is obvious for the same reasons I discussed in claim limitation [9.0].

… ***[20.0] The stroller of claim 17, further comprising: a third seat attachment adapter coupled to the first upper tube support frame; and a fourth seat attachment adapter coupled to the second upper tube support frame; wherein the first seat is removably coupled to the third seat attachment adapter and the fourth seat attachment adapter.***

618. Claim limitation [20.0] is obvious for the same reasons I discussed in claim limitation [8.0]-[8.1]. Claim 20 slightly differs by explicitly requiring the third and fourth seat attachment adapters are coupled to the first and second upper tube support frames. The connectors 232/232' ("third/fourth seat attachment adapters") are indirectly coupled to the upper tube support frames (red) by the regular seat 12. (EX1050, Hisa '316, 3:47-58.)

619. However, to the extent Patent Owner argues claim 20 requires a direct coupling between the third/fourth seat attachment adapters, it would have been obvious to move the location of the connectors 232/232' so that they were directly coupled to the upper tube support frames (red) as discussed in claim 8.

620. Therefore, it is my opinion that Hsia '316 discloses or renders obvious limitation [20.0].

XI. Conclusion

621. In my opinion, all the elements of the challenged claim limitations are disclosed by the references discussed above and the claims are unpatentable in view

of these prior art references.

622. I reserve the right to supplement my opinions to address any information obtained, or positions taken, based on any new information that comes to light throughout this proceeding.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my ability.

Executed on: 06/06/2025

Douglas Prairie (Jun 6, 2025 06:54 CDT)

Douglas S. Prairie

APPENDIX A

DOUGLAS S. PRAIRIE, P.E.

1402 Steamboat Trail • Brookings, SD 57006 • (605) 310-8802 • douglasprairie@yahoo.com

PROFESSIONAL ENGINEER

Registered under number 13315 in the State of Idaho

MISSION STATEMENT

Provide innovative education, business and product development solutions

SKILLS SUMMARY

• Engineering Education	• Product Management	• Engineering Management
• Precision Agriculture	• Business Development	• Contract Negotiations
• Fluid Power Systems	• P&ID Development	• Design for Manufacturing
• Higher Education	• Sales Management	• Stress & Failure Analysis
• Off-Highway Equipment	• Intellectual Property	• Feasibility Cost Studies
• Project Management	• Biofuels	• GD&T
• Product Development	• Industrial Equipment	• Engine Emission Regs
• Lean Manufacturing	• Agricultural Equipment	• Machine Design

EXPERIENCE

South Dakota State University, Brookings, SD; www.sdstate.edu; *August 2016 to present*
Lecturer for Agriculture and Biosystems Engineering Department

- Ag Power and Machinery, Fluid Power Systems, Instrumentation and Controls, ABE Senior Design
- Advisor for International Quarter Scale tractor club; Awarded 3 Championships over the last 9 years
- Advisor for Fluid Power Club; Awarded 2nd place for Fluid Power Bike competition 2023 and 2025

Prairie West LLC, *December 2007 to present*
Freelance Agriculture, Mechanical and Industrial Design Engineer

- Expert legal consultant for multiple cases requiring mechanical and agriculture systems expertise
- Contract designer, developer and test engineer for BOB Strollers
- Contract engineer and CAD designer for AGI Hi Roller belt conveyors

POET Research, Sioux Falls, SD www.poet.com; *June 2015 to June 2016*
Mechanical Research Manager for POET's Research and Innovation Group

- POET Research was responsible for the development and support of novel technologies related to corn ethanol, cellulosic ethanol, and corn derived industrial products and processes.

Raven Industries, Sioux Falls, SD www.ravenprecision.com; *November 2014 to March 2015*
North American Sales Manager of Precision Agriculture Technology

- Sales Leadership for a team of 15 account managers spread across the United States and Canada
- Sales Forecasting and Analysis for hundreds of accounts totaling over $60 million in annual sales
- Contract Negotiations with OEM and after-market distribution partners

Raven Industries, Sioux Falls, SD www.ravenprecision.com; *March 2010 to November 2014*
Product Manager of Planting, Seeding and Harvest Control Product Lines

- Led development and launch of OmniRow Planter Controls, OmniSeed Air Seeder Controls, UHarvest Grain Cart Monitoring System, and SmartYield Pro Yield Monitoring System
- Business Development of an industry leading Multi-Hybrid planter control system
- Team Lead for Raven SmartQuote Guided Sales and Quotation Tool
- Grew product line sales from a few thousand $ into multi-million $ per year business segments
- Recipient of four ASABE AE 50 Product Innovation Awards
- Member of Raven Leadership Council

EVENFLO ET AL. EX1001, EXA

DOUGLAS S. PRAIRIE, P.E.

EXPERIENCE CONTINUED

Bratney Companies, Boise, ID www.bratney.com; *February 2003 to September 2005*
Construction/Mechanical Project Engineer of Industrial Processes

- Developed and Executed proposals for multiple design-build construction projects
- Project Managed the construction and startup of a green field alfalfa cleaning and bagging facility

Multiquip, Boise, ID www.multiquip.com; *Dec 2000 to Feb 2003; Sept 2005 to Dec 2007*
Engineering Department Manager for Light Construction Equipment Manufacturer

- Manage a team of 15 engineers, designers, drafters, and technicians tasked with supporting the safety and technical demands of 200+ plus finished goods.
- Manage a $1.3 million annual budget for engineering product support and product development.
- Coordinate with product managers, manufacturing, quality, purchasing, marketing, and suppliers
- Responsible for designing equipment to latest global safety and homologation standards
- Coordinate intellectual property development with patent attorneys

Case Corporation, Fargo, ND www.cnh.com; *October 1996 to July 2000*
New Product Development Engineer for Planting and Seeding Division

- Developed SDX 30 and SDX 40 single disc planter programs from conception to production

Ag-Chem Equipment Co., Jackson, MN www.agcocorp.com; *May 1996 to September 1996*

- Performed and analyzed engine dynamometer tests, hydraulic tests, and other product tests utilizing data acquisition systems

PATENTS

- Inventor on U.S. Patent # 5,915,312 & 6,047,652: *Pneumatic Seed Delivery System*
- Inventor on U.S. Patent # 6,116,172: *Shank Mounted Row Crop Opener*
- Inventor on U.S. Patent # 6,386,127 6,640,732 & 6,644,223: *Disc Opener for a Seed Planter*
- Inventor on U.S. Patent # 6,454,019: *Ag Implement Down Pressure System*
- Inventor on U.S. Patent # 7,497,522: *Concrete Saw Stay Level Handlebars,*
- Patent Pending: *Multi-Hybrid Planter Controls and Combine Yield Monitor Systems.*

SOFTWARE

SolidWorks CAD and Simulation, LabVIEW, MathCAD, Visio, CREO, AutoCAD, SAP R/3, Visual Basic, Working Model, Microsoft Office and Microsoft Project

EDUCATION

BOISE STATE UNIVERSITY (BSU) Boise, ID www.boisestate.edu
Masters of Mechanical Engineering with Business Emphasis
Graduation Date: December 2004 GPA: 3.5/4.0
Project Paper: *Design of a Conceptual Biodiesel Production Facility*

SOUTH DAKOTA STATE UNIVERSITY (SDSU), Brookings, SD www.sdstate.edu
BS Agricultural Engineering with Power and Machinery Focus
Graduation Date: May 1997 GPA: 3.6/4.0

ASSOCIATIONS

- Certified with Carew International Dimensions of Professional Selling® Program
- Member of FarmHouse Fraternity www.farmhouse.org
- Member of Society of Automotive Engineers www.sae.org
- Member of American Society of Mechanical Engineers www.asme.org
- Member of American Society of Agricultural and Biological Engineers www.asabe.org
- SolidWorks User Group

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