UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Beatbot Technology (USA) Co. Ltd.,
Petitioner

v.

Zodiac Pool Systems LLC
Patent Owner

Case No. IPR2026-00201
Patent No. 11,880,207

PATENT OWNER'S BRIEF REQUESTING THAT INSTITUTION OF THE PETITION BE DENIED ON DISCRETIONARY GROUNDS

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Table of Exhibits

No.	Description
2001	Complaint, *Beatbot Tech. (USA) Co. Ltd. v. Zodiac Pool Sys. LLC*, No. 3:25-cv-01946 (Dkt. 1) (S.D. Cal. July 31, 2025) ("Petitioner DJ")
2002	Beatbot's Answer to Counterclaims, *Beatbot Tech. (USA) Co. Ltd. v. Zodiac Pool Sys. LLC*, No. 3:25-cv-01946 (Dkt. 15) (S.D. Cal. filed Oct. 14, 2025)
2003	Motion to Dismiss, *Beatbot Tech. (USA) Co. Ltd. v. Zodiac Pool Sys. LLC*, No. 3:25-cv-01946 (Dkt. 32) (S.D. Cal. filed Mar. 6, 2026)
2004	(Intentionally omitted.)
2005	Invalidity Contentions, *Beatbot Tech. (USA) Co. Ltd. v. Zodiac Pool Sys. LLC*, No. 3:25-cv-01946 (S.D. Cal. served Feb. 09, 2026)
2006	(Intentionally omitted.)
2007	Complaint, *Zodiac Pool Sys. LLC v. Wybotics, Co. Ltd.*, 2:25-cv-582-JRG-RSP (E.D. Tex. filed May 23, 2025) (the "Texas Litigation")
2008	First Amended Scheduling Order in the Texas Litigation, *Zodiac Pool Sys. LLC v. Wybotics, Co. Ltd.*, No. 2:25-cv-582-JRG-RSP (E.D. Tex. filed Dec. 17, 2025)
2009	First Amended Complaint, *Wybotics Inc. v. Zodiac Pool Sys. LLC*, 2:25-cv-08526 CAS (AGRx) (C.D. Cal. filed Sept. 24, 2025) (the "Wybotics DJ")
2010	Petition for *Inter Partes* Review under 37 C.F.R. §42.100, *Wybotics Co. Ltd. v. Zodiac Pool Sys. LLC*, IPR2026-00160, Paper 2, (P.T.A.B. Nov. 25, 2025) ("Wybotics Petition")
2011	Memorandum from Coke Morgan Stewart to All PTAB Judges, *Interim Processes for PTAB Workload Management* (Mar. 26, 2025) (the "Interim Processes Memo")
2012	Motion to Stay, *Beatbot Tech. (USA) Co. Ltd. v. Zodiac Pool Sys. LLC*, No. 3:25-cv-01946 (Dkt. 27) (S.D. Cal. filed Jan. 28, 2026)
2013	(Intentionally omitted).

2014	36Kr English, *Beatbot secures funding from Meituan and co to take premium pool cleaning robots global*, KrAsia (Sept. 24, 2025)
2015	*Beatbot completed 1 billion yuan financing round, with Long-Z Investments as the sole lead investor*, CMRA Mobile Robot Alliance (Sept. 22, 2025)
2016	Texas Secretary of State, Beatbot Technology (USA) Co. LTD.
2017	Nathanael Greene, *Why the Beatbot AquaSense 2 Series Dominates High-End Pool Cleaning*, Beatbot, (Mar. 12, 2025)
2018	Declaration of Mistry Madrid
2019	*Nothing Beats a Beatbot*, Beatbot, https://beatbot.com/pages/our-story (last visited Mar. 19, 2026)
2020	FAQs for Interim Processes for PTAB Workload Management ("FAQs")
2021	Chart Comparing the Petition to the Declaration
2022	Letter from Zodiac to Beatbot (July 17, 2025)
2023	U.S. Patent Application No. 19/343,629
2024	Order Granting Plaintiffs' Motion to Stay, Denying Plaintiffs' Motion to Dismiss, *Beatbot Tech. (USA) Co. Ltd. v. Zodiac Pool Sys. LLC*, No. 3:25-cv-01946 (Dkt. 37) (S.D. Cal. Mar. 30, 2026)

I. INTRODUCTION

Zodiac Pool Systems LLC ("Zodiac" or "Patent Owner") respectfully requests that the Director exercise discretion to deny institution of the Petition for *inter partes* review ("Petition"). The Petition seeks IPR of claims 1–8, 10, 12–17, and 19 (the "Challenged Claims") of U.S. Patent No. 11,880,207 (the "Challenged Patent").

This case presents a textbook illustration of why discretionary denial furthers the objectives of the IPR process. The Petition relitigates issues and prior art that were addressed during prosecution, but Petitioner fails to identify any error by the Examiner. Further, instituting rewards Petitioner's tactical maneuvering and undermines both the settled expectations of U.S. innovators and the public interest in protecting domestic economic investment. Indeed, Patent Owner has a vested economic interest in the Challenged Patent—Patent Owner has hundreds of employees in the United States—and Patent Owner's Polaris line of pool cleaners compete directly with Petitioner's products. In contrast, Petitioner is a shell corporation that has no material presence in the United States. Instead, real party in interest Xingmai Innovation Technology (Suzhou) Co., Ltd. manufactures the products accused of infringement in China.

The Director should exercise discretion to deny institution.

II. THE RELATED LITIGATIONS

The Challenged Patent is subject to three litigations, including two declaratory judgment actions and an infringement action. First, Petitioner brought a declaratory judgement ("Petitioner DJ") against Patent Owner on July 31, 2025, seeking a finding of no infringement. *See* Ex. 2001. Thereafter, Petitioner (the Plaintiff) pled the affirmative defense of invalidity (Ex. 2002) and filed a motion for judgment on the pleadings on the basis that the claims of the Challenged Patent ***are invalid*** under 35 U.S.C. § 101. Ex. 2003. Today the Court denied this motion, without prejudice, pending the outcome of this IPR. Ex. 2024.

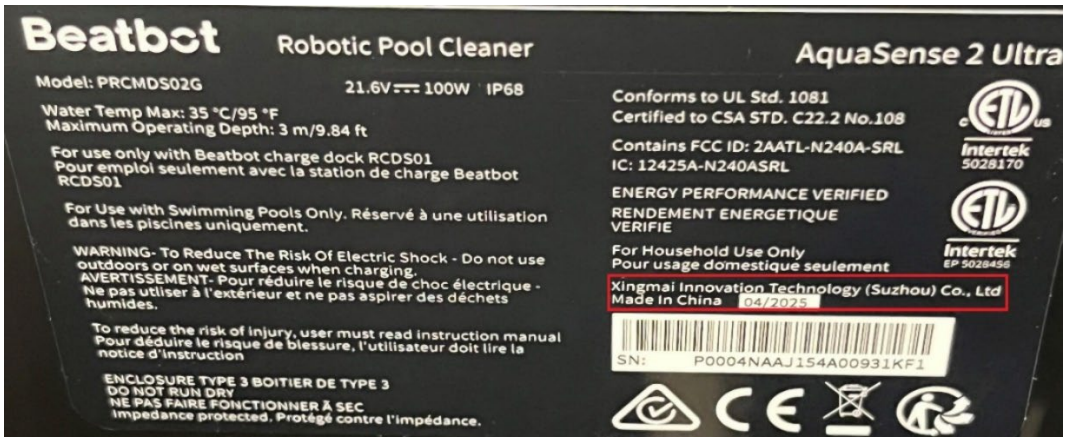
The Challenged Patent is the subject of two additional litigations and an additional petition for IPR. Patent Owner brought an infringement action on May 23, 2025, against Wybotics, which has a trial date set for April 19, 2027. *See* Ex. 2007; Ex. 2008. Wybotics filed a declaratory judgment action on September 24, 2025, seeking a finding of no infringement. *See* Ex. 2009. Finally, Wybotics filed its own Petition for IPR on November 25, 2025, which remains pending. *See* Ex. 2010. This Petition and the Wybotics Petition are serial and cumulative petitions, which needlessly increase the burden on the PTAB and waste resources.

III. THE DIRECTOR SHOULD EXERCISE DISCRETION TO DENY INSTITUTION

A. Compelling Economic Interests Favor Denial of Institution—Patent Owner Employs Hundreds of People in the U.S.A, But the RPI, Xingmai Innovation Technology (Suzhou) Co., Ltd., Manufactures its Products in China

1. The Products Accused of Infringement in a Parallel Proceeding Are Manufactured in China, with No Corresponding Investment by Petitioner in American Manufacturing Operations

Petitioner does not have significant, existing manufacturing presence in the United States, nor is it taking concrete steps to invest in American manufacturing. Petitioner is a shell corporation, and real party in interest Xingmai Innovation Technology (Suzhou) Co., Ltd., manufactures products in China and sells its finished products in the United States. Ex. 2014; Ex 2015. Indeed, the very product addressed in the Petitioner DJ is not manufactured in the United States but imported from China. This is evidenced by the label below, which demonstrates that the product (the AquaSense 2 Ultra) is "Made in China" by Xingmai Innovation Technology (Suzhou) Co., Ltd.



Patent Owner has been unable to locate any investment by Petitioner in the United States at all, much less investment in manufacturing. Indeed, the address Petitioner lists in its DJ Complaint: 7307 Peek Rd., Richmond, Texas, 77407, appears to be a residential apartment complex.[1] Ex. 2001 at 2.

The accused product is made outside the United States, and Petitioner has no discernable presence in the United States, weighing heavily in favor of denial.

2. Patent Owner's Polaris Line of Products Compete with the Accused Products, and Patent Owner Has Hundreds of Employees in the United States

There is no dispute that the parties are competitors. Indeed, Petitioner acknowledged as much when it sought to stay its own litigation, stating in briefing to the Southern District of California that "the parties are competitors." Ex. 2012 at 2. This admission notwithstanding, Beatbot's marketing materials make clear that it competes with Patent Owner's Polaris line of pool cleaners. Ex. 2017 at 1 (stating Beatbot's ***AquaSense 2 Ultra*** is a "competitor" of ***Patent Owner's Polaris*** product).

Further, Patent Owner has significant investments in the United States. Indeed, Patent Owner has 623 employees in the United States. Ex. 2018 at ¶ 3. Further, Patent Owner is part of the same corporate umbrella as multiple other

[1] Petitioner's filing with the Secretary of State lists 7303 Peek Rd., Richmond, Texas, 77407, which also seems to be a residential apartment complex. *See* Ex. 2016.

companies that produce pool-related products for sale in the United States, and all told those companies have more than 1,000 U.S.-based employees, including employees in Georgia, California, Arizona, Utah, Ohio, Oregon, Tennessee, Florida, Washington, and Maryland. *Id.* at ¶ 4. Thus, in contrast to Petitioner, Patent Owner is a major employer in the United States, which weighs heavily in favor of denial.

3. There is No Argument that Petitioner is a Small Business

Petitioner can present no credible case that it is a "small business." To the contrary, Petitioner and the other RPIs claim to have sold products in more than forty countries, to have more than "500+ total patents" over "100,000+" customers, and that their products are sold in more than "2000+" stores. Ex. 2019 at 16. Indeed, Beatbot was a major presenter at CES 2026. *See* Beatbot, Beatbot at CES 2026 (Youtube, Jan 12, 2026) https://www.youtube.com/watch?v=4yAFX9gfRZA. Moreover, Beatbot's latest round of funding from numerous foreign-based venture capital investment firms further illustrates that Beatbot is not a small business. Ex. 2014 ("Beatbot, a Chinese company that develops high-end robotic pool cleaners, has raised around RMB 1 billion (USD 140 million) in a new funding round led by DragonBall Capital, the investment arm of Meituan."). Simply put, Petitioner has no argument that it is a small company, much less U.S.-based.

B. The Merits of the Petition are Weak and Rely on Art that is the Same or Cumulative of Art Addressed and Overcame During Prosecution

This weighs in favor of denial due to the weak merits of the Petition. Each of the flaws in the Petition will be discussed in further detail in the forthcoming Patent Owner's Preliminary Response, but a brief summary of just a few of the key shortcomings is provided here. *See* Process Guide § II.C.i.

The Petition includes seven grounds, all of which rely on obviousness to attempt to show invalidity. *See, e.g.*, Petition at 1–2. Petitioner's failure to identify any anticipatory art serves as an initial indication of the weaknesses of the Petition's merits. Indeed, Petitioner contends that the Challenged Patent is unpatentable in view of multiple references that are the same or substantially similar to references already considered by the Patent Office. For example, the Patent Office already considered Fu-007 during prosecution of the Challenged Patent. Ex. 1001, Cover. Lastly, Petitioner fails to provide any reasoning on how claim 4 is unpatentable over Laitta, even though Ground 3 states claim 4 is unpatentable over Laitta, but the Janét Declaration includes this section, which is an improper incorporation by reference. *Compare* Petition at 98 with Janét Decl., ¶¶ 408-10; *see also Nearmap US, Inc. v. Eagle View Techs.*, IPR2024-00716, Paper 9, 14-15, 19 (P.T.A.B. Oct. 9, 2024) (denying institution and declining "to sift through Dr. Shahabi's declaration in order to find the arguments that may support Petitioner's challenge.").

The primary references, Cui and Knoll, fail to disclose required elements. Cui and Knoll do not disclose "a controller . . . configured to generate, in response to the captured image, at least one control signal to cause movement of the body within the swimming pool to, or away from, the first portion of the submerged surface." Knoll also fails to disclose "a filter configured to retain debris." The other references have further deficiencies, which will be discussed in more detail in Patent Owner's Preliminary Response. These weaknesses are compounded by the conclusory expert declaration, which simply parrots the Petition, and thus should be afforded little or no weight, as discussed below.

C. Inconsistent Claim Construction Positions and Other Compelling Factors Weigh Against Institution

1. Petitioner Puts Forth Inconsistent Claim Construction Positions before the PTAB and the District Court

Petitioner takes inconsistent claim construction positions regarding the scope of the Challenged Claims. Petitioner seeks to have the terms of the Challenged Patent applied as broadly as possible in attempting show invalidity at the PTAB, while simultaneously arguing that several terms are indefinite under 35 U.S.C. § 112 in the District Court. Ex. 2005. In its Petition, Petitioner states that no constructions are necessary except for the means-plus function (MPF) limitation, Petition at 18. But in its invalidity contentions, Petitioner states that

> [b]ased on Beatbot's apparent claim interpretations, Beatbot's claims ***are invalid under 35 U.S.C. § 112 for at least the following reasons***:

> 1) the specifications of the Patents-In-Suit lack a written description of the claimed inventions in full, clear, concise, and exact terms as required by 35 U.S.C. § 112(a); (2) the specifications of the Patents-In-Suit lack an enabling disclosure as required by 35 U.S.C. § 112(a); and (3) the Asserted Claims are invalid as indefinite under 35 U.S.C. § 112(b) because the claims fail to particularly point out and distinctly claim the subject matter which the applicants regarded as their invention.

Ex. 2005 at 14.

This inconsistency weighs in favor of denial. *Cf. ResMed Corp. v. Cleveland Med. Devices Inc.*, IPR2023-00565, Paper 13, 17 (P.T.A.B. Sept. 25, 2023) ("We agree with Patent Owner that on the facts of this case, by providing inconsistent positions regarding the proper construction of the claims, Petitioner is not being transparent. . . . The potential for conflicting decisions favors denial.").

2. Heavy Reliance on Expert Testimony Favors Denial

Petitioner submits a 164-page declaration purporting to support the Petition. This extremely long declaration presents a text-book case of over-reliance on an expert, which weighs in favor of denial. The "extent of the petition's reliance on expert testimony" is one factor considered by the Director. Ex. 2011 at 2–3. The FAQs further explain:

> extensive reliance on expert testimony and/or reasonable disputes between experts on dispositive issues may suggest that the questions are better resolved in an Article III court . . . it is not necessary for an

> expert to explain every aspect of the prior art. It is most helpful if an expert is providing focused testimony, for example to provide helpful context or to explain terms of art. The failure to provide focused expert testimony may weigh against institution.

Ex. 2020 (FAQs), at Q.22.

The length aside, the declaration is substantively insufficient. Indeed, large swaths of the Petition are identical copy-and-paste from Dr. Janét's purported testimony found in his declaration. The majority of Sections III and IV of the Petition are copied nearly verbatim to Dr. Janét's declaration with very few exceptions. *See* Ex. 2021. As the Board has consistently recognized, a declaration that repeats the petition verbatim "is conclusory and unsupported, adds little to the conclusory assertion for which it is offered to support, and is entitled to little weight." *Xerox Corp. v. Bytemark, Inc.*, IPR2022-00624, Paper 9, 15 (P.T.A.B. Aug. 24, 2022) (precedential) (listing cases) (denying institution where Petitioner's expert "offers only a verbatim restatement of the assertion being supported, without any supporting evidence or technical reasoning"). To the extent such testimony is even accepted, it is entitled to little weight. *E.g.*, *MarkForged Inc. v. Continuous Composites, Inc.*, IPR2022-01431, Paper 7, 14 (P.T.A.B. Jan. 18, 2023).

There are numerous instances where the Janét declaration is a near exact copy of the Petition, and the Petition purports to rely on those conclusory arguments (presented in the guise of expert opinion) to give the mindset of a POSITA. Examples

of those are provided in Exhibit 2021 showing side by side the Petition to the Janét declaration. Copied sections account for nearly 97 pages of the Petition out of its total of 106 pages. The remaining 9 pages that are not shared between the Petition and Dr. Janét's declaration simply consist of the Petition's introduction, discussion of the '207 Patent's file history, claim construction and the level of ordinary skill in the art, requirements under 37 C.F.R. § 42.104, conclusion, and mandatory notices under 37 C.F.R. § 42.8. Petitioner's over-reliance on Dr. Janét's and copying of his declaration wholesale into the petition weighs in favor of denying institution.

3. Settled Expectations Strongly Favor Denial

Settled expectations weigh in favor of denial due to: (1) Petitioner's awareness of the challenged patent and its relevance to Petitioner's products and (2) age of the patent family. Patent Owner notified Petitioner of its infringement of the Challenged Patent in a letter dated July 27, 2025. Ex. 2022. Now, over six months after receiving notice of its infringement, nearly six months after filing its declaratory judgment Complaint, and over a month and a half after Patent Owner served its initial infringement contentions, Petitioner seeks IPR of the Challenged Patent, despite the Examiner having reviewed nearly all of the cited art during prosecution.

The Office has previously found that petitioner's actual knowledge of the challenged patent for a significant period of time creates settled expectations that favor discretionary denial, even for a patent that has not been in force long. *See*

Murata Mfg. Co. v. Ga. Tech. Rsch. Corp., IPR2025-00383, -384, Paper 14 (P.T.A.B. July 29, 2025) (finding Petitioner's knowledge of challenged patent created settled expectations weighing in favor of denial); *Google LLC v. SoundClear Techs., LLC*, IPR2025-00344, -345, Paper 15 (P.T.A.B. Aug. 4, 2025) (same); *see also RegenX Sci., Inc. v. NextGen Biologics*, IPR2025-00620, -621, Paper 13 (P.T.A.B. July 31, 2025) (finding settled expectations favoring denial where Petitioner monitored the challenged patents); *Nvidia Corp. v. Neural AI, LLC*, IPR2025-00606, -608, Paper 18 (P.T.A.B. Jul 31, 2025).

Separately, the Challenged Patent is a continuation of various parent applications in which family members first issued nearly a decade ago in 2016. Even where the challenged patent has not been in force for many years, its membership in a portfolio that has been in force or was known to Petitioner nonetheless creates settled expectations. *See, e.g.*, *NKT Photonics Inc. v. Omni Continuum LLC*, IPR2025-00839, Paper 10 (P.T.A.B. Sept. 4, 2025) (finding settled expectations favoring denial based on awareness of challenged patent's portfolio); *Datadome S.A. v. Arkose Labs Holdings, Inc.*, IPR2025-00693, -694, Paper 13 (P.T.A.B. Aug. 14, 2025) (denying institution based, in part, on Patent Owner's portfolio in general); *Amgen Inc. v. Bristol-Myers Squibb Co.*, IPR2025-00601, -602, -603, Paper 9 (P.T.A.B. July 24, 2025) (identifying reasons a patent owner may have settled expectations in a patent that has been in force for three years).

As explained, Patent Owner has hundreds of U.S.-based employees and produces and sells products that compete with Petitioner. Patent Owner has settled expectations in the validity and enforceability of the long-standing family of which the Challenged Patent is a member.

4. This IPR is Not a True Alternative

Petitioner's conduct to date suggests that IPR is not a true alternative to District Court litigation, weighing in favor of discretionary denial.

Initially, Petitioner preferred the District Court to this forum, and it still raises invalidity in District Court. The Director should discount Petitioner's *Sotera* stipulation in view of Petitioner's concurrent motion for judgment on the pleadings alleging invalidity, and its indefiniteness positions, neither of which the stipulation precludes. As noted, on March 6, 2026, ***after*** it submitted its purported *Sotera* stipulation, Petitioner filed a motion for judgment on the pleadings challenging the validity of the claims under 35 U.S.C. § 101. Ex. 2003. Today the Court denied this motion, without prejudice, pending the outcome of this IPR. Ex. 2024. Thus, regardless of whether this proceeding is instituted, Petitioner will re-raise its invalidity defense in the District Court.

This motion notwithstanding, Petitioner's invalidity contentions raise indefiniteness challenges, which are wholly inconsistent with its claim construction Positions in this forum. *See* Ex. 2005. These actions indicate that Petitioner intends

to pursue invalidity arguments in District Court, and thus Petitioner seeks two bites at the invalidity apple. This is neither efficient nor a good use of the PTAB's limited resources.

5. Petitioner Is Prosecuting a Patent Application Before the USPTO with Similar Scope as the Challenged Patent

RPI Xingmai Innovation Technology (Suzhou) Co., Ltd. is currently prosecuting a patent application having a later priority date but claiming similar scope to the Challenged Patent. The application claims a pool robot control method:

Petitioner's U.S. Patent Application	Claim 1 of Challenged Patent
1. A pool robot control method, comprising: obtaining image information of a target water region captured by a pool robot, wherein the pool robot operates in the target water region, wherein the image information comprises a frame of image or a plurality of frames of images; analyzing the image information to determine an analysis result; and determining a target position of a target object if the analysis result indicates that there is the target object in the target water region, and controlling the pool robot to move to the target position and perform a target operation corresponding to a type of the target object.	1. A self-propelled pool cleaning system for cleaning debris from a submerged surface of a swimming pool, comprising: a. a vehicle body; b. means for moving the vehicle body within the swimming pool; c. a filter configured to retain debris collected from the submerged surface; d. at least one camera for capturing an image of at least a first object within the swimming pool; and e. a controller (i) in electronic communication with the at least one camera, and (ii) configured to generate, in response to the captured image, at least one control signal to cause movement of the body within the swimming pool to, or away from, the first object.

Ex. 2023 at 20; Ex. 1001. The Examiner rejected Petitioner's claim as obvious under § 103 in view of prior art which post-dates the priority date of the Challenged Patent. *Id.* at 340. Petitioner's attempt to claim similar scope to what it contends is invalid is another compelling fact that weighs in favor of discretionary denial. Ex. 2011 at 3.

IV. CONCLUSION

For all of the reasons above, Patent Owner respectfully requests that the Director exercise discretion to deny institution of the Petition.

Dated: March 30, 2026

By: */Michael Morlock/*
Michael Morlock
Reg. No. 62,245
Lead Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Patent Owner's Mandatory Notice Pursuant to 37 C.F.R. § 42.8 has been served electronically via email upon the following:

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Dated: March 30, 2026

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