

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TOUGHBUILT INDUSTRIES, INC.,
Petitioner

v.

MERIDIAN INTERNATIONAL CO., LTD.,
Patent Owner

Case IPR2025-01461
U.S. Patent No. 11,986,946

**PETITIONER’S OPPOSITION TO PATENT OWNER’S
CONTINGENT MOTION TO AMEND**

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PETITIONER'S EXHIBIT LIST

Exhibit No.	Description
1001	U.S. Patent No. 11,986,946 B2 to Zhang et al., issued May 21, 2024 (“the ’946 patent”)
1002	File History of U.S. Patent No. 11,986,946
1003	Declaration of J. Michael McCarthy, Ph.D. in Support of Petition for <i>Inter Partes</i> Review of U.S. Patent No. 11,986,946
1004	<i>Curriculum Vitae</i> of J. Michael McCarthy, Ph.D.
1005	Chinese Patent Application No. 202210212862.5, filed March 4, 2022
1006	Chinese Patent Application No. 202320135456.3, filed January 13, 2023
1007	U.S. Patent Application Publication No. 2022/0396985 A1 to Li et al., published December 15, 2022 (“Li”)
1008	U.S. Patent Application Publication No. 2020/0329837 A1 to Burchia, published October 22, 2020 (“Burchia”)
1009	U.S. Patent Application Publication No. 2023/0340804 A1 to Hammond et al., published October 26, 2023 (“Hammond”)
1010	PCT Publication No. WO 2021/150410 A1 to Hammond et al., published July 29, 2021 (“Hammond PCT”)
1011	U.S. Patent Application Publication No. 2021/0221561 A1 to Davidian et al., published July 22, 2021 (“Davidian”)
1012	U.S. Patent Application Publication No. 2020/0298392 A1 to Baruch et al., published September 24, 2020 (“Baruch”)
1013	“Standard Handbook of Machine Design” by Shigley – 2 nd Edition
1014	“University Physics Volume 1” Ling et al. (OpenStax)

Exhibit No.	Description
1015	Declaration of Timothy L. Tang
1016	U.S. Patent No. 5,934,466 to Loeffler, issued August 10, 1999 (“Loeffler”)
1017	U.S. Patent Application Publication No. 2003/0094392 A1 to Meier et al., published May 22, 2003 (“Meier”)
1018	U.S. Patent Application Publication No. 2019/0291922 A1 to Gonitiner et al., published September 26, 2019 (“Gonitiner922”)
1019	U.S. Patent Application Publication No. 2019/0002004 to Brunner, published January 3, 2019 (“Brunner”)
1020	U.S. Patent No. 9,725,209 B1 to Ben-Gigi, issued August 8, 2017 (“Ben-Gigi”)
1021	U.S. Patent Application Publication No. 2023/0238755 A1 to Shabtai et al., published July 27, 2023 (“Shabtai”)
1022	U.S. Patent Application Publication No. 2020/0165036 to Squiers et al., published May 28, 2020 (“Squiers”)
1023	U.S. Patent Application Publication No. 2019/0315515 A1 to Gonitiner et al., published September 26, 2019 (“Gonitiner515”)
1024	Non-Infringement and Invalidity Report of J. Michael McCarthy, Ph.D., <i>Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal.)
1025	ToughBuilt – Opening Claim Construction Brief [91], <i>Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal.) (Jun. 9, 2025)
1026	Meridian – Opening Claim Construction Brief [92], <i>Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal.) (Jun. 9, 2025)

Exhibit No.	Description
1027	ToughBuilt – Responsive Claim Construction Brief [94], <i>Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal.) (Jun. 23, 2025)
1028	Meridian – Responsive Claim Construction Brief [95], <i>Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal.) (Jun. 23, 2025)
1029	ToughBuilt – Post-Hearing Claim Construction Brief [102], <i>Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal.) (Jul. 15, 2025)
1030	Meridian – Post-Hearing Claim Construction Brief [103], <i>Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal.) (Jul. 15, 2025)
1031	Defendant’s Notice of Inter Partes Reviews and Stipulation Regarding Invalidity Contentions as to U.S. Patent Nos. 11,986,946 and 11,192,689 [116], <i>Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal.) with Notice of Electronic Filing Dated Sept. 5, 2025
1032	Order on Motion to Stay Case Pending Inter Partes Reviews, <i>Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Case No. 8:24-cv-01840-JWH-JDE (C.D. Cal. September 25, 2025).
1033	File History of U.S. Appl. No. 18/176,907
1034	USPTO - Multi-Step U.S. Patent Search Strategy available at https://www.uspto.gov/patents/search/patent-search-strategy
1035	Complaint for Patent Infringement, <i>Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc.</i> , Civil Action No. 8:24-cv-01840 (C.D. Cal. August 21, 2024)
1036	<i>Intentionally Left Blank</i>

Exhibit No.	Description
1037	Declaration of Tony Kriz, Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc., Civil Action No. 8:24-cv-01840 (C.D. Cal. August 26, 2024)
1038	Memorandum of Points and Authorities in Support of Plaintiff's Motion for Preliminary Injunction, Meridian Int'l Co., Ltd. v. ToughBuilt Industries, Inc., Civil Action No. 8:24-cv-01840 (C.D. Cal. August 26, 2024)
1039	Plaintiff Meridian Int'l Co. Ltd.'s Infringement Contentions
1040	<i>ToughBuilt Industries, Inc. v. Meridian Int'l Co., Ltd.</i> , IPR2025-01462, Petition, Paper 2 (PTAB August 28, 2025)
1041	<i>ToughBuilt Industries, Inc. v. Meridian Int'l Co., Ltd.</i> , IPR2025-01462, Petitioner's Opposition to Patent Owner's Request for Discretionary Denial, Paper 11 (PTAB December 9, 2025)
1042	Thesaurus.com – “part” <i>available at</i> https://www.thesaurus.com/browse/part
1043	Declaration of William H. Milliken in Support of Admission <i>Pro Hac Vice</i>
1044	Declaration of Dr. J. Michael McCarthy in Support of Petitioner's Opposition to Patent Owner's Contingent Motion to Amend
1045	U.S. Patent No. 6,508,495 B1 to Riley, issued January 21, 2003 (“Riley”)
1046	Meridian Response Letter to ToughBuilt Request (July 21, 2026)
1047	Deposition Transcript of Dr. Glenn Vallee from IPR2025-01461 (July 16, 2026)
1048	Deposition Transcript of Dr. Glenn Vallee from IPR2025-01462 (July 14, 2026)

I. INTRODUCTION

The Board should deny Meridian’s motion to amend (the “MTA” or “Motion”). Petitioner ToughBuilt, a small U.S. company, turned to the PTAB to defend itself from Meridian—a larger Chinese rival that is trying to drive ToughBuilt out of business. The Petition establishes that all claims of the ’946 patent are anticipated or were obvious. Recognizing the claims as deficient, Meridian seeks to amend them. But the proposed amendments cannot salvage the ’946 patent for at least two reasons.

First, Meridian fails to meet its burden to show it complies with the Board’s procedural requirements because (1) the Motion fails to meet the procedural requirement to identify written description support *in the originally filed disclosure* and (2) the amendments enlarge claim scope.

Second, the substitute claims are unpatentable as anticipated and obvious over the prior art grounds presented in this Opposition. For example, despite Meridian’s re-arranging of terms to the independent claims, Li and Baruch still anticipate and render obvious the substitute independent claims—including the *locking part, locking buckle, first resilient member, and mounting body*—based on updated mappings presented in this Opposition. Further, the combination of Li and Riley also renders the substitute independent claims obvious.

Moreover, Meridian’s technical expert provided testimony on a potential

prior art stackable transportation system for tool storage containers that appears to be material to the patentability of the substitute claims. ToughBuilt requested information and documentation regarding the system, yet Meridian has failed to provide any substantive information. Thus, Meridian appears to have failed to provide all relevant prior art.

II. LEGAL STANDARDS

A patent owner may file one original MTA to cancel challenged claims or propose a reasonable number of substitute claims. 35 U.S.C. § 316(d)(1); 37 C.F.R. § 42.121(a). An MTA “shall comply with the rules pertaining to motions to amend (37 C.F.R. § 42.121) and the practices and procedures described in *Lectrosonics, Inc. v. Zaxcom, Inc.*, IPR2018-01129, Paper 15 (PTAB Feb. 25, 2019) (precedential).” Paper 16, 5. Patent Owner “bears the burden of persuasion to show, by a preponderance of the evidence, that the motion to amend complies with the requirements of paragraphs (1) and (3) of 35 U.S.C. 316(d), as well as paragraphs (a)(2) and (3) and (b)(1) and [(b)](2) of this section.” 37 C.F.R. § 42.121(d)(1); *see also Lectrosonics*, 4-8 (enumerating requirements for an MTA). These requirements include identifying “support in the original disclosure ... for each proposed substitute claim” and “support in an earlier-filed disclosure for each claim for which the benefit of the filing date of the earlier-filed disclosure is sought.” 37 C.F.R. §§ 42.121(b)(1)-(2). Any MTA may be denied if the

amendment does not respond to a ground of unpatentability or the amendment seeks to enlarge the scope of the patent or introduces new subject matter. 37 C.F.R. §§ 42.121(a)(2)(i)-(ii).

III. MERIDIAN'S MTA DOES NOT COMPLY WITH THE BOARD'S PROCEDURAL REQUIREMENTS.

Meridian's MTA should be denied because Meridian has not meet its "burden of persuasion" to show that the MTA complies with statutory and regulatory requirements. The MTA does not identify support in *the original disclosure of the patent* for each proposed substitute claim. Moreover, the amendments improperly enlarge the scope of the claims.

A. Meridian does not cite to support in the original disclosure for the claims as a whole.

The MTA does not meet the threshold requirement to identify support in the original disclosure for each proposed substitute claim. Meridian is required to provide citation "to the original disclosure of the application, as filed, rather than to the patent as issued." *Lectrosonics*, 8. Further, "the motion must set forth written description support for each proposed substitute claim as a whole, and not just the features added by the amendment," and this applies "equally to independent claims and dependent claims, even if the only amendment to a dependent claim is in the identification of the claim from which it depends." *Id.*

Meridian's MTA violates every one of these clear requirements. First, it

cites only to the issued patent (Exhibit 1001) for purported written description support and does not identify support in the original disclosure of the application as filed. Meridian's citations to the related CN application, MTA, 5-8, do not cure the defect because those citations are provided only in an attempt to satisfy the separate priority requirement of Rule 42.121(b)(2) and cannot substitute for the required showing of support in the original disclosure under Rule 42.121(b)(1). Second, the MTA provides citations only for the newly added limitations and fails to identify support for the proposed substitute claims as a whole. *See* MTA, 5-8. Finally, the MTA does not identify any support for the substitute dependent claims. *See id.* Meridian's failure to comply with these threshold procedural requirements is reason alone to deny the Motion.

B. Proposed claims 17, 27, and 31 improperly enlarge claim scope.

The proposed amendments presented in substitute claims 17, 27, and 31 (replacements for claims 1, 11, and 15) should be denied because they impermissibly enlarge the scope of claims 1, 11, and 15. Meridian seeks to amend claims 1, 11, and 15 by deleting two limitations: that the “*locking buckle [is] movable with respect to said mounting body*” and that the “*first resilient member [is] located between said mounting body and said locking **buckle***.”

First, the deletion of the locking buckle being “*movable with respect to said mounting body*” broadens the independent claims by no longer requiring that the

locking buckle is capable of moving in the manner originally claimed. While the proposed claims recite the “*locking buckle*” as part of the “*locking part*,” and the “*locking part*” as “*movable with respect to the mounting body*,” the claims now permit a configuration where the “*locking part*” must move, but the “*locking buckle*” need not move relative to the mounting body. Because this limitation has been removed, the scope of the claims has been broadened.

Second, Meridian’s amendment to position the “*first resilient member*” between the mounting body and locking ***part*** removes the previous requirement that the “*first resilient member*” be positioned between the mounting body and locking ***buckle***. Again, the proposed amendment removes the original positioning requirement relative to the ***locking buckle***. Because this limitation has been removed, the scope of the claims has also been broadened.

“[A] proposed substitute claim may not remove a feature of the claim in a manner that broadens the scope of the claims” *Lectrosonics*, 6. That is precisely what Meridian has done here by removing the requirement for a movable locking buckle from original claims 1, 11, and 15. Thus, the amendments should be denied for failure to comply with 37 C.F.R. § 42.121(a)(2)(ii).

IV. ALL SUBSTITUTE CLAIMS ARE UNPATENTABLE IN VIEW OF THE PRIOR ART.

Meridian’s proposed substitute claims boil down to just four modifications to the original independent claims: (1) deleting the requirement that the locking

buckle is movable with respect to a mounting body; (2) deleting the requirement that “first resilient member” is located between the “mounting body” and the “locking buckle”; (3) adding that the “first resilient member” is located between the “mounting body” and the “locking part”; and (4) adding that the “locking part is at least partially received within and movable with respect to the mounting body.” MTA, Appendix A. These amendments, however, are still anticipated and rendered obvious by Li and Baruch. Moreover, these features are also rendered obvious by the combination of Li and Riley. EX1044, ¶¶4-5.

A. Li-based grounds of unpatentability

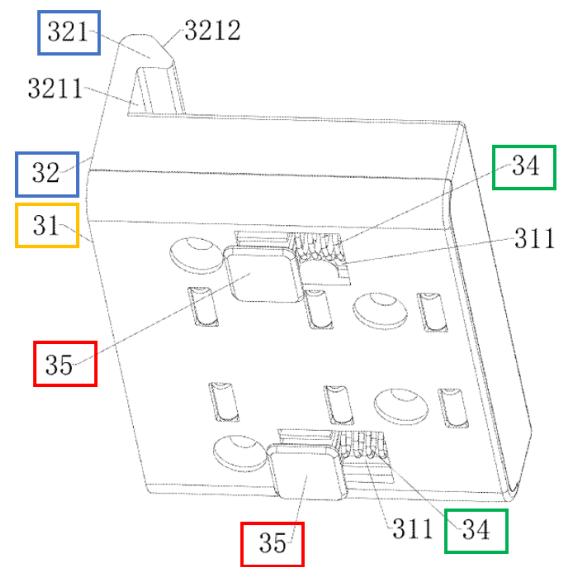
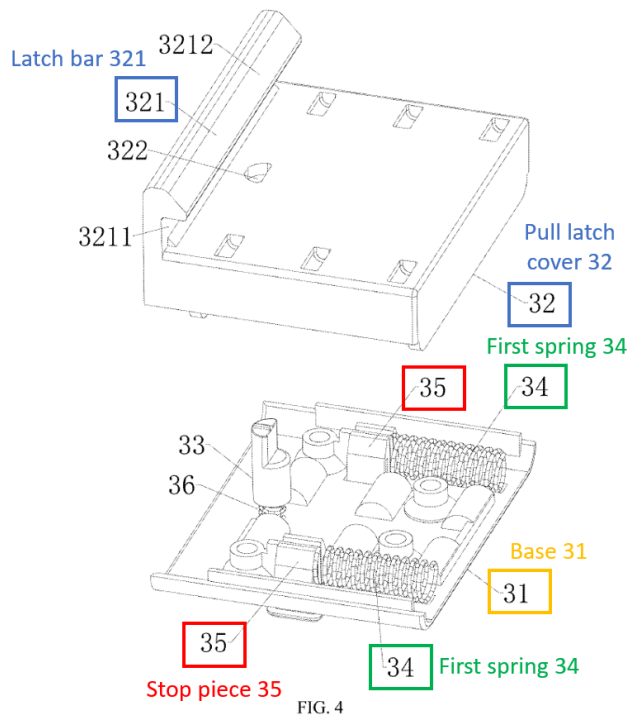
1. Li anticipates and renders obvious substitute claims 17-20, 23-28, and 31.

For the reasons set forth in the Petition, Li discloses and renders obvious the *unamended* limitations of substitute independent claims 17, 27, and 31. Pet., 12-56 (e.g., claimed “storage box,” “first connection part,” “second connection part,” “manual movement” and sliding of locking part, “stop part,” and “second resilient member”); EX1044, ¶¶6-7. Moreover, Li discloses and renders obvious each of the amendments presented in substitute independent claims 17, 27, and 31. EX1044, ¶¶8-9. The table below provides an updated summary of claim term mappings, which address Meridian’s proposed amendments.

Claim Term	Teaching from Li
Locking Part (at least partially received within and movable with	“Pull latch cover 32” and “base 31” (EX1007, ¶¶27, 33, 37)

respect to the mounting body)	
Locking Buckle	“Latch bar 321” (EX1007, ¶33)
Mounting Body	“Chute 21” with “stop piece 35” inserted into “snap-in hole 211” (EX1007, ¶¶32, 34)
First Resilient Member (located between the mounting body and locking part)	“First spring 34” (positioned between stop piece 35 and pull latch cover 32) (EX1007, ¶34)

For example, the substitute independent claims recite a “*locking part comprising a locking buckle.*” MTA, Appendix A. In view of the amended claims, Li’s “pull latch cover 32” together with “base 31” teach the claimed “*locking part*” as seen in Figures 3-4. EX1007, ¶¶27, 33, 37, FIGs. 3-4. Further, Li’s pull latch cover 32 **comprises** a “latch bar 321” (i.e., the claimed “*locking buckle*”) and therefore teaches the “*locking part comprising a locking buckle.*” *Id.*



EX1007, FIGs. 3-4 (annotated).

Additionally, as explained in the Petition, Li's "chute 21" with "stop piece 35" inserted into "snap-in hole 211" teaches the claimed "*mounting body*." Pet., 27; EX1007, ¶34. As seen from Figure 5, stop pieces 35 attach to snap-in holes 211 within chute 21 and remain fixed while "pull latch cover 32" and "base 31" move horizontally within chute 21 and relative to stop pieces 35. EX1007, ¶¶33-34, 37, FIGs. 7, 9; Pet., 28-30 (describing the horizontal movement of pull latch cover 32 relative to chute 21 and stop pieces 35). In this manner, Li's "pull latch cover 32" and "base 31" together also teach a "*locking part*" that is "*at least partially received within and movable with respect to the mounting body*" or "*configured to slide within the mounting body*" (substitute claims 17 and 31) as well as a "*mounting body [] configured to receive at least a portion of the locking part therein*" (substitute claim 27). EX1007, ¶¶27, 33, 37; EX1044, ¶¶10-11.

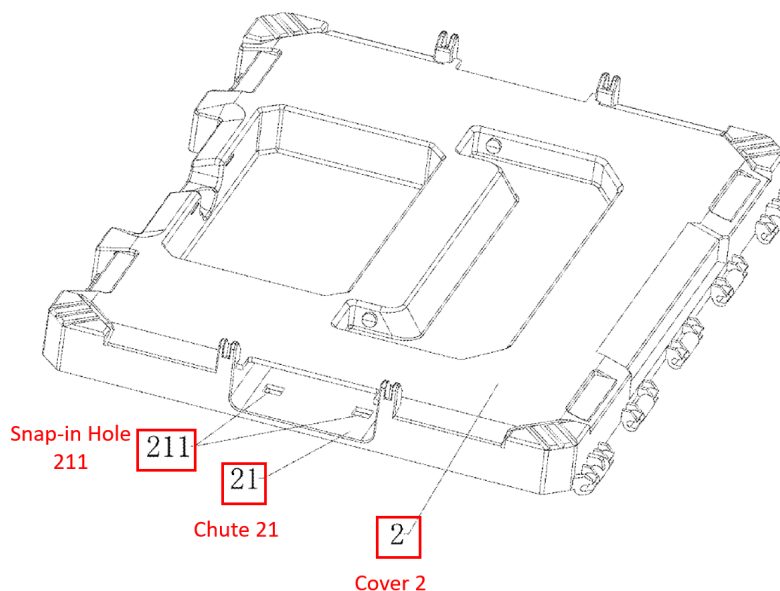


FIG. 5
EX1007, FIG. 5 (annotated).

With this understanding, Li's "first spring 34" additionally teaches the claimed "*first resilient member.*" As explained in the Petition, "first spring 34" is positioned between Li's stop piece 35 and pull latch cover 32. EX1007, ¶34. Specifically, first spring 34 contacts stop piece 35 (i.e., a component of the "*mounting body*") and the front face of pull latch cover 32 (i.e., a component of the "*locking part*") as depicted in Figure 4. EX1007, ¶34. Li therefore teaches the same positioning recited in the substitute claims, where the first resilient member is "*located between said mounting body and said locking part.*" Thus, because "first spring 34" is located between (1) stop piece 35 as inserted in chute 21 and (2) pull latch cover 32, Li teaches a first resilient member "*located between said mounting body and said locking part.*" *Id.*; EX1044, ¶12.

Li also teaches that "*the locking part is configured to slide inward with respect to the mounting body*" or "*along a horizontal locking path relative to the mounting body*" for reasons similar to those presented in the Petition. Pet., 35-38, 51-53 (claim elements [1.D], [15.B]). Li's "first spring 34" pushes or slides "pull latch cover 32" and "base 31" ("*locking part*") inward toward the center of cover 2. EX1007, ¶¶34, 38, FIGs. 3-4. Li therefore teaches the *locking part* being "*configured to slide inward with respect to the mounting body*" when first spring 34 is "automatically reset" and not compressed. EX1007, ¶38; EX1044, ¶13.

Thus, based on this mapping, Li still discloses and renders obvious all

amended aspects of the substitute independent claims 17, 27, and 31. EX1044, ¶14. Substitute dependent claims 18-20, 23-26, and 28 include no substantive amendments. Li therefore anticipates and renders obvious these claims for the reasons presented in the Petition for their respective original claims. Pet., 56-64; EX1044, ¶15.

2. Li-Burchia-Hammond renders obvious substitute claims 21-22 and 29.

Substitute claims 21-22 and 29 include no substantive amendments. The Li-Burchia-Hammond combination therefore renders these claims obvious for the reasons presented in the Petition for Ground 1C. Pet., 66-83; EX1044, ¶16.

3. Li-Davidian renders obvious substitute claims 30 and 32.

Substitute claims 30 and 32 include no substantive amendments. The Li-Davidian combination therefore renders these claims obvious for the reasons presented in the Petition for Ground 1D. Pet., 83-96; EX1044, ¶17.

B. Baruch-based grounds of unpatentability

1. Baruch anticipates and renders obvious substitute claims 17-20, 23-28, and 31.

For the reasons set forth in the Petition, Baruch discloses and renders obvious the *unamended* limitations of substitute independent claims 17, 27, and 31. Pet., 96-134 (e.g., claimed “storage box,” “first connection part,” “second connection part,” “manual movement” and sliding of locking part, “stop part,” and “second resilient member”); EX1044, ¶¶18-19. Moreover, Baruch discloses and

renders obvious each of the amendments presented in substitute independent claims 17, 27, and 31. EX1044, ¶¶20-23. The table below provides a summary of claim term mappings, which have been updated to address Meridian’s proposed amendments.

Claim Term	Teaching from Baruch
Locking Part (at least partially received within and movable with respect to the mounting body)	“Latch 314,” which includes a main body 315 and a primary hook 316 (EX1012, ¶49)
Locking Buckle	“Primary hook 316” (EX1012, ¶¶49-50, 62-63)
Mounting Body	“Carveout 352” with “pins 334” inserted via “holes 356” (EX1012, ¶¶54-55)
First Resilient Member (located between the mounting body and locking part)	“Latch bias 320” (EX1012, ¶¶51, 54, 62-63)

For example, the substitute independent claims recite a “*locking part comprising a locking buckle*.” MTA, Appendix A. In view of the amended claims, Baruch’s “latch 314” teaches the claimed “*locking part*.” EX1012, ¶¶49, 56. Further, Baruch’s latch 314 ***comprises*** a “primary hook 316” (i.e., the claimed “*locking buckle*”) and therefore teaches the “*locking part comprising a locking buckle*” as depicted in Figures 21-22. EX1012, ¶¶49-50, 62-63.

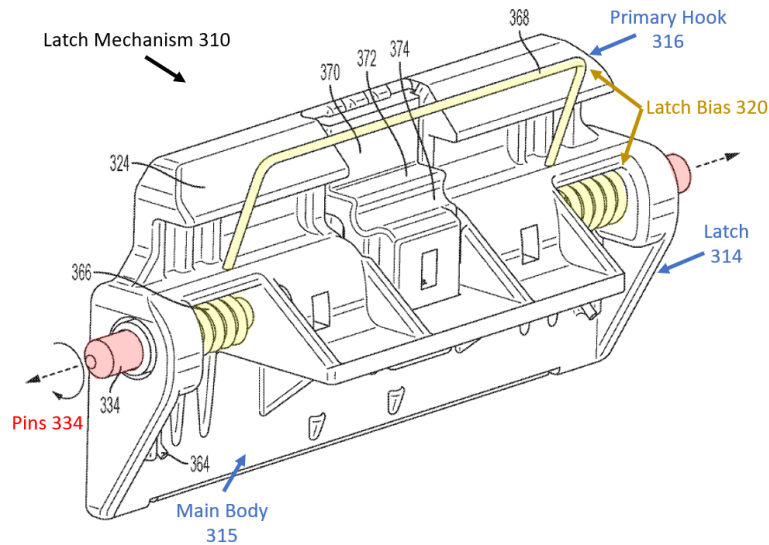


FIG. 21

EX1012, FIG. 21 (annotated).

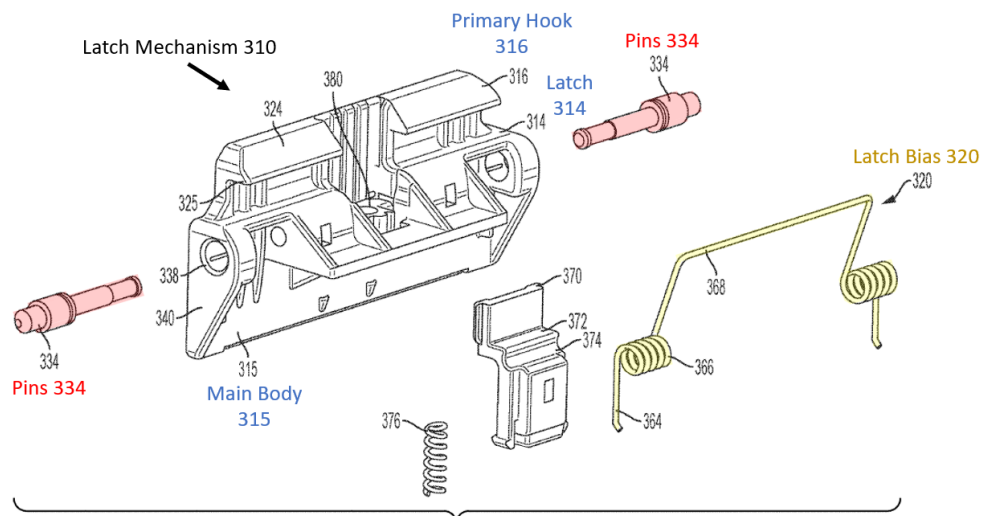


FIG. 22

EX1012, FIG. 22 (annotated).

Additionally, as explained in the Petition, Baruch's "carveout 352" with "pins 334" inserted into "holes 356" teaches the claimed "*mounting body*." Pet., 102-104; EX1012, ¶¶54-55. As seen from Figure 23B, pins 334 slide into holes 356 within carveout 352 and remain fixed while latch 314 moves/rotates relative to

pins 334. EX1012, ¶¶36, 51, 54-55, 62, FIGs. 24A-24C; Pet., 104-105.

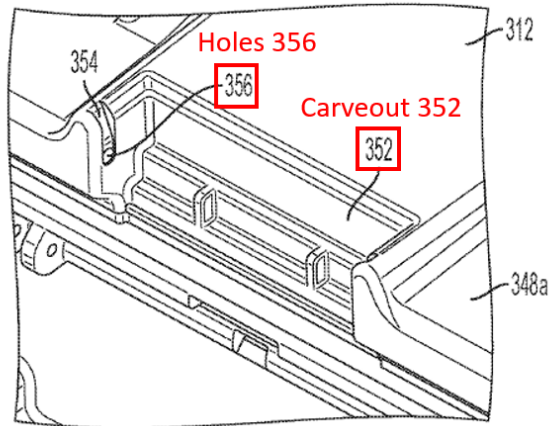


FIG. 23B

EX1012, FIG. 23B (annotated).

Further, the primary hook 316 portion of latch 314 slides inward with respect to the pins 334 and carveout 352. Pet., 107-110. This occurs when Baruch's latch bias 320 pushes latch 314 and primary hook 316 inward around pin 334 to a locked position. EX1012, ¶¶51, 54, 62, FIGs. 24A-24C.

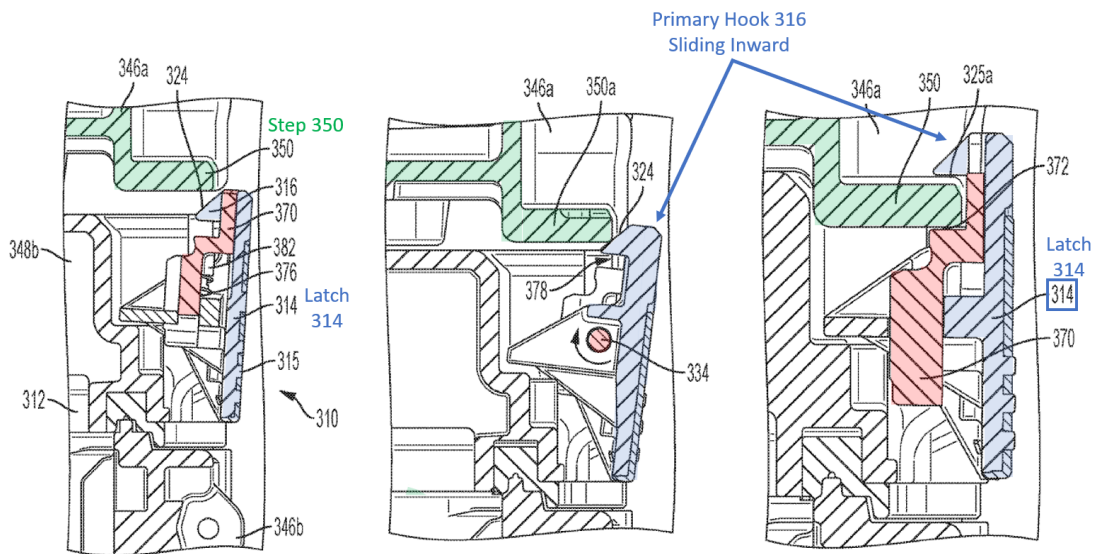


FIG. 24A

FIG. 24B

FIG. 24C

EX1012, FIGs. 24A-24C (annotated).

In this manner, Baruch's latch 314 also teaches a "*locking part*" that is "*at least partially received within and movable with respect to the mounting body*" or "*configured to slide within the mounting body*" (substitute claims 17 and 31) as well as a "*mounting body [] configured to receive at least a portion of the locking part therein*" (substitute claim 27). EX1012, ¶¶54-56; EX1044, ¶¶23-24.

With this understanding, Baruch's "latch bias 320" additionally teaches the claimed "*first resilient member.*" As explained in the Petition, "latch bias 320" is positioned between Baruch's pins 334 and main body 315 of latch 314. EX1012, ¶¶51, 54. Specifically, latch bias 320 contacts pins 334 (i.e., a component of the "*mounting body*") by coiling around them and contacts main body 315 of latch 314 (i.e., a component of the "*locking part*") when it "applies force against the main body 315." EX1012, ¶54. Baruch therefore teaches the same positioning recited in the substitute claims, where the first resilient member is "*located between said mounting body and said locking part.*" Thus, because "latch bias 320" is located between (1) pins 334 as inserted in carveout 352 and (2) latch 314, Li teaches a first resilient member "*located between said mounting body and said locking part.*" EX1044, ¶25.

Baruch also teaches that "*the locking part is configured to slide inward with respect to the mounting body*" or "*along a horizontal locking path relative to the mounting body*" for reasons similar to those presented in the Petition. Pet., 107-

110, 126-128 (claim elements [1.D], [15.B]). Baruch's "latch bias 320" pushes on latch 314 ("*locking part*") and causes primary hook 316 (i.e., a portion of the *locking part*) to slide inward toward the center of the storage box. EX1012, ¶¶51, 54, 62, FIGs. 24A-24C. Baruch therefore teaches the *locking part* being "*configured to slide inward with respect to the mounting body*" when latch bias 320 rotates latch 314 and primary hook 316 inward toward the "locked position" depicted in Figure 24C. EX1012, ¶¶51, 54, 62-63; EX1044, ¶26.

Thus, based on this mapping, Baruch still discloses and renders obvious all amended aspects of the substitute independent claims 17, 27, and 31. EX1044, ¶27. Substitute dependent claims 18-20, 23-26, and 28 include no substantive amendments. Baruch therefore anticipates and renders obvious these claims for the reasons presented in the Petition for their respective original claims. Pet., 134-145; EX1044, ¶28.

2. Baruch-Burchia-Hammond renders obvious substitute claims 21-22 and 29.

Substitute claims 21-22 and 29 include no substantive amendments. The Baruch-Burchia-Hammond combination therefore renders these claims obvious for the reasons presented in the Petition for Ground 2C. Pet., 146-152; EX1044, ¶29.

3. Baruch-Davidian renders obvious substitute claims 30 and 32.

Substitute claims 30 and 32 include no substantive amendments. The

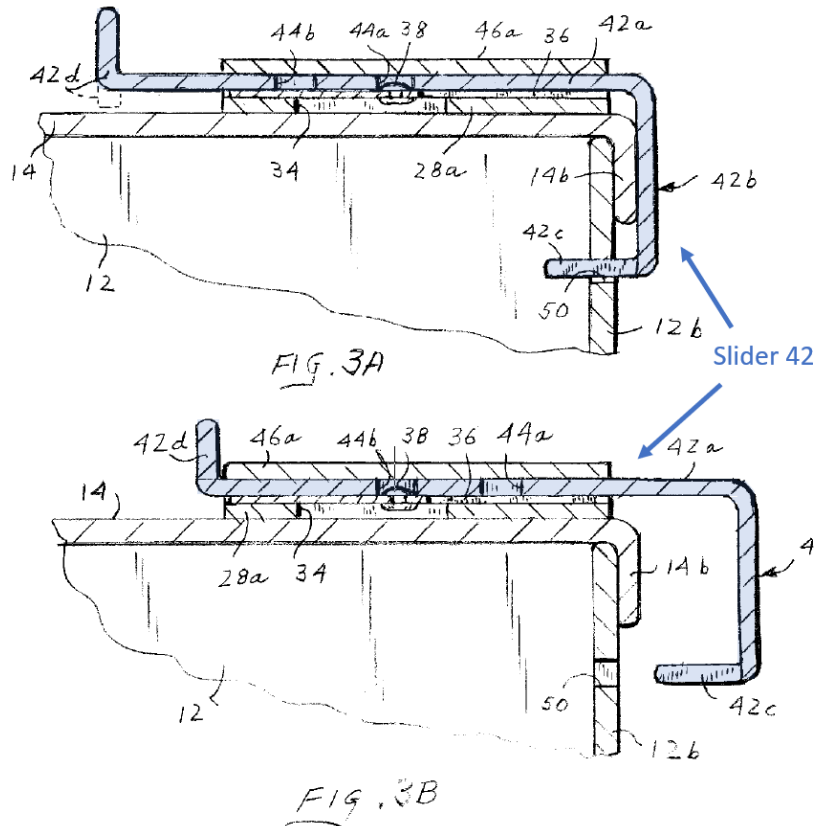
Baruch-Davidian combination therefore renders these claims obvious for the reasons presented in the Petition for Ground 2D. Pet., 152-158; EX1044, ¶30.

C. Li-Riley-based grounds of unpatentability

1. Li-Riley renders obvious substitute claims 17-20, 23-28, and 31.

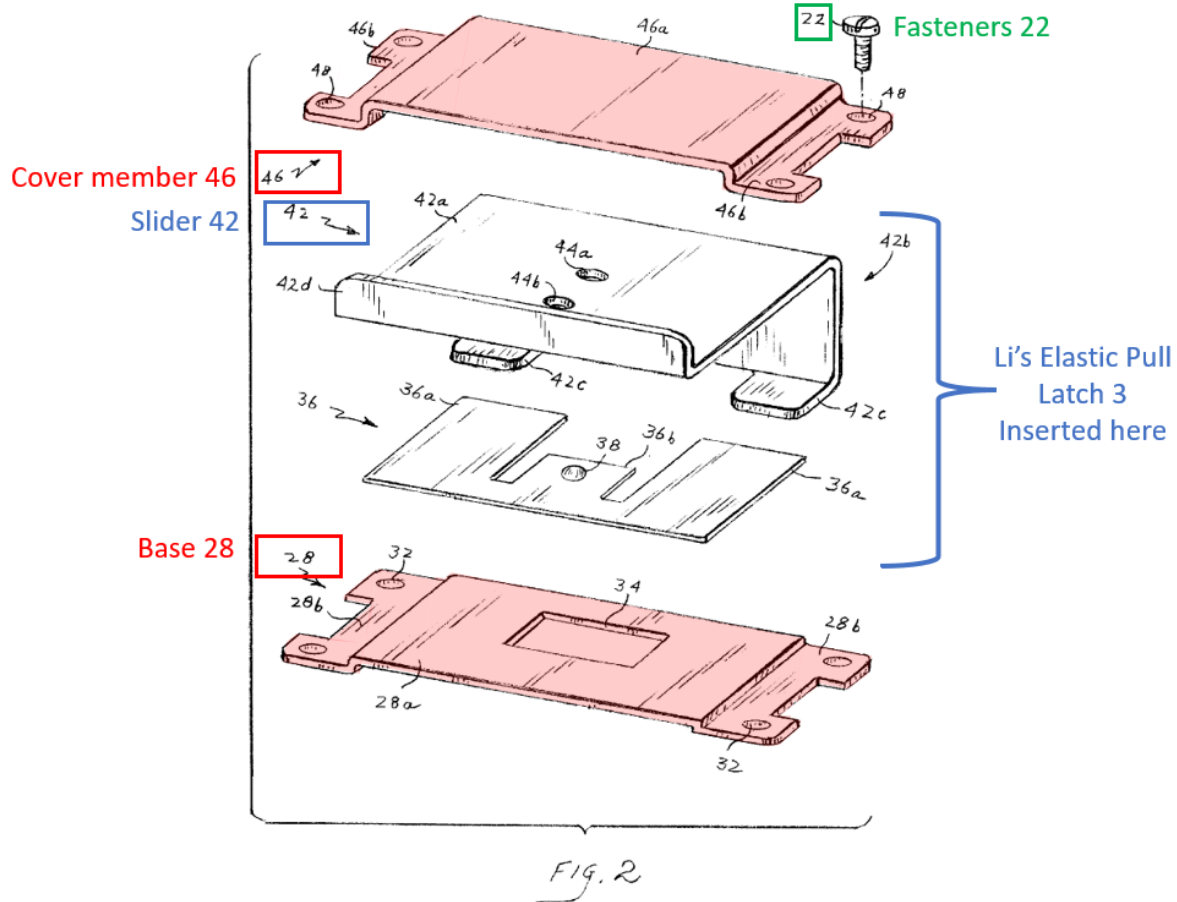
The combination of Li and Riley also renders obvious substitute claims 17-20, 23-28, and 31. EX1044, ¶¶31-33. Li discloses and renders obvious the *unamended* limitations of substitute independent claims 17, 27, and 31. Pet., 12-56 (e.g., claimed “storage box,” “first connection part,” “second connection part,” “manual movement” and sliding of locking part, “stop part,” and “second resilient member”); EX1044, ¶32. The Li-Riley combination renders obvious the amended limitations of substitute independent claims 17, 27, and 31. EX1044, ¶¶33-36. Namely, the Li-Riley combination renders obvious using a separate “*mounting body*” component to attach Li’s elastic pull latch 3 to chute 21. EX1045, Abstract, 4:13-37. The table below provides a summary of claim term mappings, which address Meridian’s proposed amendments.

Claim Term	Teachings from Li and Riley
Locking Part (at least partially received within and movable with respect to the mounting body)	Li’s “pull latch cover 32” and “base 31” (EX1007, ¶¶27, 37)
Locking Buckle	Li’s “latch bar 321” (EX1007, ¶33)
Mounting Body	Riley’s “cover member 46” and “base 28” combined with Li’s “stop piece 35” inserted into “base 28” (EX1045, Abstract, 4:13-37;



EX1045, FIGs. 3A-3B (annotated).

To attach slider 42 to the lid of the container, Riley describes “cover member 46” and “base 28” and enclosing slider 42 between these components. EX1045, 3:32-41, 4:13-37. Slider 42 moves between a locked and unlocked state within the enclosure created by “cover member 46” and “base 28.” EX1045, 3:24-41, 3:60-4:37, Abstract. Figure 2 depicts this configuration.



EX1045, FIG. 2 (annotated).

In view of how slider 42 functions and attaches to the container lid, it would have been obvious to implement such an attachment mechanism to attach Li's elastic pull latch 3 to the lid of a storage box. EX1044, ¶¶35-36. In particular, the combination of Riley's "cover member 46" and "base 28" combined with Li's "stop piece 35" inserted into "base 28" would have rendered obvious the claimed *mounting body* for attaching a *locking part* to the lid of a storage box. EX1045, 3:24-41, 3:60-4:37, Abstract; EX1007, ¶34; EX1044, ¶¶35-36.

In the combination, a POSA would have implemented Riley's "cover

member 46” and “base 28” around Li’s elastic pull latch 3 (including Li’s “pull latch cover 32” and “base 31”). EX1044, ¶37. The combined elastic pull latch 3 and cover member 46/base 28 would then be mounted into chute 21 on Li’s lid. EX1007, ¶¶32, 34. To form the combination, a POSA would have modified base 28 to include snap-in holes similar to Li’s snap-in holes 211. EX1007, ¶34; EX1045, 3:24-41, 3:60-4:37, Abstract. Li’s stop pieces 35 would then be inserted into Riley’s base 28 via such snap-in holes. EX1007, ¶34. A POSA would have also known to implement cover member 46 to cover elastic pull latch 3 while still exposing elastic boss 33—e.g., similar to how portions of slider 42 are exposed in Riley. EX1045, FIG. 1, 5:38-50; EX1044, ¶38. This configuration would mount into the lid of a storage container via “fasteners 22.” EX1045, 3:24-41, 4:13-37, FIG. 2. Such a combination would have rendered obvious the claimed *locking part* (Li’s “pull latch cover 32” and “base 31”) and *mounting body* as indicated in the table above along with their respective functionalities (e.g., “*locking part is at least partially received within and movable with respect to the mounting body*”; “*locking part is configured to slide within the mounting body*”). EX1044, ¶38.

Additionally, Li’s latch bar 321 still discloses the claimed *locking buckle*. EX1007, ¶33; Pet., 28-30; Section IV.A.1. And Li’s first spring 34 still discloses the *first resilient member*. EX1007, ¶34; Pet., 30-33; Section IV.A.1. With the understanding that the *mounting body* is rendered obvious by Riley’s “cover

member 46” and “base 28” combined with Li’s “stop piece 35” inserted into “base 28,” Li’s first spring 34 is still *located between said mounting body and said locking part* as seen from Figures 3-5 from Li. EX1007, FIGs. 3-5; Section IV.A.1. Specifically, Li’s first spring 34 is still positioned between stop piece 35 and the front face of pull latch cover 32. EX1007, ¶34. Thus, the combination of Li and Riley renders Meridian’s proposed amendments obvious. EX1044, ¶39.

A POSA would have been motivated to combine Li and Riley to strengthen and reinforce the portion of the lid where Li’s elastic pull latch 3 attaches, which is a heavily used area. EX1044, ¶¶40-42. For example, when a user manually manipulates elastic pull latch 3, a POSA would have recognized that the user may inadvertently apply a vertical force to the latch 3 (e.g., pulling vertically upward or downward) that may damage or deform the lid or otherwise cause wear. *Id.* A POSA would have therefore been motivated to implement Riley’s “cover member 46” and “base 28” as a bracket surrounding Li’s elastic pull latch 3 to reinforce and strengthen Li’s lid. EX1044, ¶41. Adding “cover member 46”/“base 28” would have resulted in a more secure connection that mitigates damage, slippage, or accidental detachment when elastic pull latch 3 is manually manipulated. EX1045, Abstract (“cover member [is] secured to the base”). Further, “cover member 46”/“base 28” would reinforce and strengthen the area of the lid where such forces are applied by adding another layer of protective material. For example, “cover

member 46 is a stamped metal part” that would reinforce the lid and mitigate damage resulting from user manipulation of the latch. EX1045, 4:15-17. Thus, by providing a more secure and reinforced attachment mechanism, a POSA would have been motivated to combine Li and Riley. EX1044, ¶42.

A POSA would have had a reasonable expectation of success in combining Li and Riley because the combination is a simple substitution of mechanisms for attaching Li’s elastic pull latch to a lid. EX1007, ¶34; EX1045, 3:24-41, 4:22-37. The combination simply combines prior art elements according to known methods to achieve the predictable result of attaching a latch to a storage container lid. EX1044, ¶¶43-44. Moreover, both references describe latch attachments that allow manual movement between a latched and unlatched position. EX1007, ¶¶5, 16, 32; EX1045, 2:3-16, 3:20-30. Further, the modification applies a known technique (implementing a movable latch between a base and a cover member) to improve the attachment of a latch to a lid in the same way. EX1045, 2:19-23 (“a latch assembly of this general type [] can be installed on a conventional cover without requiring any appreciable modification of the cover or container”); EX1044, ¶43 (describing additional manufacturing benefits).

Thus, the Li-Riley combination renders obvious all amended aspects of the substitute independent claims 17, 27, and 31 while Li discloses the unamended aspects. EX1044, ¶45; Section IV.A.1; Pet., 12-56. Substitute claims 18-20, 23-26,

and 28 include no substantive amendments. In the Li-Riley combination, Li therefore anticipates and renders obvious these claims for the reasons presented in the Petition for their respective original claims. Pet., 56-64; EX1044, ¶46.

2. Li-Riley-Burchia-Hammond renders obvious substitute claims 21-22 and 29.

Substitute claims 21-22 and 29 include no substantive amendments. The Li-Riley-Burchia-Hammond combination therefore renders these claims obvious for the reasons presented in the Petition for Ground 1C. Pet., 66-83. The addition of Riley does not impact the Petition's explanation or the combination of teachings provided in the Petition because Riley does not impact or preclude the use of a torsion spring as the second resilient member or the claimed stop part functionality, which are rendered obvious by Burchia and Hammond. EX1044, ¶47.

3. Li-Riley-Davidian renders obvious substitute claims 30 and 32.

Substitute claims 30 and 32 include no substantive amendments. The Li-Riley-Davidian combination therefore renders these claims obvious for the reasons presented in the Petition for Ground 1D. Pet., 83-96. The addition of Riley does not impact the Petition's explanation or the combination of teachings provided in the Petition because Riley does not impact or preclude the use of projections and recesses on a lid or bottom of a storage box, which are rendered obvious by Davidian. EX1044, ¶48.

V. MERIDIAN HAS NOT PRODUCED POTENTIAL PRIOR ART.

Patent owners have a duty of candor under 37 CFR § 42.11 “to disclose to the Board information of which the patent owner is aware that is material to the patentability of substitute claims, if such information is not already of record in the case.” *Lectrosonics*, 9-10.

Dr. Vallee testified about a “stackable transportation system for tool storage containers” product developed during one of his courses prior to the ’946 priority date. EX2012, ¶2; EX1048, 38:11-39:7, 40:3-8; EX1047, 35:2-38:6. According to Dr. Vallee, the Irwin company “came to us” and asked for “a system that will help us to transport multiple storage containers on a worksite.” EX1048, 38:2-10. Dr. Vallee explained that the containers “had features on the top and bottom of the container so they could be interlocked so they don’t move”: the containers were latched together with “female and male detents” to interlock the containers. EX1048, 38:11-15, 40:16-41:14. He testified that Irwin was “very impressed with the design” and “were going to move forward with it.” EX1048, 42:19-43:4.

Dr. Vallee’s testimony strongly indicates that the stacked storage container system is potentially relevant prior art that may be material to the patentability of the substitute claims. At a minimum, the system appears to include stackable storage containers with male and female detent structures (e.g., a sliding mechanism that connects to a groove or slot) used to interlock containers. Those

features are directly relevant to the substitute claims. Under *Lectrosonics*, information concerning such features is material even if the system does not disclose every limitation of a substitute claim. *Lectrosonics*, 10.

ToughBuilt requested additional information and documentation about the system, but Meridian has yet to provide it. Instead, Meridian asserted the system is not admissible prior art in an IPR. EX1046, 2. Not true—product art is relevant to determine the patentability of the substitute claims. *See Uniloc 2017 LLC v. Hulu, LLC*, 966 F.3d 1295, 1304-1305 (Fed. Cir. 2020) (holding that § 311 does not constrain the Board’s consideration of substitute claims and that substitute claims may be evaluated for overall patentability). ToughBuilt requested that the information be provided a week before this Opposition was due, but neither Meridian, nor Dr. Vallee, appear to have conducted any meaningful investigation regarding the existence of documents relating to the system. Instead, Meridian represented only that Dr. Vallee “is unaware of any documents” that still exist in his or University records, and that they will supplement “should any relevant requested materials be discovered during the pendency of these IPRs.” EX1046, 4. Thus, Meridian appears to have failed to provide all relevant prior art.

VI. CONCLUSION

The Motion to Amend is procedurally defective and the proposed substitute claims are unpatentable under §§ 102 and 103. The Board should deny the Motion.

Respectfully submitted,

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Date: August 5, 2026

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CERTIFICATE OF SERVICE (37 C.F.R. §§ 42.6(e), 42.105(a))

I certify that the above-captioned **PETITIONER'S OPPOSITION TO
PATENT OWNER'S CONTINGENT MOTION TO AMEND** and associated
Exhibits 1044-1048 were served in their entireties upon the Patent Owner on
August 5, 2026, via electronic mail:

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