

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

RJ Brands, LLC, d/b/a CHEFMAN,

Petitioner

v.

SharkNinja Operating LLC,

Patent Owner

Case IPR2025-01529

U.S. Patent No. 11,389,026

PETITION FOR *INTER PARTES* REVIEW OF

U.S. PATENT NO. 11,389,026

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PETITIONER’S EXHIBIT LIST

Exhibit No.	Description
1001	U.S. Patent No. 11,389,026 (“the ’026 Patent”)
1002	Expert Declaration of David Smith (“Smith Declaration”)
1003	<i>Curriculum Vitae</i> of David Smith
1004	File History of U.S. Patent Application 17/219,238 that issued as the ’026 Patent
1005	U.S. Provisional Application No. 62/874,193 (“the ’193 Provisional”), filed July 15, 2019
1006	File History of U.S. Patent Application No. 17/159,414 (“the ’414 Parent Application”)
1007	File History of U.S. Patent No. 11,672,377 (“the ’377 Continuation Patent”)
1008	PCT Publication No. WO2021011642A1 (“the ’642 PCT”)
1009	<i>SharkNinja Operating LLC v. RJ Brands, LLC</i> , No. 1:24-cv-08984-CPO-MJS, Dkt. No. 1 (DNJ, Sept. 5, 2024)
1010	Chinese Utility Model Patent No. CN110664270A (“Zhang”) with Certified English Translation
1011	Chinese Utility Model Patent No. CN210354396U (“Guo”) with Certified English Translation
1012	PCT Publication No. WO2018095949A1 (“Philips”)
1013	U.S. Patent Application Publication No. 2017/0231430A1 (“Moon”)
1014	PCT Publication No. WO2019068193A1 (“Conrad”)
1015	U.S. Patent Application Publication No. 2017/0245686A1 (“Man”)
1016	U.S. Patent Application Publication No. 2014/0366746A1 (“Tsai”)
1017	U.S. Patent No. 7,708,008 (“Elkasevic”)

LISTING OF CHALLENGED CLAIMS

Claim 1	
1[pre]	A cooking system comprising:
1[a]	a housing having a first internal compartment and a second internal compartment;
1[b]	a first cooking container defining a first cooking volume,
1[c]	said first cooking container being removably receivable within said first internal compartment to close off an opening to said first internal compartment when inserted therein, and
1[d]	a second cooking container defining a second cooking volume,
1[e]	said second cooking container being removably receivable within said second internal compartment to close off an opening to said second internal compartment when inserted therein,
1[f]	the first and second cooking containers each forming a continuous outer surface with the housing when the first and second cooking containers are inserted into the first and second internal compartments respectively;
1[g]	a first heating element and a second heating element disposed in said housing,
1[h]	said first heating element being in thermal communication with said first cooking volume and
1[i]	said second heating element being in thermal communication with said second cooking volume,
1[j]	the first and second heating elements being independently operable to independently cook food contained within the first and second cooking containers;
1[k]	a first fan and a second fan disposed in said housing,
1[l]	said first fan being in fluid communication with said first cooking volume; and
1[m]	said second fan being in fluid communication with said second cooking volume.
Claim 2	
2[pre]	The cooking system of claim 1,

2[a]	wherein said first cooking container and said second cooking container are individually insertable into said first cooking compartment and said second cooking compartment respectively.
Claim 3	
3[pre]	The cooking system of claim 1,
3[a]	wherein said first internal compartment and said second internal compartment are fluidly separate.
Claim 4	
4[pre]	The cooking system of claim 1,
4[a]	wherein said first fan is stacked vertically relative to said first heating element within said housing and
4[b]	said second fan is stacked vertically relative to said second heating element within said housing.
Claim 7	
7[pre]	The cooking system of claim 1,
7[a]	wherein said first cooking container includes a first handle and
7[b]	said second cooking container includes a second handle.
Claim 8	
8[pre]	The cooking system of claim 1, further comprising
8[a]	a motor operably coupled to each of said first fan and said second fan.
Claim 9	
9[pre]	The cooking system of claim 8,
9[a]	wherein said motor is located externally from said first internal compartment and said second internal compartment.
Claim 11	
11[pre]	A cooking system, comprising:
11[a]	a housing
11[b]	having a first internal cooking compartment
11[c]	with a first cooking container removably disposed therein and
11[d]	a second internal compartment
11[e]	with a second cooking container removably disposed therein,
11[f]	the housing and the first and second cooking containers forming a continuous outer surface,

11[g]	the first internal compartment including a first heating assembly comprising a first fan and a first heating element configured to cook food disposed in the first cooking container, and
11[h]	the second internal cooking compartment including a second heating assembly comprising a second fan and a second heating element configured to cook food disposed in the second cooking container,
11[i]	the first and second heating assemblies being independently operable to independently cook food contained within the first and second cooking containers, and
11[j]	the first and second heating assemblies being programmable to simultaneously cook food in separate cooking modes,
11[k]	wherein the first and second cooking containers are substantially horizontally coplanar when disposed in the first and second internal cooking compartments respectively, and
11[l]	wherein the first and second cooking containers have respective first and second perforated bases.
Claim 12	
12[pre]	The cooking system of claim 11,
12[a]	wherein the first cooking container includes a first external handle attached thereto and
12[b]	the second cooking container includes a second external handle attached thereto.
Claim 13	
13[pre]	The cooking system of claim 11,
13[a]	wherein the first internal cooking compartment and the second internal cooking compartment are independently operable to cook food
13[b]	using at least one of conduction, convection, radiation, and induction.
Claim 14	
14[pre]	The cooking system of claim 11, further comprising
14[a]	a control system configured to operate the first and second cooking assemblies,
14[b]	the control system being configured to receive inputs corresponding to at least one of a temperature, a cook time, and a food type.

Claim 15	
15[pre]	The cooking system of claim 11, further comprising
15[a]	a motor operably coupled to each of the first and second fans,
15[b]	the motor configured to operate the first and second fans at the same speed or at different speeds.
Claim 16	
16[pre]	A cooking system, comprising:
16[a]	a housing
16[b]	having first and second internal independently removable cooking containers disposed therein,
16[c]	each of the first and second cooking containers defining a cooking volume therein,
16[d]	the first and second cooking containers being configured to engage with first and second respective channels inside the housing to define first and second respective air ducts therein, and
16[e]	the first and second cooking containers forming a continuous outer surface with the housing when the first and second cooking containers are disposed in the housing;
16[f]	first and second heating elements disposed in the housing adjacent the cooking volume of the first and second cooking containers, respectively,
16[g]	the first and second heating elements being independently operable; and
16[h]	first and second fans disposed in the housing adjacent the first and second heating elements, respectively,
16[i]	the first and second fans being independently operable, and
16[j]	the first and second fans being configured to circulate air through the first and second cooking volumes, respectively.
Claim 17	
17[pre]	The cooking system of claim 16, further comprising
17[a]	a control system configured to operate cooking processes of food contained in the first and second cooking containers.

Claim 18	
18[pre]	The cooking system of claim 17,
18[a]	wherein the control system is configured to independently operate the first and second heating elements and the first and second fans.
Claim 19	
19[pre]	The cooking system of claim 17,
19[a]	wherein the control system is configured to receive inputs corresponding to at least one of a temperature, a cook time, and a food type.
Claim 20	
20[pre]	The cooking system of claim 17,
20[a]	wherein the control system is configured to adjust cooking parameters based on sensed data without user input.

I. INTRODUCTION

Petitioner RJ Brands, LLC (“Petitioner”) requests *inter partes* review of claims 1-4 and 7-20 (“Challenged Claims”) of U.S. Patent No. 11,389,026 (“the ’026 patent”) assigned to Patent Owner SharkNinja Operating LLC (“Patent Owner”). The ’026 patent relates to arranging an air fryer in a side-by-side configuration to form a dual air fryer as shown below:

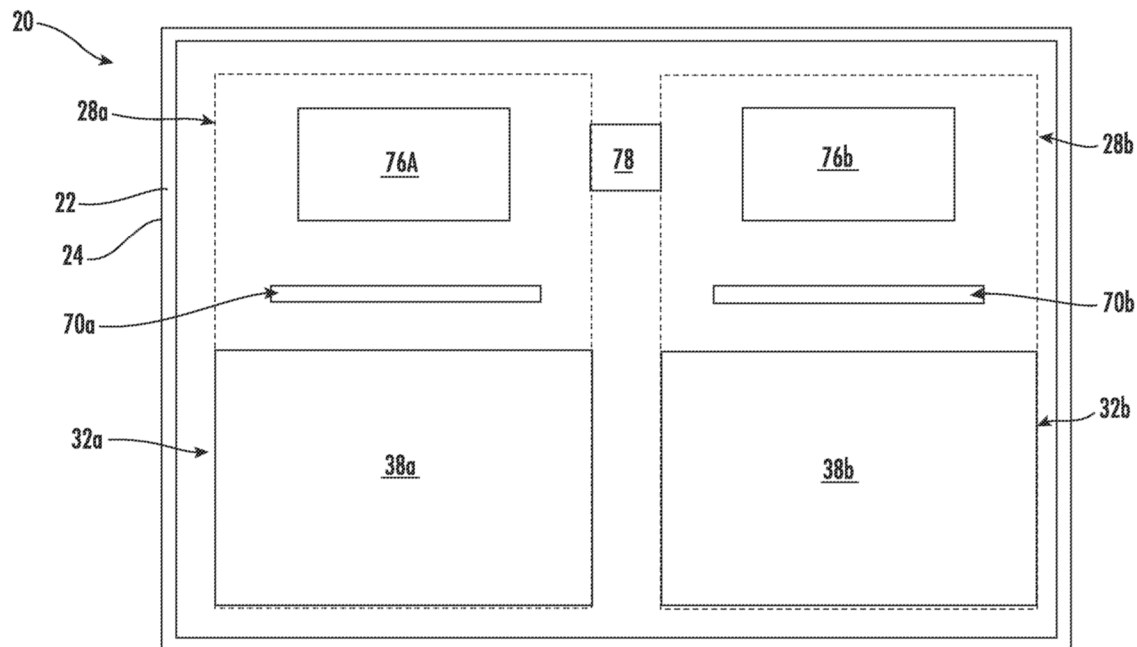


FIG. 8

Specifically, the ’026 Patent describes a technique of assembling drawer like mechanisms within known air fryers to form a “dual air fryer.” Claims 1-20 of the ’026 Patent merely recited obvious combinations of these well-known prior art technologies. Air fryers incorporating the features claimed in the ’026 Patent

were well-known in the art before its earliest priority date. Prior art disclosing these well-known features was not before the examiner when the USPTO issued the '026 Patent. Patent Owner requests that the Board institute *inter partes* review and cancel the Challenged Claims.

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

A. Grounds for Standing (37 C.F.R. § 42.104(a))

Petitioner certifies that the '026 Patent is eligible for IPR.

B. Identification of Challenge (37 C.F.R. § 42.104(b))

Pursuant to 37 C.F.R. §42.104(b), Petitioner requests the Challenged Claims be found unpatentable on the following grounds.

Ground	Basis	Reference(s)	Claims	Exhibits
1	102(a)(1)	Zhang	1-4, 7 and 16	1010
2	103(a)	Zhang and Conrad	11-14 and 17-19	1010 & 1014
3	103(a)	Philips and Moon	1-4, 7-20	1012 & 1013

III. THE '026 PATENT IS NOT ENTITLED TO A JULY 15, 2019 PRIORITY DATE

A. Priority Claim

The '026 patent was filed on March 31, 2021 as a continuation application of U.S. Patent Application No. 17/159,414 (“the '414 Parent Application”), which was a national stage of PCT Application No. PCT/US2020/042120, filed on July 15, 2020, and published as PCT Publication No. WO2021011642A1

(“the ’642 PCT”). The ’642 PCT claimed priority to U.S. Provisional Application No. 62/874,193 (“the ’193 Provisional”), filed July 15, 2019. However, the ’193 Provisional does not contain written description support for the challenged claims and therefore the ’026 patent is not entitled to the July 15, 2019, priority date. The only written description support occurred on July 15, 2020 with the filing of the PCT.

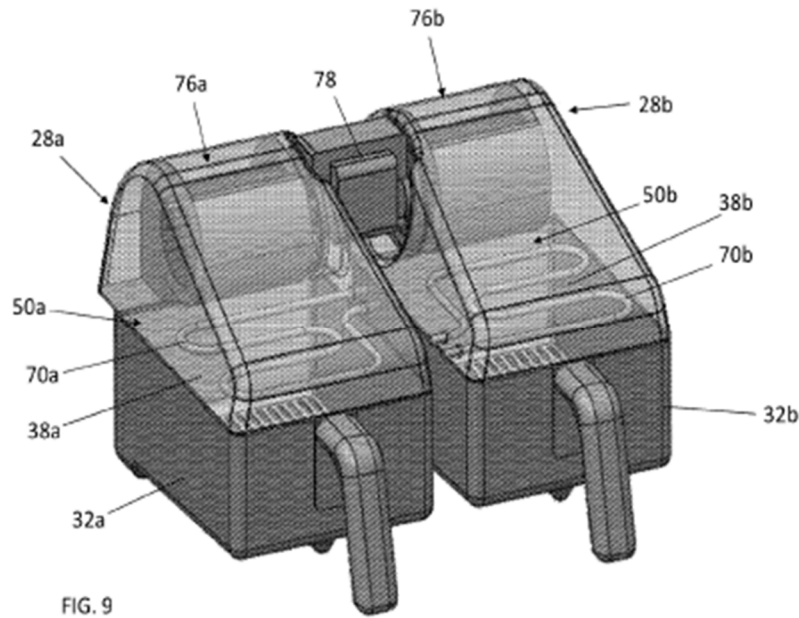
B. Specification of the ’026 Patent

The ’026 patent is directed to a cooking system having a housing with two internal compartments for receiving cooking containers. EX1001, 5:28-35. Each of the internal compartments has an heating element and fan. EX1001, 5:50-67. The ’026 patent provides that the “components associated with operation of each internal compartment, such as the heating element and air movement mechanism are also independently operable and fluidly separate from the components of the adjacent internal compartment.” EX1001 13:32-36. Figures 1-7 are directed to a single compartment air fryer, whereas Figures 8-15 are directed to a dual compartment air fryer. EX1001, 12:65-13:5; FIG. 8-15.; EX1004, pg. 249; EX1002, ¶26.

C. Prosecution History

On April 14, 2022, Patent Owner amended the claims of the ’026 Patent. These amendments included language that was not previously before the

Examiner or in the original application. In particular, the amendments for Claim 1 added a limitation that “the first and second cooking containers each forming a ***continuous outer surface*** with the housing when the first and second cooking containers are inserted into the first and second internal compartments respectively.” EX1004, 40-43 (emphasis added). Patent Owner did not provide any specific indication of support in the specification for this additional limitation. Instead, Patent Owner generically stated “support can be found throughout the specification and drawings of the application as filed.” EX1004, 122. The only potential support for the amendment adding the “***continuous outer surface***” limitation is found in FIG. 13, which was added on July 15, 2020, in the PCT application. EX1002, ¶27. Figures 8-12, which are different views of the same embodiment, depict the internal compartments separated and not connected to the housing when the containers are inserted. In fact, none of Figures 8-14 show the housing, except for a schematic diagram of Fig. 8. *Id.*



EX1001, Fig. 9.

D. The '193 Provisional Does Not Contain Written Description Support for Forming a Continuous Outer Surface in the Challenged Claims

The '026 patent claims priority to the '193 provisional filed on July 15, 2019. However, “because the PTO does not examine priority claims unless necessary, the Board has no basis to presume” that claims are entitled to the alleged earliest priority date. *Dynamic Drinkware, LLC v. Nat'l Graphics, Inc.*, 800 F.3d 1375, 1380 (Fed. Cir. 2015). A patent is only entitled to claim the benefit of the filing date of an early provisional application if the disclosure of

the provisional application provides support for the claims as granted in compliance with 35 U.S.C. § 112(a). *Id.* at 1381.

Moreover, a claim is not entitled to the priority date of an earlier application unless that earlier application describes the full scope of the later claimed subject matter sufficiently to meet the requirements of 35 U.S.C. § 112(a). *See Anascape, Ltd. v. Nintendo of Am. Inc.*, 601 F.3d 1333, 1337-39 (Fed. Cir. 2010). Here, as in *Anascape*, Patent Owner added disclosure in the '026 patent that was not present in the '193 provisional and Patent Owner selected the species that included the added matter during prosecution. For the following reasons, only the later added disclosure on July 15, 2020, supports the continuous outer surface limitation added to the claims of the '026 patent.

First, all challenged claims recite the following new feature the first and second cooking containers each “forming a continuous outer surface” with the housing when the containers are inserted. EX1001, Claims 1, 11, 16. Similar to the specification of the '026 patent, the '193 provisional also does not contain the words “continuous” or “outer surface.” Rather, this new language was added in the first instance on July 15, 2020, in a §312 claim amendment after allowance. EX1004, pg. 39-44, 91-99. The '193 provisional therefore does not provide adequate written description for “forming a continuous outer surface.” EX1002, ¶28.

Second, the '193 provisional makes passing reference that the “cooking container 32 is slidably received within an opening 34 formed in a wall 36 of the housing 22.” EX1005, ¶[0081]. The opening 34 is shown in FIGS. 2 and 3, which are both identified as schematic drawings¹, without the cooking container 32. EX1005, [0069]-[0070]. The '193 provisional does state that “a size and shape of the cooking container 32 may be complementary to the size and shape of the opening 34.” EX1005, ¶[0069]-[0070]. A complementary size and shape, however, provides no information regarding the outer surface of the cooking container 32 and fails to provide disclosure for the “continuous outer surface” limitation. EX1002, ¶29. Thus, this is not adequate to provide notice to one of ordinary skill that Patent Owner possessed the feature of “forming a continuous outer surface” at the time of filing the '193 provisional. *Id.*

Additionally, due to the election of species and statements made by Patent Owner during prosecution, the added language of “forming a continuous outer surface” cannot be based on any of FIGS. 1-7. EX1004, 44. Because the species

¹ A schematic drawing is a simplified two-dimensional diagram that represents how parts relate rather than physical appearance. FIGS. 1-3 of the '193 provisional are schematic drawings that do not depict the physical appearance of the outer surfaces.

corresponding to FIGS. 8-15 was selected, the basis for the amendment of “forming a continuous outer surface” must come from these figures, and in particular FIG. 13. EX1002, ¶30. FIG. 13, however, was not included in the ’193 provisional. EX1005. Accordingly, the ’026 Patent is not entitled to the date of the ’193 provisional. EX1002, ¶30.

Further, instead of providing any adequate support of “forming a continuous outer surface” the ’193 provisional actually provides support for the opposite - a non-continuous outer surface. FIG. 4. EX1005. As stated in the ’193 provisional, the outer surface of the cooking container 32 is the front surface 42, which is *not* continuous with the housing 22. EX1002, ¶31. As shown in the figures below, the front surface 42 extends away from the housing 22, resulting in a noticeable gap showing a non-continuous outer surface. EX1002, ¶31.

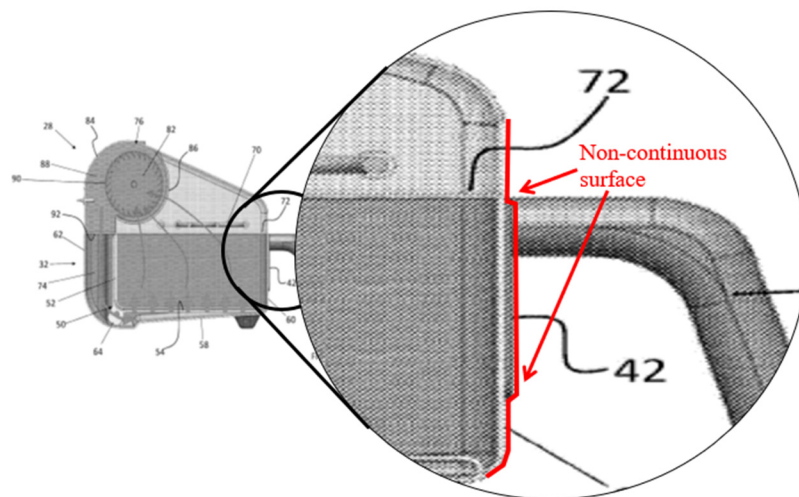


FIG. 5 of the '193 provisional also fails to provide adequate support for “forming a continuous outer surface”. Instead, it describes a front wall 60 that follows the upward slope from the bottom surface 58. EX1005.

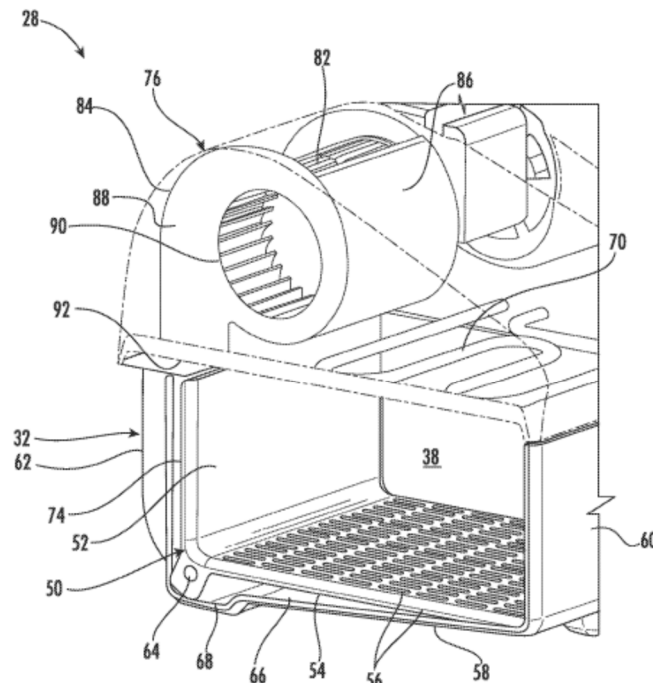
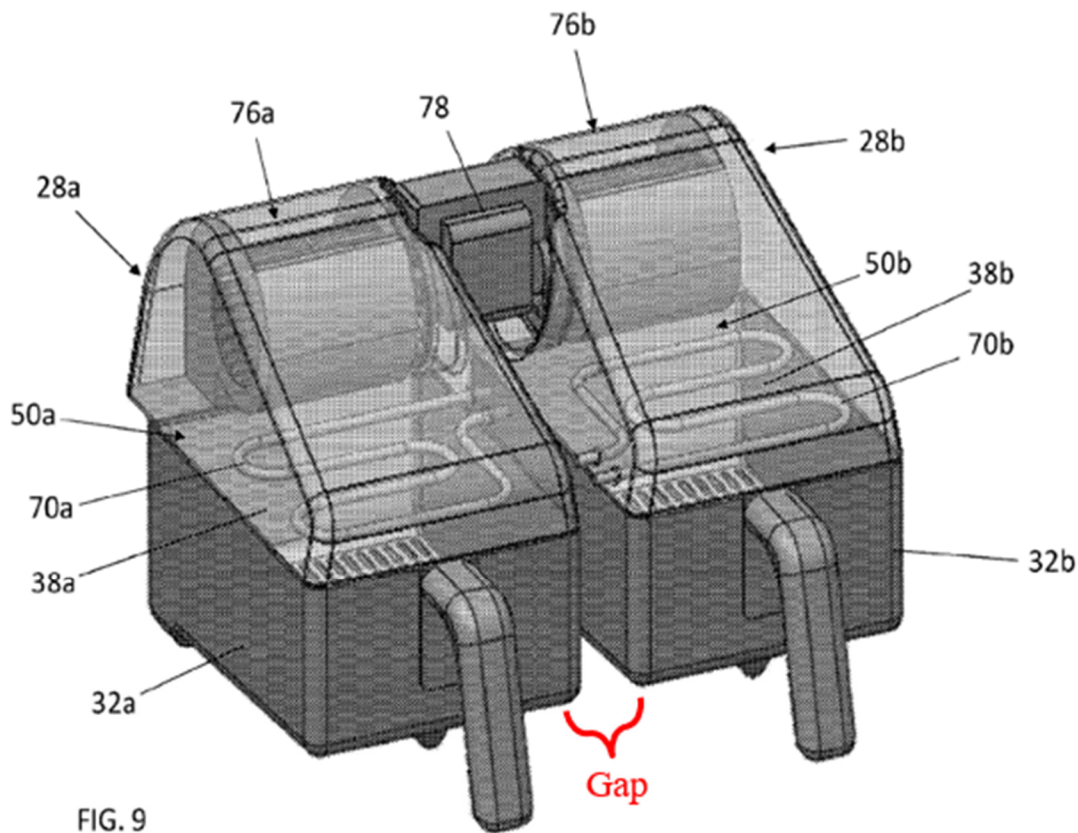


FIG. 5

Fig. 5

The front surface 42 and front wall 60 of Fig. 4 cannot be considered to be a continuous outer surface with the housing. EX1002, ¶32. Additionally, the bottom surface 58 is described as the bottom surface of the cooking container 32 and not the housing 22, which is not shown in FIG. 5. *Id.*

To the extent Patent Owner asserts that FIGS. 9-11 of the '193 provisional provide support for a continuous outer surface, there is no housing between the first and second containers thereby precluding a continuous outer surface from being formed. As shown in FIGS. 9-11 there is a clear gap between its first and second containers 32a, 32b. Moreover, FIGS. 9-11 do not show the housing 22 anywhere. Thus, FIG. 9 (and similarly FIG. 10) either (1) show a non-contiguous surface (opposite the claimed “continuous outer surface”) as there is a clear gap or (2) FIGS. 9-11 and the corresponding portion of the specification cannot support limitation 1[a] stating “a ***housing*** having a first internal compartment ***and*** a second internal compartment”. Accordingly, a POSITA would understand that FIGS. 9-11 do not support the allowed claims of the '026 patent. EX1002, ¶33.



The clearest difference between the '193 provisional and the '026 patent is that Patent Owner added three new figures on July 15, 2020, including FIG. 13 that provides a perspective view of the cooking system. EX1001. As shown below in annotated FIG. 13, a continuous outer surface is illustrated as being formed between the cooking container 32a/32b (red) with the housing 22 (orange). EX1002, ¶34. Patent Owner showed that the support for the new claim feature of “continuous outer surface” was based on FIGS. 8-15, not FIGS. 1-7. EX1004, 39-44. Accordingly, the new matter of a “continuous outer surface” has no basis in the '193 provisional. EX1002, ¶34.

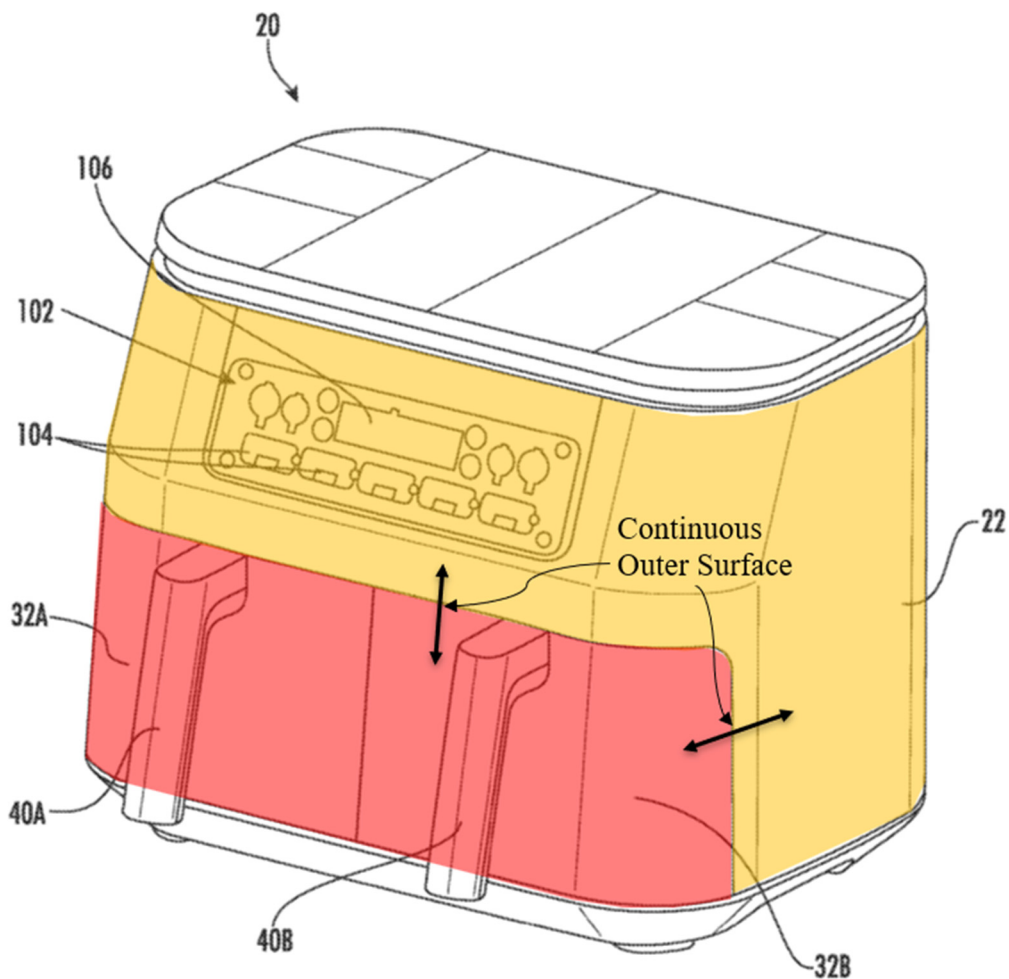


Fig. 13

There is nothing in the '193 provisional that provides written description support for “forming a continuous outer surface” with the housing as claimed. EX1002, ¶35. Accordingly, the earliest priority date for the '026 patent that should be used for evaluating the grounds is July 15, 2020. *Id.*

IV. OVERVIEW OF THE PRIOR ART REFERENCES

A. Zhang

Zhang is a Chinese patent published on January 10, 2020, and is prior art under at least 35 U.S.C. § 102(a)(1) because the '026 patent is not entitled to its provisional filing date as discussed in section III, above. EX1010.

Zhang is directed to an air fryer cooking system that can perform two cooking operations using independent pot bodies integrated in one structure. *See* EX1010, ¶[0005]-[0006], [0021]. Zhang's air fryer, shown in Zhang's Fig. 2 below, includes a "main body 1 internally forming a cooking chamber." *Id.*, ¶[0033]

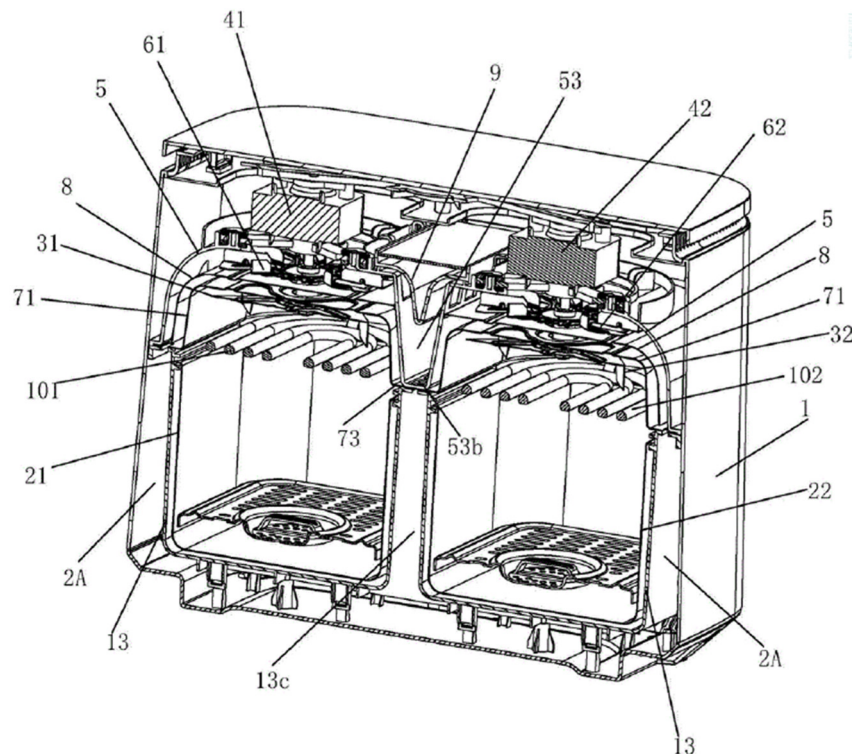


Fig. 2

Zhang’s air fryer includes “main body 1 is provided with an integrated furnace chamber inner pan 13” that contains “first accommodating chamber 13a and a second accommodating chamber 13b”. EX1010, ¶[0034]. Each of the first and second containing chambers 13a, 13b receives “a first pot body 21 and a second pot body 22”, respectively. EX1010, ¶[0033]-[0034].

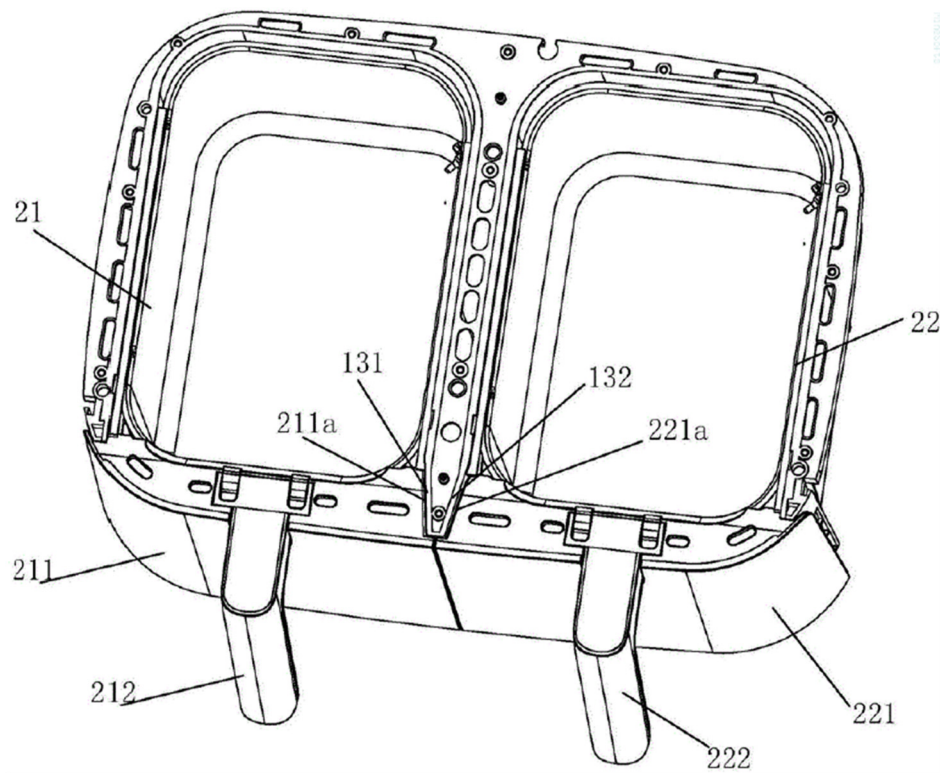


Fig. 6

Integrated furnace chamber inner pan 13 includes guide surfaces 131, and 132, shown in Figure 6 above, that operate to guide each respective pot body 21/22 into the respective containing chamber 13a/13b such that, when inserted therein, first and second pot body supports 211, 221 are flush with each other, as

well as the main portion of the machine body 1 thereby “enhancing the user experience and improving the aesthetic appearance.” EX1010, ¶[0036].

Zhang’s air fryer includes “a first electric heating tube 101 located above the first pot body 21 and a second electric heating tube 102 located above the second pot body 22”. EX1010, ¶[0033]. Above the heating tubes is “first hot air fan 31” coupled to a “first motor 41” and “a second hot fan 32” coupled to “second motor 42”. EX1010, ¶[0037]-[0047]. Zhang describes “[d]uring operation of the air fryer of this embodiment, the two hot air fans and the two cold air fans start to rotate at high speed driven by two motors. On one hand, the two hot air fans respectively blow the heat generated by the two electric heating tubes into the interiors of the two pot bodies to heat the food inside the two pot bodies.” EX1010, ¶[0048].

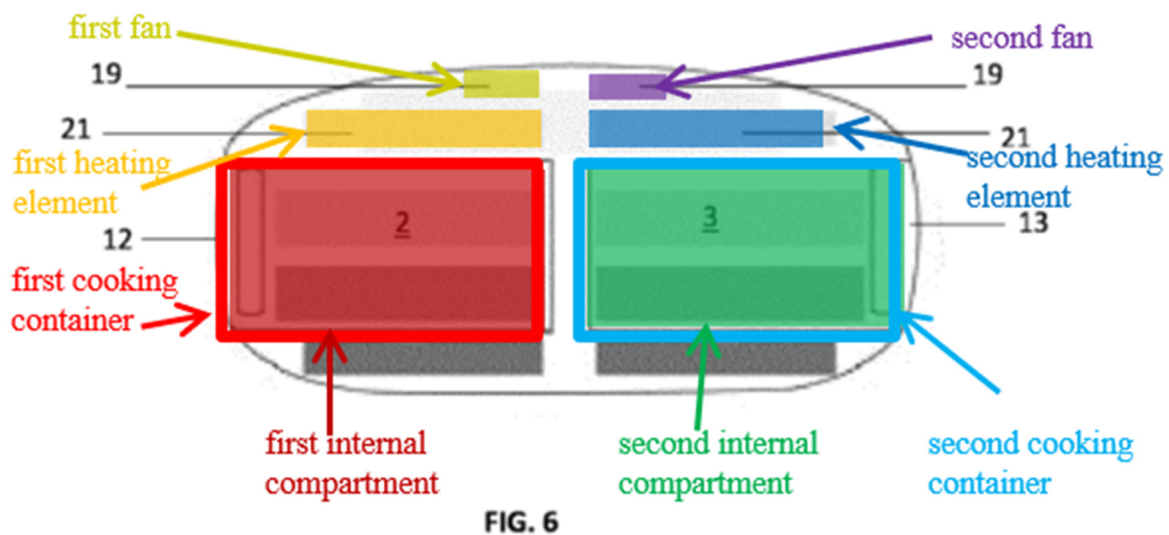
Zhang describes that “by arranging the first pot body and second pot body independently, two cooking operations can be performed simultaneously, and the integrated furnace chamber inner pan structure saves material costs and improves assembly efficiency” EX1010, ¶[0021].

B. Philips

International Publication WO2014/189185 A1 (hereinafter “Philips”) published on May 31, 2018, is prior art under at least 35 U.S.C. § 102(a)(1). EX1012.

Philips discloses a cooking appliance having two separate cooking compartments that can operate independently and simultaneously. Each compartment includes its own heating element and airflow path, enabling the preparation of different food items at the same time without flavor transfer. EX1012, 3:10-25; 5:3-20.

The two compartments are physically separated by an internal divider, and each contains a respective fan for circulating heated air within that compartment. *Id.*, 11:5-15; FIGS. 2 & 6. This separation allows isolation of airflow, reducing cross-contamination and maintaining optimal cooking conditions in each. *Id.*, 11:16-28.



Philips, Fig. 6 annotated and reproduced above, further teaches that each compartment has independent control of cooking time and temperature, enabling different settings for different food types. EX1012, 4:12-30. Control may be

achieved via separate user interfaces for each compartment or through a single interface allowing toggling between compartments. *Id.*, 7:1-14.

C. Moon

United States Patent Application Publication No. US 2017/0231430 A1 by Moon (hereinafter “Moon”) published on August 17, 2017, and is prior art under at least 35 U.S.C. § 102(a)(1). EX1013. Moon discloses an air fryer system comprising a base having a heating source and an air source located therein, both powered by an AC power cord. EX1013, ¶ [0009]. The fryer includes a cooking chamber defined within the base and a cooking drawer which fits securely within the chamber and substantially seals the chamber against heat loss during use. *Id.*, ¶ [0009]; ¶[0038].

The cooking drawer, in the closed position, forms a continuous outer surface with the base, such that the cooking chamber is fully enclosed and heat is retained. EX1002, ¶48. When closed, the drawer is detected by a safety sensor that allows the heating source to operate; opening or improper positioning causes the controller to shut off heating. EX1012, ¶[0038]. The sealing and continuous-surface configuration ensures temperature consistency and energy efficiency by minimizing thermal leakage.

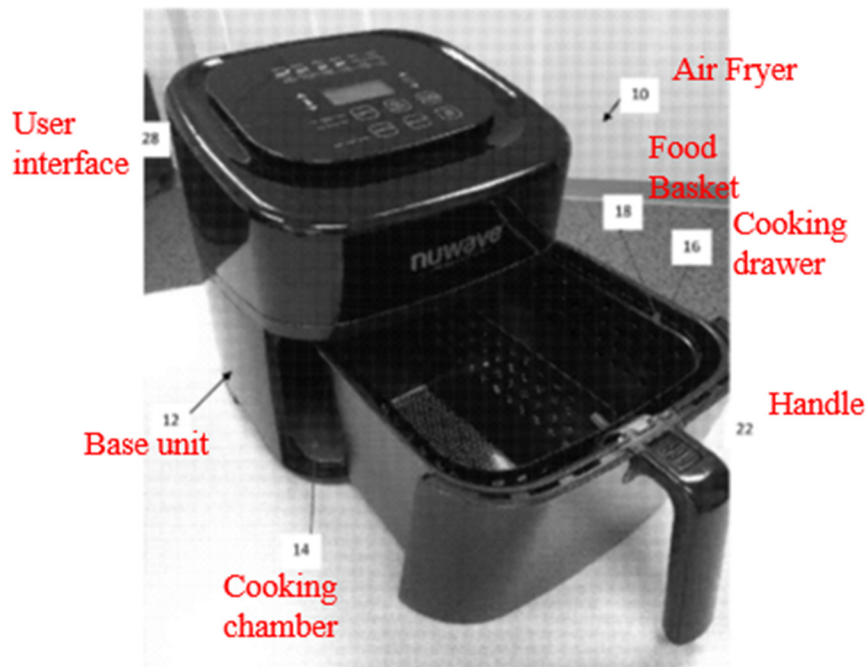


FIG. 2

As shown in Moon’s Fig. 2 annotated and reproduced above, Moon further describes a removable handled food basket positioned within the cooking drawer, which may include a divider, and openings on all surfaces for directing heated airflow. EX1012, ¶ [0038], ¶ [0039].

D. Conrad

International Publication WO2019/068193A1 (hereinafter “Conrad”), published on April 11, 2019, and is prior art under at least 35 U.S.C. § 102(a)(1). EX1014. Conrad is directed to a table-top kitchen device comprising a first and second food preparation chamber. These chambers are physically separated from each other in such a way that each chamber includes an autonomous cooking environment.

Conrad discloses an air fryer with dual cooking zones where “each ‘cooking zone’ is a distinct volumetric region within cooking chamber 104 that can be selectively subjected to different cooking conditions from the other cooking zone(s).” EX1014, ¶145. For example, Conrad teaches that within “each cooking zone 180, these cooking devices may be selectively activated and deactivated according to a cooking program (e.g. set temperature, humidity, convection speed) independently of the cooking devices in the other cooking zone 180.” EX1014, ¶149.

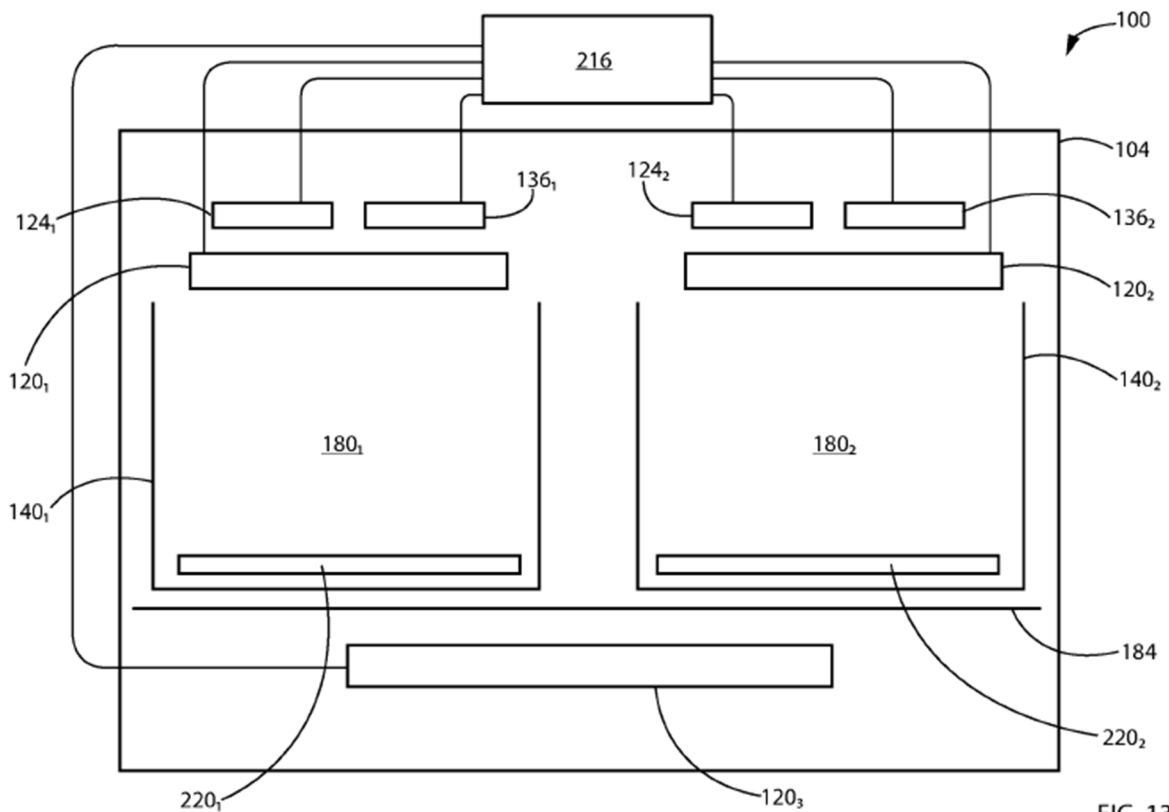


FIG. 13

Conrad's Fig. 13, above, includes: "controller 216 which is communicatively coupled to the cooking devices (e.g. heating elements 120, air movers, 124, and steam generators 136) associated with the plurality of cooking zones (e.g. first and second zones 180₁ and 180₂) defined within cooking chamber 104." EX1014, ¶162. The cooking program may be selected by a user. *Id.* Conrad's controller 216 produces "different cooking conditions (temperature, convective air speed, and/or humidity) in the two cooking zones 180." EX1014, ¶164. Conrad teaches receiving inputs through the controller 216 to execute a cooking program, which may be "stored in memory within controller 216, and selected by the user." EX1014, ¶223.

V. LEVEL OF ORDINARY SKILL IN THE ART

A POSITA as of the earliest claimed priority date for the '026 patent would have had at least a bachelor's degree in mechanical engineering, industrial design, product design, or electrical engineering (or an equivalent field) or at least two years of work experience involving research and development or new product development of cooking devices, electronic enclosures, or kitchen appliances. More education can supplement practical experience and vice versa. *See* EX1002, ¶¶22-24.

VI. CLAIM CONSTRUCTION

The Board construes claims in accordance with *Philips v. AWH Corp.*, 415 F.3d 1303 (Fed. Cir. 2005) (en banc). The Petition “need only construe terms ‘that are in controversy, and only to the extent necessary to resolve the controversy.’” *Nidec Motor Corp. v. Zhongshan Broad Ocean Motor Co.*, 868 F.3d 1013, 1017 (Fed. Cir. 2017). In this proceeding, Petitioner submits that no terms require express construction beyond their plain and ordinary meaning.

VII. GROUND 1: ZHANG ANTICIPATES CLAIMS 1-4, 7, AND 16

As discussed above, the ’026 Patent is not entitled to the priority date of the ’193 Provisional and instead has a priority date of July 15, 2020. As such, Zhang anticipates Claims 1-4, 7 and 16 of the ’026 Patent as illustrated below.

A. Claim 1²

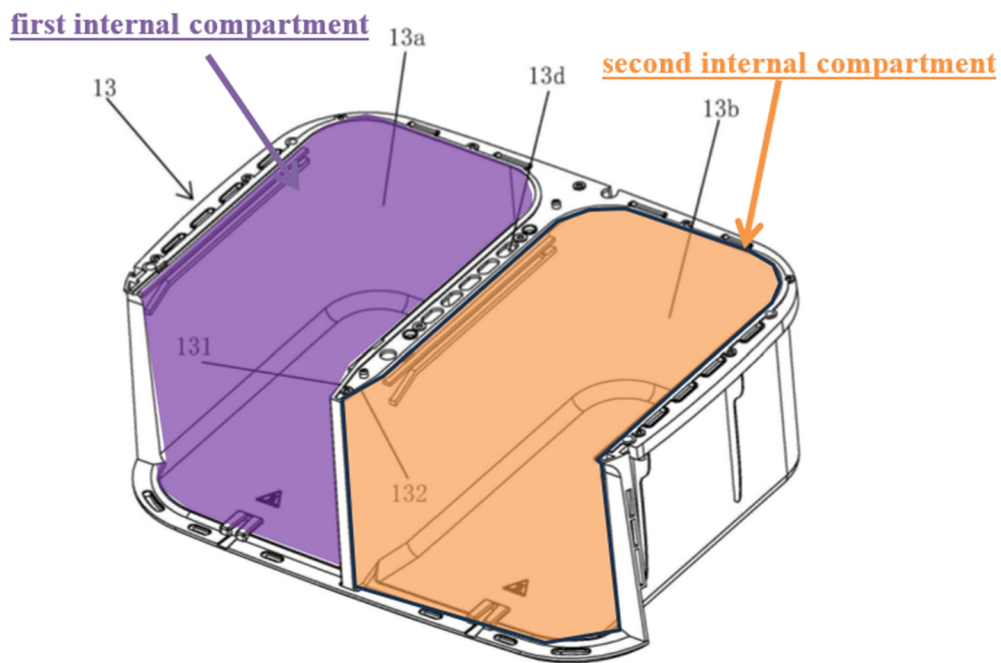
Claim 1[pre]

To the extent the preamble is limiting, Zhang discloses “*a cooking system*”. Zhang discloses an “capable of simultaneously performing two cooking operations.” EX1010, ¶[0005]. Air fryers are a type of cooking system that would be within Claim 1. EX1002, ¶55. Thus, Zhang discloses this limitation. *Id.*

² Reference to the claim language refers to the same as in the chart of challenged claims above.

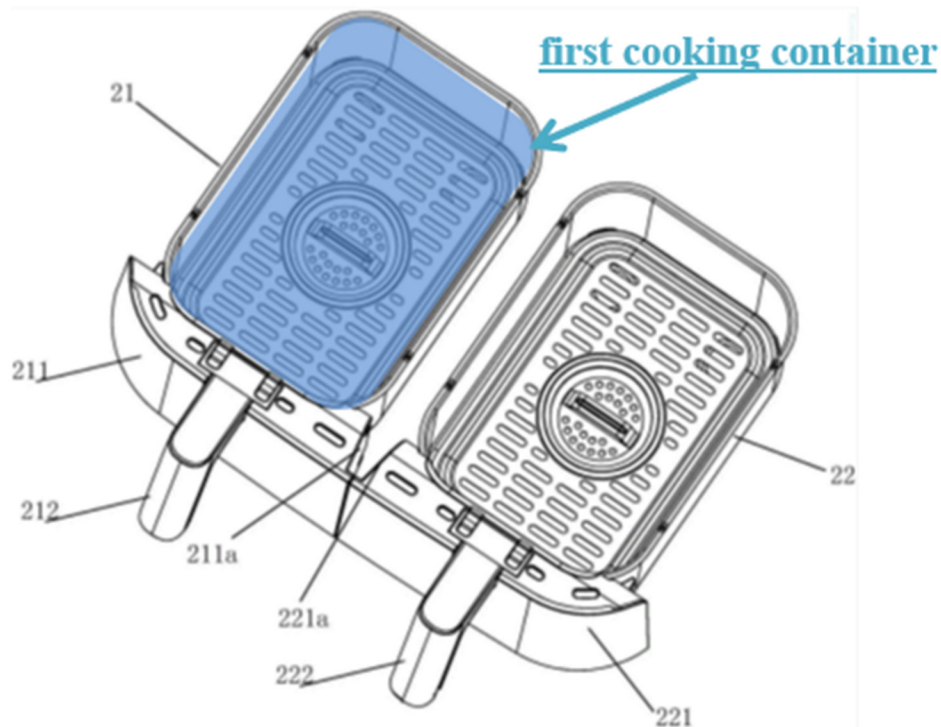
Claim 1[a]

Zhang discloses “a housing having a first internal compartment and a second internal compartment.” Zhang explains that the main body 1 is provided with a first chamber 13a and a second chamber 13b. EX1010, ¶[0034]; EX1002, ¶56.



Claim 1[b]

Zhang discloses “a first cooking container defining a first cooking volume.” Zhang provides a first pot body 21. EX1010, ¶[0033]. As understood by the POSITA, first pot body 21 defines a cooking volume as it is a basket and has a bottom and sides. EX1002, ¶57.



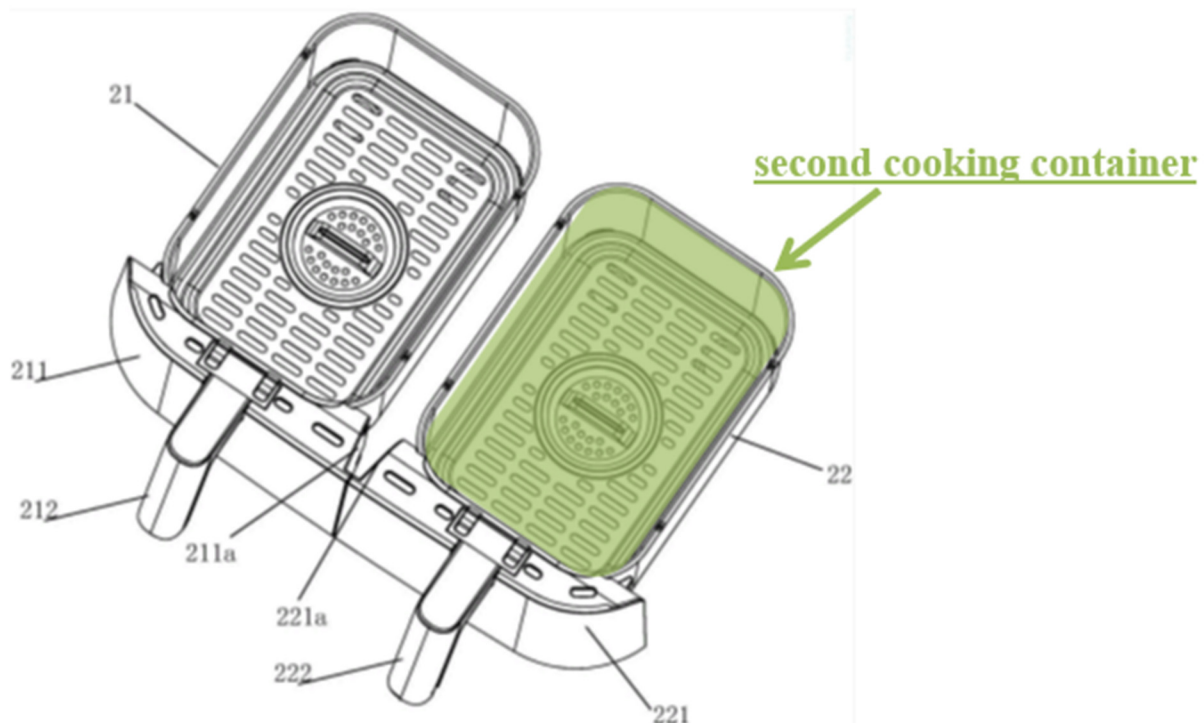
Claim 1[c]

Zhang discloses “said first cooking container being removably receivable within said first internal compartment to close off an opening to said first internal compartment when inserted therein.” Zhang discloses that the first chamber 13a is capable of accommodating the first pot body 21, including being removably receivable. *See* EX1010, ¶[0034]. A POSITA would understand that, based on the figures, the first pot body 21 would close off an opening to the first internal compartment as shown in FIG. 1. EX1002, ¶58.



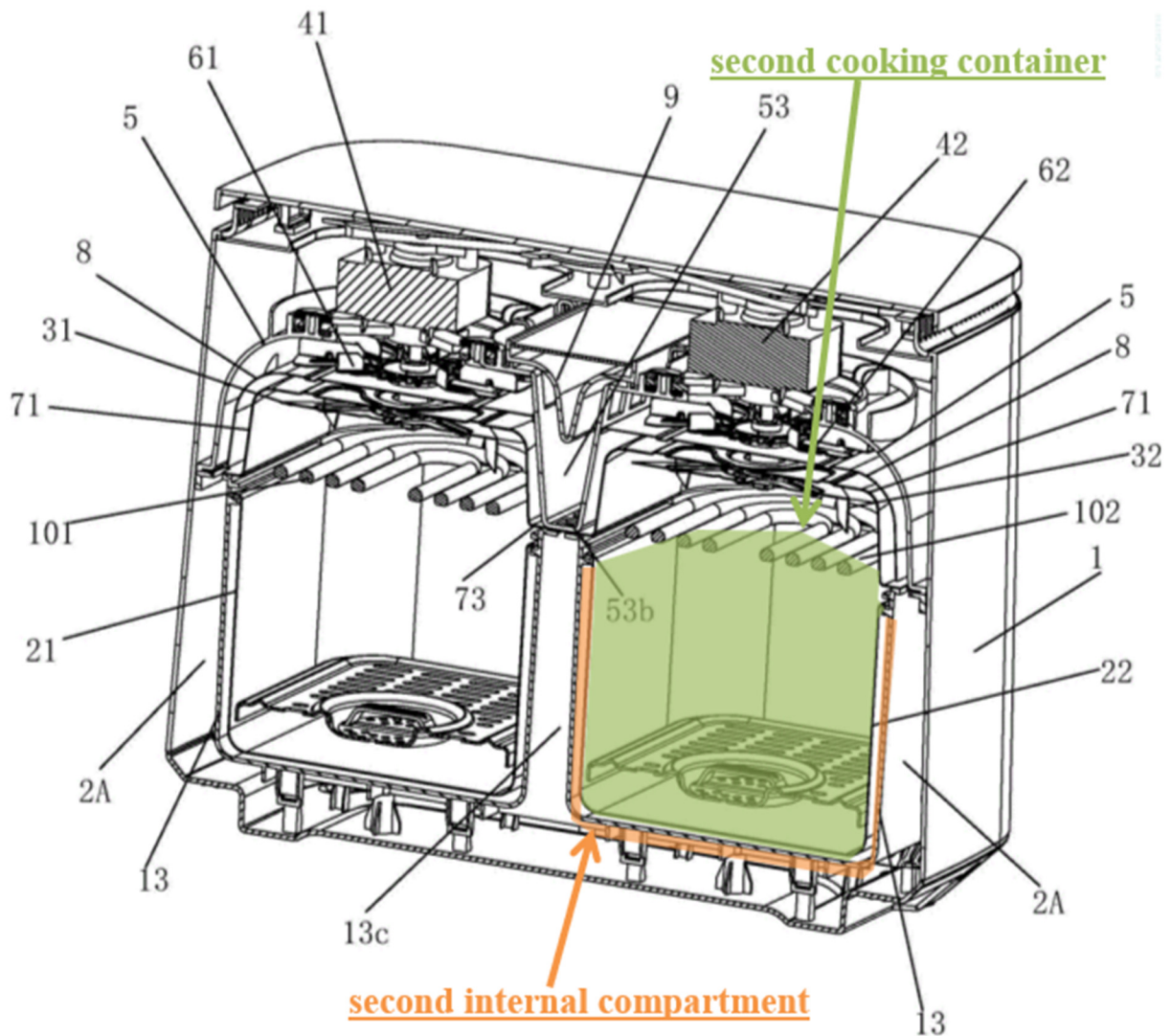
Claim 1[d]

Zhang discloses “a second cooking container defining a second cooking volume.” Zhang provides a second pot body 22. EX1010, ¶[0033]. As understood by the POSITA, second pot body 22 defines a cooking volume as it is a basket and has a bottom and sides. EX1002, ¶59.



Claim 1[e]

Zhang discloses “second cooking container defining a second cooking volume, said second cooking container being removably receivable within said second internal compartment to close off an opening to said second internal compartment when inserted therein.” Zhang discloses that the second chamber 13b is capable of accommodating the second pot body 22, including being removably receivable. *See* EX1010, ¶[0034]. The second pot body 22 closes off an opening to the first internal compartment 13b when the second pot body 22 is inserted into the internal compartment 13b, as shown in FIG. 1 and FIG. 2 annotated below. EX1002, ¶60.



Claim 1[f]

Zhang discloses “the first and second cooking containers each forming a continuous outer surface with the housing when the first and second cooking containers are inserted into the first and second internal compartments respectively.” Zhang provides that, when the pot bodies are inserted, the outer side 211 of the first pot body and outer side 221 of the second pot body “remain flush.” EX1010, ¶[0036]. This provides a flat appearance with the housing body

1 as shown in FIG. 1. EX1010, ¶[0036]. A POSITA would understand that this arrangement provides a continuous outer surface. EX1002, ¶61.

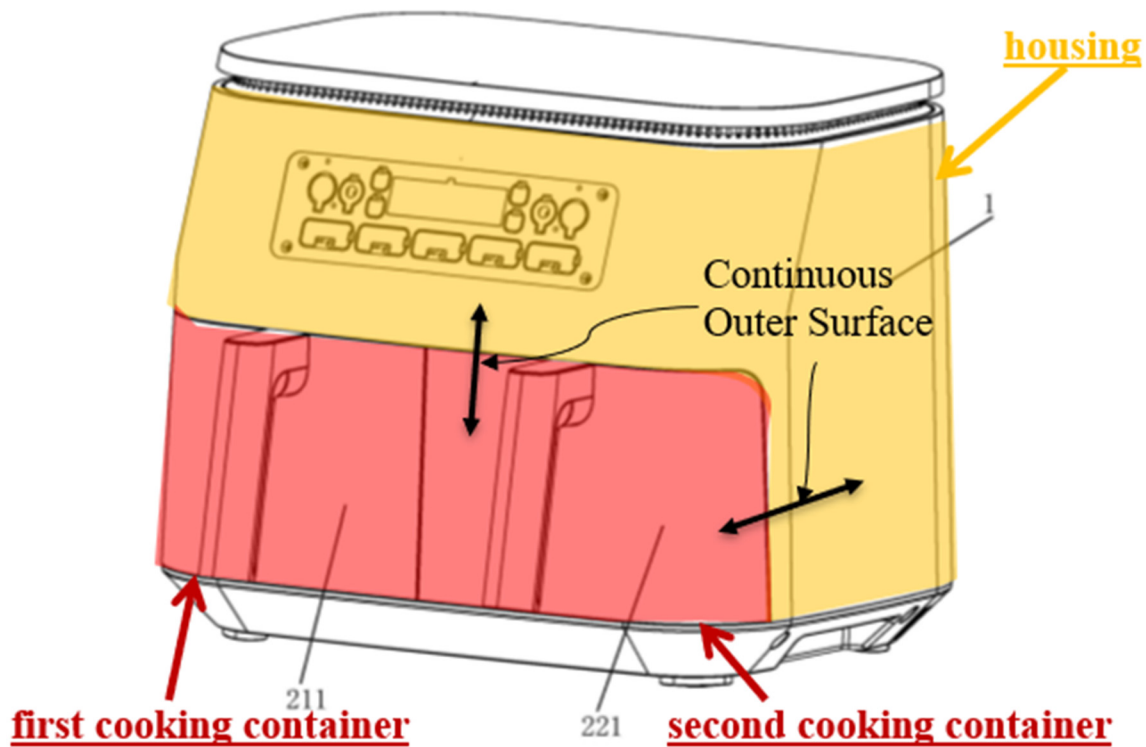
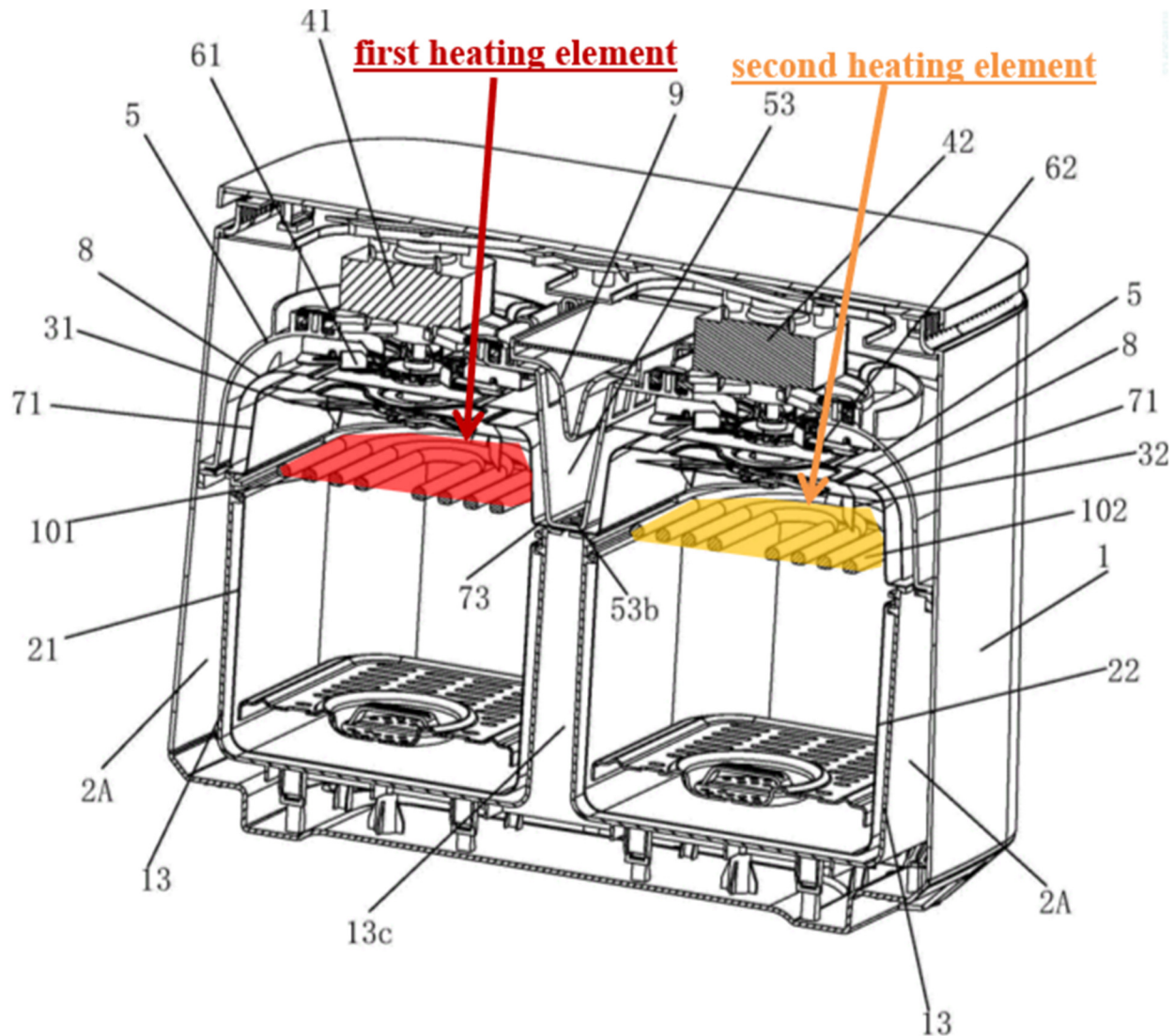


Fig. 1

Claim 1[g]

Zhang discloses “a first heating element and a second heating element disposed in said housing.” Zhang discloses an electric heating tube 101, 102 above each internal compartment. EX1002, ¶62.



Claim 1[h]

Zhang discloses “said first heating element being in thermal communication with said first cooking volume.” Zhang discloses that the heat generated by the heating tube 101 would be blown towards the pot body 21. EX1010, ¶[0048]. The first heating element (Zhang’s heating tube 101) heats the cooking volume and thus the first heating element is in thermal communication with the first cooking volume. EX1002, ¶63; EX1009, 151. A POSITA would

understand that the heating tube 101 would be in thermal communication to cook the food inside the pot body. EX1002, ¶63.

Claim 1[i]

Zhang discloses “said second heating element being in thermal communication with said second cooking volume.” Zhang discloses that the heat generated by the heating tube 102 would be blown towards the pot body 22. EX1010, ¶[0048]. The second heating element (Zhang’s heating tube 102) blows heat into the second pot body and thus the second heating element is in thermal communication with the second cooking volume. EX1002, ¶64. A POSITA would understand that the heating tube 102 would be in thermal communication to cook the food inside the pot body. *Id.*

Claim 1[j]

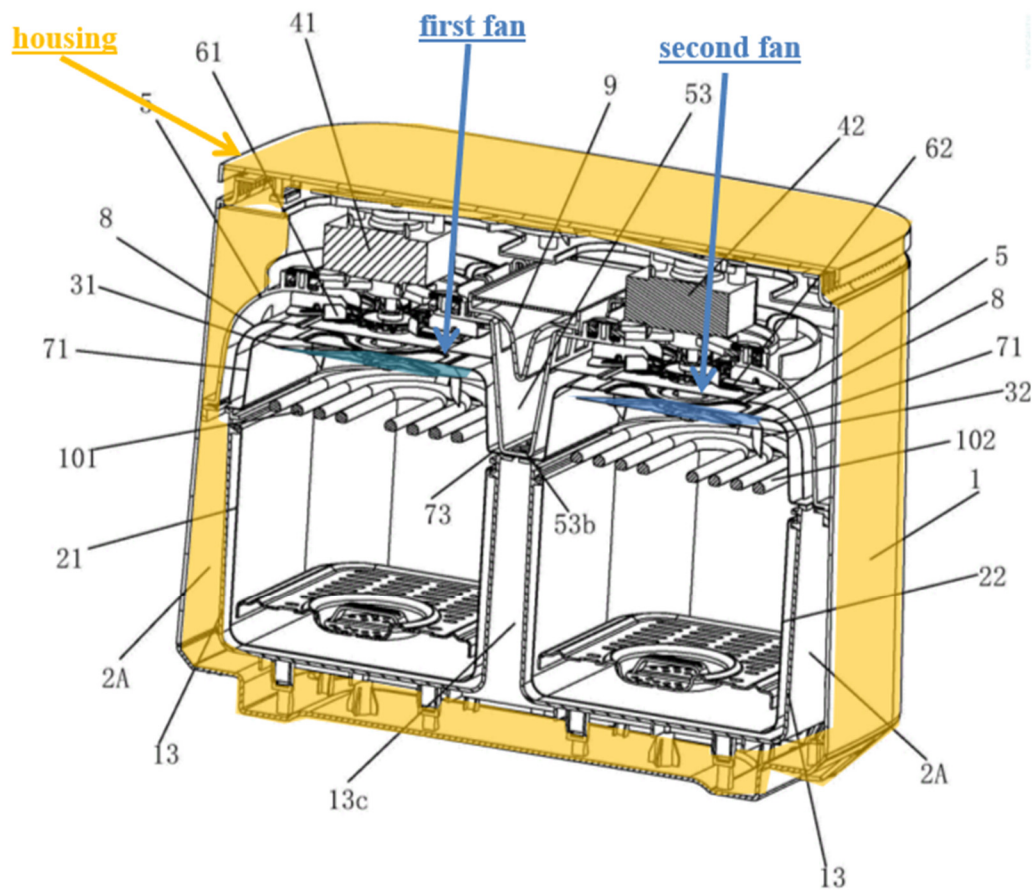
Zhang discloses “the first and second heating elements being independently operable to independently cook food contained within the first and second cooking containers.” Zhang states that dual arrangement of the air fryers allows two cooking operations at the same time, while differentiating Zhang’s system from air fryers that can’t cook “two different types of food or perform two different types of cooking procedures”. EX1010, ¶[0004]-¶[0005]. Zhang further states:

the advantages of the invention include: by arranging the first pot body and second pot body independently, two cooking operations can be performed simultaneously, and the integrated furnace chamber inner pan structure saves material costs and improves assembly efficiency.

EX1010, ¶[0021]. A POSITA would recognize that two simultaneous cooking operations allows for independent operation of the heating elements. EX1002, ¶65.

Claim 1[k]

Zhang discloses “a first fan and a second fan disposed in said housing.” Zhang describes air fans 31 and 32, which each respectively correspond to the claimed “first fan” and “second fan”, positioned above the heating tubes for each of the internal cavities. EX1010, ¶¶[0038]-[0039]; EX1002, ¶66.



Claim 1/[l]

Zhang discloses “said first fan being in fluid communication with said first cooking volume.” Zhang provides that hot air is blown by the air fan 31 into the pot body 21 and thus Zhang’s air fan 31 is in fluid communication with the cooking volume of pot body 21. A POSITA would understand that this air fan 31 is in fluid communication with the pot body 21. EX1002, ¶67.

Claim 1[m]

Zhang discloses “said second fan being in fluid communication with said second cooking volume.” Zhang provides that hot air is blown by the air fan 32 into the pot body 22. EX1010, ¶[0048]. A POSITA would understand that this air fan 32 is in fluid communication with the pot body 22 and thus Zhang’s air fan 32 is in fluid communication with the cooking volume of pot body 22. EX1002, ¶68.

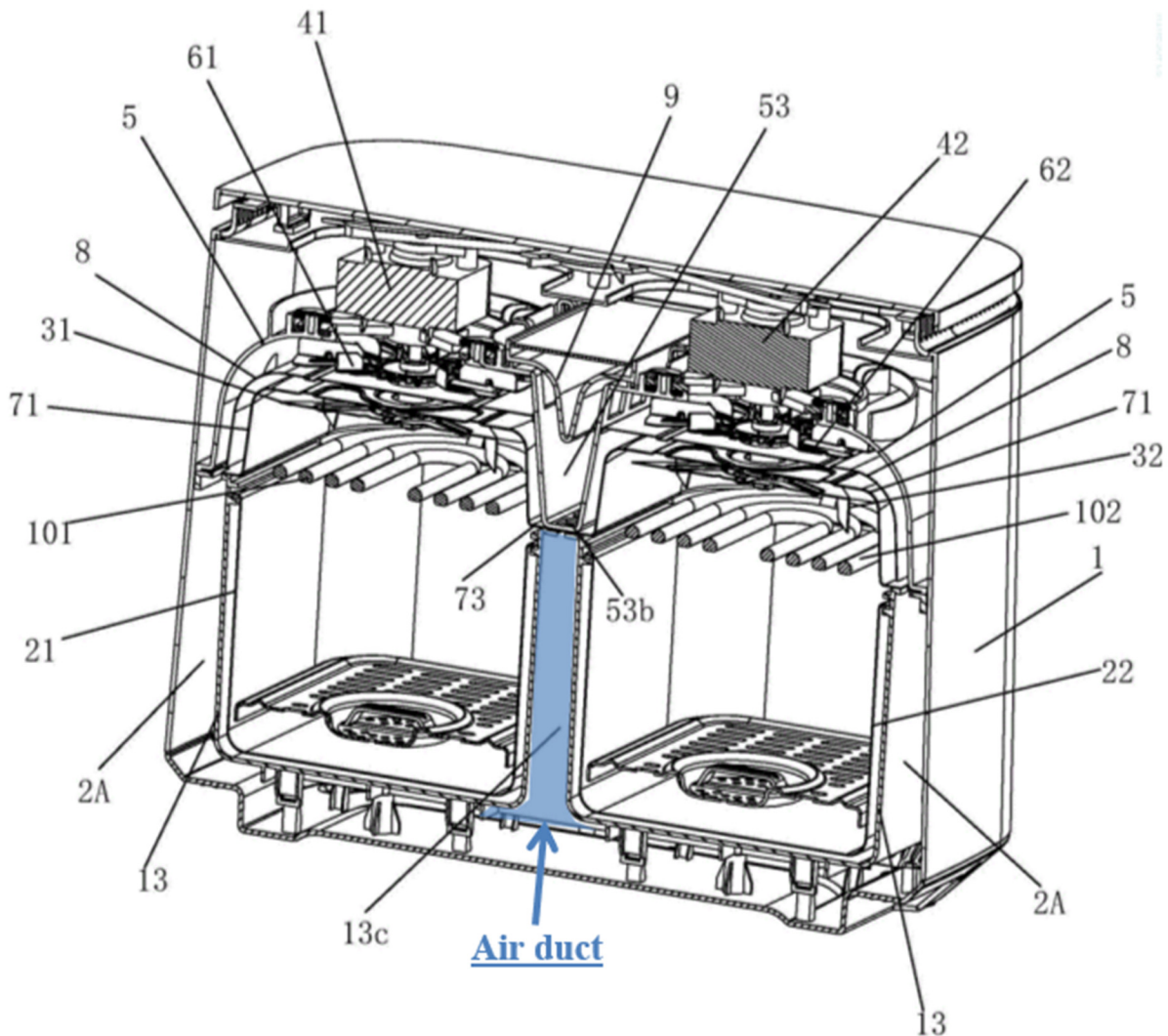
Accordingly, Zhang invalidates claim 1 under 35 U.S.C. § 102(a)(1). *Id.*, ¶69.

B. Claim 2

Zhang discloses claim 2, and recites “wherein said first cooking container and said second cooking container are individually insertable into said first cooking compartment and said second cooking compartment respectively.” Zhang teaches that the first pot body and the second pot body are arranged independently. See EX1010, ¶[0021]. There are two separate handles on each pot body. See EX1010, ¶[0036]. A POSITA would understand that the pot bodies of Zhang are individually insertable where each pot body is connected to its own respective bracket (221, 222) to enable individual insertion. *See Id.*; EX1002, ¶71.

C. Claim 3

Zhang discloses claim 3 and recites “wherein said first internal compartment and said second internal compartment are fluidly separate.” Zhang shows that the cavities 13a and 13b are separated by an air duct 13c. EX1010, ¶[0035]. A POSITA would recognize that this air duct 13c keeps the cavities fluidly separate from each other. EX1002, ¶73.



D. Claim 4

Claim 4[a]

Zhang discloses “wherein said first fan is stacked vertically relative to said first heating element within said housing.” Zhang states the air fan 31 is positioned above the heating tube 101. EX1010, ¶[0038]. Based on FIG. 2, a POSITA would see that the vertical stacking is taught by Zhang. EX1002, ¶74.

Claim 4[b]

Zhang discloses “said second fan is stacked vertically relative to said second heating element within said housing.” Zhang states the air fan 32 is positioned above the heating tube 102. *See* EX1010, ¶[0039]. Based on FIG. 2, a POSITA would see that the vertical stacking is taught by Zhang. EX1002, ¶75.

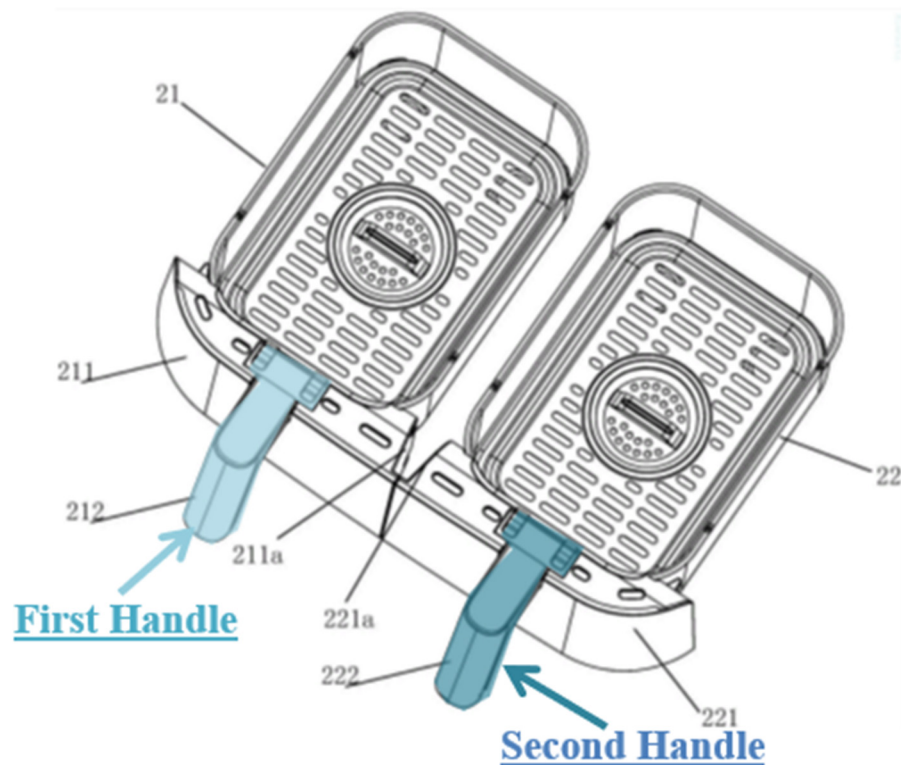
E. Claim 7

Claim 7[a]

Zhang discloses “wherein said first cooking container includes a first handle.” As shown in FIG. 1, a handle 212 is connected to the pot body 21. EX 1010, ¶[0036]. Thus, Zhang discloses this limitation. EX1002, ¶77.

Claim 7[b]

Zhang discloses “said second cooking container includes a second handle.” As shown in FIG. 1, a handle 222 is connected to the pot body 22. EX 1010, ¶[0036]. Thus, Zhang discloses this limitation. EX1002, ¶78.



F. Claim 16

Claim 16[pre]

See claim 1[pre], Ground 1, incorporated herein. EX1002, ¶79.

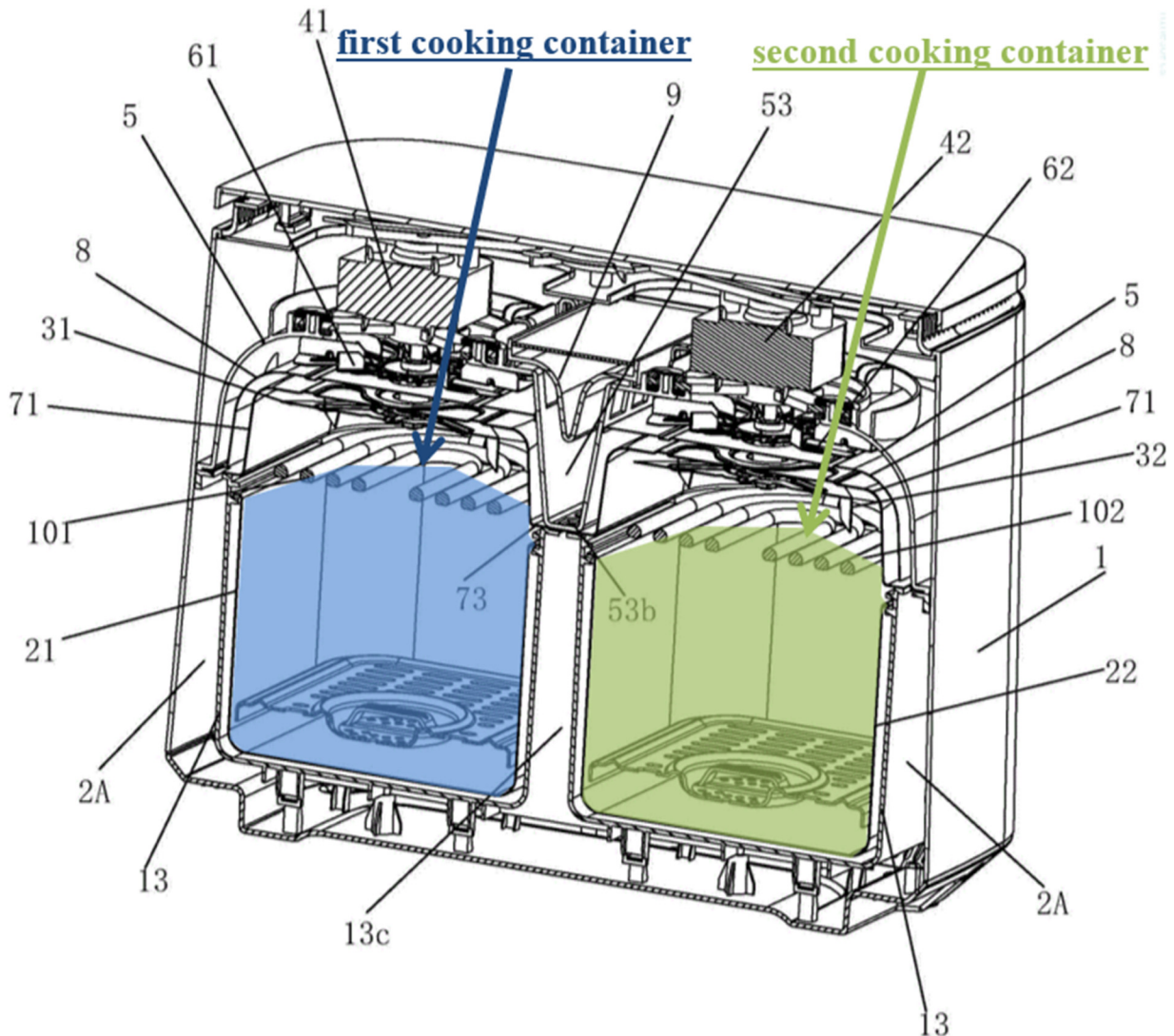
Claim 16[a]

See claim 1[a], Ground 1, incorporated herein. EX1002, ¶80.

Claim 16[b]

Zhang discloses “having first and second internal independently removable cooking containers disposed therein.” Zhang explains the main body 1 is provided with a first chamber 13a and a second chamber 13b. EX1010, ¶[0034]. Zhang provides a first pot body 21 and second pot body 22. EX1010,

¶[0033]. Zhang discloses the chambers 13a/13b are capable of receiving the first pot body 21 and second pot body 22. EX1010, ¶[0034]. Thus, Zhang teaches this limitation. EX1002, ¶81.



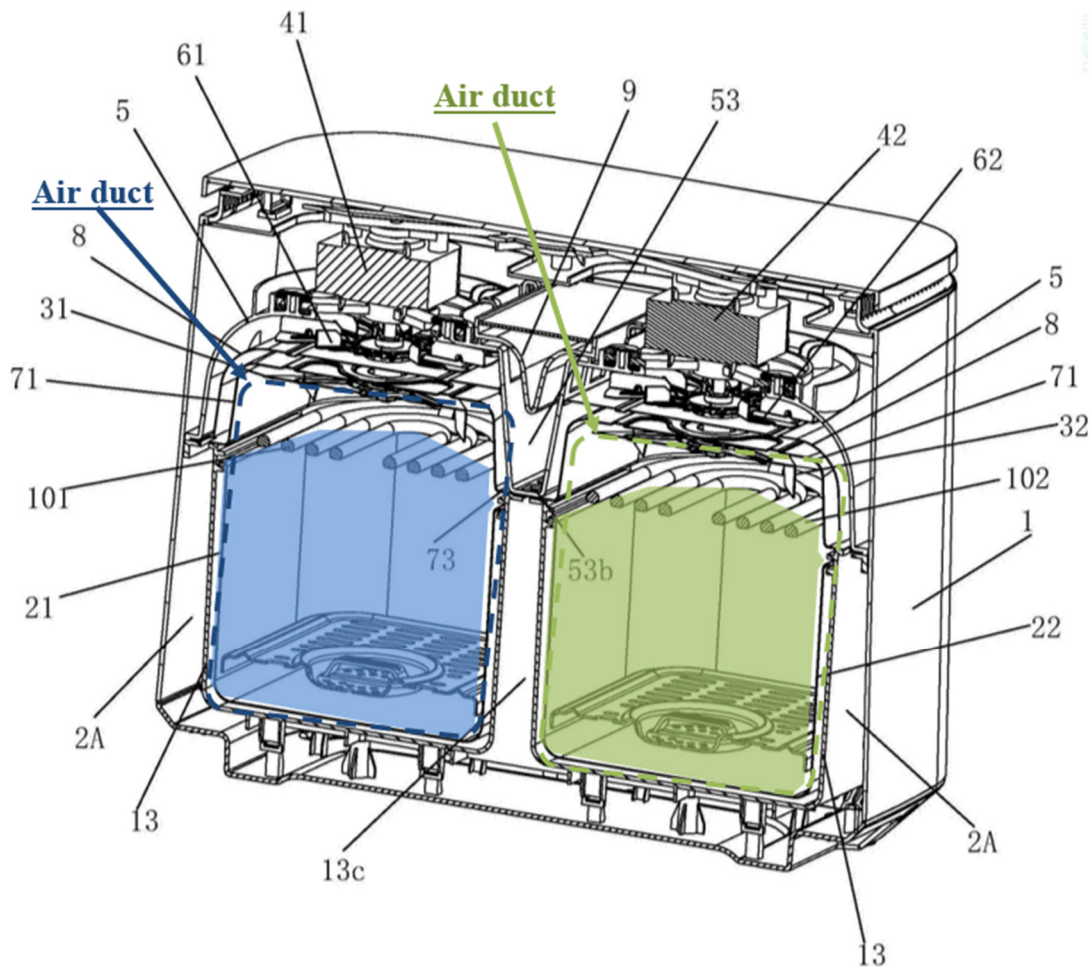
Claim 16[c]

Zhang discloses “each of the first and second cooking containers defining a cooking volume therein.” Zhang provides a first pot body 21 and a second pot body 22. EX1010, ¶[0033]. A POSITA would understand that based on the

figures that the first pot body 21 and second pot body 22 each defines a cooking volume as each is a basket containing a bottom and sides. EX1002, ¶82.

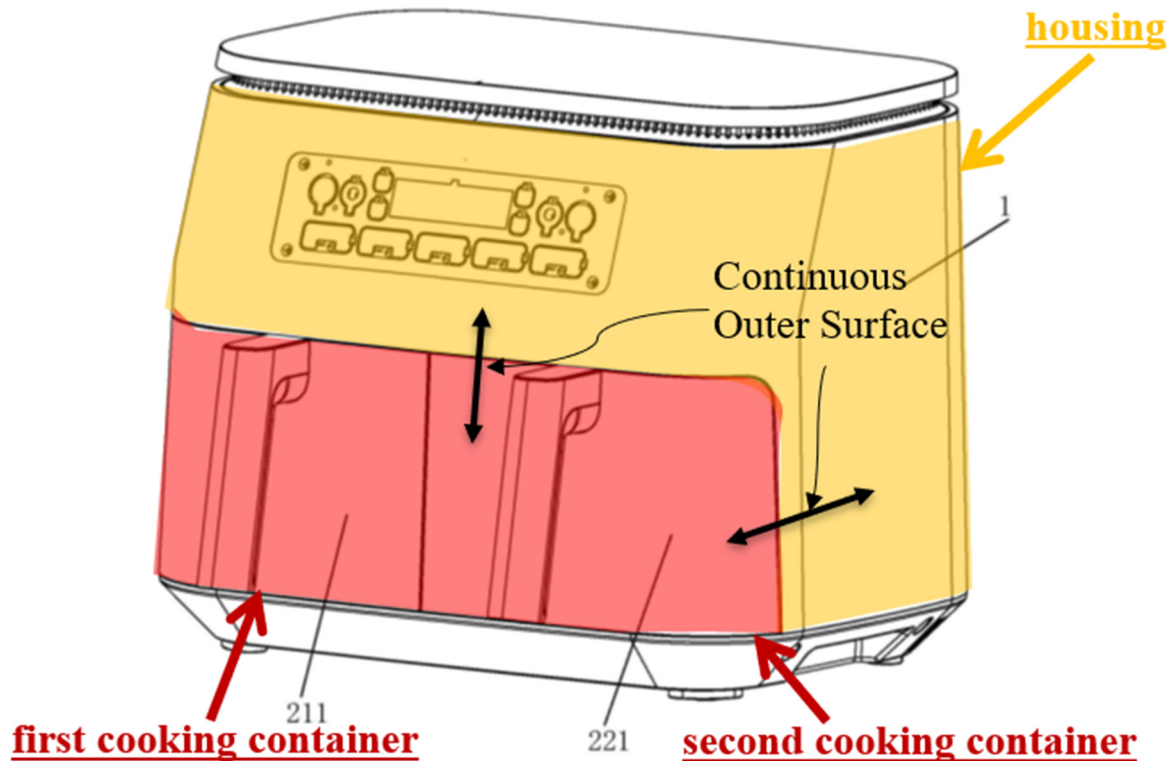
Claim 16[d]

Zhang discloses “the first and second cooking containers being configured to engage with first and second respective channels inside the housing to define first and second respective air ducts therein.” Each of the pot bodies 21 and 22 when inserted into the housing define an air duct. EX1002, ¶83; EX1001, Fig. 2.



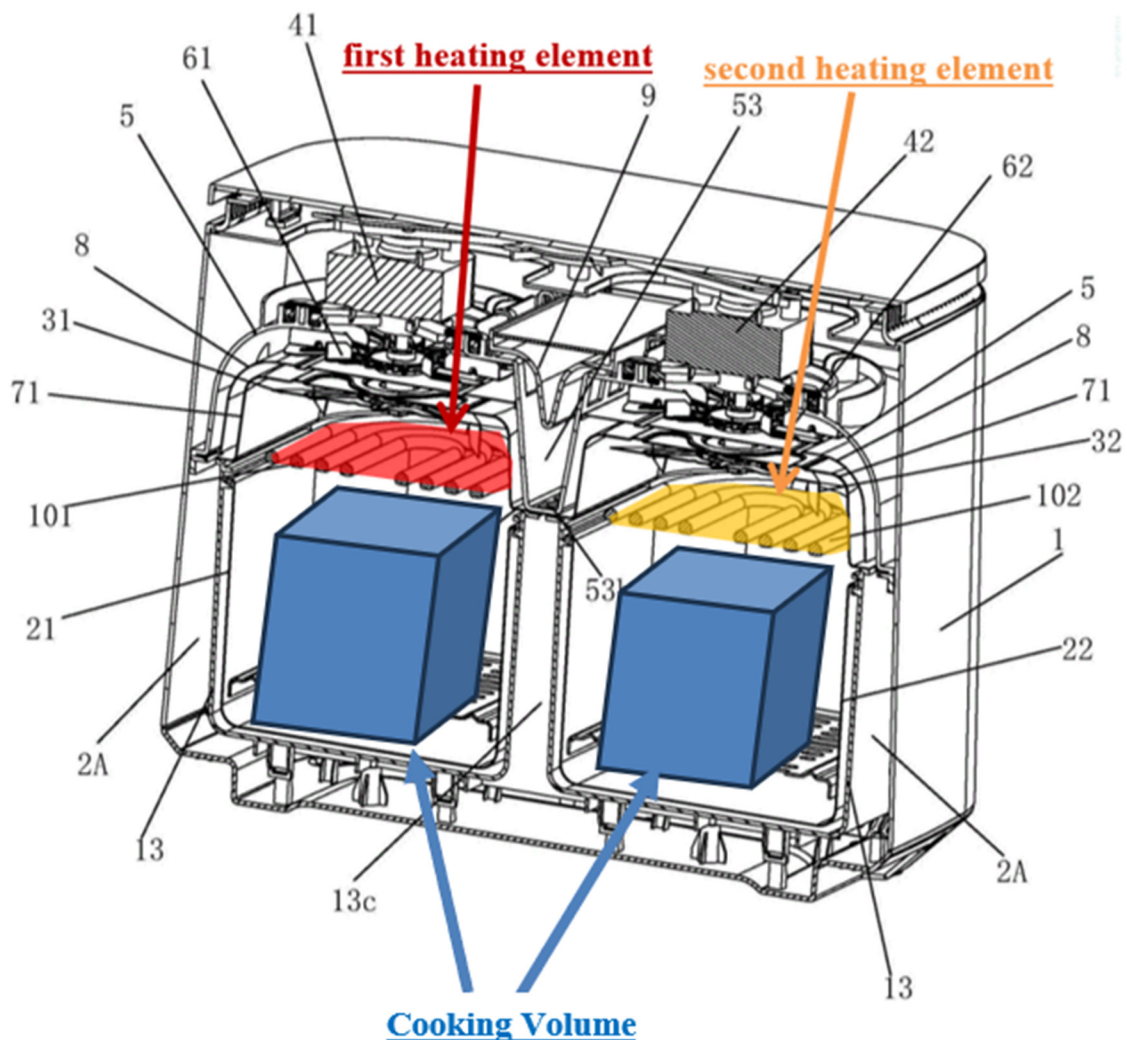
Claim 16[e]

Zhang discloses “the first and second cooking containers forming a continuous outer surface with the housing when the first and second cooking containers are disposed in the housing.” Zhang provides that when the pot bodies are inserted the outer side 211 of the first pot body and outer side 221 of the second pot body can “remain flush”. EX1010, ¶[0036]. This provides a flat appearance with the housing body 1 as shown in FIG. 1. EX1010, ¶36. A POSTIA would understand that this arrangement provides a continuous outer surface. EX1002, ¶84.



Claim 16|f|

Zhang discloses “first and second heating elements disposed in the housing adjacent the cooking volume of the first and second cooking containers, respectively.” This is shown in FIGS. 1-6 of Zhang. A POSITA would understand that the arrangement proposed by Zhang would be adjacent. EX1002, ¶85.

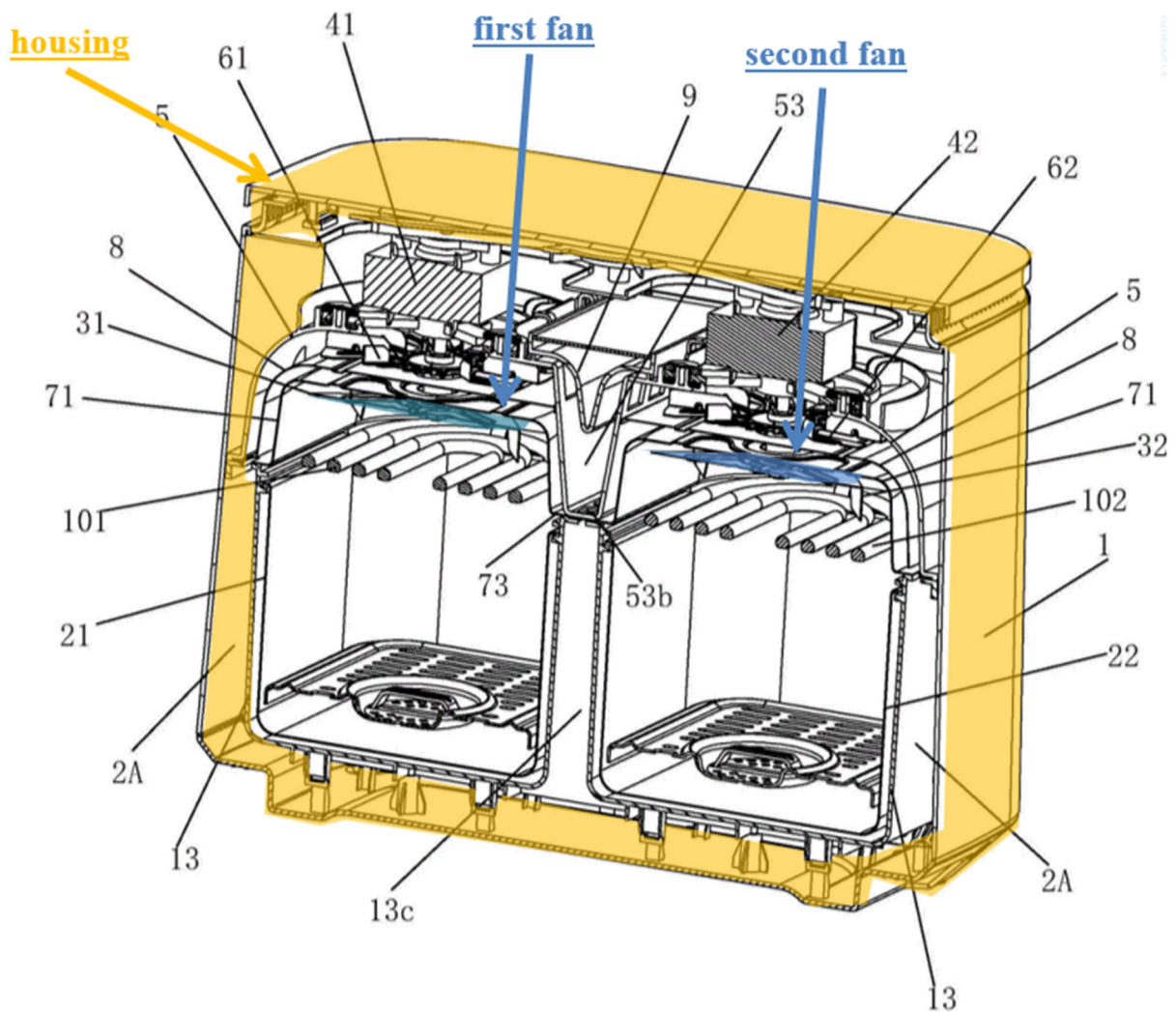


Claim 16[g]

Zhang discloses “the first and second heating elements being independently operable.” Zhang states that dual arrangement of the air fryers allows two cooking operations at the same time. EX1010, ¶[0005]. Zhang differentiates its system from air fryers that can’t cook “two different types of food or perform two different types of cooking procedures.” EX1010, ¶[0004]-¶[0005]. Zhang emphasizes this differentiation as an advantage. EX1010, ¶[0021]. A POSITA would understand that the heating elements are independently operable. EX1002, ¶86.

Claim 16[h]

Zhang discloses “first and second fans disposed in the housing adjacent the first and second heating elements, respectively.” Zhang describes air fans 31, 32 positioned above the heating tubes for each of the internal cavities. EX1010, ¶¶[0038]-[0039]. Thus, Zhang discloses this limitation. EX1002, ¶87.



Claim 16[i]

Zhang discloses “the first and second fans being independently operable.” Zhang states that dual arrangement of the air fryers allows two cooking operations at the same time. EX1010, ¶[0005]. A POSITA would understand that the air fans can be independently operable. EX1002, ¶88.

Claim 16[j]

Zhang discloses “the first and second fans being configured to circulate air through the first and second cooking volumes, respectively.” Air fryers use circulation for cooking food. EX1010, ¶[0002]. A POSITA would understand that the air fans would move the air around in the cooking volumes particularly as “two cooking operations” are performed in the Zhang system. EX1010, ¶[0021]; EX1002, ¶89.

Accordingly, Zhang invalidates claim 16 under 35 U.S.C. § 102(a)(1). EX1002, ¶90.

VIII. GROUND 2: ZHANG IN VIEW OF CONRAD RENDERS CLAIMS 11-14, AND 17-19 OBVIOUS

A. Claim 11

Claim 11[pre]

See claim 1[pre], Ground 1, incorporated herein. EX1002, ¶92.

Claim 11[a]

See claim 1[a], Ground 1, incorporated herein. EX1002, ¶93.

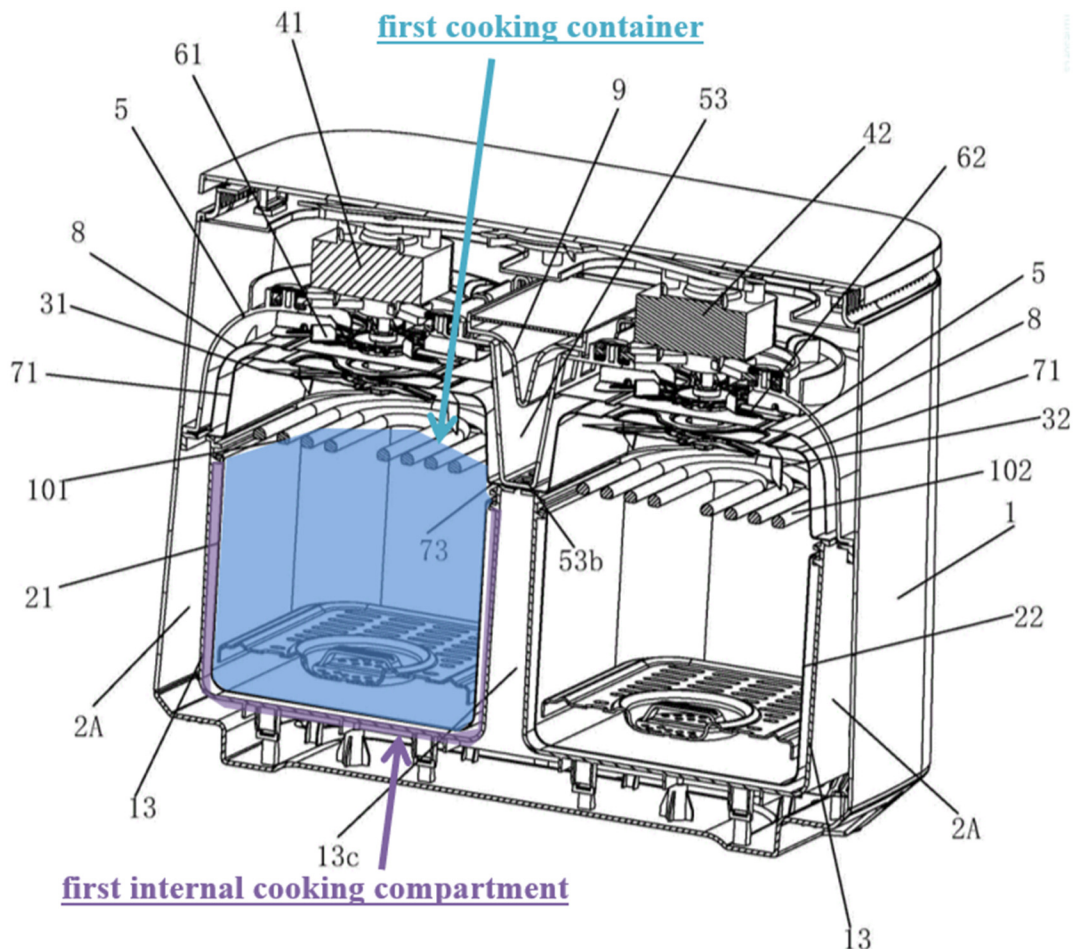
Claim 11[b]

See claim 1[a], Ground 1, incorporated herein. EX1002, ¶94.

Claim 11[c]

Zhang discloses “a first cooking container removably disposed therein.” Zhang provides a first pot body 21. EX1010, ¶[0033]. Zhang discloses the first

chamber 13a is capable of accommodating the first pot body 21 and it is clear that the pot body 21 is removable. EX1010, ¶¶0034; EX1002, ¶95.



Claim 11[d]

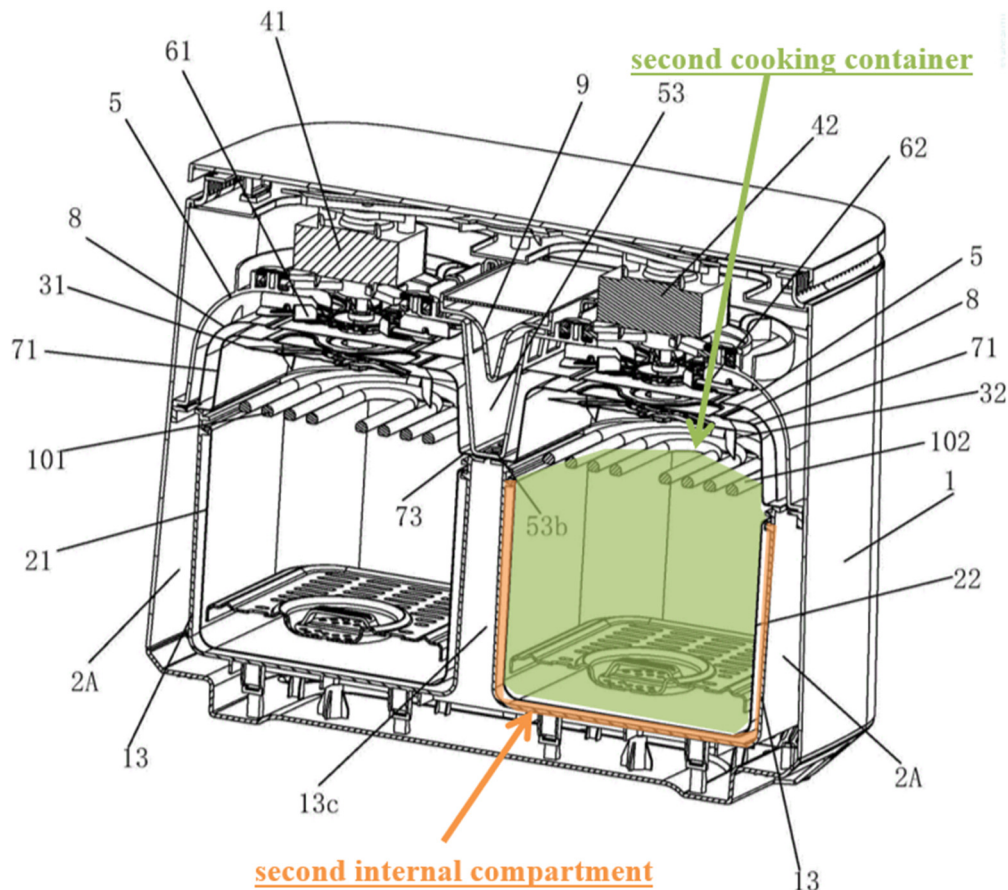
See claim 1[a], Ground 1, incorporated herein. EX1002, ¶96.

Claim 11[e]

Zhang discloses “a second cooking container removably disposed therein.”

Zhang provides a second pot body 22. EX1010, ¶¶0033]. Zhang discloses that the

second chamber 13b is capable of accommodating the second pot body 22 and it is clear that the pot body 21 is removable. EX1010, ¶34; EX1002, ¶97.



Claim 11[f]

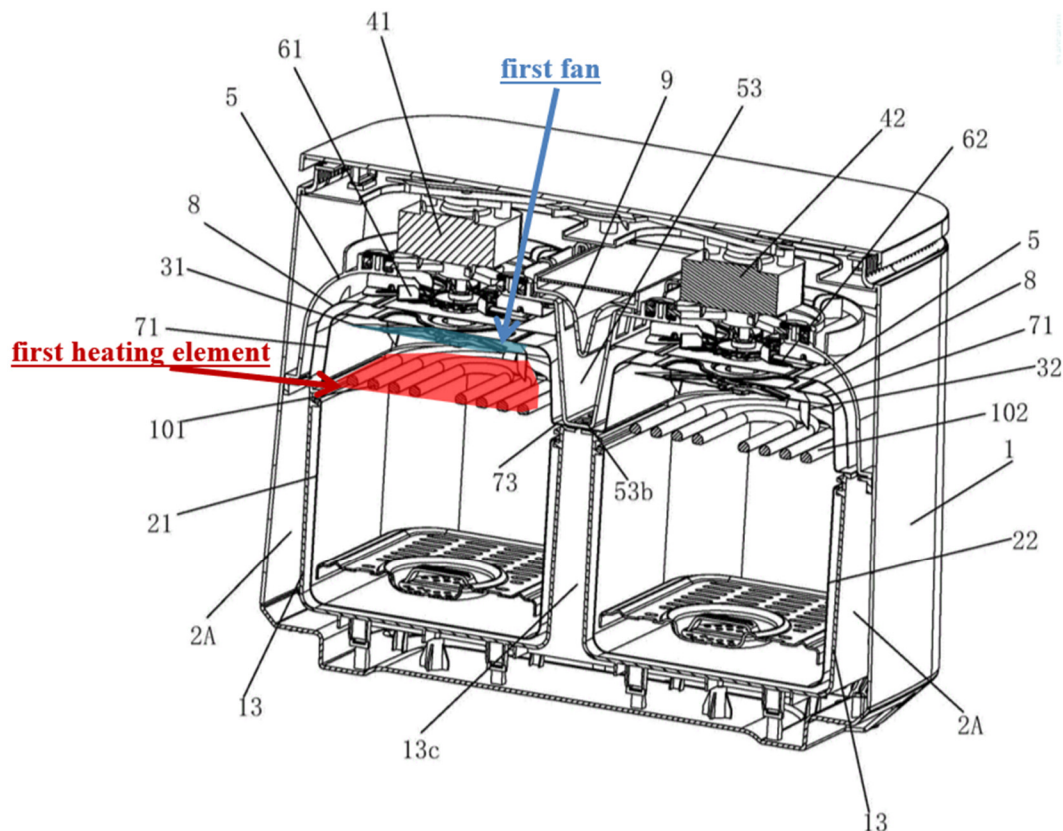
See claim 1[f], Ground 1, incorporated herein. EX1002, ¶98.

Claim 11[g]

Zhang discloses “the first internal compartment including a first heating assembly comprising a first fan and a first heating element configured to cook food disposed in the first cooking container.” Zhang discloses an electrical heating tube 101 and air fan 31 for the first internal compartment. EX1010,

¶[0038]. Zhang discloses the heat generated by the heating tube 101 would be blown towards the pot body 21. EX1010, ¶[0048].

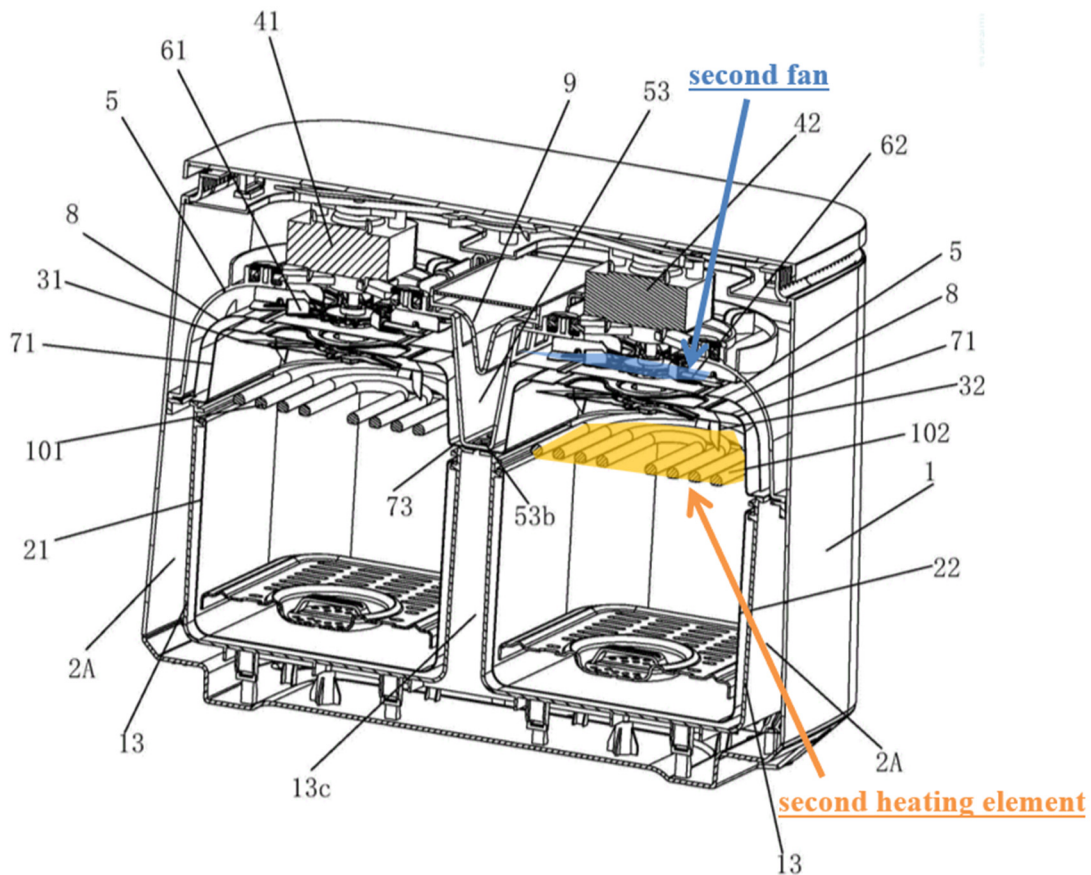
A POSITA would understand the heating tube 101 would cook the food inside the pot body. EX1002, ¶99. Therefore, “heating tube 101” (*first heating element*) and “air fan 31” (*first fan*) collectively form the “first heating assembly” that is “configured to cook food disposed in the first cooking container”. *Id.*



Claim 11[h]

Zhang discloses “the second internal cooking compartment including a second heating assembly comprising a second fan and a second heating element configured to cook food disposed in the second cooking container.” Zhang

discloses an electrical heating tube 102 and air fan 32 for the first internal compartment. EX1010, ¶[0038]. Zhang discloses the heat generated by the heating tube 102 would be blown towards the pot body 22. EX1010, ¶[0048]. A POSITA would understand that the heating tube 102 would cook the food inside the pot body. EX1002, ¶100. Therefore, “heating tube 102” (*second heating element*), and “air fan 32” (second fan) collectively form the “second heating assembly” that is “configured to cook food disposed in the second cooking container”. *Id.*

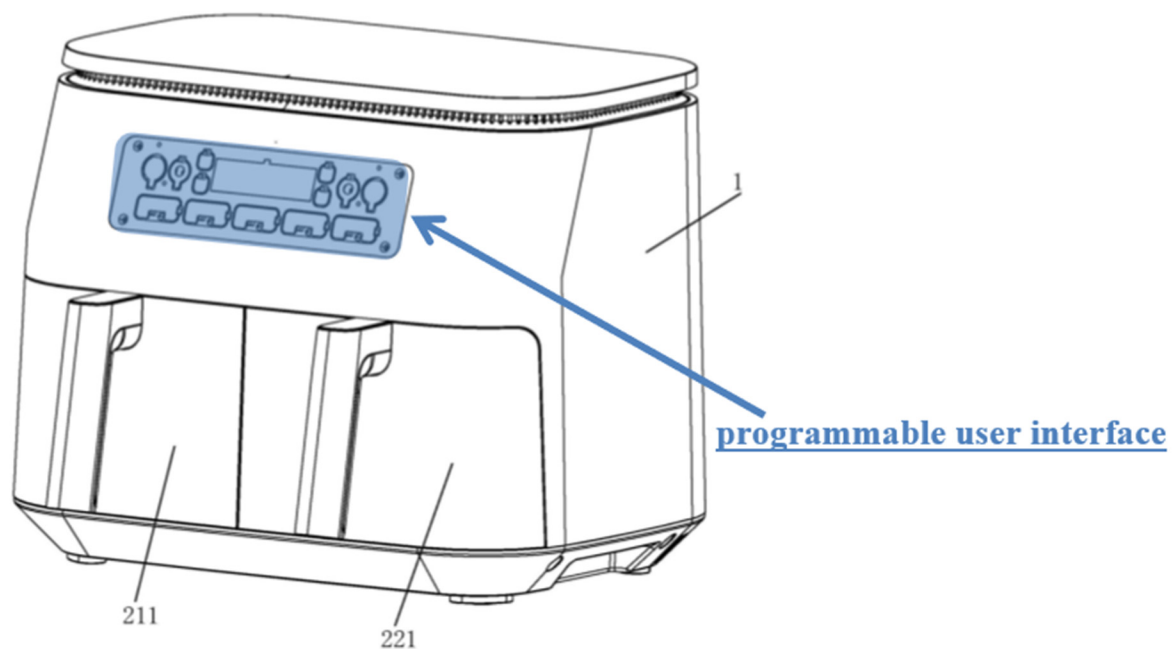


Claim 11[i]

Zhang discloses “the first and second heating assemblies being independently operable to independently cook food contained within the first and second cooking containers.” Zhang states that dual arrangement of the air fryers allows two cooking operations at the same time. EX1010, ¶[0005]. A POSITA would recognize that carrying out two simultaneous cooking operations allows for independent operation of the heating elements. EX1002, ¶101.

Claim 11[j]

Zhang discloses “the first and second heating assemblies being programmable to simultaneously cook food in separate cooking modes.” Zhang states that dual arrangement of the air fryers allows two cooking operations at the same time, while differentiating Zhang’s system from air fryers that can’t cook “two different types of food or perform two different types of cooking procedures”. EX1010, ¶[0004]-¶[0005]. Zhang emphasizes this differentiation as an advantage. EX1010, ¶[0021]. Although not labelled, a POSITA viewing FIG. 1 would understand that there is a user interface and thus the cooking operations are programmable. EX1002, ¶102. A POSITA would recognize that cooking using a programmable interface within two different cooking chambers would simultaneously cook food in an independent operation of the heating elements. *Id.*



To the extent that Patent Owner disputes whether Zhang explicitly discloses “the first and second heating assemblies being programmable to simultaneously cook food in separate cooking modes,” Conrad discloses this feature. Like Zhang, Conrad discloses an air fryer with dual cooking zones where “each ‘cooking zone’ is a distinct volumetric region within cooking chamber 104 that can be selectively subjected to different cooking conditions from the other cooking zone(s).” EX1014, ¶145. Conrad teaches that within “each cooking zone 180, these cooking devices may be selectively activated and deactivated according to a cooking program (e.g. set temperature, humidity, convection speed) independently of the cooking devices in the other cooking zone 180.” EX1014, ¶149. The cooking program may be selected by a user. EX1014, ¶162. Accordingly, Conrad discloses “the first and second heating assemblies being

programmable to simultaneously cook food in separate cooking modes.”
EX1002, ¶103.

A POSITA would have been motivated to use the cooking programs disclosed in Conrad with the air fryer in Zhang. EX1002, ¶104. Indeed, a POSITA would recognize the benefits of having each heating assembly programmed to cook the food in each container in different modes. *Id.* The air fryer of Zhang is designed for this very purpose to implement two cooking operations in separate cooking zones as discussed above. EX1010, ¶[0004]-[0005].

A POSITA would have a reasonable expectation of success (“REOS”) in doing so because using two cooking operations at the same time in a dual air fryer arrangement of Zhang would necessitate a programmable control of Conrad. Conrad is also implementing a programmable control for a similar dual arrangement of air fryers as taught by Zhang. EX1002, ¶104.

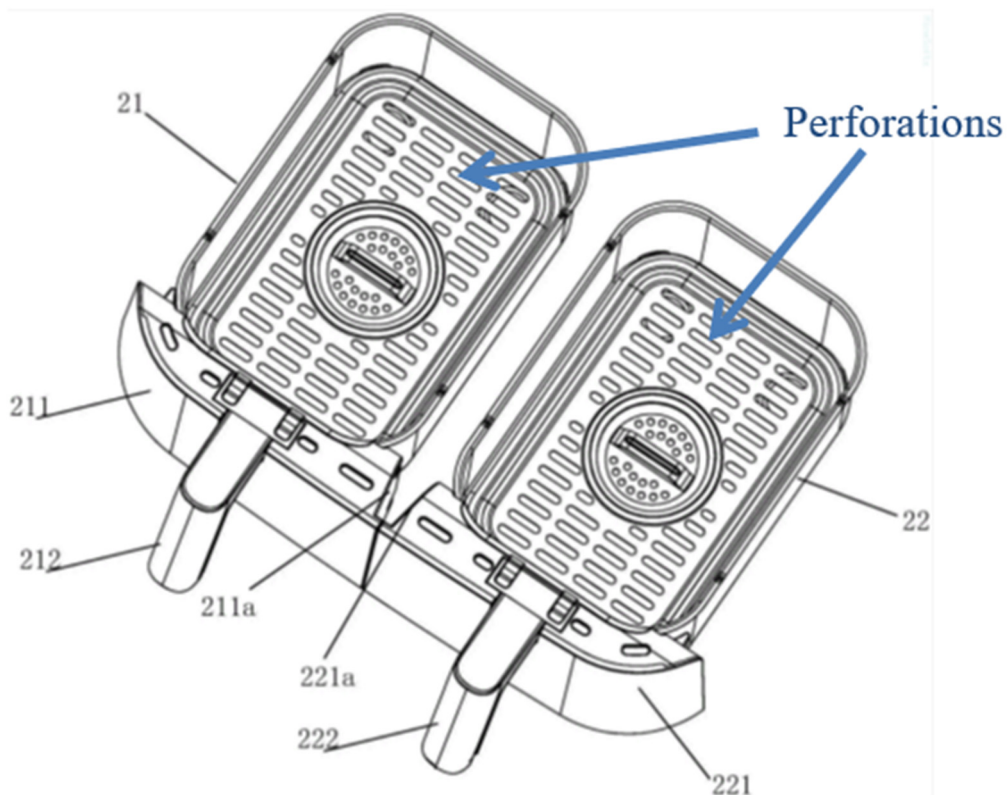
Claim 11[k]

Zhang discloses that “wherein the first and second cooking containers are substantially horizontally coplanar when disposed in the first and second internal cooking compartments respectively.” This is shown in FIGS. 1-6 of Zhang, and evident where “the outer side surfaces of the first and second pot body brackets remain flush”. EX1010, FIGs. 1-6, ¶ [0036]. A POSITA would understand that

the arrangement proposed by Zhang would be a substantially horizontally coplanar. EX1002, ¶106.

Claim 11/II

Zhang discloses “wherein the first and second cooking containers have respective first and second perforated bases.” As shown in Zhang, there are perforations in the base of each of the pot bodies 21 and 22. EX1010, Fig. 2, Fig. 5 (reproduced below). A POSITA would understand that in an air fryer the perforations allow for the circulation of the air around the food. EX1002, ¶107.



Accordingly, Zhang in view of Conrad renders claim 11 obvious under 35 U.S.C. §103. EX1002, ¶108.

B. Claim 12

See Claim 7, Ground 1, incorporated herein. EX1002, ¶107.

C. Claim 13

Zhang in view of Conrad renders obvious claim 13, which depends on claim 11.

Claim 13[a]

Zhang discloses “wherein the first internal cooking compartment and the second internal cooking compartment are independently operable to cook food.” Zhang states that dual arrangement of the air fryers allows two cooking operations at the same time, while differentiating Zhang’s system from air fryers that can’t cook “two different types of food or perform two different types of cooking procedures”. EX1010, ¶[0004]-¶[0005]. Zhang emphasizes this differentiation as an advantage. EX1010, ¶[0021]. Although not labelled, a POSITA viewing FIG. 1 would understand that there is a user interface and thus the cooking operations are programmable and independently operable. EX1002, ¶112.

Claim 13[b]

Zhang discloses “using at least one of conduction, convection, radiation, and induction.” Zhang uses electric heating tubes. EX1010, ¶[0038]. Zhang uses electric heating tubes and air fans as discussed above. *Id.* The configuration of Zhang is a convection cooking method known to those of ordinary skill in the art

and the same as disclosed in the '026 Patent. See EX1001; 9:46-10:2; EX1002, ¶113.

D. Claim 14

Claim 14[a]

To the extent that Patent Owner incorrectly disputes whether Zhang explicitly discloses “a control system configured to operate the first and second cooking assemblies,” Conrad discloses this feature. EX1002, ¶116. Conrad discloses a “controller 216 which is communicatively coupled to the cooking devices (e.g. heating elements 120, air movers, 124, and steam generators 136) associated with the plurality of cooking zones (e.g. first and second zones 180₁ and 180₂) defined within cooking chamber 104.” EX1014, ¶162. Petitioner incorporates the motivation to combine Zhang with Conrad as explained in Claim 11[j] in Ground 2.

Claim 14[b]

To the extent that Patent Owner incorrectly disputes whether Zhang explicitly discloses “the control system being configured to receive inputs corresponding to at least one of a temperature, a cook time, and a food type,” Conrad discloses this feature. Conrad discloses that the controller 216 produces “different cooking conditions (temperature, convective air speed, and/or humidity) in the two cooking zones 180.” EX1014, ¶164. Conrad teaches

receiving inputs through the controller 216 to execute a cooking program, which may be “stored in memory within controller 216, and selected by the user.” EX1014, ¶223. A POSITA would recognize the benefits of having the controller receive inputs that correspond to a temperature since the temperature is necessary for cooking food. EX1002, ¶117.

For at least these reasons, a POSITA would have understood that the combination of Zhang and Conrad would render obvious “a control system configured to operate the first and second cooking assemblies, the control system being configured to receive inputs corresponding to at least one of a temperature, a cook time, and a food type.” EX1002, ¶118.

E. Claim 17

Zhang discloses claim 17, which recites “a control system configured to operate cooking processes of food contained in the first and second cooking containers.” Zhang states that dual arrangement of the air fryers allows two cooking operations at the same time, while differentiating Zhang’s system from air fryers that can’t cook “two different types of food or perform two different types of cooking procedures”. EX1010, ¶[0004]-¶[0005]; EX1002, ¶121.

To the extent that Patent Owner disputes whether Zhang explicitly discloses “a control system configured to operate cooking processes of food contained in the first and second cooking containers,” Conrad discloses this

feature. As discussed above, Zhang and Conrad both disclose an air fryer with dual cooking zones. EX1002, ¶121. Conrad discloses that the controller 216 produces “different cooking conditions (temperature, convective air speed, and/or humidity) in the two cooking zones 180.” EX1014, ¶164. Petitioner incorporates the motivation to combine Zhang with Conrad as explained in Claim 11[j] of Ground 2.

F. Claim 18

Claim 18[a]

Zhang discloses “wherein the control system is configured to independently operate the first and second heating elements.” Zhang states that dual arrangement of the air fryers allows two cooking operations at the same time, while differentiating Zhang’s system from air fryers that can’t cook “two different types of food or perform two different types of cooking procedures”. EX1010, ¶[0004]-¶[0005]. Zhang emphasizes this differentiation as an advantage. EX1010, ¶[0021]. To operate the air fryer with two cooking operations, the control system would need to operate the heating element, independently. EX1002, ¶123.

Claim 18[b]

Zhang discloses “wherein the control system is configured to independently operate... the first and second fans.” As explained in Claim 1 of

Ground 1, Zhang provides two cooking cavities that can be operated independently to implement two cooking operations. EX1010, ¶[0021]. To operate the air fryer with two cooking cavities, the control system would need to operate the air fans independently. EX1002, ¶124.

G. Claim 19

The combination of Zhang and Conrad discloses claim 19, which depends on claim 17. Conrad discloses “the control system is configured to receive inputs corresponding to at least one of a temperature, a cook time, and a food type.” EX1014, ¶164. Moreover, Conrad discloses “different cooking conditions (temperature, convective air speed, and/or humidity) in the two cooking zones 180.” EX1014, ¶[00164]. Petitioner incorporates the motivation to combine Zhang with Conrad as explained in Claim 11[j] of Ground 2. A POSITA would recognize the benefits of having the controller receive inputs that correspond to a temperature since the temperature is necessary for cooking food. EX1002, ¶125.

IX. GROUND 3: PHILIPS IN VIEW OF MOON RENDERS OBVIOUS CLAIMS 1-4, 7-9, AND 11-19

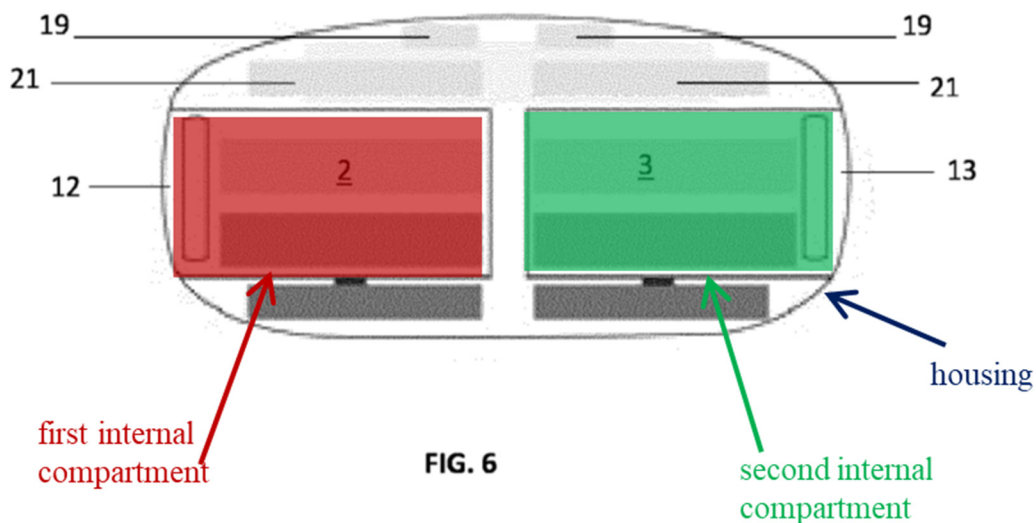
A. Claim 1

Claim 1[pre]:

To the extent the preamble is limiting, Philips discloses a cooking system, disclosing a “table top cooking device” comprising two food preparation chambers that can operate simultaneously to prepare food. EX1012, 4:19-25, Fig. 6; 10:9-22; EX1002, ¶126.

Claim 1[a]:

Philips discloses a housing having a first internal compartment and a second internal compartment:



EX1012, Fig. 6. Philips discloses “table top kitchen device with two food preparation chambers 2, 3, both chambers being arranged for air frying food that

in use may be disposed therein. EX1012, ¶11, 9-13. As shown in Figure 6, the food chambers are within a housing. A POSITA would recognize that the preparation chambers are held within a housing. EX1002, ¶127. As stated in the '026 Patent, the housing 22 is the outer portion of the fryer. *Id.*

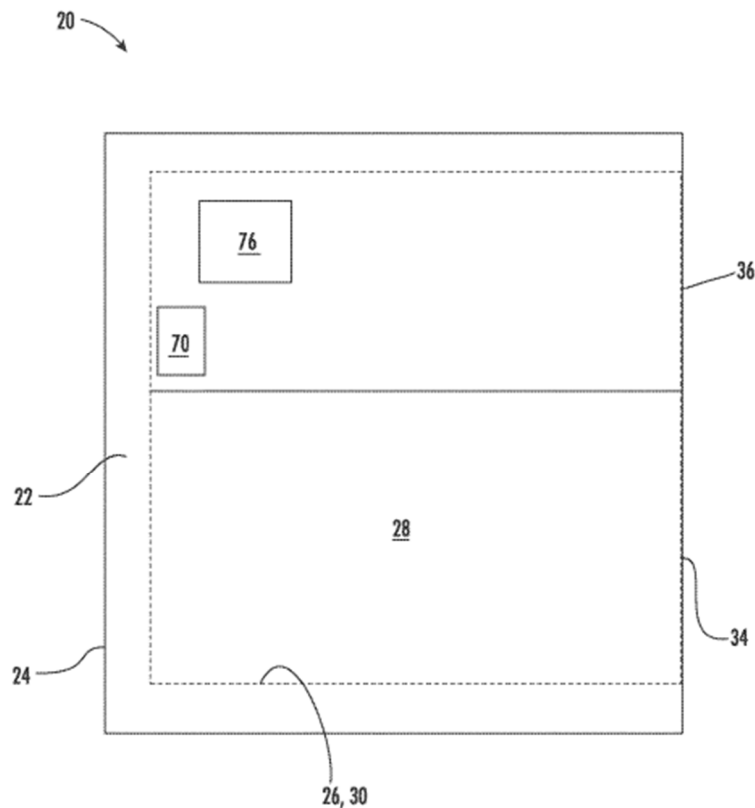


FIG. 3

EX1001, 7:65-8:7; FIG. 3. Moreover, Philips is clear that the housing has a first internal compartment 2 and a second internal compartment 3 as shown in FIG. 6. EX1012, FIG. 6 (annotated above); 11:9-25. Philips further states the food preparation chambers 2, 3 “may be accommodated in a container 12,13 which

may for instance be removably mounted in a ***support structure*** 8... like a drawer.” EX1012, 11:23-25. Although not drawn in FIG. 6, this support structure applies to FIG. 6 as well, and is a housing that holds the cooking containers in other embodiments:

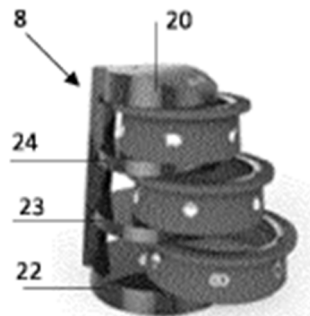


FIG. 7B

A POSITA would recognize this support structure to meet the limitations of the claimed housing. EX1012, 6:9-12; EX1002, ¶128-129. Thus, Philips discloses this limitation. *Id.*

Claim 1[b]:

Philips discloses “a first cooking container defining a first cooking volume.” Philips discloses that “*each food preparation chambers 2, 3 may be accommodated in a container 12, 13 which may for instance be removably mounted...*” EX1012, 9:23-25; FIG. 6 (annotated).

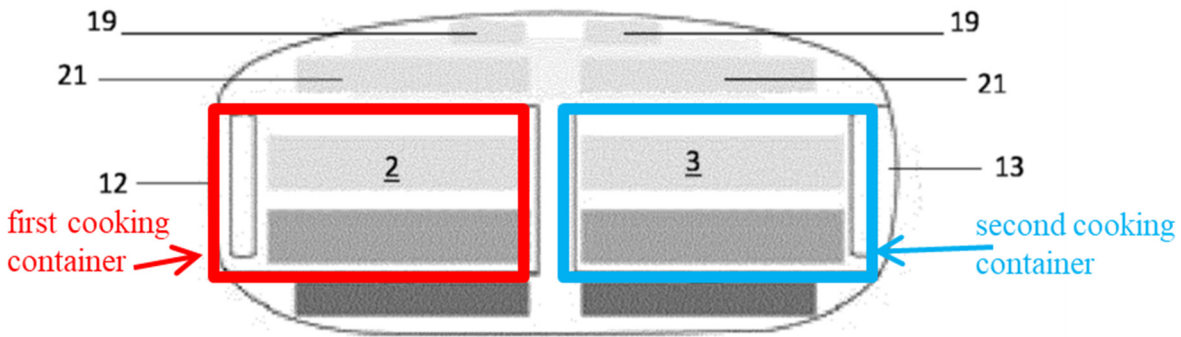
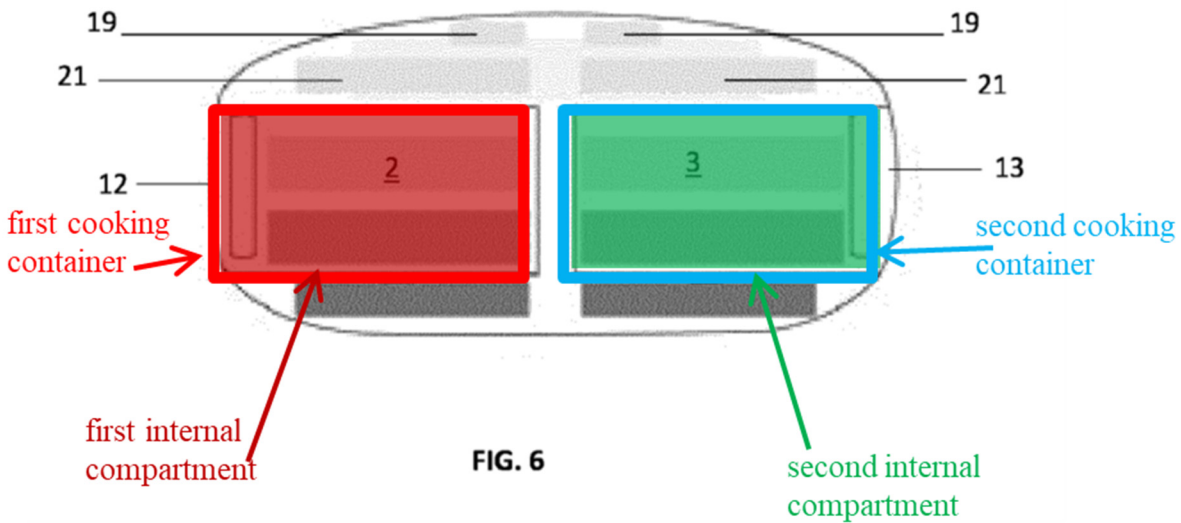


FIG. 6

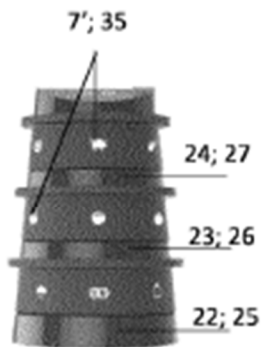
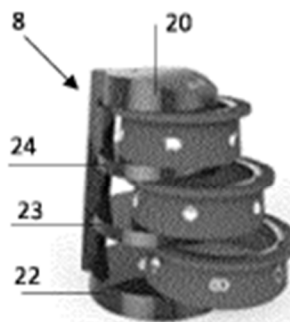
A POSITA would understand that the “first container defining a first cooking volume” would be met by the containers 12 and 13 disclosed in Philips. EX1002, ¶¶130-131.

Claim 1[c]:

Philips discloses “said first cooking container being removably receivable within said first internal compartment to close off an opening to said first internal compartment when inserted therein.” Philips states “each food preparation chamber may be accommodated in a container 12, 13 which may for instance be removably mounted in a support structure 8 *for instance like a drawer.*” EX1012, 11:19-23; FIG. 6 (annotated)



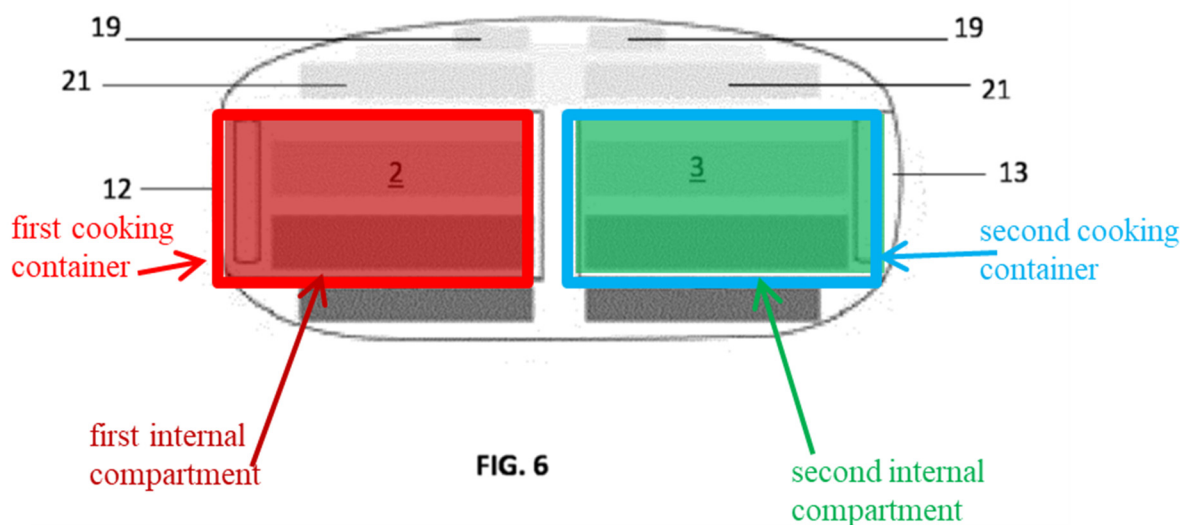
A POSITA would recognize that the first and second container of Philips when closing off like a “drawer” meets the limitation of closing off an opening of the first compartment when inserted. EX1002, ¶¶132-133. As disclosed in the other embodiments of Philips which are also described as “drawers” the containers, when inserted, close off openings shown above in platforms 22, 23 and 24. EX1002, ¶133.



EX1012, 8:16-20 (the containers 12,13,14 can be mounted in a support structure 8 like drawers. The support structure 8 may be provided with platforms 22, 23 and 24 (see FIGS 7A-C)”. Philips teaches circulating air through its containers 12,13, 14, and back through the base, which further evidences that its containers are “closed off” thereby preventing leaking air. EX1002, ¶134-135.

Claim 1[d]:

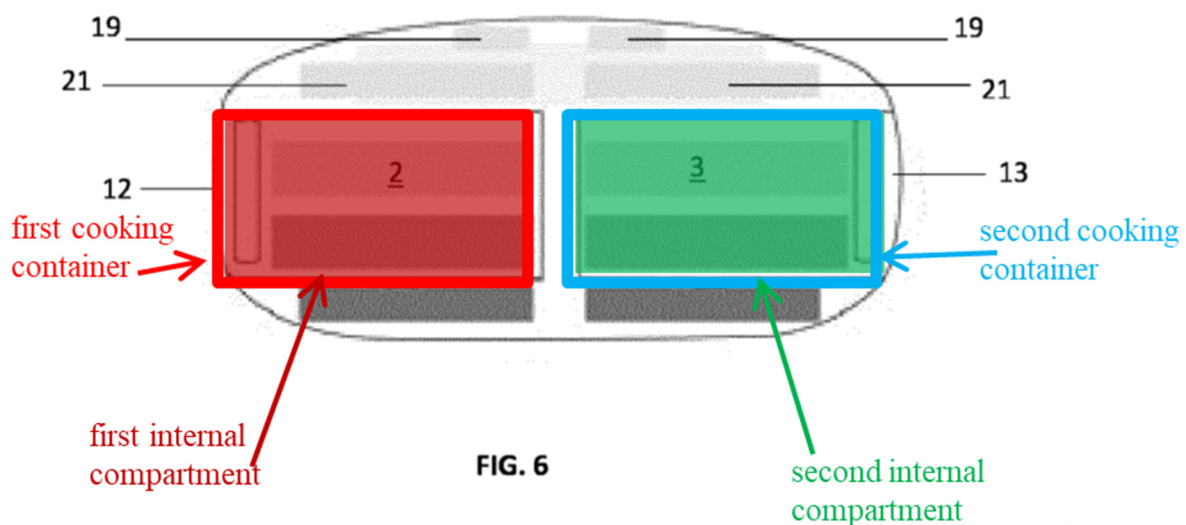
Similar to the first cooking container, Philips also discloses “a second cooking container defining a second cooking volume.” Philips discloses that “each food preparation chambers 2, 3 may be accommodated in a container 12, 13 which may for instance may be removable mounted.” EX1012, 11:19-23; Figure 2 (annotated). As shown below, there are two food containers 12 and 13 disclosed in two food volumes 2 and 3. EX1002, ¶136.



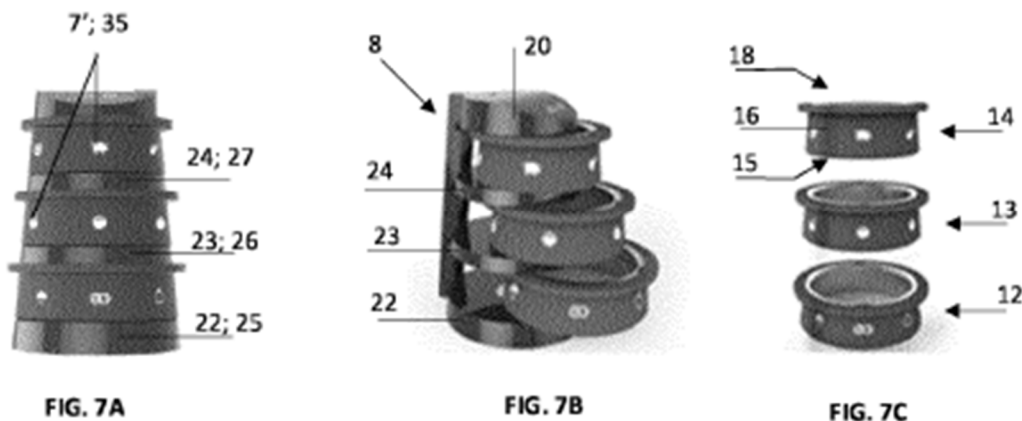
A POSITA would understand that the “second container defining a second cooking volume” would be met by one of the containers 12 and 13 disclosed in Philips (e.g. first container is disclosed by first container 12 and first cooking volume 2 and second container is disclosed by second container 13 and second cooking volume 3). EX1002, ¶137. Thus, Philips discloses this limitation.

Claim 1[e]:

Philips discloses “said second cooking container being removably receivable within said second internal compartment to close off an opening to said first internal compartment when inserted therein.” Philips states “each food preparation chamber may be accommodated in a container 12, 13 which may for instance be removably mounted in a support structure 8 *for instance like a drawer.*” EX1012, 11:19-23; FIG. 6; EX1002, ¶138.



A POSITA would recognize that the first and second container of Philips when closing off like a “drawer” meets the limitation of closing off an opening of the first compartment when inserted. EX1002, ¶139. As disclosed in the other embodiments of Philips which are also described as “drawers” the containers, when inserted, close off openings shown above platforms 22, 23 and 24. EX1002, ¶139.



EX1012, 8:16-20 (the containers can be mounted in a support structure 8 like drawers. The support structure 8 may be provided with platforms 22, 23 and 24 (see FIGS 7A-C)). Thus, Philips discloses this limitation. EX1002, ¶140-141.

Claim 1(f):

Philips discloses “the first and second cooking containers each forming a continuous outer surface with the housing when the first and second cooking containers are inserted into the first and second internal compartments respectively.” Philips discloses the container 12,13 may be “removably mounted”

like a drawer. EX1012, 11:23-25. A POSITA would recognize that a common drawer creates a continuous surface with its housing, such as a dresser when its drawers are closed creates a continuous surface with the drawers (“cooking containers” and remainder of dresser (“housing”). EX1002, ¶142.

Further, in the context of appliances, a POSITA would recognize that a “drawer” system when closed would create a continuous surface in order to maintain an efficient seal. EX1002, ¶143. As Figure 6 illustrates, there is a housing, which includes the physical separation between food preparation chambers 2 and 3. EX1012, 11:9-13; FIG. 2.

To the extent Philips does not expressly disclose the limitation of “the first and second cooking containers each forming a continuous outer surface with the housing when the first and second cooking containers are inserted into the first and second internal compartments respectively,” Philips in view of Moon renders obvious this feature. Moon describes a drawer-style cooking container that “fits securely within the cooking chamber and substantially seals the chamber against heat loss during use,” thereby forming a continuous outer surface between the cooking container and the housing. EX1013, Claim 1; [0038]; Fig. 3. Particularly, Moon states “the cooking chamber 14 is fully occupied by the fitted cooking drawer 16. In a closed position, the drawer seals the chamber 14 to prevent the escape of heat.” EX1013, ¶[0038]; EX1002, ¶144.

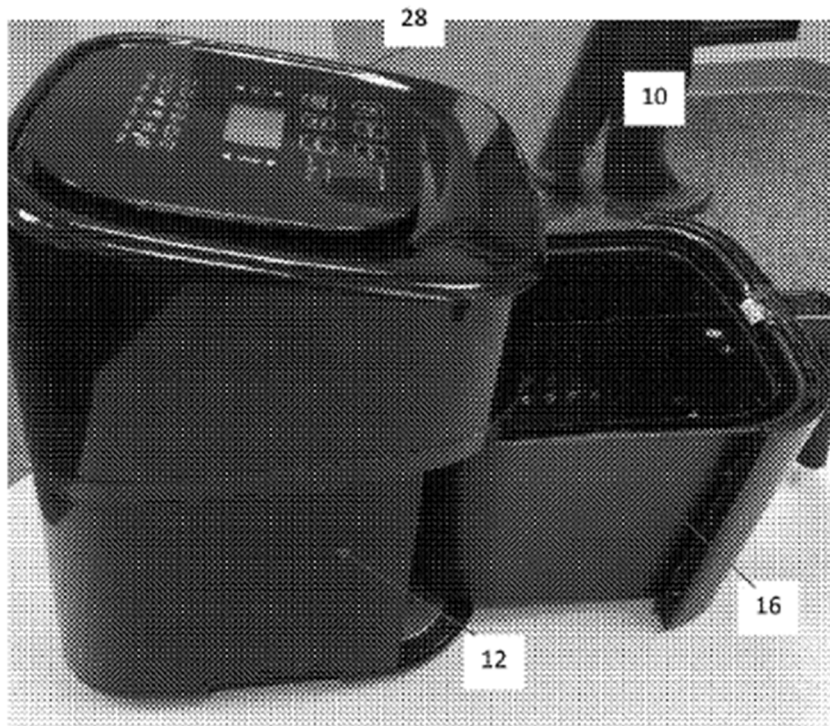


FIG. 3

A POSITA would have understood that modifying the sealed drawer design of Moon into Philips’s system would achieve the claimed configuration and created cooking containers that when closed into the housing form “a continuous outer surface with the housing”. EX1002, ¶145.

A POSITA would have been motivated to make this combination because a continuous outer surface provides a tighter seal, which in turn reduces air leakage, improves internal air circulation, and increases heating efficiency. EX1002, ¶146. Philips shares the concern of assuring air flow is evenly distributed and that heat is distributed evenly over the food within the two food preparation chambers. EX1012, 11:19-25. As discussed by Moon, creating a seal with a continuous outer surface prevents the escape of heat. EX1013, ¶0038. The

sealed design also enhances safety by reducing exposure to hot air. EX1002, ¶146. Further, as Moon shows, drawer-style continuous-surface designs were commonplace in countertop air fryers at the time of the alleged invention. EX1002, ¶147. A POSITA would have viewed the integration of Moon’s drawer configuration into Philips as a predictable application of known design principles to achieve expected benefits. *Id.*

A POSITA also would have had a REOS in combining these teachings. Drawer-style continuous-surface designs were well known and required only routine adaptation to implement in Philips’s multi-container system. EX1002, ¶148. Nothing in either reference teaches away from such a modification; to the contrary, both references emphasize reducing heat loss and improving cooking performance. *Id.*; EX1012, 11:19-22. Thus, a POSITA would have a REOS that combining Moon’s drawer configuration with Philips’s air fryer would yield the predictable result of forming a continuous outer surface with improved thermal performance and user safety. EX1002, ¶148.

Claim 1[g]:

Philips discloses “a first heating element and a second heating element disposed in said housing.” Philips discloses heating elements 21 and 23 are located above respective cooking volumes 2 and 3. EX1002, ¶149; EX1012, 11:14-17,

Figure 6. As shown below, Philips discloses “the chambers 2, 3 may each include their own heating element 21.” EX1012, 11:15-16.



FIG. 6

Claim 1[h] and 1[i]:

Philips discloses “said first heating element being in thermal communication with said first cooking volume and said second heating element being in thermal communication with said second cooking volume.” Philips discloses that “each food preparation chamber 2, 3” may include suitable air guide elements to guide the air circulation according to a predetermined pattern, wherein preferably the air flow is evenly distributed through the food so that *the heat* from the air flow is evenly transferred.” EX1012, 11:20-22. As stated in previous limitations, the heating elements are located above each chamber “for forcefully circulating hot air through the food.” EX1012, 11:14-17. A POSITA would understand the heating elements above each cooking volume (chambers 2,

3 of Philips) would be in thermal communication to be able to circulate *hot air* within the container that is placed within the chamber. EX1002, ¶150.

Claim 1(j):

Philips discloses “the first and second heating elements being independently operable to independently cook food contained within the first and second cooking containers.” EX1002, ¶151. Philips states that dual arrangement of the air fryers allows two cooking operations at the same time (two food chambers can be set independently). EX1012, 11:12-15, Fig. 6, Claim 1. Each food chamber has “its own heating element 21.”



FIG. 6

Philips states "In some embodiments, at least one of the following cooking parameters can be set and controlled independently per food preparation chamber: the temperature, the air flow rate, the cooking time, the humidity, the pressure." EX1012, 6:9-11. A POSITA would understand that Philips Fig. 6

embodiment allows to set and control “temperature” differently, and the device would independently operate the heating element according to the set temperature. EX1002, ¶152; EX1012, Claim 7.

Claim 1[k]:

Philips discloses “a first fan and a second fan disposed in said housing.” Philips describes that “the fan 19 and heating element 21 may for instance be situated above or in an upper part of each chamber 2, 3.” EX1012, 11:14-15, Fig. 6; EX1002, ¶154.

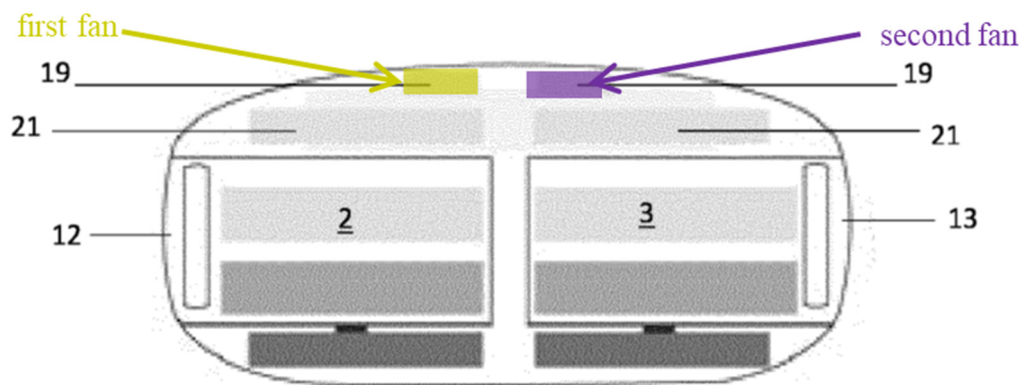


FIG. 6

Claim 1[l]:

Philips discloses “said first fan being in fluid communication with said first cooking volume.” Philips discloses that each fan is attached so that “each food preparation chamber 2, 3 may include suitable air guide elements to guide the air circulation according to a predetermined pattern.” EX1012, 11:19-20. A POSITA

would understand that the fan 19 is in fluid communication with first cooking volume (e.g. food preparation chamber 2) which allows air flow from the fan to be “evenly distributed.” EX1002, ¶155.

Claim 1[m]:

Philips discloses “said second fan being in fluid communication with said second cooking volume.” As disclosed above, Philips teaches that each food preparation chamber (cooking volume) has a fan 19. EX1012, Fig. 6. Philips discloses that each fan is attached so that “each food preparation chamber 2, 3 may include suitable air guide elements to guide the air circulation according to a predetermined pattern.” EX1012, 11:19-20. A POSITA would understand that the second fan 19 is in fluid communication with second cooking volume (e.g. food preparation chamber 3) which allows air flow from the fan to be “evenly distributed.” EX1002, ¶156.

B. Claim 2

Philips renders obvious claim 2, which recites “wherein said first cooking container and said second cooking container are individually insertable into said first cooking compartment and said second cooking compartment respectively.” Philips teaches that each food preparation chamber 2, 3 may be accommodated in a container 12 and 13 which may “be removably mounted into a support structure 8 of the device, for instance like a drawer.” EX1012, 11:23-25. A

POSITA would understand that the food preparation containers of Philips, which are physically separated, are individually insertable. EX1002, ¶158.

C. Claim 3

Philips discloses claim 3, which recites “wherein said first internal compartment and said second internal compartment are fluidly separate.” Philips states each food preparation chamber is “arranged side by side and is “physically separated” such that food can be set (cooked) independently. EX1012, 11:11-12. Further, Philips states each chamber can circulate air via air guide elements. EX1012, 11:19-22. A POSITA would recognize the physical separation, complemented with the respective air guide elements would keep the first and second food preparation chambers of Philips fluidly separate. EX1002, ¶160.

D. Claim 4

Claim 4[a]

Philips discloses “wherein said first fan is stacked vertically relative to said first heating element within said housing.” Philips states the “fan 19 and heating element 21 may for instance be situated above... each chamber 2, 3.” EX1012, 13-14. Based on FIG. 6, below, a POSITA would see that the vertical stacking is taught by Philips. EX1002, ¶162.

Claim 4[b]

Philips discloses “said second fan is stacked vertically relative to said second heating element within said housing.” Philips states the “fan 19 and heating element 21 may for instance be situated above... each chamber 2, 3.” EX1012, 13-14. Based on FIG. 6, a POSITA would see that the vertical stacking is taught by Philips. EX1002, ¶163.

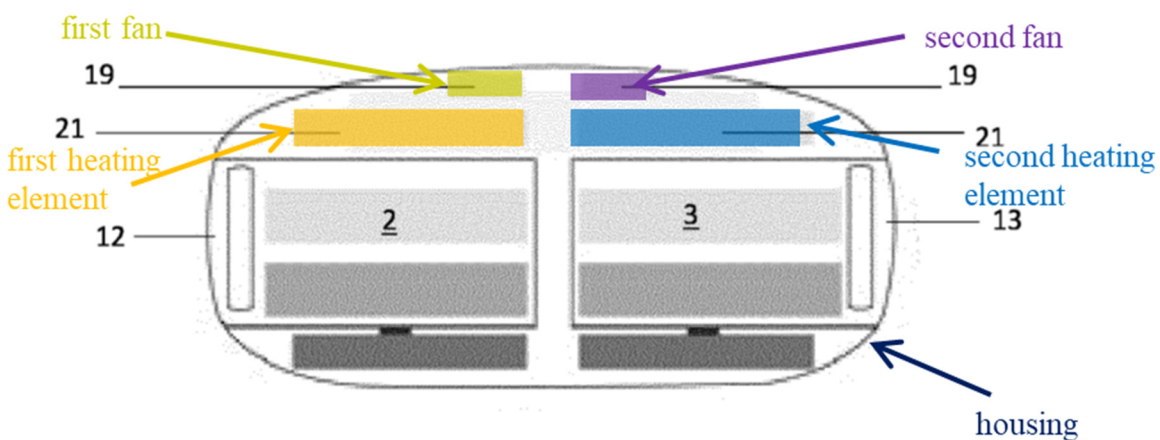


FIG. 6

E. Claim 7

Philips in view of Moon renders obvious claim 7.

Claim 7[a]

Philips discloses “wherein said first cooking container includes a first handle.” As shown in FIG.6, a handle is attached to the removable containers that are placed within the dual food preparation chambers. EX1002, ¶165.

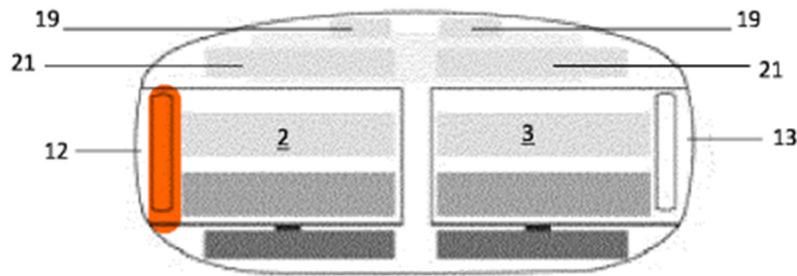


FIG. 6

To the extent a first handle is not expressly disclosed, Moon expressly discloses a handle. EX1002, ¶166. Moon describes a “handled food basket” which detachably secures to the cooking drawer. EX1013, abstract, [0009], Figs. 2, 10-13, [0033] and [0038].

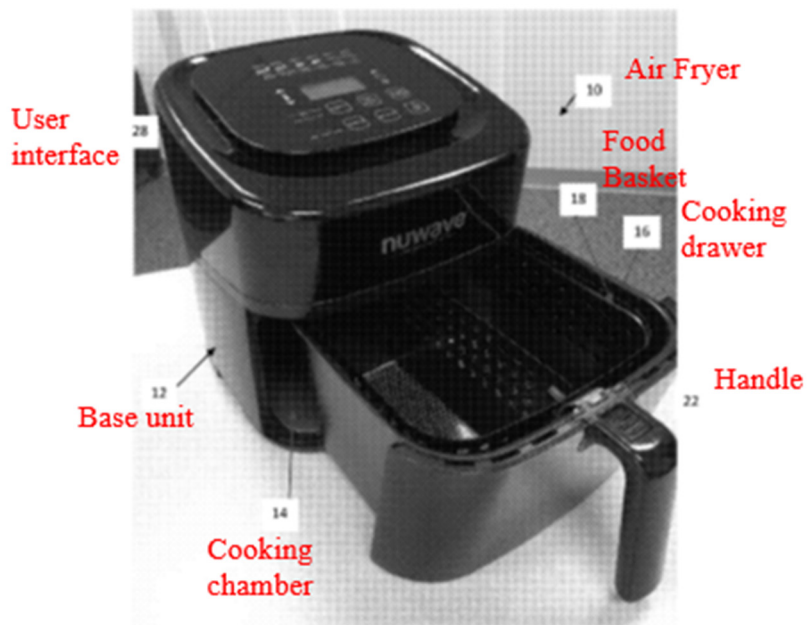


FIG. 2

See. e.g. EX1013, Fig. 2 (annotated).

A POSITA would have been motivated to modify the Philips air fryer reference to include a handle on the containers that hold food in each air fryer chamber. A POSITA would be motivated to add a handle to each container in order to increase safety for the user to avoid having to directly handle the container that is exposed to internal heat. As demonstrated by Moon, it was well known in the art of cooking appliances to provide handles on food containers, baskets, or trays exposed to high heat to facilitate safe insertion, removal, and transport of food. For example, deep fryer baskets, roasting pans, and convection oven trays each incorporate handles for this very purpose. EX1002, ¶167. A POSITA would have understood that adding a handle to the food container of Philips' air fryer would provide the predictable and desirable benefits of improved safety, ease of use, and consumer convenience. *Id.*

Further, manufacturers of consumer kitchen appliances faced strong design incentives to enhance ergonomics and user safety. As stated in Moon, air fryers operating at high temperatures can create safety issues. EX1013, ¶[0006]. A POSITA would therefore have been motivated to apply the well-known handle feature to Philips' air fryer containers so that each chamber could be accessed independently without risk of burning or requiring auxiliary tools such as oven mitts or tongs. EX1002, ¶168. This modification would have been nothing more

than the predictable application of a known design element to an analogous device. *Id.*

A POSITA would also have had a REOS in implementing this modification of adding Moon’s handle to the dual air fryer disclosed in Phillips. Handles were a routine and predictable structural feature in the field, and adding a handle to the food container in Philips would not require undue experimentation or inventive skill. The modification would not interfere with the air fryer’s heating, air circulation, or cooking functions as the handle is external to the food container (EX1013, claim 1) and suitable heat-resistant handle materials were readily available at the time of the invention. Thus, a POSITA would have expected that adding a handle would predictably result in a safe and convenient means for manipulating the food container, consistent with the purposes and functions of Philips’ air fryer. EX1002, ¶169.

Claim 7[b]

Philips discloses “wherein said second cooking container includes a second handle.” As shown in FIG.6, a handle is attached to the removable containers that are placed within the dual food preparation chambers. EX1002, ¶171.

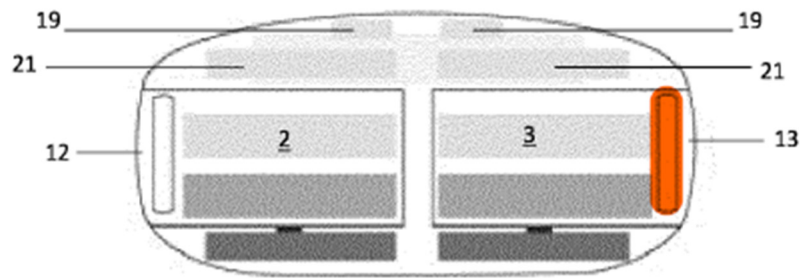


FIG. 6

See EX1012, Fig. 6 (annotated).

To the extent a second handle is not expressly disclosed, Moon expressly discloses a handle which could be added to each food container of Philips. Moon describes a “handled food basket” which detachably secures to the cooking drawer. EX1013, abstract, [0009], Figs. 2, 10-13, [0033] and [0038]; EX1002, ¶172. Petitioner refers to the motivation to combine and REOS to modify Philips to add the handle of Moon to each of Philip’s respective food containers 12 and 13 as illustrated in claim 7[a] in Ground 3.

F. Claim 8

Philips discloses or renders obvious claim 8, which recites “a motor operably coupled to each of said first fan and said second fan.” Philips teaches that the fan provides air flow which is evenly distributed over the food. EX1012, 15-21. EX1002, ¶174. A POSITA understands that these fans are coupled to one or more motors to allow air flow to occur. *Id.*

To the extent the Philips reference does not expressly disclose a motor, a POSITA would have understood that a motor is inherently included. EX1002, ¶175. Philips describes a fan for circulating hot air within the cooking chamber. EX1012, 11:15-21. A POSITA would know that such a fan cannot operate without a motor to drive it. EX1002, ¶175.

At the time of the invention, it was well established in the field of cooking appliances that air fryers and convection ovens rely on forced air circulation. EX1002, ¶176. Heating elements generate hot air, and a motor-driven fan distributes that air evenly throughout the cooking volume. Thus, to the extent not expressly disclosed, the motor is inherently present in the Philips device, because the described functionality cannot occur without it. Here, the operation of the fan to circulate heated air necessarily requires a motor. EX1002, ¶177.

G. Claim 9

Philips renders obvious claim 9, which depends on claim 8, and recites “wherein said motor is located externally from said first internal compartment and said second internal compartment.” Philips teaches that the fans and heating elements are external to the food containers. EX1012, Fig. 6; 11:9-25. A POSITA would understand that a motor is needed to power the fans and external from the internal compartments. EX1002, ¶179.

H. Claim 10

Philips renders obvious claim 10, which depends on claim 8, and recites “wherein said motor is positioned between said first internal compartment and second internal compartment.” Philips states, in reference to Figure 6, “the chambers 2, 3 may each include their own heating element 21 and share a single fan 19.” EX1012, 15-18. A POSITA would understand that the motor is needed to power the fan and would be placed adjacent to the single fan embodiment described in Philips. EX1002, ¶181.

I. Claim 11

Claim 11[pre]:

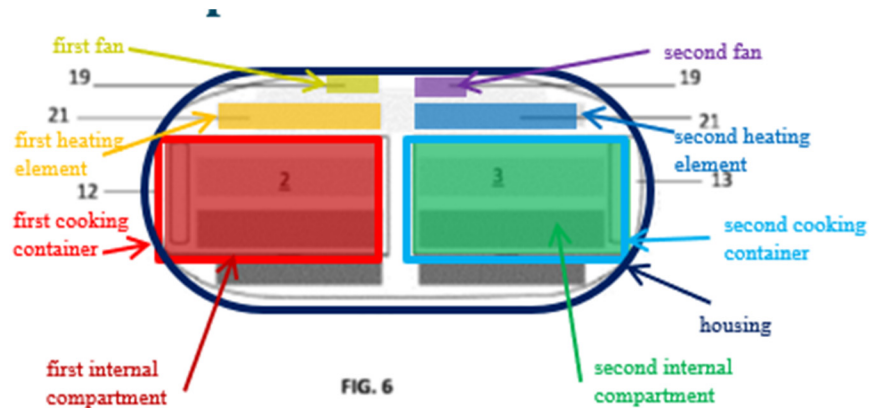
Same as 1[pre] in Ground 3. EX1002, ¶182.

Claim 11[a]:

Same as 1[a] in Ground 3. EX1002, ¶183.

Claim 11[b]:

Same as 1[a] in Ground 3. Although 1[a] recites “first internal compartment” and claim 11[b] recites “first internal cooking compartment”, the POSITA would not consider this difference in terms to change substantively impact the analysis provide above. EX1002, ¶184.



EX1012, Fig. 6 (annotated).

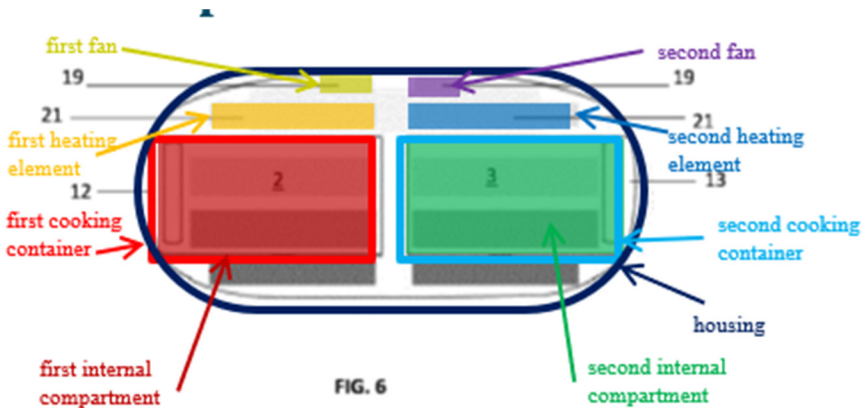
Claim 11[c]:

Same as 1[c] in Ground 3.

Philips discloses “a first cooking container removably disposed therein.” Philips discloses “a first cooking container removably disposed therein.” Philips states “each food preparation chamber may be accommodated in a container 12, 13 which may for instance be removably mounted in a support structure 8 *for instance like a drawer*. EX1012, 11:19-23; EX1002, ¶185-186.

Claim 11[d]:

Same as 1[a] in Ground 3. EX1002, ¶187.



Claim 11[e]:

Same as 1[d] in Ground 3. EX1002, ¶188.

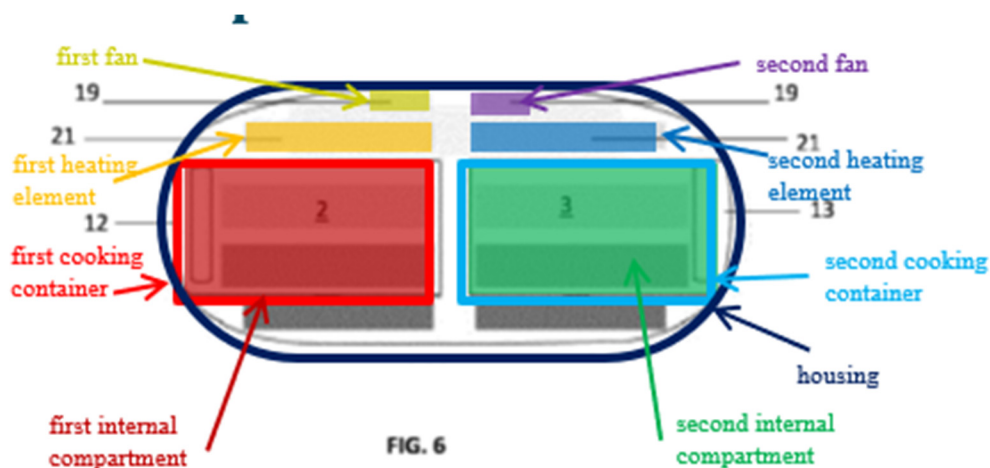
Claim 11[f]:

Same as 1[d], 1[f] in Ground 3.

Petitioner incorporates arguments presented in 1[d] and 1[f] for Ground 3. Although limitation 1[f] recites “the first and second cooking containers each forming a continuous outer surface with the housing when the first and second cooking containers are inserted into the first and second internal compartments respectively” and claim 11 recites “the housing and the first and second cooking containers forming a continuous outer surface”, the POSITA would not consider this difference in terms to change substantively impact the analysis provide above. EX1002, ¶189.

Claim 11[g]:

Philips discloses “the first internal compartment including a first heating assembly comprising a first fan and a first heating element configured to cook food disposed in the first cooking container.” Philips discloses a fan 19 and heating element 21 situated above each chamber 2, 3. EX1012, 11:13-15. Philips further discloses that each food preparation chamber includes air guide elements to allow air flow to be evenly distributed through the food so that heat is evenly transferred to the food. EX1012, 11:19-22. A POSITA would understand the heat distributed to the food would cook the food disposed within the cooking containers 12, 13 that are located within food preparation chambers 2 and 3. EX1002, ¶190; EX1012, Figure 6 (annotated).



Claim 11[h]:

Philips discloses “the second internal cooking compartment including a second heating assembly comprising a second fan and a second heating element

configured to cook food disposed in the second cooking container.” Philips discloses a fan 19 and heating element 21 situated above each chamber 2, 3, where food preparation chamber 2 represents a first internal cooking compartment and food preparation chamber 3 represents a second internal cooking compartment. EX1012, 11:13-15. Philips further discloses that each food preparation chamber includes air guide elements to allow air flow to be evenly distributed through the food so that heat is evenly transferred to the food. EX1012, 11:19-22. A POSITA would understand the heat distributed to the food would cook the food disposed within the cooking containers 12, 13 that are located within food preparation chambers 2 and 3. EX1002, ¶191; EX1012, Figure 6.

Claim 11[j]:

Same as 1[j]. Although limitation 1[j] recites “the first and second heating elements” and limitation 11[i] recites “the first and second heating assemblies”, the discussion of limitation 1[j] is not materially effected and a POSITA would recognize that it applies equally and is incorporated by reference here. EX1002, ¶192.

Claim 11[j]:

Philips renders obvious “the first and second heating assemblies being programmable to simultaneously cook food in separate cooking modes.” Philips

discloses a user interface 7 may allow a user to enter desired cooking conditions (cooking method, cooking parameters) per food preparation chamber and may provide the user with feedback. EX1012, 7:29-32. A POSITA viewing FIG. 1 would understand that the user interface of FIG. 1 could be applied to each compartment disclosed in FIG. 6 and thus the cooking operations are programmable. A POSITA would easily recognize that cooking using a programmable interface would enable the device to simultaneously cook food in an independent operation of the heating elements. EX1002, ¶193-194.

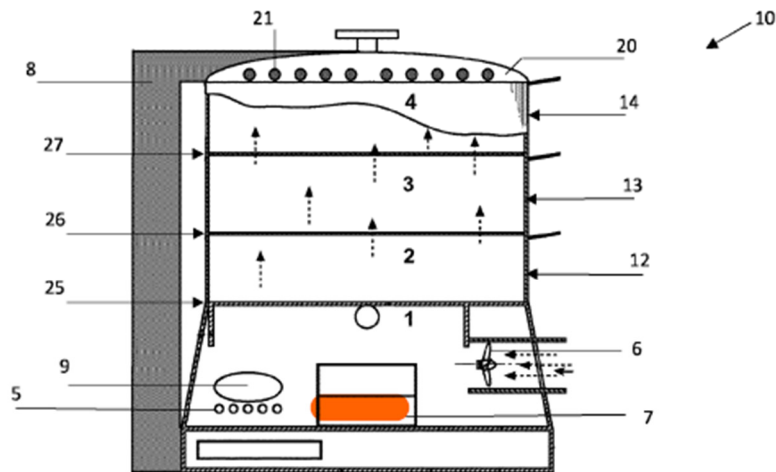


FIG. 1

To the extent the user interface of Philips is not explicitly “programmable,” Philips in view of Moon renders this limitation obvious. EX1002, ¶195. Moon discloses a user interface that comprises “programmable time and temperature

buttons, as well as a plurality of preset time and temperature settings and a plurality of programmable buttons.” EX1013, [0011].

A POSITA would have been motivated to combine a programmable user interface with a dual-chamber air fryer, such as the Philips design, in order to improve the operability and flexibility of the appliance. EX1002, ¶196. Dual air fryers inherently require coordination of time and temperature settings for two independent cooking compartments as disclosed in Philips. *Id.* A POSITA would recognize that incorporating a programmable interface allows the operator to easily manage each compartment separately or in synchronization, thereby reducing user burden and minimizing error compared to manual adjustment. *Id.*

A POSITA would also have had a REOS in making this combination. Both the hardware (programmable displays, digital controllers) and software (preset storage, compartment-specific controls) were readily available and routinely implemented in consumer cooking devices by the relevant timeframe. EX1002, ¶197. Integrating these known control elements into a dual-compartment air fryer would not have required inventive skill but merely routine adaptation of existing design practices. *Id.*

Philips alone, or alternatively, Philips in view of Moon, renders claim limitation 11[j] obvious. *Id.*, ¶198.

Claim 11[k]:

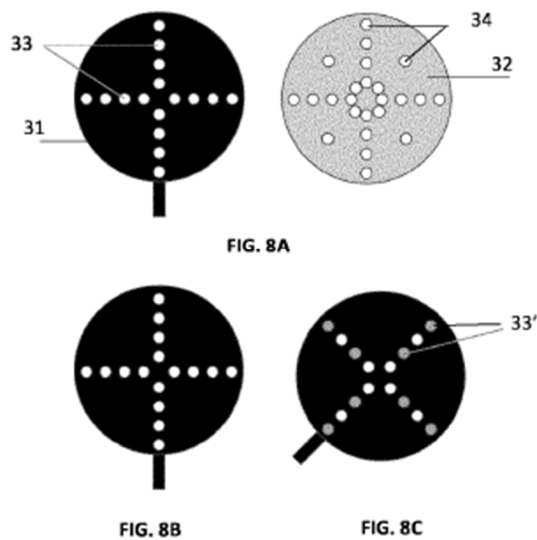
Philips discloses that “wherein the first and second cooking containers are substantially horizontally coplanar when disposed in the first and second internal cooking compartments respectively.” As shown in Fig. 6 of Philips, a POSITA would understand that the arrangement proposed by Philips would be substantially horizontally coplanar. EX1012, Fig. 6; EX1002, ¶199.

Claim 11/II:

Philips renders obvious “wherein the first and second cooking containers have respective first and second perforated bases.” As shown in Philips:

For example, containers that accommodate the respective food preparation chambers may be provided with *permeable bottom and/or side walls, wherein the permeability is preferably adjustable.*

EX1012, 5:4-9; 6:21-22 (disclosing embodiments with permeable bottoms); Claim 12. An example in one of Philips embodiments is shown in below. EX1012, FIGs. 8A-8C.



A POSITA would understand a permeable bottom is a perforated base. EX1002, ¶200. For example, Philips explicitly refers to “non-perforated” portions when referring to non-permeable portions of partitions. EX1012, 9:30-33. A POSITA would understand that in an air fryer the perforations allow for the circulation of the air around the food. EX1002, ¶200.

J. Claim 12

See claim 7 discussed in Ground 3. EX1002, ¶203.

K. Claim 13

Claim 13[a]:

Philips discloses “wherein the first internal cooking compartment and the second internal cooking compartment are independently operable to cook food.”

Philips states dual arrangement of the air fryers allows two cooking operations at

the same time (two food chambers can be set independently). EX1012, 11:12-15, Fig. 6. “The chambers are arranged side by side and are physically separated such that the cooking parameters in the food preparation chambers can be set independently.” EX1012, 11:12-13. Each food chamber has “its own heating element 21.”



FIG. 6

A POSITA would recognize two food preparation chambers that can be “set independently” establishes that each food preparation chamber has its own heating element that is independently operable to cook food. EX1002, ¶205.

Claim 13[b]:

Philips discloses “using at least one of conduction, convection, radiation, and induction.” Philips uses heating elements, which Philips discloses are for “supplying radiation heat.” EX1012, 9:9-12. A POSITA would understand the heating element of Philips discloses at least radiation. EX1002, ¶206.

L. Claim 14

Claim 14[a]:

Philips discloses “a control system configured to operate the first and second cooking assemblies,” Philips discloses a user interface 7 and processor (e.g., control system) may allow a user to enter desired cooking conditions (cooking method, cooking parameters) per food preparation chamber and may provide the user with feedback. EX1012, 7:18-32. A POSITA viewing FIG. 1 would understand the user interface of FIG. 1 could be applied to each compartment disclosed in FIG. 6 and thus the cooking operations are programmable. A POSITA would easily recognize that cooking using a programmable would simultaneously cook food in an independent operation of the heating elements. EX1002, ¶208.

To the extent Patent Owner takes the position that there must be a single control system that operates the first and second cooking assemblies, Philips discloses this as well. Philips discloses a user interface that controls multiple containers. After the user sets the parameters via the user interface, “the processor may then calculate which chamber needs to be operated when to have all dishes ready at the same time.” EX1012, 12:27-28. Thus, a device is obtained with which several dishes can be prepared at the same time, automatically.” EX1012, 17-29; EX1002, ¶209.

Claim 14[b]

Philips discloses and/or renders obvious “the control system being configured to receive inputs corresponding to at least one of a temperature, a cook time, and a food type,” Philips states the user interface allows users to put in cooking parameters. EX1012, 12:20-21. Philips discloses a cooking parameter can include “temperature, cooking time, air flow rate, humidity, pressure.” EX1012, 4:6-7. A POSITA would have been motivated to provide a single user interface to control both chambers of a dual-chamber air fryer in order to simplify operation, reduce component cost, and improve user experience. EX1002, ¶210. Dual-chamber air fryers for users may require coordination of temperature and timing settings for each chamber. *Id.* Prior to the priority date, it was well known that user interfaces in consumer appliances (e.g., ovens, microwaves, dishwashers, and washing machines) commonly controlled multiple heating or processing zones from a single integrated panel. *Id.* A POSITA would have recognized that duplicating separate interfaces for each chamber would be unnecessarily complex and confusing to the user, while a single interface could readily allow independent or synchronized control of both chambers through selectable menus or inputs. EX1002, ¶210.

Moreover, integrating a single user interface aligns with established design practices to minimize parts, reduce manufacturing cost, and conserve space on

the appliance housing. EX1002, ¶211. It would have been straightforward for a POSITA to adapt known programmable control elements (e.g., digital displays, keypads, or rotary selectors) to allow chamber-specific selection within a single panel. The use of a single interface to control multiple cooking compartments would thus represent the predictable application of known technology to achieve recognized benefits.

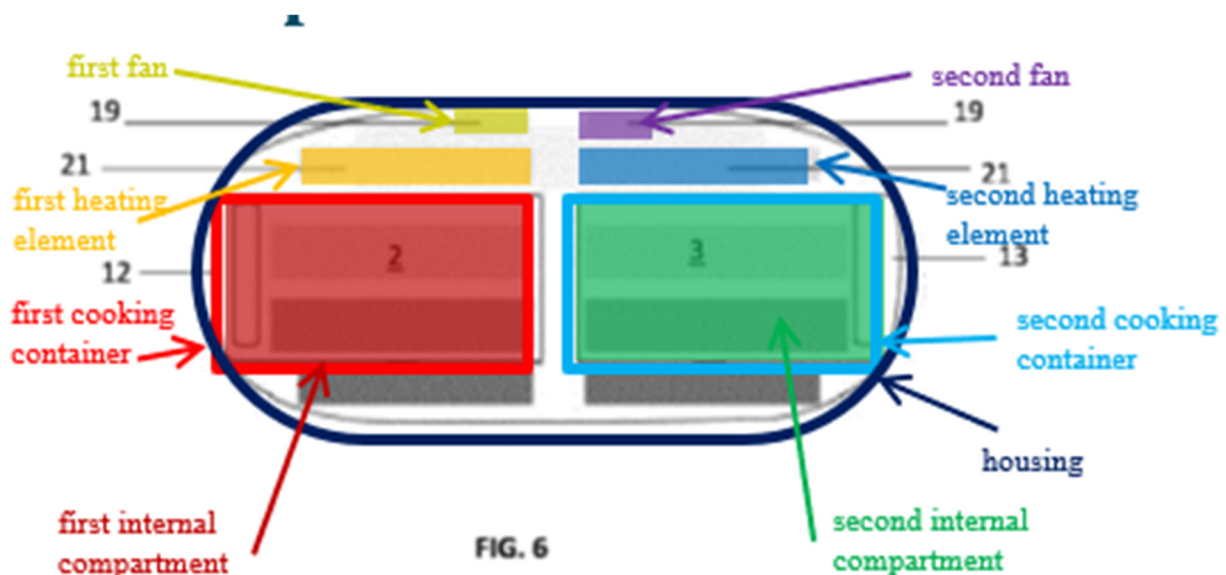
A POSITA would have had a REOS in implementing such a configuration. At the time, single interfaces controlling multiple functions were ubiquitous in household appliances, and both the hardware and software required to enable chamber-specific control were readily available and routinely applied. EX1002, ¶212. Incorporating a single control panel to operate two cooking chambers would not have required inventive skill, but instead would have been a matter of routine design choice yielding predictable results. *Id.*

M. Claim 15

Claim 15[a]:

Philips renders obvious “a motor operably coupled to each of the first and second fans,” by teaching that the fan provides air flow which is evenly distributed over the food. EX1012, 11:15-21. EX1002, ¶215. A POSITA understands these fans are coupled to one or more motors to allow air flow to occur. *Id.*

Accordingly, a POSITA would have understood a motor is included in Philips, and to the extent not expressly disclosed, the motor is inherently disclosed by Philips because it is required to achieve the described operation. EX1002, ¶216-218. As explained in 15(b) below, to the extent a single motor operably coupled to each fan is not explicitly disclosed in Philips, a POSITA would have been motivated to apply the motor control functionality of Moon into the Philips dual-chamber system using a single motor with a gearbox mechanism to drive both fans. EX1002, ¶220. A POSITA understands the motor would be coupled to the fan to circulate air and could either implement one fan for each cooking container or utilize a single motor to circulate air over multiple cooking containers in order to save space on the table top device described in Philips. EX1012, Fig. 6 (annotated); EX1002, ¶212-222.



Claim 15[b]:

Philips and/or Philips in view of Moon discloses “the motor configured to operate the first and second fans at the same speed or at different speeds.” Philips does not explicitly disclose speeds for air circulation. Philips instead states “Alternatively, the chambers 2, 3 may each include their own heating element 21 and share a single fan 19. In such case, suitable control means may be provided to control the air flow rate of said fan to the respective chambers 2, 3.” EX1012, 11:15-18. A POSITA would understand the “suitable control means” disclosed in Philips single fan embodiment could be applied to the multiple fan embodiments to implement multiple fan speeds. EX1002, ¶219.

To the extent Patent Owner asserts Philips does not disclose a motor configured to operate the first and second fans at the same speed or at different speeds, Moon discloses for its fans that a user may set “air speed” via a user interface. EX1013[0034]; EX1002, ¶220. A POSITA would have been motivated to adapt the motor control functionality of Moon into the Philips dual-chamber system using a single motor with a gearbox mechanism to drive both fans. Gearboxes and transmission systems were well-known in the art to split torque and adjust rotational speeds across multiple outputs from a single motor. EX1002, ¶220; EX1014. By coupling a gearbox to the motor shaft, a POSITA would readily recognize two driven shafts could be configured: (1) to rotate both

fans at the same speed, or (2) to rotate the fans at different speeds, depending on gear ratios or clutching mechanisms. EX1002, ¶220. The ‘026 Patent is notably silent on how multiple speeds for a single motor is achieved.

The motivation to employ a single motor with a gearbox rather than two separate motors is supported by several factors. First, it reduces cost and complexity by eliminating duplicate motors and associated wiring. EX1002, ¶221. Second, it conserves space within the appliance housing—an important consideration in compact countertop devices such as a tabletop air fryer. *Id.* Third, it ensures synchronized operation when desired, while still enabling differential speeds through selectable gearing, thereby providing flexibility to accommodate different food items in the two chambers. *Id.*

This modification would have been routine for a POSITA because single-motor, multi-output gearbox systems were already in common use in household appliances (e.g., washing machines, mixers, HVAC blowers) where a single motor drives multiple fans, drums, or impellers at different or selectable speeds. EX1002, ¶222. The application of such known mechanical arrangements to the Philips dual-fan configuration would have been a predictable use of known elements to yield expected benefits. *Id.*

A POSITA would also have had a REOS, since both Philips and Moon already disclose electric fans driven by motors, and gearboxes are mature, off-

the-shelf components that can readily distribute motion from a single motor to multiple outputs. The combination would not require inventive skill but instead reflect routine engineering design, producing the predictable improvement of enabling one motor to operate both fans at the same or different speeds depending on cooking needs. EX1002, ¶223.

N. Claim 16

Claim 16[pre]:

Same as Claim 1[pre] for Ground 3. EX1002, ¶225.

Claim 16[a]:

See claim 1[a] in Ground 3 for further discussion incorporated herein on housing. Philips discloses “a housing.” Philips has a support structure 8 that a POSITA would recognize as the housing. EX1012, 11:23-25; EX1002. Thus, Philips teaches this feature. EX1002, ¶226.

Claim 16[b]:

See claim elements 1[b], 1[c], 1[d], and 1[e] for Ground 3 which establish Philips discloses “having first and second internal independently removable cooking containers disposed therein.” Philips states “each food preparation chamber may be accommodated in a container 12, 13 which may for instance be *removably* mounted in a support structure 8 *for instance like a drawer*. EX1012, 11:19-23; Figure 2 (annotated); EX1002, ¶228.

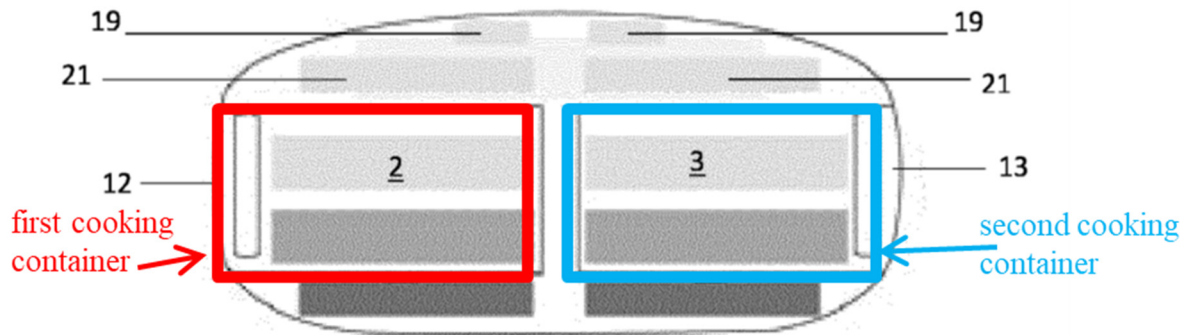


FIG. 6

A POSITA would recognize the first and second container of Philips when closing off like a “drawer” meets the limitation of closing off an opening of the first compartment when inserted. EX1002, ¶229. As disclosed in the other embodiments of Philips which are also described as “drawers” it is clear the containers when inserted close off openings shown above platforms 22, 23 and 24. EX1002, ¶229. A POSITA would further understand these drawers are independently removable. *Id.*; EX1012, Claim 8 (each container is removably arranged).

Claim 16[c]:

See claim 1[b] (First cooking container defining a first volume) and claim 1[c] (second cooking container defining a second volume) of Ground 3. EX1002, ¶230.

Claim 16[d]:

Philips discloses “the first and second cooking containers being configured to engage with first and second respective channels inside the housing to define first and second respective air ducts therein.” Each of the containers 12 and 13 are placed within food preparation chambers 2, 3. EX1012, 11:23-25. Each chamber includes “air guide elements” which a POSITA would recognize as an air duct. EX1002, ¶231; EX1012, 11:19-22. A POSITA would further understand the placement of the containers 12 and 13 allow the air guide elements to define the first and second respective air ducts. EX1002, ¶231.

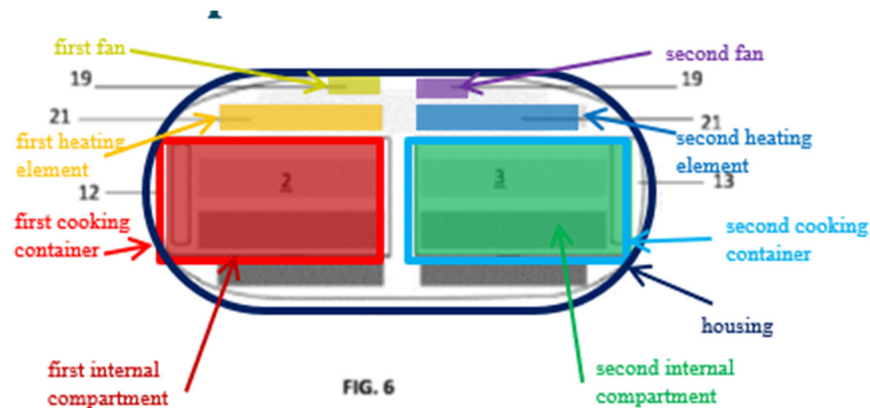
Claim 16[e]:

Philips discloses “the first and second cooking containers forming a continuous outer surface with the housing when the first and second cooking containers are disposed in the housing.” Petitioner incorporates the arguments presented in 1[f] for Ground 3 herein. EX1002, ¶232.

Claim 16[f]:

Philips discloses “first and second heating elements disposed in the housing adjacent the cooking volume of the first and second cooking containers, respectively.” This is shown in Fig. 6 of Philips. EX1012, Fig. 6 (annotated below). A POSITA would understand the arrangement proposed by Philips would be adjacent to the cooking volume of the first and second cooking

containers of Philips, which is the respective first and second internal compartments identified below. EX1002, ¶233.

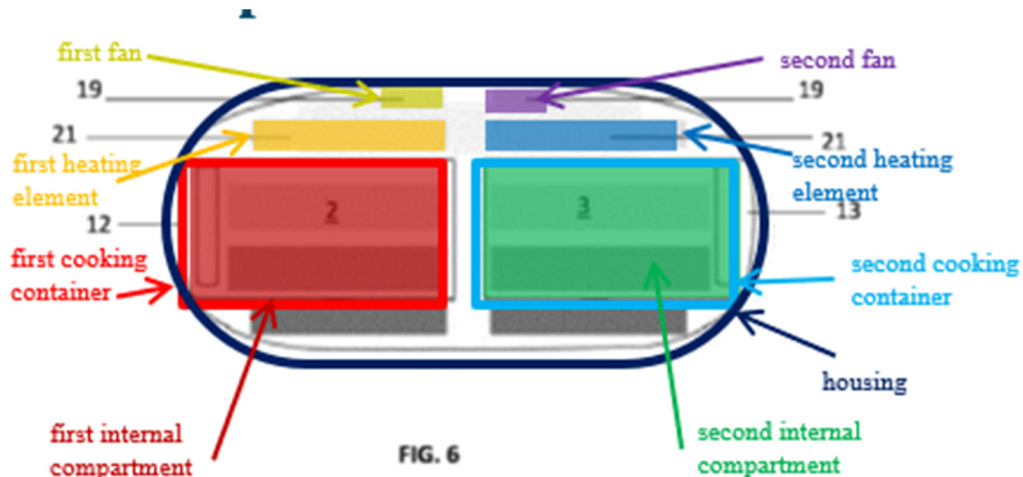


Claim 16[g]:

Philips discloses “the first and second heating elements being independently operable.” See Ground 3, Claim 1 [j]. A POSITA would understand the heating elements can be independently operable. EX1002, ¶234.

Claim 16[h]:

Philips discloses “first and second fans disposed in the housing adjacent the first and second heating elements, respectively.” Philips describes the fan 19 and heating element 21 for each cooking chamber situated above each chamber and discloses the fan and heating elements stacked vertically, which are disposed in the housing adjacent to each other. EX1012, 11:14-17; Fig. 6 (annotated). Thus, Philips discloses this limitation. EX1002, ¶235.



Claim 16[i]:

Philips discloses “the first and second fans being independently operable.” Philips states the food preparation chambers can be set independently. EX1012, 11:11-14. Moreover, Philips describes the air flow rate can be controlled independently per food preparation chamber. EX1012, Claim 7. A POSITA would understand the fans located adjacent to each food preparation chamber can be independently operable which allows and facilitates the chambers to set independently. EX1002, ¶236.

Claim 16[j]:

Philips discloses “the first and second fans being configured to circulate air through the first and second cooking volumes, respectively.” Philips discloses each chamber includes a fan (EX1012, 11:13-15), and each chamber includes air guide elements to “guide the air circulation according to a predetermined pattern, wherein preferably the air flow is evenly distributed through the food.” EX1012,

11:19-22. Philips further discloses the air is returned via a periphery of the food chambers 2 and 3. EX1012, 11:22. Air fryers use circulation for cooking food. EX1010, ¶[0002]. A POSITA would understand the fans provide the air to the air guide elements to allow the air to move around within the cooking volumes. EX1002, ¶237.

O. Claim 17

See Claim 14 of Ground 3 which Petitioner incorporates.

To the extent Patent Owner takes the position that there must be a single control system that operates the first and second cooking assemblies, Philips discloses this as well. Philips discloses a user interface that controls multiple containers. After the user sets the parameters via the user interface, “the processor may then calculate which chamber needs to be operated when to have all dishes ready at the same time.” EX1012, 12:25-28. Thus, a device is obtained with which several dishes can be prepared at the same time, automatically.” EX1012, 12:17-29. EX1002, ¶242.

P. Claim 18

Claim 18[a]:

Philips discloses “wherein the control system is configured to independently operate the first and second heating elements.” As explained in Claim 17, the user interface of Philips can be utilized to set one or more cooking

parameters. EX1012, 12:21-21. Philips states the processor is designed so that the system can prepare “several dishes” at the same time, automatically. EX1012, 12:18-3; Claim 7 (cooking parameters can be set and controlled independently including temperature). A POSITA would recognize that, to operate the air fryer with two cooking chambers, the control system would need to operate the heating element independently. EX1002, ¶244.

Claim 18[b]:

Philips discloses “wherein the control system is configured to independently operate... the first and second fans.” As stated in Claim 7, Philips discloses the air flow rate of each chamber “can be set and controlled independently.” EX1012, Claim 7. Philips further states the chambers in a side-by-side arrangement are separated such that cooking parameters (such as air flow from the fans) can be set independently. EX1012, 11:11-15. A POSITA would recognize the user interface of Philips along with the processor of Philips comprises a control system configured to independently operate the first and second fans. EX1002, ¶245.

Q. Claim 19

Philips discloses “the control system is configured to receive inputs corresponding to at least one of a temperature, a cook time, and a food type.” EX1012, Claim 7; EX1012, 12:24-26 (set cooking parameters such as

“temperature and time”). Philips discloses the user interface allows users to set parameters, such as temperature and time. *See* EX1012, 4:4-7, 7:19-34; EX1002, ¶247.

R. Claim 20

Philips discloses the control system is configured to adjust cooking parameters based on sensed data without user input. Philips’ processor may “automatically” set cooking parameters, such as temperature and time using calculations. EX1012, 12:25-27. Philips’s device can automatically prepare several dishes at the same time “without further user input and/or coordination needed to have the dishes ready at the same time.” A POSITA would recognize the processor’s calculations to allow multiple dishes to be ready at the same time without further user input is based on sensed data, such as food type to allow the processor to implement cooking to allow multiple food chambers to finish cooking in each respective chambers at the same time. EX1012, 12:16:31; EX1002, ¶249.

X. CONCLUSION

Petitioner respectfully requests *inter partes* review of the Challenged Claims.

Dated: September 12, 2025

Cozen O' Connor

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XI. MANDATORY NOTICES

Petitioner provides the following mandatory notices pursuant to 37 C.F.R. § 42.8(a)(1).

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

The real party-in-interest is RJ Brands, LLC. No other entity is controlling, directing, or funding the submission of this petition.

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

To the best of Petitioner's knowledge, the '026 Patent has only been asserted against Petitioner in *SharkNinja Operating LLC v. RJ Brands, LLC*, No. 1:24-cv-08984-CPO-MJS (DNJ, Sept. 5, 2024).

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

Petitioner appoints the following attorneys as lead and back-up counsel from Cozen O'Connor. Filed herewith are a power of attorney in accordance with 37 C.F.R. § 42.10(b).

Lead Counsel	Backup Counsel
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D. Service Information (37 C.F.R. §42.8(b)(4))

Petitioner consents to electronic service by email to its lead and back-up counsel at the email addresses shown above.

E. Power of Attorney

A power of attorney is filed herewith according to 37 C.F.R. §42.10(b).

CERTIFICATION OF WORD COUNT

The undersigned certifies pursuant to 37 C.F.R. §42.24 that the foregoing Petition for *Inter Partes* Review, excluding any table of contents, mandatory notices under 37 C.F.R. §42.8, certificates of service or word count, or appendix of exhibits, contains 13,819 words according to the word-processing program used to prepare this document (Microsoft Word).

Dated: September 12, 2025

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CERTIFICATE OF SERVICE ON PATENT OWNER
UNDER 37 C.F.R. §42.105

Pursuant to 37 C.F.R. §§ 42.6(e) and 42.105(b), the undersigned certifies that on September 12, 2025, a complete and entire copy of this Petition for *Inter Partes* Review and Exhibits were provided via Federal Express to the Patent Owner by serving the correspondence address of record for the '026 Patent:

Mintz Levin/SharkNinja
One Financial Center
Boston, MA 02111
UNITED STATES

Further, a courtesy copy of this Petition for *Inter Partes* Review was sent via email to Patent Owner's litigation counsel:

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Dated: September 12, 2025

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