

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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KLEIN TOOLS, INC.,

Petitioner,

v.

MILWAUKEE ELECTRIC TOOL CORPORATION,

Patent Owner

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Case No. IPR2026-00246

U.S. Patent No. 11,857,064

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**PETITION FOR *INTER PARTES* REVIEW OF**

**U.S. PATENT NO. 11,857,064**

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**I. PETITIONER’S EXHIBIT LIST PURSUANT TO 37 C.F.R. §§ 42.63(E) & 42.104(B)(5)**

| <b>Exhibit No.</b> | <b>Description<sup>1</sup></b>                                                                                                                                                                                  |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1001               | Certified U.S. Patent No. 11,857,064                                                                                                                                                                            |
| 1002               | File History for U.S. Patent No. 11,857,064                                                                                                                                                                     |
| 1003               | Declaration of Robert Giachetti                                                                                                                                                                                 |
| 1004               | Curriculum Vitae of Robert Giachetti                                                                                                                                                                            |
| 1005               | DE9308896U1 (“Albrecht”)                                                                                                                                                                                        |
| 1006               | Albrecht Certified Translation                                                                                                                                                                                  |
| 1007               | Order Construing Disputed Claims of United States Patent No. 5,584,100 in <i>D&amp;D Group Pty Ltd. et al. v. Nationwide Industries, Inc.</i> , Case No. 08-cv-236-MMA (POR), D.I. 26 (S.D. Cal. Mar. 23, 2009) |
| 1008               | U.S. Patent Publication No. 2005/0263552 (“Panosian”)                                                                                                                                                           |
| 1009               | U.S. Patent No. 8,919,622 (“Gabriel”)                                                                                                                                                                           |
| 1010               | AT388448 (“Glock”)                                                                                                                                                                                              |
| 1011               | Glock Certified Translation                                                                                                                                                                                     |
| 1012               | U.S. Patent Publication No. 2016/0356304 (“Roberts”)                                                                                                                                                            |
| 1013               | File History for U.S. Patent No. 11,304,503                                                                                                                                                                     |
| 1014               | U.S. Reissued Patent No. RE47,477                                                                                                                                                                               |

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<sup>1</sup> Descriptions are for convenience only and are not admissions or evidence.

| Exhibit No. | Description <sup>1</sup>                                                                                                                                                      |
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| 1015        | Dkt. 28. Report of the Parties’ Planning Meeting in <i>Milwaukee Electric Tools Corporation v. Klein Tools, Inc.</i> , No. 1:25-cv-04689 (N.D. Ill.)                          |
| 1016        | Dkt. 30. Order adopting Parties’ Proposed Case Management Schedule in <i>Milwaukee Electric Tools Corporation v. Klein Tools, Inc.</i> , No. 1:25-cv-04689 (N.D. Ill.)        |
| 1017        | Dkt. 42. Order granting Joint Motion for Extension of Certain Dates in <i>Milwaukee Electric Tools Corporation v. Klein Tools, Inc.</i> , No. 1:25-cv-04689 (N.D. Ill.)       |
| 1018        | Dkt. 53. Joint Motion to Extend Certain Deadlines in the Scheduling Order in <i>Milwaukee Electric Tools Corporation v. Klein Tools, Inc.</i> , No. 1:25-cv-04689 (N.D. Ill.) |
| 1019        | Excerpts from 2019 Merriam-Webster Dictionary                                                                                                                                 |

## II. LISTING OF THE CHALLENGED CLAIMS

| Limitation Identifier      | Text of Claim                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Independent Claim 1</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| [1Pre]                     | A tool attachment system, comprising:                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| [1A]                       | a receiver configured to attach to a belt of a user, the receiver comprising a channel and a locking hole;                                                                                                                                                                                                                                                                                                                                                                                            |
| [1B]                       | a tool attachment device configured to be releasably coupled to the receiver, the tool attachment device comprising:                                                                                                                                                                                                                                                                                                                                                                                  |
| [1C]                       | a body comprising a front surface and a rear surface;                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| [1D]                       | a locking mechanism protruding past the rear surface of the body and into the locking hole of the receiver when the locking mechanism is in a locked position; and                                                                                                                                                                                                                                                                                                                                    |
| [1E]                       | a disk mating structure protruding outward from the rear surface of the body;                                                                                                                                                                                                                                                                                                                                                                                                                         |
| [1F]                       | wherein the disk mating structure is configured to slidably engage the channel of the receiver;                                                                                                                                                                                                                                                                                                                                                                                                       |
| [1G]                       | a pouch coupled to the body of the tool attachment device, the pouch configured to support a tool; and                                                                                                                                                                                                                                                                                                                                                                                                |
| [1H]                       | an actuator coupled to the tool attachment device;                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| [1I]                       | wherein the channel of the receiver is sized to slidably receive the disk mating structure such that the tool attachment device is supported from the receiver;                                                                                                                                                                                                                                                                                                                                       |
| [1J]                       | wherein the actuator is configured to move the locking mechanism from the locked position to an unlocked position when a force is applied to the actuator, and wherein, in the unlocked position, the locking mechanism is moved out of the locking hole in the receiver and the tool attachment device is allowed to move relative to the receiver such that the disk mating structure slides upward and out of the channel of the receiver to release the tool attachment device from the receiver. |
| <b>Dependent Claim 2</b>   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                            | The tool attachment system of claim 1,                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| [2A]                       | wherein the tool attachment device is pivotally coupled to the receiver via the engagement between the disk mating structure and                                                                                                                                                                                                                                                                                                                                                                      |

| <b>Limitation Identifier</b> | <b>Text of Claim</b>                                                                                                                                                                                                                                            |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                              | the channel such that the tool attachment device pivots relative to the receiver about an axis that is perpendicular to a front face of the channel of the receiver when the locking mechanism is in the locked position.                                       |
| <b>Dependent Claim 3</b>     |                                                                                                                                                                                                                                                                 |
|                              | The tool attachment system of claim 1,                                                                                                                                                                                                                          |
| <b>[3A]</b>                  | wherein the actuator is located below the disk mating structure and above the pouch.                                                                                                                                                                            |
| <b>Dependent Claim 4</b>     |                                                                                                                                                                                                                                                                 |
|                              | The tool attachment system of claim 3,                                                                                                                                                                                                                          |
| <b>[4A]</b>                  | wherein a lower end of the actuator is located below the disk mating structure and above the pouch.                                                                                                                                                             |
| <b>Dependent Claim 5</b>     |                                                                                                                                                                                                                                                                 |
|                              | The tool attachment system of claim 1,                                                                                                                                                                                                                          |
| <b>[5A]</b>                  | wherein the actuator moves upward relative to the pouch when the force is applied the actuator to move the locking mechanism to the unlocked position.                                                                                                          |
| <b>Dependent Claim 6</b>     |                                                                                                                                                                                                                                                                 |
|                              | The tool attachment system of claim 5,                                                                                                                                                                                                                          |
| <b>[6A]</b>                  | wherein the locking mechanism includes a pin protruding outward from the rear surface of the body, wherein the locking hole of the receiver receives the pin when the locking mechanism is in the locked position.                                              |
| <b>Dependent Claim 7</b>     |                                                                                                                                                                                                                                                                 |
|                              | The tool attachment system of claim 6,                                                                                                                                                                                                                          |
| <b>[7A]</b>                  | wherein the force applied to the actuator causes both the pin to be drawn out of the locking hole of the receiver and the disk mating structure to slide upward and out of the channel of the receiver to release the tool attachment device from the receiver. |
| <b>Dependent Claim 8</b>     |                                                                                                                                                                                                                                                                 |
|                              | The tool attachment system of claim 1,                                                                                                                                                                                                                          |

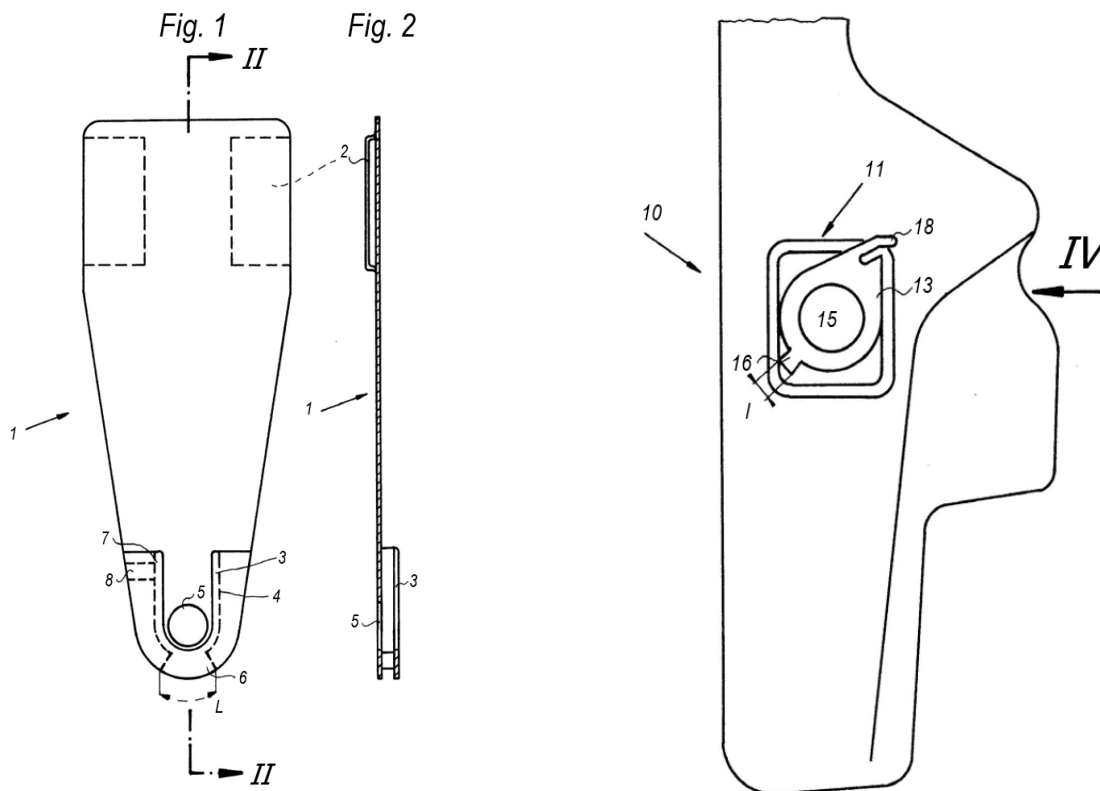
| <b>Limitation Identifier</b> | <b>Text of Claim</b>                                                                                                                                                                                                                                                          |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>[8A]</b>                  | wherein the actuator moves in a direction parallel to the channel when the force is applied to move the actuator to the unlocked position.                                                                                                                                    |
| <b>Dependent Claim 9</b>     |                                                                                                                                                                                                                                                                               |
|                              | The tool attachment system of claim 8,                                                                                                                                                                                                                                        |
| <b>[9A]</b>                  | wherein the force is an upward force applied to the actuator.                                                                                                                                                                                                                 |
| <b>Dependent Claim 12</b>    |                                                                                                                                                                                                                                                                               |
|                              | The tool attachment system of claim 1,                                                                                                                                                                                                                                        |
| <b>[12A]</b>                 | wherein the pouch is coupled to the tool attachment device through a plurality of attachment points.                                                                                                                                                                          |
| <b>Independent Claim 16</b>  |                                                                                                                                                                                                                                                                               |
| <b>[16Pre]</b>               | A tool attachment system, comprising:                                                                                                                                                                                                                                         |
| <b>[16A]</b>                 | a receiver configured to attach to a belt of a user, the receiver comprising a channel;                                                                                                                                                                                       |
| <b>[16B]</b>                 | a tool attachment device configured to be releasably coupled to the receiver, the tool attachment device comprising:                                                                                                                                                          |
| <b>[16C]</b>                 | a body;                                                                                                                                                                                                                                                                       |
| <b>[16D]</b>                 | a locking mechanism protruding from the body, the locking mechanism locking the tool attachment device against separation from the receiver when the locking mechanism is in a locked position; and                                                                           |
| <b>[16E]</b>                 | a mating structure protruding outward from the body and configured to slidably engage the channel of the receiver;                                                                                                                                                            |
| <b>[16F]</b>                 | an actuator coupled to the tool attachment device; and                                                                                                                                                                                                                        |
| <b>[16G]</b>                 | a pouch coupled below the body of the tool attachment device, the pouch configured to support a tool;                                                                                                                                                                         |
| <b>[16H]</b>                 | wherein the channel of the receiver is sized to slidably receive the mating structure such that the tool attachment device is supported from the receiver;                                                                                                                    |
| <b>[16I]</b>                 | wherein the actuator is configured to move the locking mechanism to an unlocked position when a force is applied to the actuator, and wherein, when the locking mechanism in the unlocked position, the tool attachment device is slidable relative to the receiver such that |

| <b>Limitation Identifier</b> | <b>Text of Claim</b>                                                                                                                                                                                                                                                                                                                                   |
|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                              | the mating structure can move upward and out of the channel of the receiver to release the tool attachment device from the receiver;                                                                                                                                                                                                                   |
| <b>[16J]</b>                 | wherein a lower end of the actuator is located below the mating structure and above the pouch.                                                                                                                                                                                                                                                         |
| <b>Dependent Claim 17</b>    |                                                                                                                                                                                                                                                                                                                                                        |
|                              | The tool attachment system of claim 16,                                                                                                                                                                                                                                                                                                                |
| <b>[17A]</b>                 | wherein the tool attachment device is pivotally coupled to the receiver via the engagement between the mating structure and the channel such that the tool attachment device pivots relative to the receiver about an axis that is perpendicular to a front, face of the channel of the receiver when the locking mechanism is in the locked position. |
| <b>Dependent Claim 18</b>    |                                                                                                                                                                                                                                                                                                                                                        |
|                              | The tool attachment system of claim 17,                                                                                                                                                                                                                                                                                                                |
| <b>[18A]</b>                 | wherein the mating structure is disk shaped.                                                                                                                                                                                                                                                                                                           |
| <b>Dependent Claim 19</b>    |                                                                                                                                                                                                                                                                                                                                                        |
|                              | The tool attachment system of claim 16,                                                                                                                                                                                                                                                                                                                |
| <b>[19A]</b>                 | wherein the actuator moves upward when the force is applied to move the actuator to the unlocked position.                                                                                                                                                                                                                                             |
| <b>Dependent Claim 20</b>    |                                                                                                                                                                                                                                                                                                                                                        |
|                              | The tool attachment system of claim 16,                                                                                                                                                                                                                                                                                                                |
| <b>[20A]</b>                 | wherein the locking mechanism includes a pin protruding outward from the body, wherein the receiver includes a hole that receives the pin when the locking mechanism is in the locked position.                                                                                                                                                        |

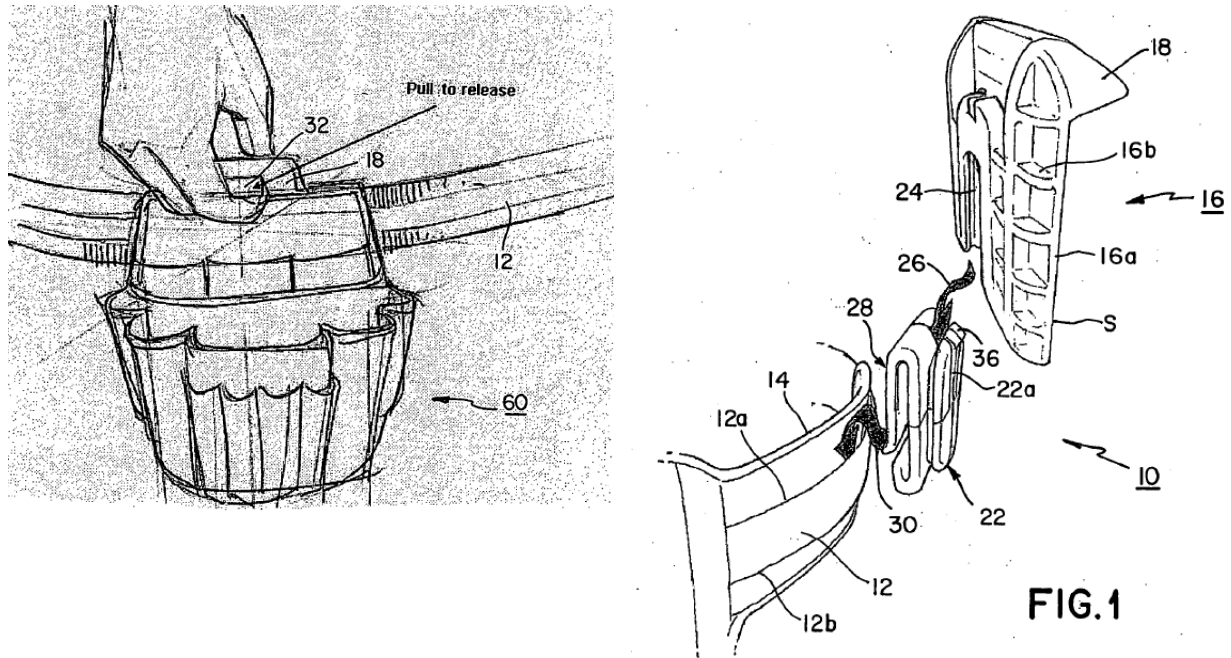
### III. INTRODUCTION

Klein Tools, Inc. (“Petitioner”) respectfully requests *inter partes* review (“IPR”) of claims 1-9, 12, and 16-20 (the “Challenged Claims”) of U.S. Patent No. 11,857,064 (the “’064 patent”) (Ex-1001).

The ’064 patent claims a tool pouch that detachably connects to a user’s belt. This is not novel. For nearly as long as people have needed tools, there have been ways to attach tools (and tool pouches) to a person’s belt. For example, Glock and Panosian—filed over a decade before the ’064 patent’s earliest possible priority date—describe such a system:

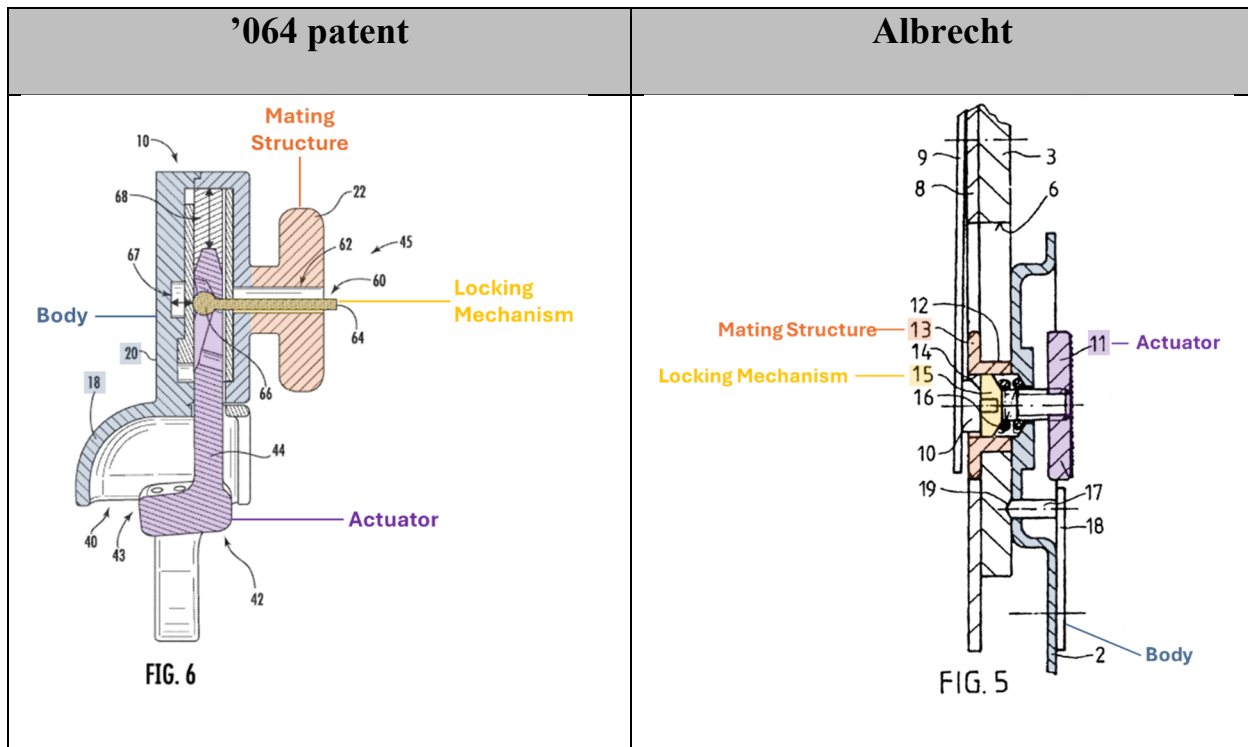


Ex-1011 at Figs. 1-3 (Issued June 26, 1989).



Ex-1008at Fig. 1, 13 (filed May 4, 2004).

Indeed, the '064 patent claims a long-standing disk and pin system for detachable tool pouches that was long known in the art. It is therefore not surprising that Albrecht, which discloses such a disk and pin system, anticipates or renders obvious all Challenged Claims:



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

#### IV. MANDATORY NOTICES

Petitioner provides the following mandatory notices under 37 C.F.R. § 42.8.

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

The real parties-in-interest are Klein Tools, Inc. and ZAH Group, Inc.

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

The '064 patent is at issue in the following case:

- *Milwaukee Electric Tools Corporation v. Klein Tools, Inc.*, No. 1:25-cv-04689 (N.D. Ill.), filed April 29, 2025 (the “Litigation”). Fact discovery is

still in the early stages and no trial date is set for the Litigation. Exs. 1015-1018.

**C. 37 C.F.R. § 42.8(b)(3) & (4): Lead and Back-Up Counsel and Service Information**

| Lead Counsel                                                                                                                                                                                                                                          | Back-Up Counsel                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| W. Todd Baker<br>Reg. No. 45,265<br>todd.baker@kirkland.com<br><u>Postal and Hand-Delivery Address:</u><br>KIRKLAND & ELLIS LLP<br>1301 Pennsylvania Avenue, N.W.<br>Washington, D.C. 20004<br>Telephone: (202) 389-3135<br>Facsimile: (202) 389-5200 | Ryan Kane, P.C.<br><i>pro hac vice to be submitted</i><br>ryan.kane@kirkland.com<br><u>Postal and Hand-Delivery Address:</u><br>KIRKLAND & ELLIS LLP<br>601 Lexington Ave.,<br>New York, NY 10022<br>Telephone: (212) 446-5975<br>Facsimile: (212) 446-6460<br><br>Nathaniel L. DeLucia<br><i>pro hac vice to be submitted</i><br>nathaniel.delucia@kirkland.com<br><u>Postal and Hand-Delivery Address:</u><br>KIRKLAND & ELLIS LLP<br>601 Lexington Ave.,<br>New York, NY 10022<br>Telephone: (212) 909-3173<br>Facsimile: (212) 446-4900 |

Petitioner concurrently submits a Power of Attorney pursuant to 37 C.F.R. § 42.10(b) and consents to electronic service by email directed to the email address: KleinTools\_IPR@kirkland.com.

**V. PAYMENT OF FEES PURSUANT TO 37 C.F.R. § 42.103**

Petitioner requests IPR of 15 claims. Any fees in connection with this Petition may be charged to Deposit Account No. 506092.

## **VI. CERTIFICATION OF STANDING UNDER 37 C.F.R. § 42.104**

Petitioner certifies that the '064 patent is available for IPR and that Petitioner is not barred or estopped from requesting IPR of the Challenged Claims of the '064 patent on the grounds identified herein. This Petition is being filed within one year of service of a complaint against Petitioner in the Litigation and more than nine months after its issuance at the USPTO.

## **VII. IDENTIFICATION OF CHALLENGE AND RELIEF REQUESTED PURSUANT TO 37 C.F.R. § 42.104(B)**

Petitioner requests that all Challenged Claims be cancelled based on the grounds set forth below (37 C.F.R. § 42.104(b)(1)-(2)):

| <b>Ground</b> | <b>Claims</b>      | <b>Basis</b>                                                                                 |
|---------------|--------------------|----------------------------------------------------------------------------------------------|
| 1A            | 1, 2, 12           | Unpatentable pursuant to 35 U.S.C. § 102 over Albrecht                                       |
| 1B            | 3-9, and 16-20     | Unpatentable pursuant to 35 U.S.C. § 103 over Albrecht in combination with Gabriel           |
| 2             | 1-9, 12, and 16-20 | Unpatentable pursuant to 35 U.S.C. § 103 over Albrecht in combination with Glock and Gabriel |

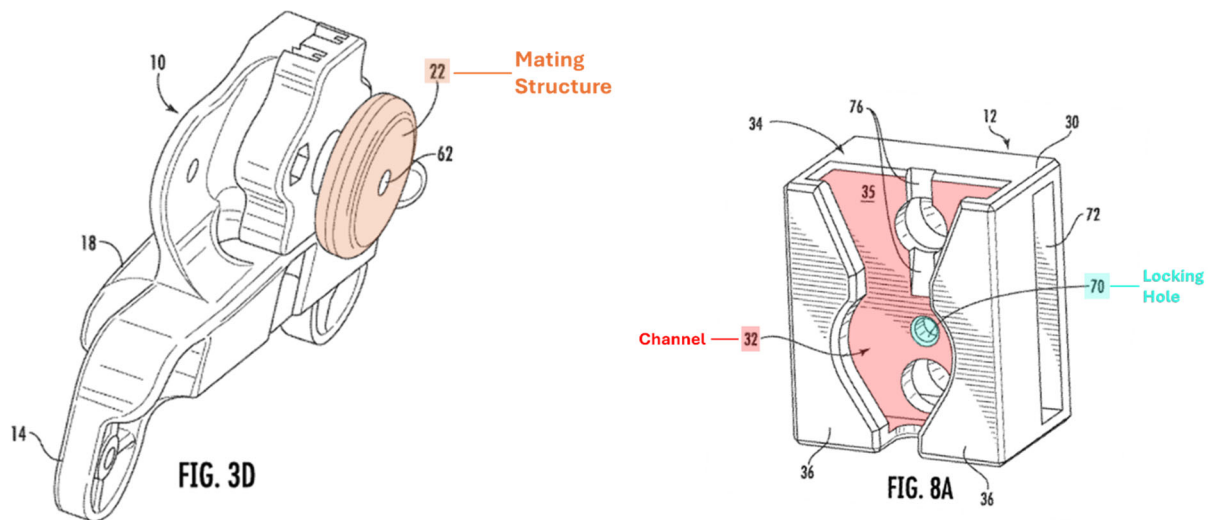
Pursuant to § 42.104(b)(4), an explanation of how the claims are unpatentable is provided herein.

## VIII. SUMMARY OF U.S. PATENT NO. 11,857,064

### A. Overview of U.S. Patent No. 11,857,064

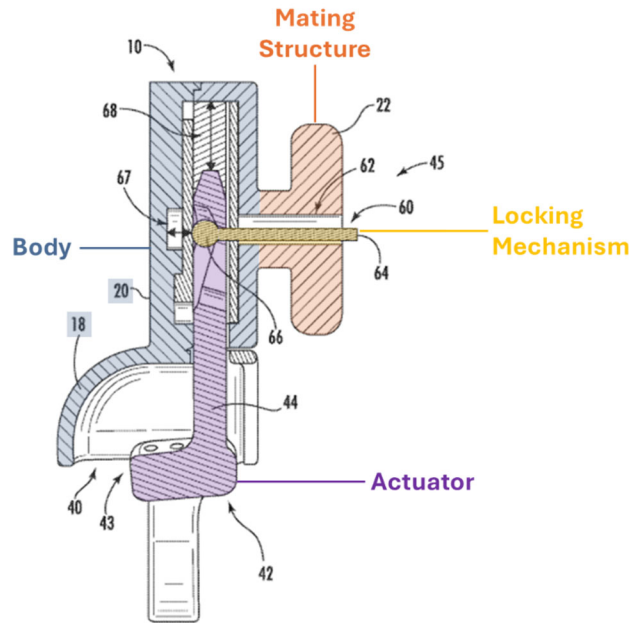
The '064 patent issued on January 2, 2024, from U.S. Application No. 18/356,881, which was filed on July 21, 2023. It was allowed without rejection.

The '064 patent relates to a tool pouch that detachably connects to a user's belt via a disk and pin system. Ex-1001 Abstract. Specifically, the '064 describes a “tool attachment system” comprising a “receiver” with a “channel” that attaches to a user's belt on the one hand, and “a tool attachment device,” on the other that is attached to the tool pouch, and has a “mating structure, shown as disk 22,” that couples to the “channel” in the receiver:



Ex-1001 4:8-10, Figs. 2, 3D; *id.* at 1:43-48, Figs. 3A-6.

The '064 patent further states that the “tool attachment device” also comprises a “locking mechanism,” *i.e.*, “a locking pin 60” that extends through the disk, that locks the tool attachment device to the receiver when in the locked position:



Ex-1001 5:10-25, Fig. 6; *id.* at 1:43-48. To release the “tool attachment device” from the “receiver,” a user “can press button 42 to release both the locking mechanism 45 (e.g., move locking pin 60) and remove tool attachment device 10 from receiver 12.” *Id.* at 5:1-3.

### **B. Effective Priority Date of the Challenged Claims**

The '064 patent purports to be a continuation of U.S. Patent Application No. 18/311,059, filed on May 2, 2023, which purports to be a continuation of application No. 17/700,119, filed on Mar. 21, 2022, now Pat. No. 11,672,325, which purports to be a continuation of application No. 16/800,336, filed on Feb. 25, 2020, now Pat. No. 11,304,503, which purports to be a continuation of application No. PCT/US2020/017742, filed on Feb. 11, 2020, which purports to claim the benefit of and priority to U.S. Provisional Application No. 62/804,547, filed on Feb. 12, 2019.

Ex-1001 Cover.

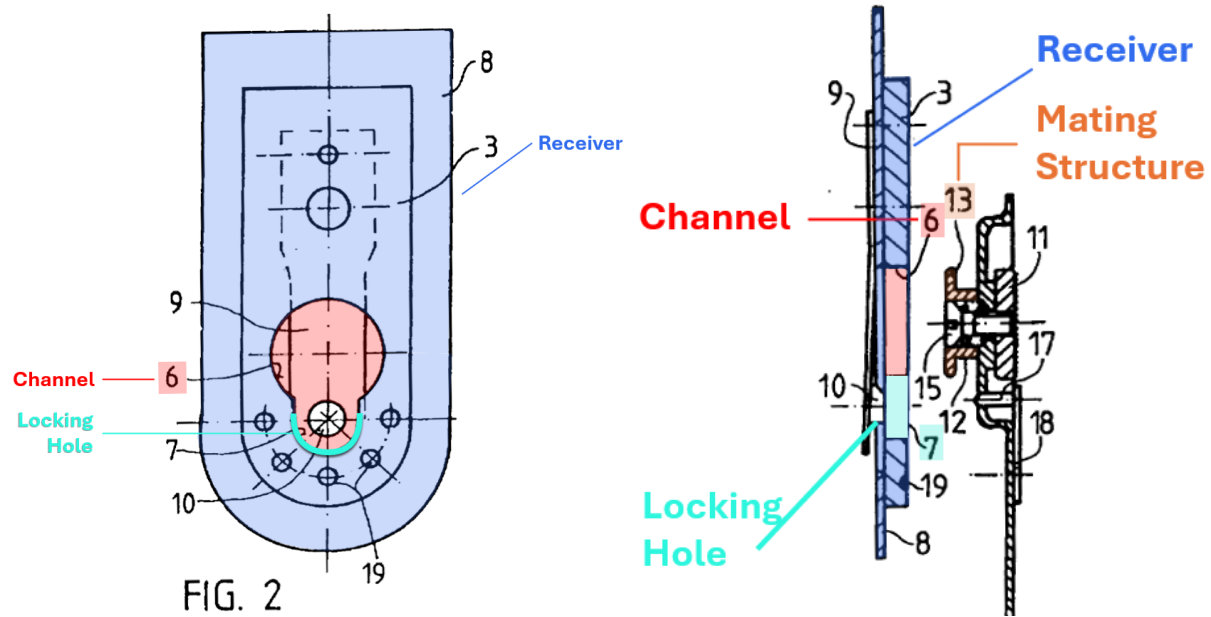
While Petitioner disputes that the '064 patent is entitled to an effective priority date as early as Feb. 12, 2019, and expressly reserves the right to challenge the priority date in any proceeding, the Board need not reach the issue, as the prior art asserted herein is prior art under even the earliest possible priority.

## **IX. OVERVIEW OF THE ASSERTED PRIOR ART**

### **A. Albrecht**

#### **1. Overview of Albrecht**

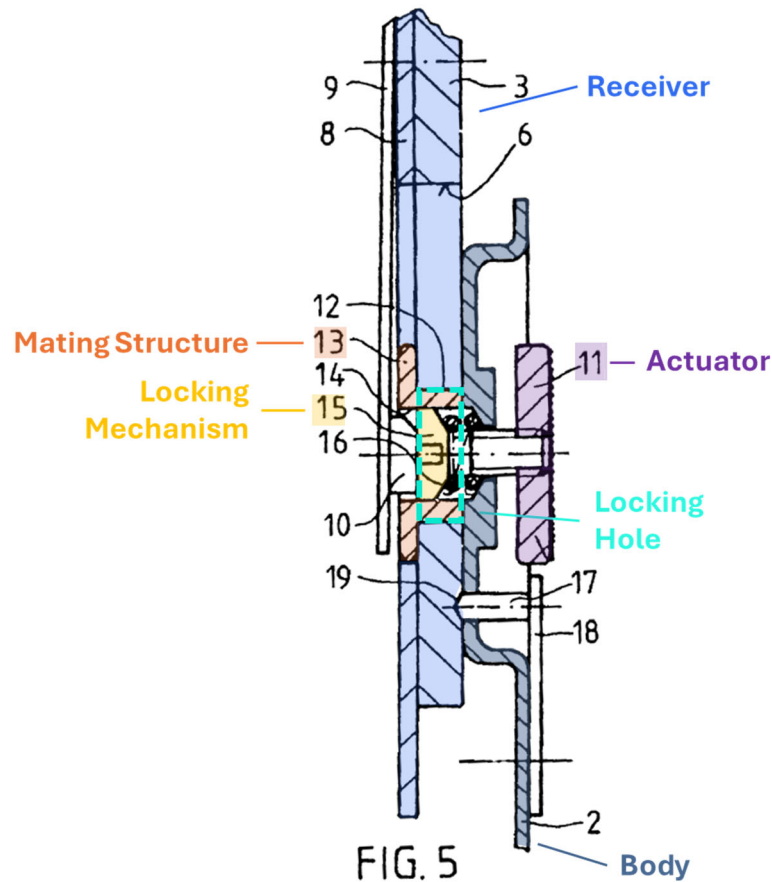
Albrecht relates to a tool pouch that detachably connects to a user's belt via a disk and pin system. Albrecht "relates to a device for carrying handguns" that includes a receiver ("carrying plate 3," "loop 4," "cover 5," and "spring steel sheet 8") (together the "receiver") that attaches to the belt of a user on the one hand and includes a channel ("insertion opening 6"), and a tool attachment device ("pendulum bar 2") that's attached to the tool pouch ("weapon pouch 1") on the other, that has a mating structure (disk-shaped "retaining flange 13") that couples to the channel in the receiver:



Ex-1006 (certified translation) 1:5-6, 5:206:13, Figs. 1-4.<sup>2</sup>

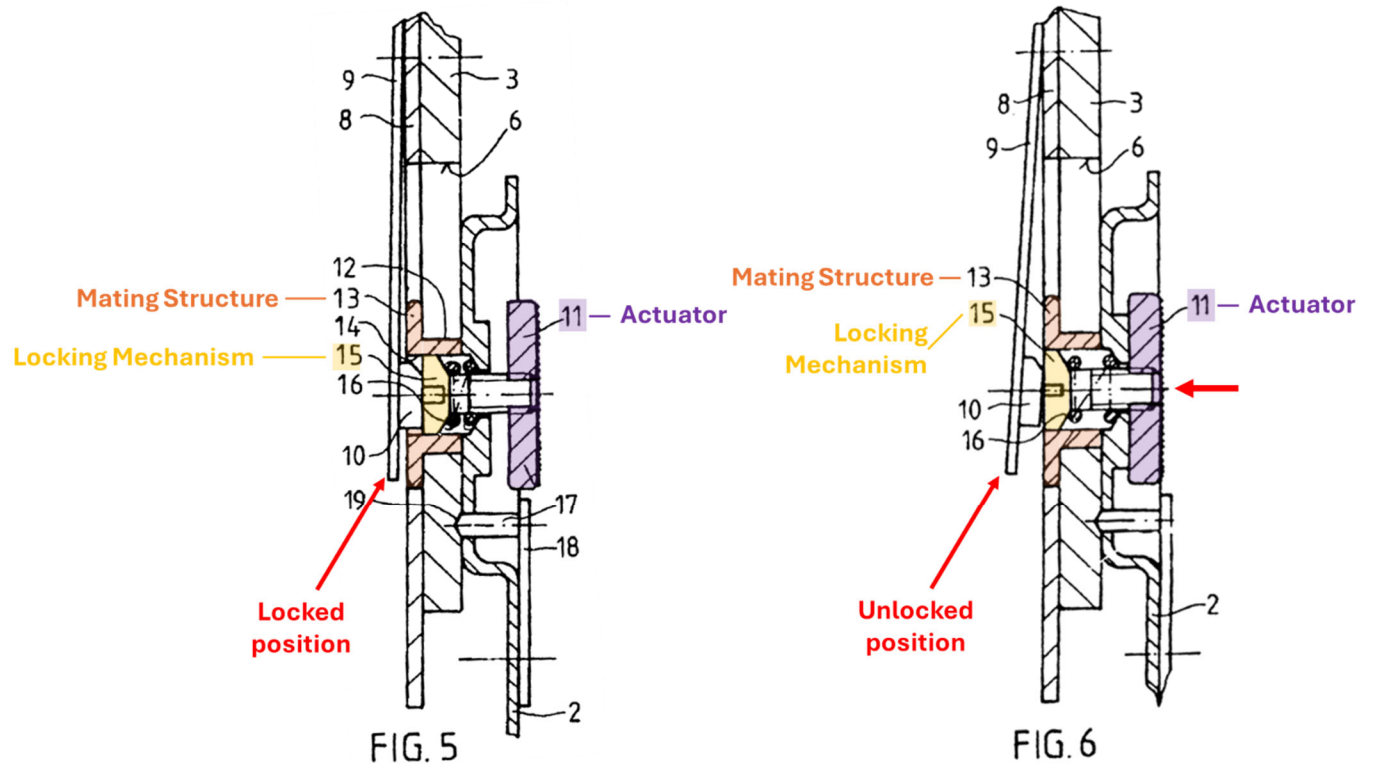
Albrecht further discloses that the tool attachment device (“pendulum bar 2”) also comprises a “locking mechanism,” *i.e.*, a “bolt 15” that locks the tool attachment device to the receiver when in the locked position:

<sup>2</sup> All citations to Albrecht are to the certified translation, unless stated otherwise.



*Id.* at 6:14-16.

To release the tool attachment device (“pendulum bar 2”) from the receiver a user can press “push button 11” which causes “bolt 15 [to] push[] arresting lug 10 out of recess 14 in pendulum bolt 12,” allowing the user to pull “retaining flange 13 ... out through the insertion opening 6”:



*Id.* at 7:8-18, Figs. 5-6.

## 2. Albrecht Is Prior Art to the '064 Patent

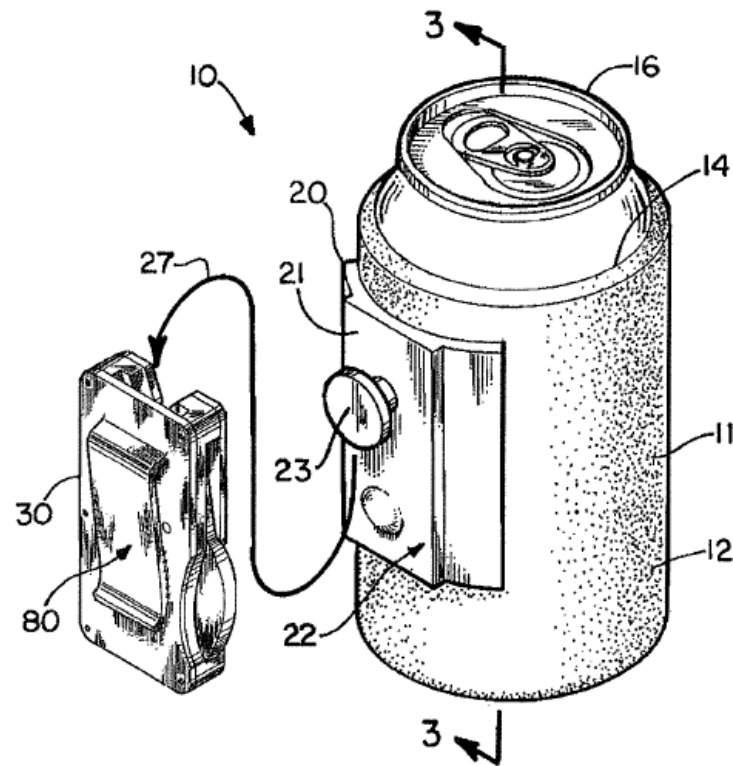
Albrecht is prior art to the '064 Patent under at least 35 U.S.C. § 102(a)(1). Albrecht published on October 28, 1993, which is more than two decades before the '064 Patent's earliest possible filing date. Ex-1006, Cover.

### B. Gabriel

#### 1. Overview of Gabriel

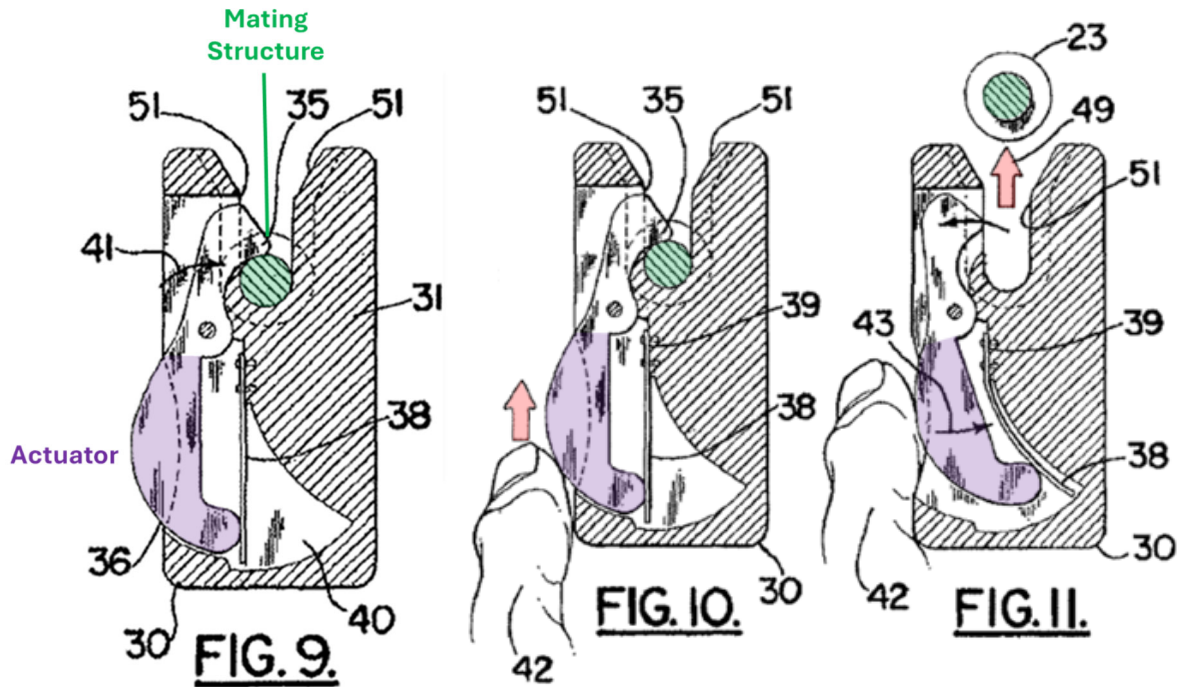
Gabriel is directed to an analogous problem as the '064 patent: detachably connecting a “beverage carrier” to a user’s belt via a disk and actuator system. Gabriel discloses a “receiver [30]” with a channel (“recess 47”) that “attaches to a user’s waist ... such as upon a belt” on the one hand, and a tool attachment device

(“outer curved panel 20”) that’s attached to the tool pouch (“sleeve 11”) on the other, that has a mating structure (“disk 23”) that couples to the channel in the receiver:



Ex-1009, Abstract, 1:28-40, 3:38-56, Fig. 1.

Gabriel further discloses that to release the tool attachment device, “a user simply uses his or her finger or thumb 42 to press inwardly on the lower end portion 36 of locking member 32 in the direction of arrow 43” as shown in Figures 10 and 11:



*Id.*, Figs. 9-11.

## 2. Gabriel Is Prior Art to the '064 Patent

Gabriel is prior art to the '064 Patent under at least 35 U.S.C. § 102(a)(1). Gabriel was filed on March 29, 2012, and issued on December 30, 2014, which is over seven years before the '064 Patent's earliest possible filing date. Ex-1009, Cover.

While Gabriel was before the examiner during examination of the '064 patent, it was not cited or discussed as the basis for a rejection during prosecution, and it was not considered in combination with Albrecht or Glock. Notably, Gabriel was only one of dozens of references cited to in an Information Disclosure Statement by the applicant (*i.e.*, not discussed by the examiner). Ex-1002 at 29. The examiner therefore misapprehended and overlooked Gabriel during prosecution. *Advanced*

*Bionics, LLC v. Med-El Elektromedizinische Geräte GMBH*, IPR2019-01469, Paper No. 6 at 8 (P.T.A.B. Feb. 13, 2020) (precedential). And to the extent the examiner substantively considered Gabriel, the examiner erred by overlooking its disclosures related to its actuator. Petitioner reserves the right to provide additional explanation of why the examiner erred, and why institution should not be denied, in response to any Patent Owner request for discretionary denial pursuant to 35 U.S.C. § 325(d).

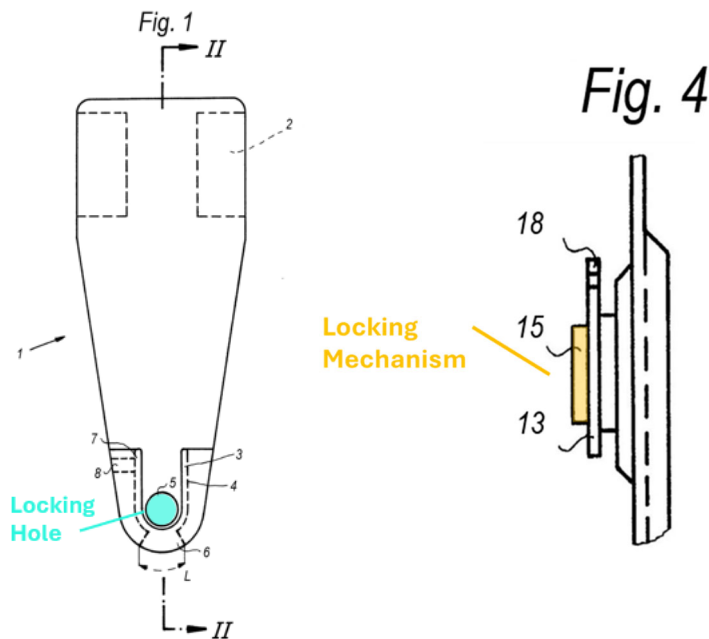
## **C. Glock**

### **1. Overview of Glock**

Glock relates to a tool pouch that detachably connects to a user's belt via a disk and pin system. Glock discloses "a holster for a handgun" comprising a receiver ("belt part") with a channel ("U-shaped guide [3]") that attaches to the belt of a user on the one hand, and a tool attachment device ("weapon part [10]") that's attached to the tool pouch (the holster portion of weapon part 10) on the other, that has a mating structure ("guiding plate [13]") that is "essentially circular in shape" and that couples the channel to the receiver. Ex-1011, 4:4-11, 3:19-25.<sup>3</sup> Glock further discloses that the tool attachment device ("weapon part") also comprises a locking mechanism, *i.e.*, a "button 15" that locks the tool attachment device to the receiver ("belt part") when in the locked position:

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<sup>3</sup> All citations to Glock are to the certified translation, unless stated otherwise.



*Id.* at 6:14-16; Figs. 1, 4. Glock further discloses “[t]o disconnect, press the button out of the hole.” *Id.* at 4:4-10.

## 2. Glock is Prior Art to the ’064 Patent

Glock is prior art to the ’064 Patent under at least 35 U.S.C. § 102(a)(1). Glock issued on June 26, 1989, which is approximately 30 years before the ’064 Patent’s earliest possible filing date. Ex-1011, Cover.

### D. Asserted Prior Art Are Analogous Art to the ’064 Patent

“Prior art is analogous and can be applied in an obviousness combination if it either (1) ‘is from the same field of endeavor, regardless of the problem addressed’ or (2) ‘is reasonably pertinent to the particular problem with which the inventor is involved.’” *Unwired Planet, LLC v. Google Inc.*, 841 F.3d 995, 1000-01 (Fed. Cir. 2016) (citing *In re Clay*, 966 F.2d 656, 658-59 (Fed. Cir. 1992)). “To determine if

art is analogous, we look to ‘the purposes of both the invention and the prior art.’” *Id.* at 1001 (citing *In re Clay*, 966 F.2d at 659). The ’064 patent, Albrecht, Gabriel, and Glock all relate to detachable tool holders. *E.g.*, Ex-1001, Cover (listing Gabriel as a cited reference), Abstract; Ex-1009, Abstract, 1:28-40, 3:38-56; Ex-1011, 2:1-20, Figs. 1-4. Indeed, the plain and ordinary meaning of “tool” is broad and includes, for example, guns, as the PTO and applicant recognized during prosecution. Ex-1019 (2019 Merriam-Webster Dictionary) at 521 (defining tool as “a hand instrument that aids in accomplishing a task” and “something used in doing a job”); Ex-1001, Cover; Ex-1002, July 21, 2023 IDS (identifying Gabriel and gun holster patent French as prior art references); Ex-1013 (File History for U.S. Patent No. 11,304,503) at Sept. 14, 2021 Non-Final Rejection (rejecting pending claims over gun holster patent French) *and* Dec. 2, 2021 Applicant Arguments (arguing claims, as amended, are not anticipated by French and no argument that French was not analogous art); Ex-1003 ¶46.

Moreover, “[i]f a reference disclosure and the claimed invention have a same purpose, the reference relates to the same problem.” *Unwired Planet*, 841 F.3d at 1001. Albrecht, Gabriel, and Glock are all directed to the same purpose and solving the same problem as the ’064 patent: how to releasably attach a container for holding items to a user’s belt. *E.g.*, Ex-1001, Abstract (“present invention relates specifically to a system for removably attaching items to a belt”); Ex-1009, Abstract, 1:28-40

(“present invention relates to an improved beverage carrier ... that is mounted on the user’s belt”), 3:38-56; Ex-1011, 2:1-20 (“a holster that is lightweight and comfortable to wear,” and “is detachably attached to the belt part”), Figs. 1-4; Ex-1003 ¶45.

Accordingly, Albrecht, Gabriel, Glock are analogous art. *Unwired Planet*, 841 F.3d at 1001.

## **X. LEVEL OF ORDINARY SKILL IN THE ART**

A POSA at the relevant time would have had a bachelor’s degree in engineering or at least two years of industry experience in equipment or tool design. Ex-1003 ¶¶13-15. Formal education in a relevant field, such as mechanical engineering, may compensate for less experience, and vice versa. *Id.* Petitioner’s expert, Dr. Robert Giachetti, was a POSA as of the ’064’s earliest possible priority date. *Id.* ¶16; Ex-1001, Cover; *supra* §VIII.B.

## **XI. CLAIM CONSTRUCTION**

A petition must set forth how the challenged claims are to be construed. 37 C.F.R. § 42.104(b)(3). The Board need only construe terms if necessary to resolve the disputes between the parties. *Nidec Motor Corp. v. Zhongshan Broad Ocean Motor Co. Matal.*, 868 F.3d 1013, 1017 (Fed. Cir. 2017). The Challenged Claims are to be construed “in accordance with the ordinary and customary meaning of such claim” as understood by a POSA in light of the claim language, specification, and

prosecution history. 37 C.F.R. § 42.100(b); *Phillips v. AWH Corp.*, 415 F.3d 1303, 1313 (Fed. Cir. 2005) (*en banc*).

Pursuant to 37 C.F.R. § 42.104(b)(3), Petitioner contends that “locking mechanism” and “mating structure” should be construed as means-plus-function terms.<sup>4</sup> All remaining terms should be given their plain and ordinary meaning.

**A. The Terms “locking mechanism” and “mating structure” are subject to 35 U.S.C. §112(f) and should be construed as means-plus-function terms limited to the structures disclosed in the specification**

Although the terms “locking mechanism” and “mating structure” do not recite “means,” and therefore there is a rebuttable presumption that they do not invoke § 112(f), this presumption is not “strong” and is overcome by showing either “that the claim term fails to recite sufficiently definite structure or else [that the claim] recites function without reciting sufficient structure for performing that function.” *Williamson v. Citrix Online, LLC*, 792 F.3d 1339, 1349 (Fed. Cir. 2015) (internal

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<sup>4</sup> While Klein Tools contends that “locking mechanism” and “mating structure” should be construed as means-plus-function terms, and the prior art discussed herein discloses or renders obvious all Challenged Claims when so construed, even if the Board finds that the terms do not invoke § 112(f), the prior art still discloses or renders obvious all Challenged Claims for the same reasons presented below.

quotation and citation omitted). Indeed, the Federal Circuit has explained that “[g]eneric terms such as ‘mechanism,’ ‘element,’ ‘device,’ and other nonce words that reflect nothing more than verbal constructs may be used in a claim in a manner that is tantamount to using the word ‘means’ because they ‘typically do not connote sufficiently definite structure’ and therefore may invoke § 112[(f)].” *Id.* Here, the presumption is overcome because “mechanism” and “structure” are “nonce words ... tantamount to using the word ‘means,’” and the ’064 patent’s claims recite the functions of “locking mechanism” and “mating structure” without reciting the structure to perform those functions. *Id.* The terms should therefore be limited to the corresponding structures disclosed in the specification. *Id.* at 1351.

### **1. “locking mechanism”**

“Locking mechanism” is a term routinely found to be means-plus-function. *E.g., Wearforce Pty. Ltd. v. Talon Engineering*, C.A. No. 21-284-MMD-CSD, 2022 WL 2229473, at \*6 (D. Nev. June 21, 2022) (Claim Construction Order) (construing “locking mechanism” as means-plus-function); *Ultra-Mek, Inc. v. United Furniture Indus., Inc.*, No. 18-cv-281, 2019 WL 4723351, at \*11 (M.D.N.C. Sept. 26, 2019) (same); *Trove Brands, LLC v. CamelBak Prods., LLC*, 756 F. Supp. 3d 760, 769 (N.D. Cal. 2024) (construing “closure retention mechanism” as means-plus-function). In *Wearforce*, for example, the court held that “locking mechanism” was “a mean[s] plus function claim even though it does not use the term ‘means’”

because “what is the ‘locking mechanism?’ A mechanism for locking,” *i.e.*, it was “defined in claim 35 as a function of what it does.” *Wearforce*, 2022 WL 2229473, at \*6; *see also Ultra-Mek*, 2019 WL 4723351, at \*10 (noting that “‘locking mechanism’ is described in purely functional terms in the claim itself”). Indeed, the Federal Circuit “expressly listed the word ‘mechanism’ as one that ‘typically do[es] not connote sufficiently definite structure and therefore may invoke § 112 ¶ 6.” *Ultra-Mek*, 2019 WL 4723351, at \*9 (quoting *Williamson*, 792 F.3d at 1350).

Like the claims at issue in *Wearforce* and *Ultra-Mek*, “locking mechanism” is not a term of art with a generally understood meaning to a POSA, and claim 16 of the ’064 patent describes “locking mechanism” in functional terms, as “locking the tool attachment device against separation from the receiver when the locking mechanism is in a locked position.” Ex-1001, Claim 16; Ex-1003 ¶32. Claim 1 similarly defines the function of the “locking mechanism” as “protruding past the rear surface of the body and into the locking hole of the receiver when the locking mechanism is in a locked position,” and “mov[ing] out of the locking hole in the receiver” when “in the unlocked position.” Ex-1001, Claim 1. The function of the “locking mechanism” is therefore to “lock[] the tool attachment device to the receiver when the locking mechanism is in a locked position.” Ex-1001, 1:31-34; *see also id.* at Abstract, 2:14-26. 5:11-25; Ex-1003 ¶32.

While the claims describe the “locking mechanism” as “protruding past the

rear surface of the body” (claim 1) and “protruding from the body” (claim 16), courts have found similar language does not connote sufficient structure. For example, in *Wearforce*, the claim at issue described the “locking mechanism” as “adapted to be housed in the aperture” and as “rotatable about an axis which is transverse to a longitudinal extent of the leg portion between a locked position ... and an unlocked position.” Ex-1014, Claim 35; *Wearforce*, 2022 WL 2229473, at \*6-7. And in *Trove Brands*, the claims described the “closure retention mechanism” as “configured to selectively retain the closure in a stowed position relative to the handle,” and stated that the handle “includes” the closure retention mechanism. *Trove Brands*, 756 F. Supp. 3d at 768. Nonetheless, the *Wearforce* and *Trove Brand* court held that §112(f) applied. *Id.* at 769; *Wearforce*, 2022 WL 2229473, at \*6. “Locking mechanism” is therefore a means-plus-function term because the claims describe “not what structure the term takes, but what function it performs.” *Trove Brand*, 756 F. Supp. 3d at 769.

A “mean-plus-function” term under § 112(f) is construed to cover only the corresponding structure disclosed in the specification and its equivalents. 35 U.S.C. § 112(f); *Blackboard, Inc. v. Desire2Learn, Inc.*, 574 F.3d 1371, 1382 (Fed. Cir. 2009); *Ultra-Mek*, 2019 WL 4723351, at \*11. The only disclosure in the ’064 patents’ specification for “locking mechanism” is “a locking pin 60 that extends through a pinhole 62 through disk 22.” Ex-1001, 5:1-6:38, Figs. 6-7; *see also id.* at

1:30-40, 2:14-26, 3:29-43 (describing “locking mechanism” in functional terms); Ex-1003 ¶32.

Accordingly, “locking mechanism” should be construed as a means-plus-function term, with the function as “lock[ing] the tool attachment device to the receiver when the locking mechanism is in a locked position” and the corresponding structure as “a locking pin.” Ex-1001, 1:31-34; *see also id.* at Abstract, 2:14-26. 5:11-25.

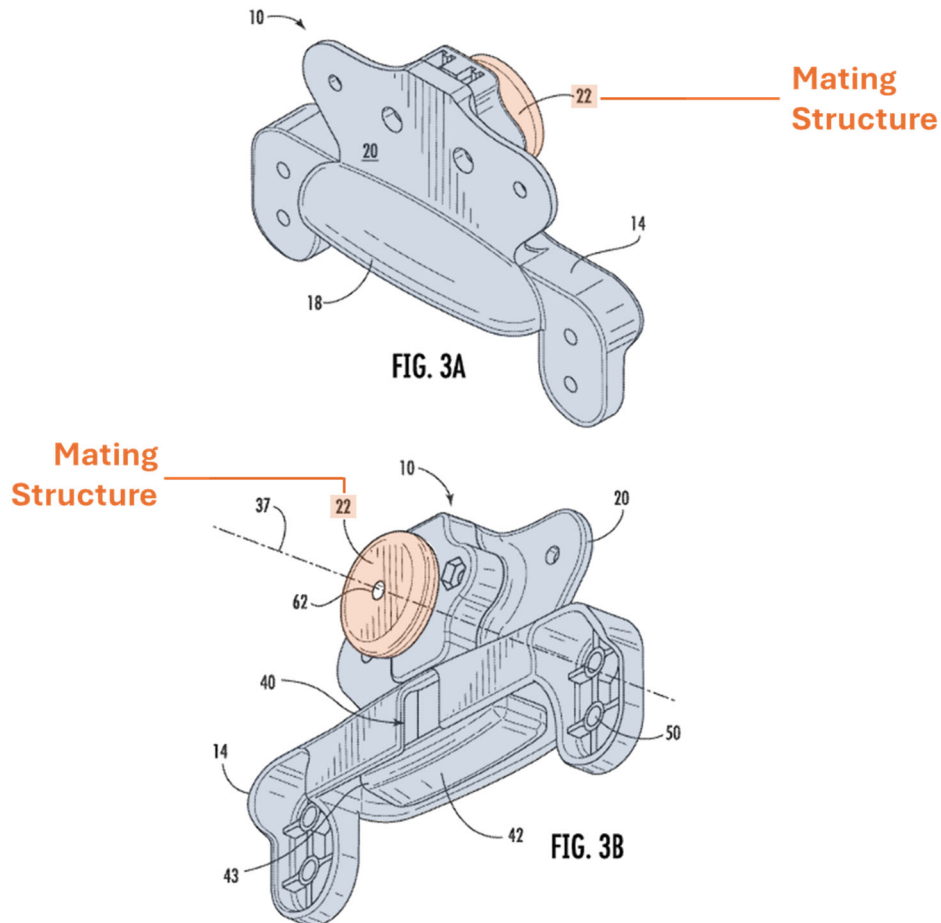
## 2. “mating structure”

“Mating structure,” as used in claim 16, is also a means-plus-function term. “Mating structure” is not a term of art with a generally understood meaning to a POSA. Ex-1003 ¶33. And in contrast to claim 1, which requires a “*disk* mating structure,” thereby providing some structure, claim 16 describes “mating structure” in purely functional terms: “a mating structure protruding outward from the body and configured to slidably engage the channel of the receiver.” Ex-1001, Claim 16. This is consistent with the specification, which describes the function of the “mating structure” as “removably coupl[ing]” the tool attachment device to the receiver. *Id.* at 3:25-29. The function of the “mating structure” is therefore to “slidably engage the channel of the receiver.” *Id.*, Claim 16.

While Patent Owner may argue that claim 16’s description of the “mating structure” as “protruding outward from the body,” and claim 16’s reference that the

“channel of the receiver is sized to slidably receive the mating structure,” provide sufficient structure, courts have found similar language insufficient. For example, in *D&D Group Pty. Ltd. v. Nationwide Industries, Inc.*, the claim at issue described the “coupling element” as “having a first portion received within one end of the cylindrical housing” and being “bias[ed] ... in a direction axially outwardly of the cylindrical housing along said central axis.” C.A. No. 8-236-MMA-POR, D.I. 36, at 3 (S.D. Cal. Mar. 20, 2009) (Ex-1007). Nonetheless the *D&D Group* court held that the claim did not “recit[e] a sufficient structure for performing [the claimed] function,” and thus “the means-plus-framework applies to ‘coupling element.’” Ex-1007, 10-11. Similarly, the court in *Trove Brands* held that “closure retention mechanism” was means-plus-function despite the claim’s description of the “closure retention mechanism” as “configured to selectively retain the closure in a stowed position relative to the handle,” and that the handle “includes” the closure retention mechanism. *Trove Brands*, 756 F. Supp. 3d at 767-68. Claim 16’s description of “mating structure” is even more functional than the terms at issue in *D&D Group* and *Trove Brand* and thus should be construed as a means-plus-function term.

The only corresponding structure disclosed in the specification for “mating structure” is “disk 22”:



Ex-1001, Figs. 3A-3B; Ex-1003 ¶34. The specification only references “mating structure” two times:

In general, the receiver includes a coupling structure, such as a channel, that removably couples to a corresponding mating structure on attachment device [sic].

\*\*\*

Tool attachment device 10 includes a mating structure, shown as disk 22, that extends outward from upper wall 20.

Ex-1001, 3:26-30, 4:8-10. Further, the specification repeatedly describes coupling the tool attachment device to the channel of the receiver using a “disk.” *Id.* at 1:42-46, 1:62-67, 4:30-33, 5:17-19, 6:27-29, 7:4-8, Figs. 1, 3A, 3D, 5, 6.

Thus, the function for “mating structure” is “slidably engag[ing] the channel of the receiver” and the corresponding structure is a “disk.” *Id.* at 4:30-38, 1:44-46; *see also id.* at 1:66-67, 3:26-30, 4:8-10, Figs. 3A-D, 5, 6; *Trove Brands*, 756 F. Supp. 3d at 770 (“the Court must consider what structure ‘disclosed in the specification corresponds to the claimed function.’”).

**B. The remaining terms should be construed according to their plain and ordinary meaning, which is justified under *Revvo***

While petitioners are permitted to rely on claim constructions that a patent owner advanced in other proceedings, where a proposed construction in an IPR differs from a construction a petitioner has proposed in a different forum, the petitioner should explain that difference. *Revvo Techs., Inc. v. Cerebrum Sensor Techs., Inc.*, IPR2025-00632, Paper No. 20 at 3-5 (P.T.A.B. Nov. 3, 2025) (precedential).

Although the parties have not yet exchanged claim construction positions in the Litigation, Petitioner contended the terms “actuator” and “locking mechanism” were indefinite to the extent Patent Owner’s apparent construction is adopted.

Petitioner’s position in the Litigation is based on Patent Owner’s application of these limitations to the accused products. Patent Owner has accused the same component of Petitioner’s accused products of being the alleged “actuator” and “locking mechanism,” without explaining why a POSA would understand the components that way. Petitioner therefore contends in the Litigation that these

limitations are indefinite as applied by Patent Owner because a POSA would not know, with reasonable certainty, what would constitute the alleged “actuator” versus the alleged “locking mechanism” as applied by Patent Owner to Petitioner’s products.

As the prior art relied on in this Petition does not consist of physical products, applying Patent Owner’s plain and ordinary construction of “actuator” does not result in the same ambiguity that is at issue in the Litigation. Specifically, notwithstanding the indefiniteness at the outer bounds of these terms, a POSA would understand that Petitioner’s asserted art satisfies each of these limitations as the prior art clearly and unambiguously disclose the claimed “actuator” and “locking mechanism.” *E.g., Tesla, Inc. v. Intellectual Ventures II LLC*, IPR2025-00340, Paper 18 at 3-4 (P.T.A.B. Nov. 5, 2025); *Cochlear Bone Anchored Sols. AB v. Oticon Med. AB*, 958 F.3d 1348, 1360 (2020) (“indefiniteness of a claim does not always imply inability to conduct a prior-art analysis needed for an inter partes review.”).

Petitioner also contended the term “actuator” was subject to 112(f) and should be construed as a means-plus-function term in its initial invalidity contentions, which Patent Owner appears to dispute. For the purposes of this petition, Petitioner adopts Patent Owner’s plain and ordinary construction of “actuator.” To avoid an inconsistent construction, should the Board institute the Petition, Petitioner will not contend in the Litigation that “actuator” is subject to 112(f).

## **XII. SPECIFIC GROUND FOR THE PETITION**

### **A. Ground 1A: Claims 1, 2, and 12 Are Anticipated by Albrecht**

#### **1. Claim 1**

##### **a. “A tool attachment system” limitation [1Pre]**

To the extent the preamble is limiting, Albrecht discloses “[a] tool attachment system.” Albrecht discloses “a device for carrying handguns,” which are tools, including “a pouch 1 for receiving a handgun, which is fastened to a pendulum bar 2.” *Supra* §IX.D (discussing how guns are tools). “The upper end of the pendulum bar 2 is connected to a carrying plate 3, at the upper end of which a loop 4 is arranged for fastening the carrying device to a belt or strap,” as illustrated by Figure 1:

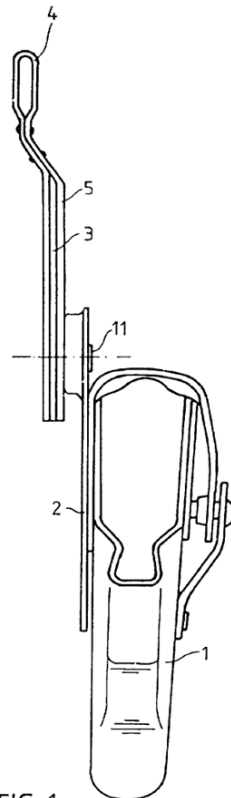
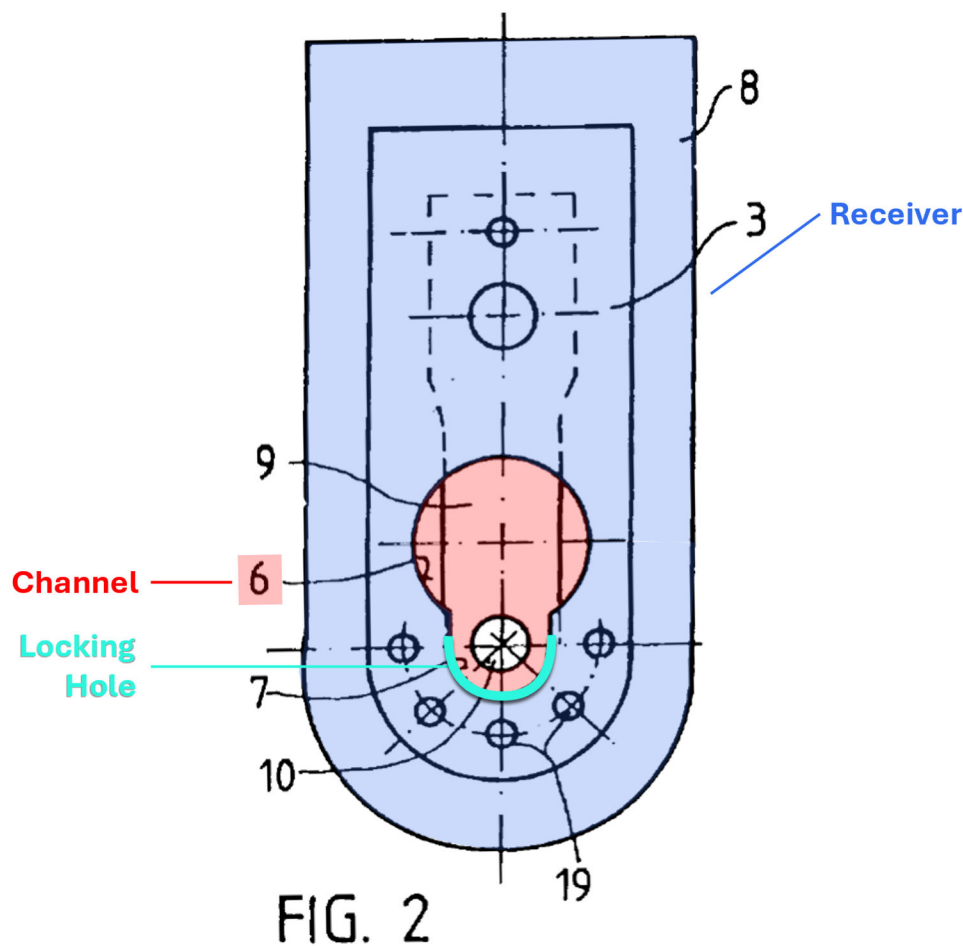


FIG. 1

Ex-1006, 1:5, 5:19-23; *id.* at 5:6 (Figure 1 illustrates “the side view of a carrying device according to the invention”).

- b. “a receiver configured to attach to a belt of a user, the receiver comprising a channel and a locking hole,” limitation [1A]

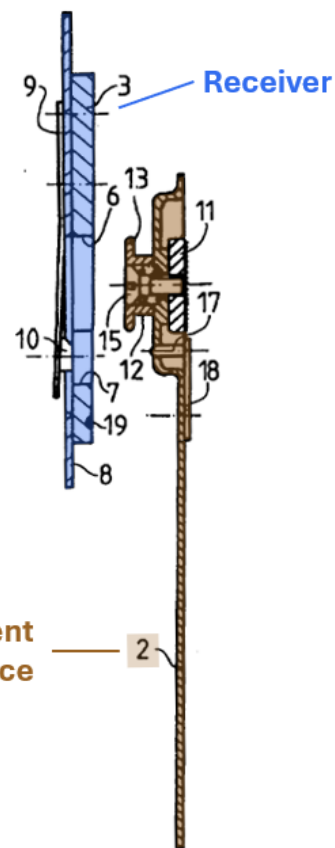
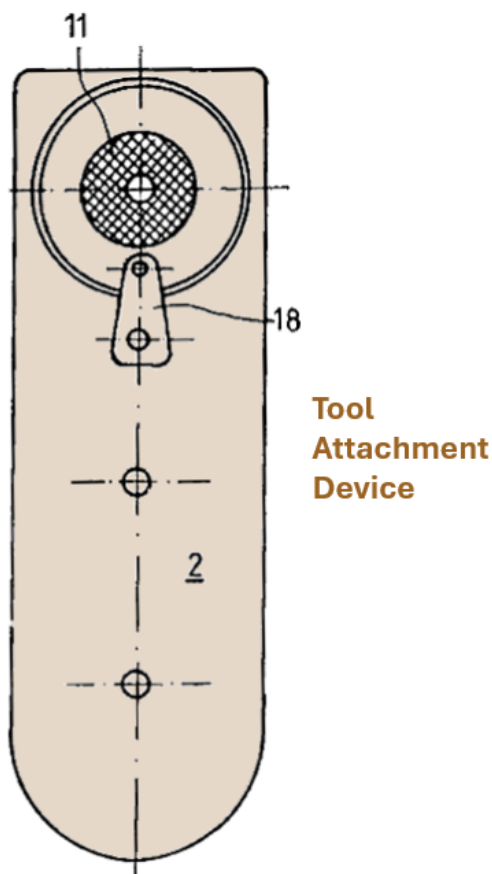
Albrecht discloses this limitation. Albrecht discloses a receiver that includes “loop 4 ... arranged for fastening the carrying device to a belt or strap,” that further comprises a channel (“insertion opening 6”) and locking hole (“pendulum bearing 7”), as illustrated in Figure 2:



Ex-1006, 5:19-34, Fig. 2.

- c. **“a tool attachment device configured to be releasably coupled to the receiver, the tool attachment device comprising,” limitation [1B]**

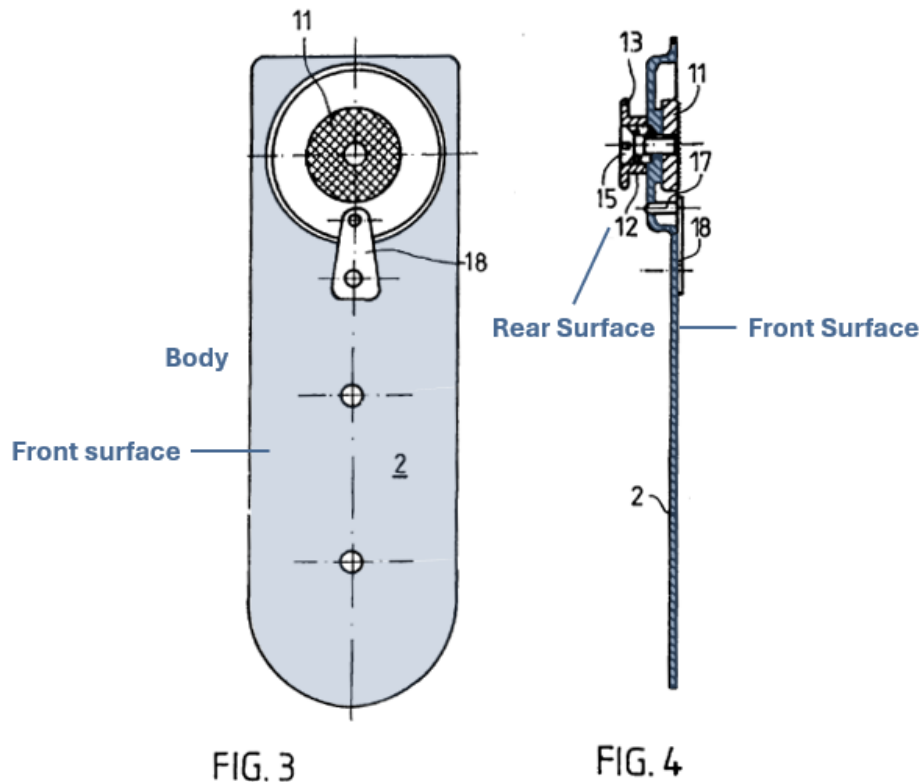
Albrecht discloses “a tool attachment device configured to be releasably coupled to the receiver.” For example, Albrecht discloses a tool attachment device (“pendulum bar 2”) that is configured to releasably couple to the receiver, as illustrated in Figures 3 and 4:



Ex-1006, 5:19-24 (“The upper end of the pendulum bar 2 is connected to a carrying plate 3”), 6:1-22, Figs. 3-4, 1:5-15 (“pendulum bar ... can be detachably and pivotably fastened to the carrying plate[.]”).

**d. “a body comprising a front surface and a rear surface;” limitation [1C]**

Albrecht discloses this limitation. As illustrated by Figures 3 and 4, Albrecht discloses that the tool attachment device (“pendulum bar 2”) comprises “a body comprising a front surface and a rear surface”:

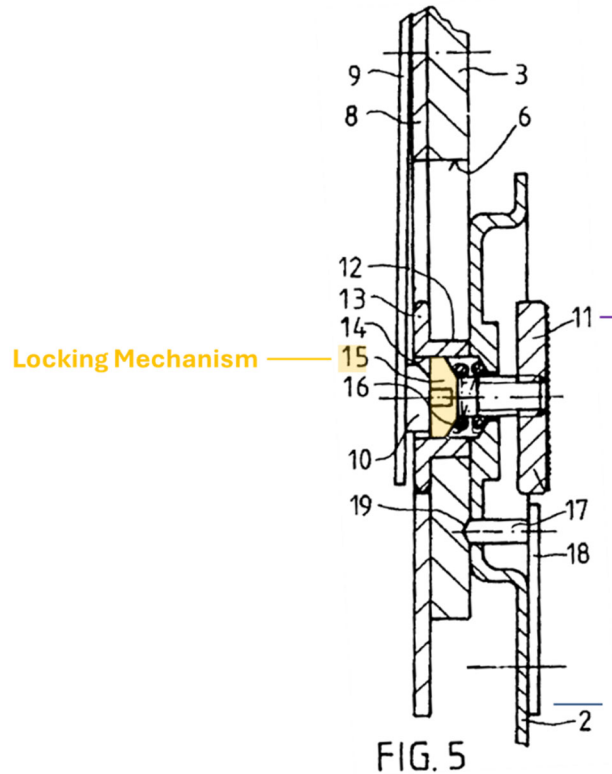


Ex-1006, 5:9-10, Figs. 3-4.

**e. “a locking mechanism protruding past the rear surface of the body and into the locking hole of the receiver when the locking mechanism is in a locked position;” limitation [1D]**

Albrecht discloses this limitation. As explained above, “locking mechanism” is a means-plus-function term that performs the function of “lock[ing] the tool attachment device to the receiver when the locking mechanism is in a locked

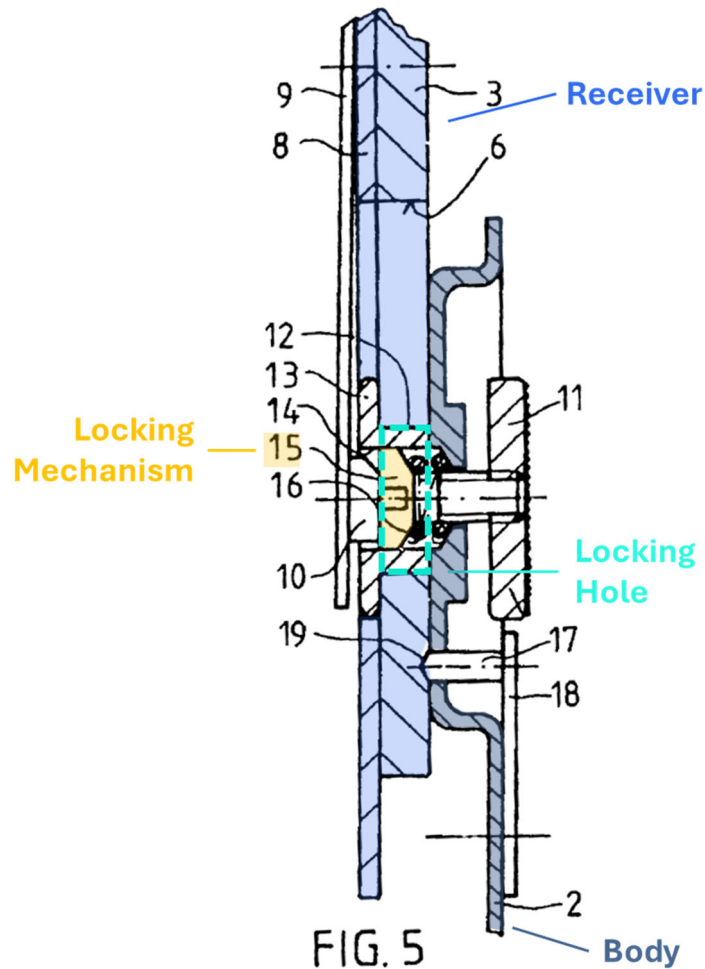
position” with the structure of a “locking pin.” *Supra* §XII.A.1. Albrecht discloses a “locking mechanism” that includes a “locking pin”( “bolt 15”):



Ex-1006, 6:5-6:16, Figs 4-6.

Albrecht further discloses that this locking mechanism protrudes past the rear surface of the body and into the locking hole (“pendulum bearing 7”) of the receiver when in the locked position. Ex-1006, 6:5-7:17. Specifically, Albrecht discloses that when “pendulum pin 12,” and thus the locking mechanism (“bolt 15”), which is inside of “pendulum pin 12,” is pushed into the locking hole (“pendulum bearing 7”), “the arresting lug 10 of the leaf spring 9 engages in the recess 14 of the pendulum pin 12 and arrests it rotatably in the pendulum bearing 7.” *Id.* at 7:9-18. This is

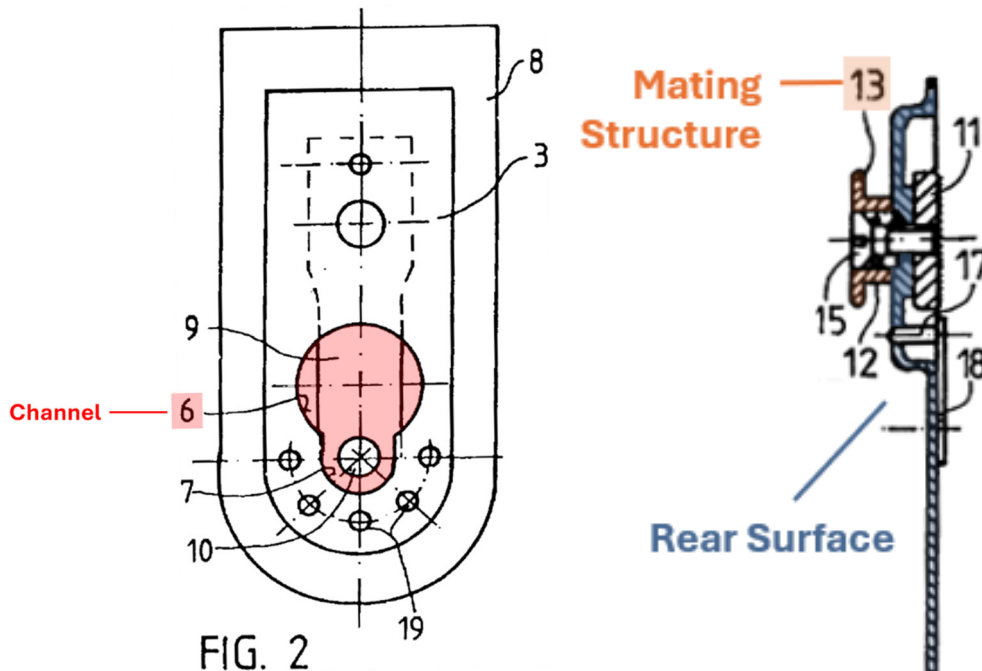
illustrated, for example, by Figure 5:



Ex-1006, 6:5-6:16, Figs 4-5; *see also id.* at 1:5-10.

- f. “a disk mating structure protruding outward from the rear surface of the body;” limitation [1E]

Albrecht discloses this limitation. Albrecht discloses a disk mating structure (“retaining flange 13”) that protrudes outward from the rear surface of the body of the tool attachment device (“pendulum bar 2”):



Ex-1006, 6:5-13, Figs. 2, 4; *see also id.* at Figs. 2, 5-6 (showing disk-shaped opening into which the disk-shaped retaining flange is inserted).

- g. “wherein the disk mating structure is configured to slidably engage the channel of the receiver,” limitation [1F]**

Albrecht discloses this limitation. Albrecht discloses that the disk mating structure (“retaining flange 13”) is configured to slidably engage the channel (“the insertion opening”) of the receiver. Ex-1006, 1:5-15; *Id.* at 6:8-13 (“The free end of the pendulum bolt 12 is closed off by a retaining flange 13, which can be pushed through the insertion opening 6 of the carrying plate 3.”). This is illustrated, for example, in Figures 4-5:

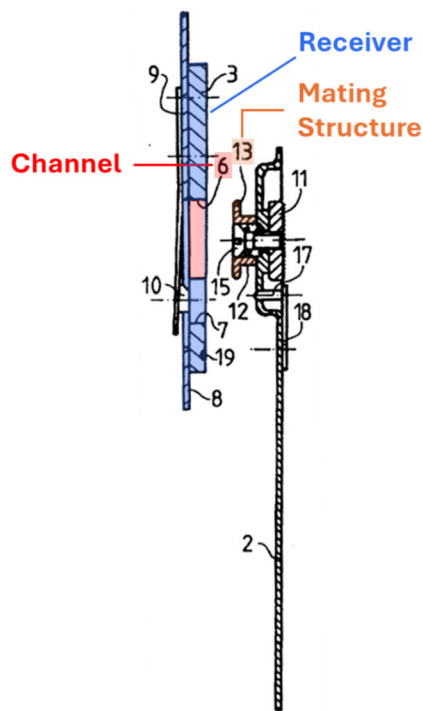


FIG. 4

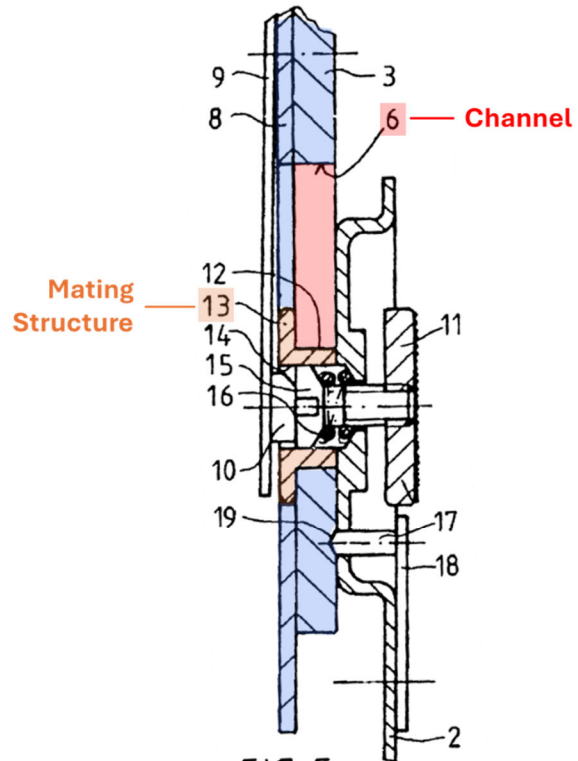
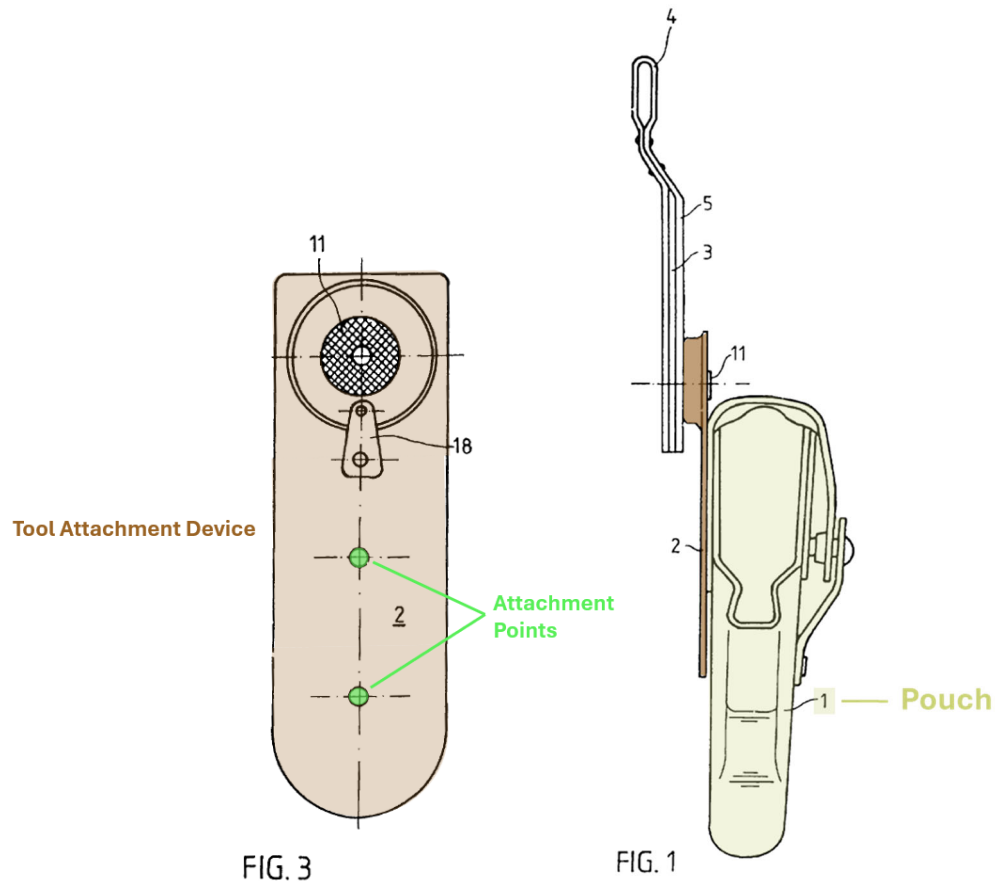


FIG. 5

*Id.* at Figs. 4-5; *see also id.* at Fig. 6.

- h. “a pouch coupled to the body of the tool attachment device, the pouch configured to support a tool; and” limitation [1G]**

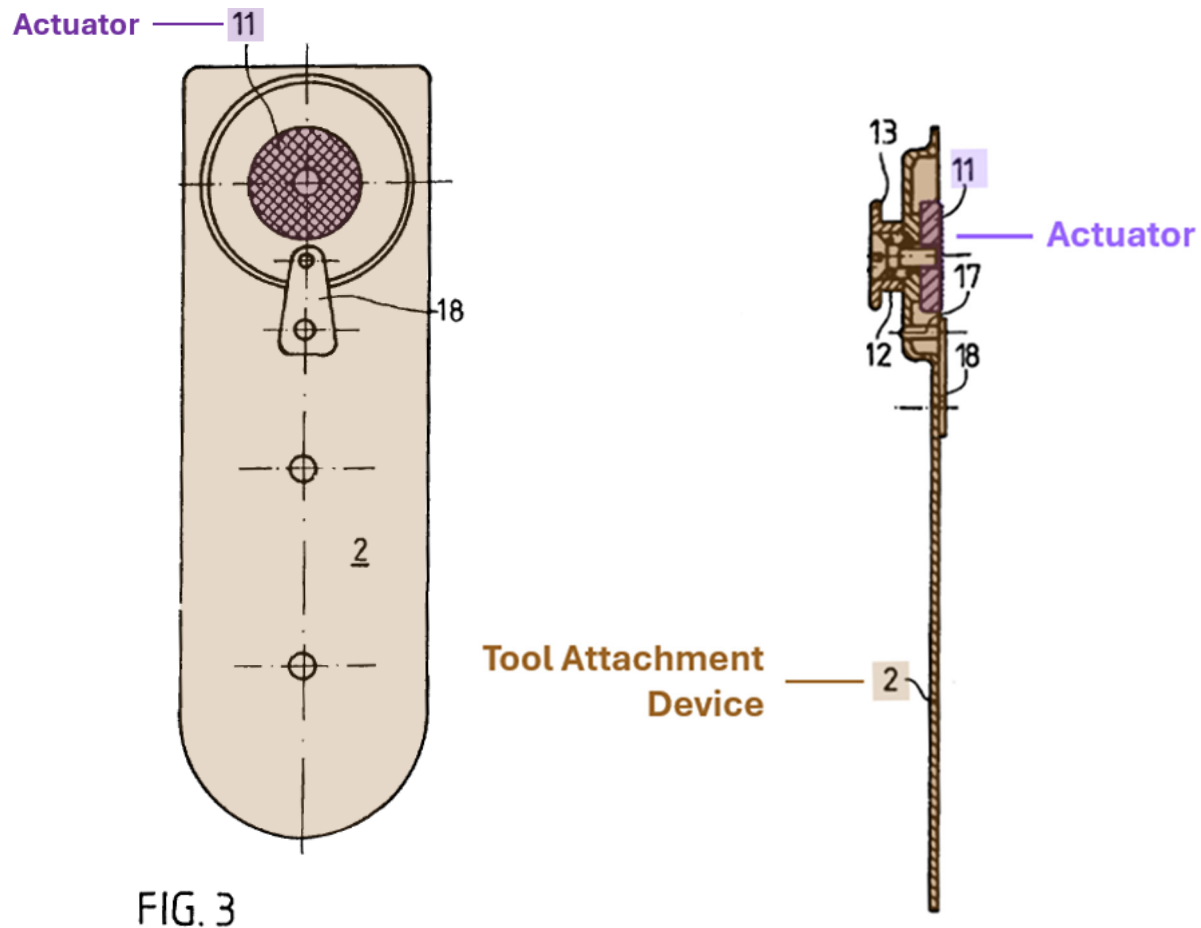
Albrecht discloses “a pouch coupled to the body of the tool attachment device, the pouch configured to support a tool.” Albrecht discloses “a pouch 1 for receiving a handgun,” which is “fastened” to the body of the tool attachment device (“pendulum bar 2”) via attachment points (“rivet holes”):



Ex-1006, 5:19-21, Figs. 1, 3; *see also id.* at 1:5-21, 6:1-3.

**i. “an actuator coupled to the tool attachment device,” limitation [1H]**

Albrecht discloses this limitation. Albrecht discloses an actuator (“push button 11”) that is coupled to the tool attachment device (“pendulum bar 2”):

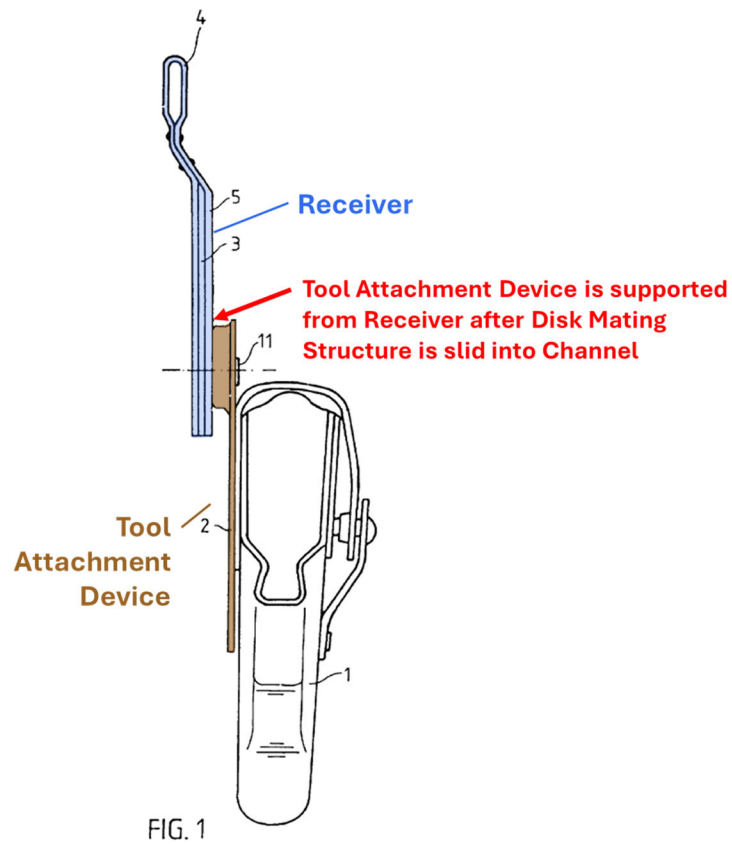
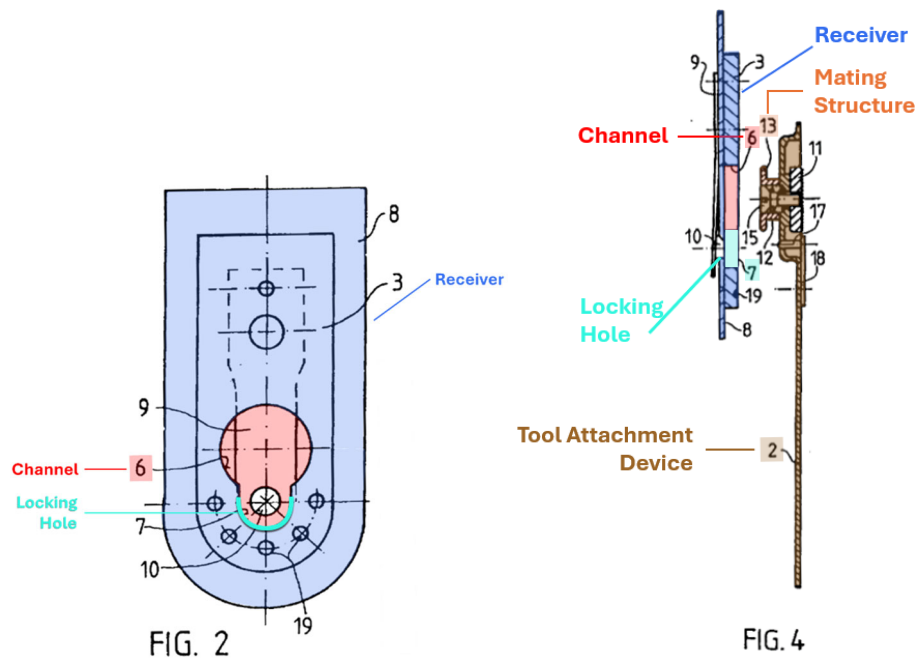


Ex-1006, 7:8-18, Fig. 3; *see also id.* at 1:5-15, 6:1-3, Figs. 4-6 (describing how “pendulum bar 2” includes “push button 11”).

- j. **“wherein the channel of the receiver is sized to slidably receive the disk mating structure such that the tool attachment device is supported from the receiver,” limitation [1I]**

Albrecht discloses this limitation. Albrecht discloses that the channel (“insertion opening 6”) is sized such that the disk mating structure (“retaining flange 13”) “can be pushed through” such that the tool attachment device (“pendulum bar 2”) is supported by the receiver. Ex-1006, 6:5-13, 7:8-18. This is illustrated, for

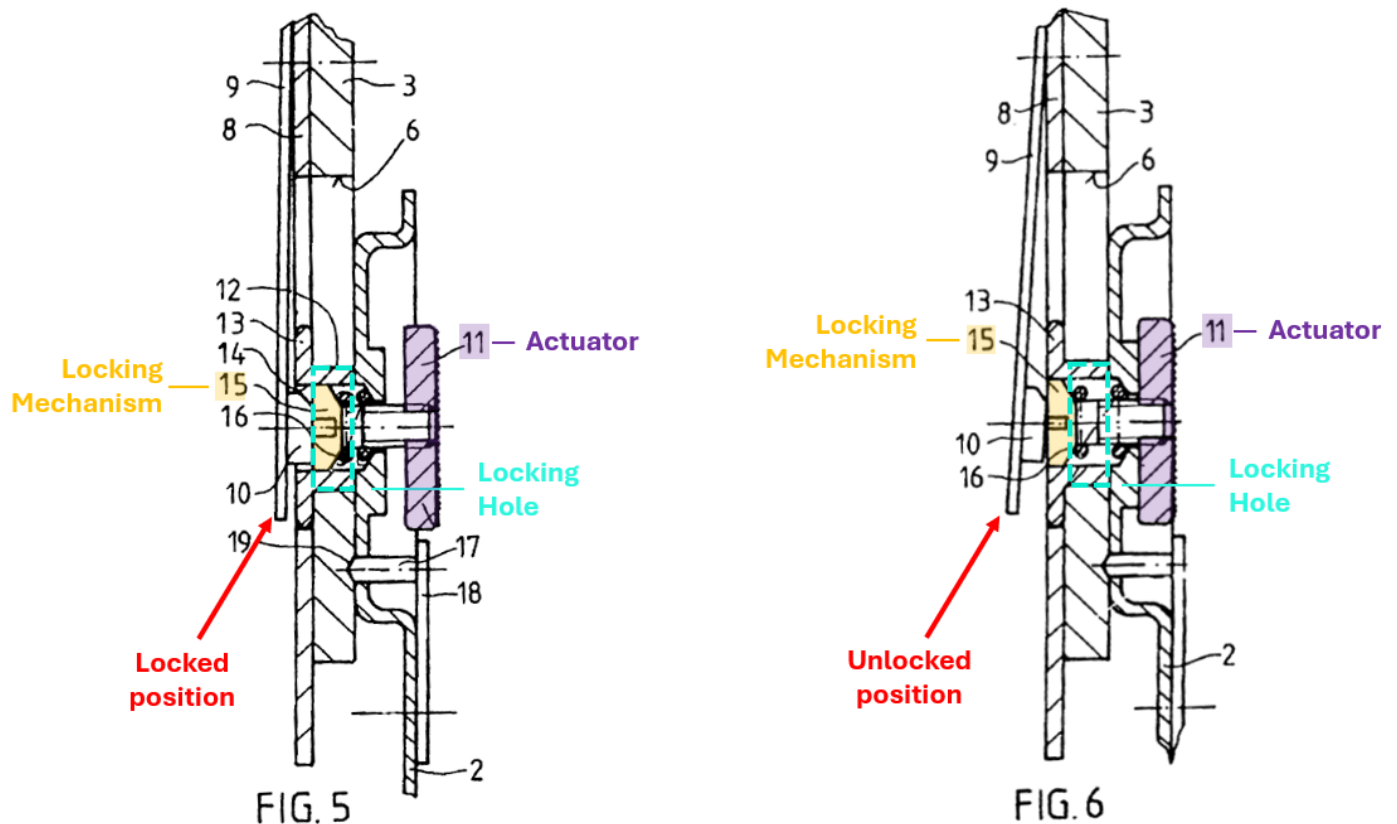
example, by Figures 1-2, and 4:



Ex-1006, Figs. 1-4.

- k. **“wherein the actuator is configured to move the locking mechanism from the locked position to an unlocked position when a force is applied to the actuator, and wherein, in the unlocked position, the locking mechanism is moved out of the locking hole in the receiver and the tool attachment device is allowed to move relative to the receiver such that the disk mating structure slides upward and out of the channel of the receiver to release the tool attachment device from the receiver” limitation [1J]**

Albrecht discloses this limitation. *First*, Albrecht discloses that the actuator (“push button 11”) is configured to move the locking mechanism (“bolt 15”) from the locked to unlocked position when “push button 11 [is] pressed.” Ex-1006, 7:8-18. Specifically, Albrecht discloses that “[t]o release the connection between carrying plate 3 and pendulum bar 2, push button 11 must be pressed in as shown in Fig. 6 so that bolt 15 pushes arresting lug 10 out of recess 14 in pendulum bolt 12 against the spring force of leaf spring 9.” *Id.* The push button moving bolt 15 from a locked to an unlocked position is illustrated in Figures 5-6:



Ex-1006, Figs. 5-6.

**Second**, as can be seen in Figure 6 above, Albrecht discloses that in the unlocked position, the locking mechanism (“bolt 15”) is moved out of the locking hole (“pendulum bearing 7”). *Id.* at 7:13-18, Fig. 6.

**Third**, Albrecht discloses that in the unlocked position, the tool attachment device (“pendulum bar 2”) “is allowed to move relative to the receiver such that the disk mating structure slides upward and out of the channel of the receiver to release the tool attachment device from the receiver,” for example, by pulling the disk mating structure (“retaining flange 13”) up and “out through the” channel (“insertion opening 6”). *Id.*

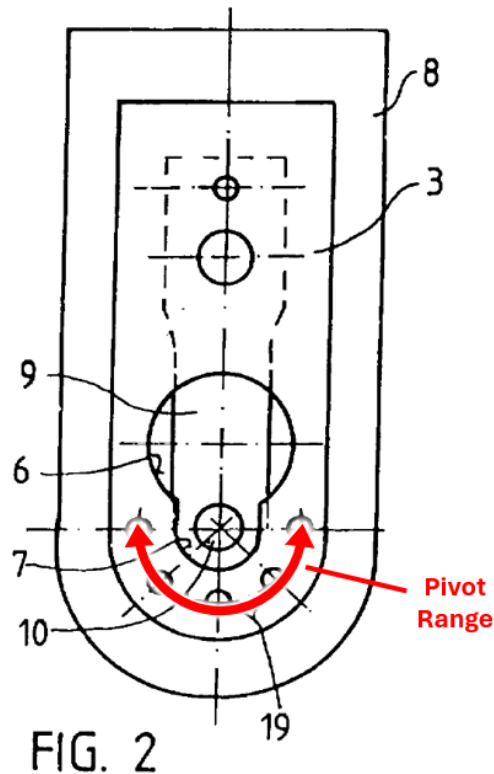
**2. Claim 2**

**a. “The tool attachment system of claim 1,”**

Albrecht anticipates claim 1. *Supra* §XII.A.1.

**b. “wherein the tool attachment device is pivotally coupled to the receiver via the engagement between the disk mating structure and the channel such that the tool attachment device pivots relative to the receiver about an axis that is perpendicular to a front face of the channel of the receiver when the locking mechanism is in the locked position.” limitation [2A]**

Albrecht discloses this limitation. Albrecht discloses that the tool attachment device (“pendulum bar”) is “detachably and pivotably fastened to the carrying plate, via the pendulum [pin’s]” disk mating structure’s (“retaining flange 13’s”) engagement with the channel (“insertion opening 6”). Ex-1006, 1:5-21, 6:5-13. Albrecht further discloses that “the tool attachment device pivots relative to the receiver about an axis that is perpendicular to a front face of the channel of the receiver when the locking mechanism is in the locked position.” For example, Albrecht discloses that the tool attachment device (“pendulum bar 2”) can pivot in “a circle concentric with the pendulum bearing 7” when in the locked position, allowing the user to “change the position of the pendulum bar 2, for example when sitting down,” as illustrated in Figure 2:



Ex-1006, Fig. 2, 7:1-6 (disclosing how the pendulum bar is provided with a “detent pin 17” that can slot into “detent recesses 19 on the carrying plate 3” that allow a user to “hold[] the pendulum bar 2 in specific angular positions relative to the carrying plate 3.”); *see also id.* at 7:19-24.

**3. Claim 12**

**a. “The tool attachment system of claim 1,”**

Albrecht anticipates claim 1. *Supra* §XII.A.1.

**b. “wherein the pouch is coupled to the tool attachment device through a plurality of attachment points.” limitation [12A]**

Albrecht discloses this limitation. For example, Albrecht discloses that the tool attachment device (“pendulum bar 2”) has “rivet holes for fastening the weapon

pouch 1,” as illustrated in Figure 3:

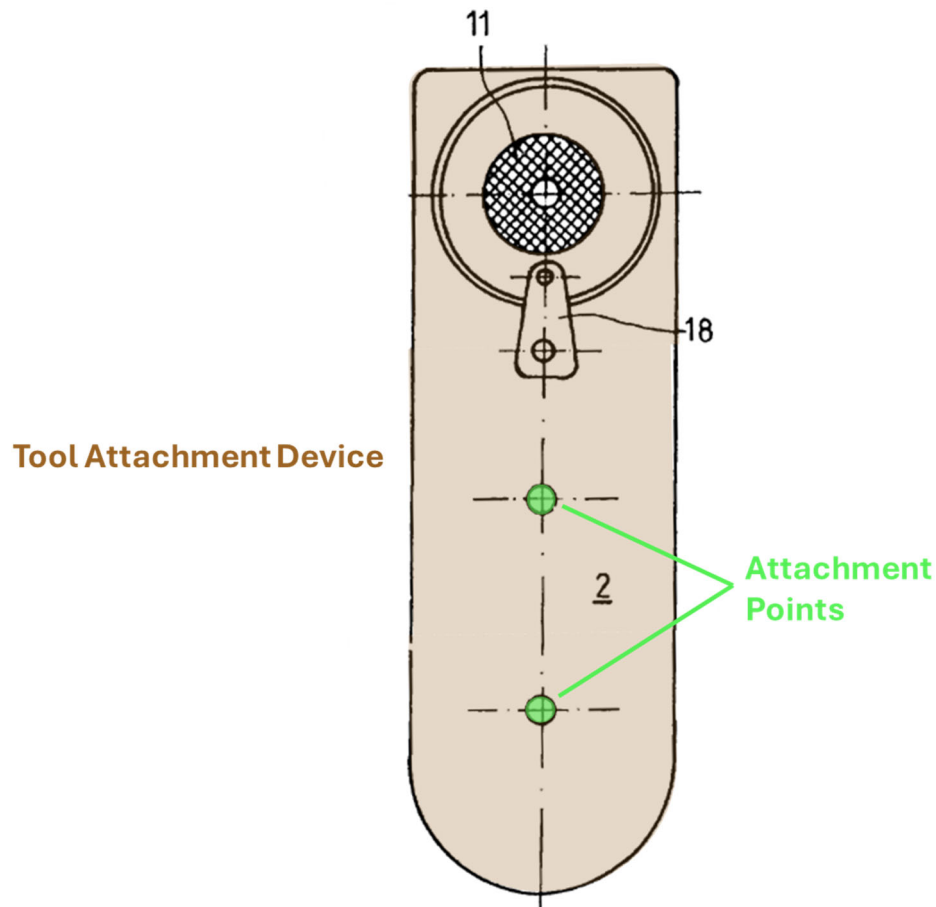


FIG. 3

Ex-1006, Fig. 3, 6:1-3; *see also id.* at Fig. 1 (pouch 1 coupled to pendulum bar 2).

**B. Ground 1B: Claims 3-9, and 16-20 Are Obvious in Light of Albrecht in Combination with Gabriel**

**1. Claim 3**

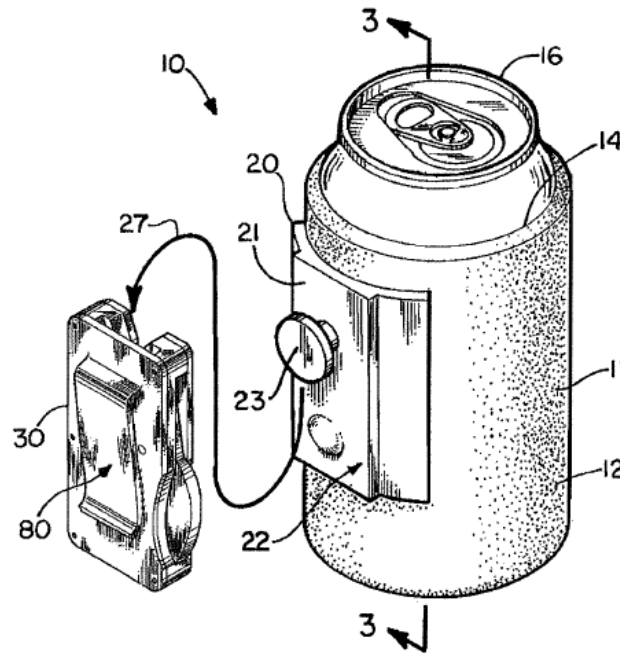
**a. “The tool attachment system of claim 1,”**

Albrecht anticipates claim 1. *Supra* §XII.A.1.

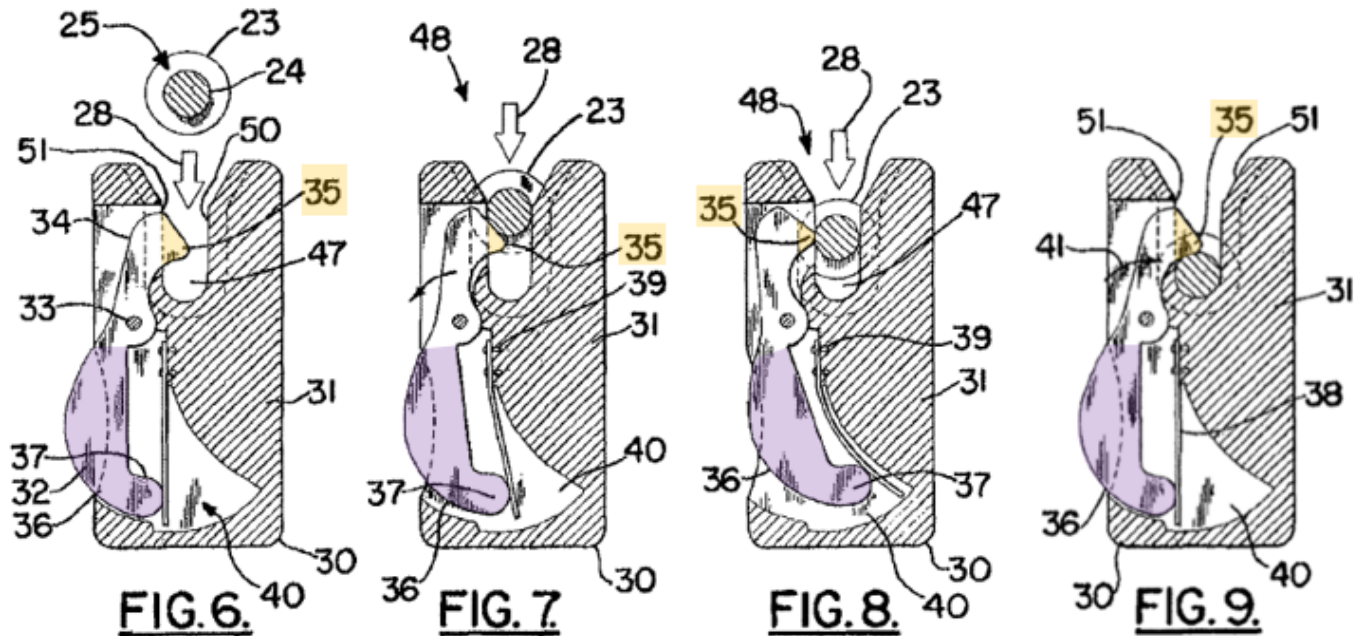
**b. “wherein the actuator is located below the disk mating structure and above the pouch.” limitation [3A]**

Albrecht in light of Gabriel renders this limitation obvious. Gabriel discloses

a “beverage carrier” that “enables a user to support a drink product (canned, bottled, etc.) at a position next to the user’s waist or hip area such as upon a belt”:

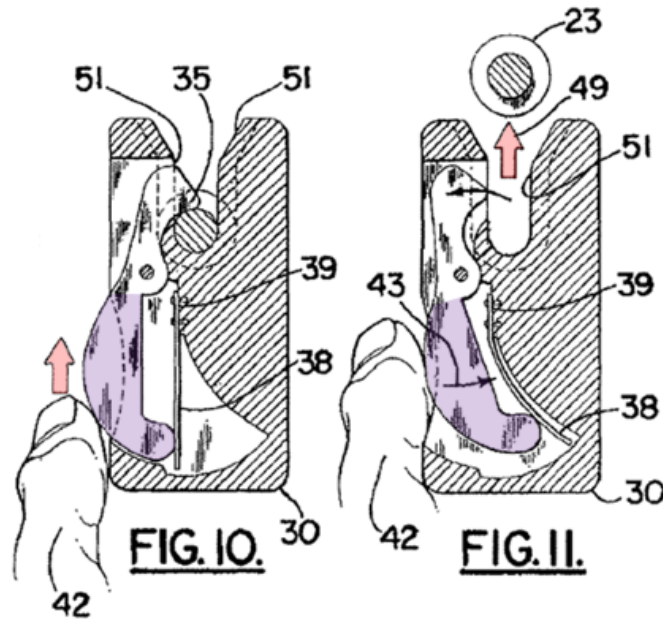


Ex-1009, Fig. 1, 1:28-54. To secure the beverage “sleeve 11” to the “receptacle 30,” Gabriel teaches the use of a “locking member 32” that comprises an actuator (“a lower end portion 36”) and “projection 35” that locks the sleeve (and thus beverage) in place when “disk or projecting member 23” is slid “into recess 47 via its open top 48”:

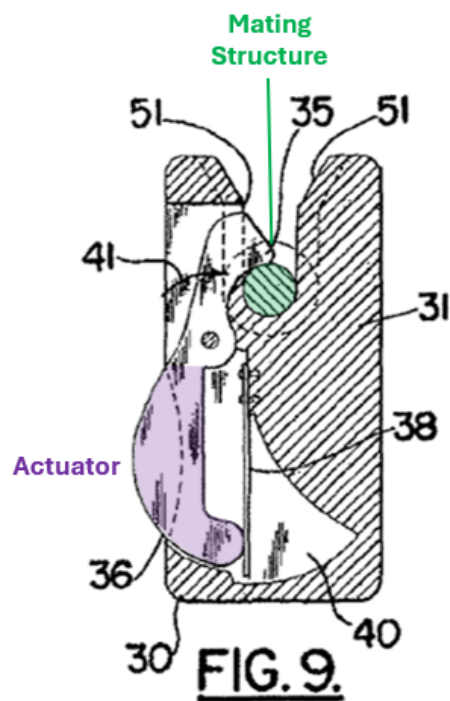


## Actuator

Ex-1009, 3:38-4:5, Figs. 6-9. “[T]o release the beverage can or other container 16 and sleeve 11 from recess 47, a user simply uses his or her finger or thumb 42 to press inwardly on the lower end portion 36 of locking member 32 in the direction of arrow 43 as shown in FIG. 11,” which causes “projecting portion 35 of locking member 32” to withdraw “from recess 47”:

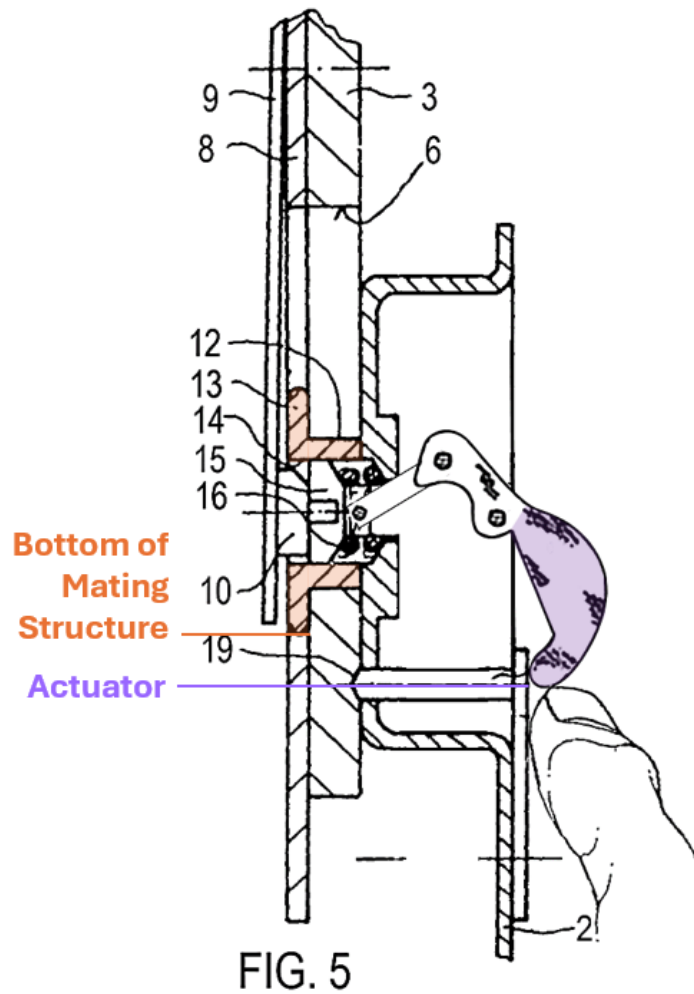


Ex-1009, 3:38-4:5, Figs. 6-11. Gabriel therefore also teaches an actuator (“lower portion 36” of “locking member 32” having) with “a lower end ... located below the mating structure”:



*Id.*, Fig. 9.

It would have been obvious to a POSA to modify the push button of Albrecht so that the actuator is “below the disk mating structure,” similar to the actuator taught by Gabriel, for example, as illustrated below:



*Id.*; Ex-1003 ¶¶53-54. Such an actuator would also be “located ... above the pouch,” for example, because Albrecht discloses that the attachment points for the pouch are well below the actuator and mating structure:

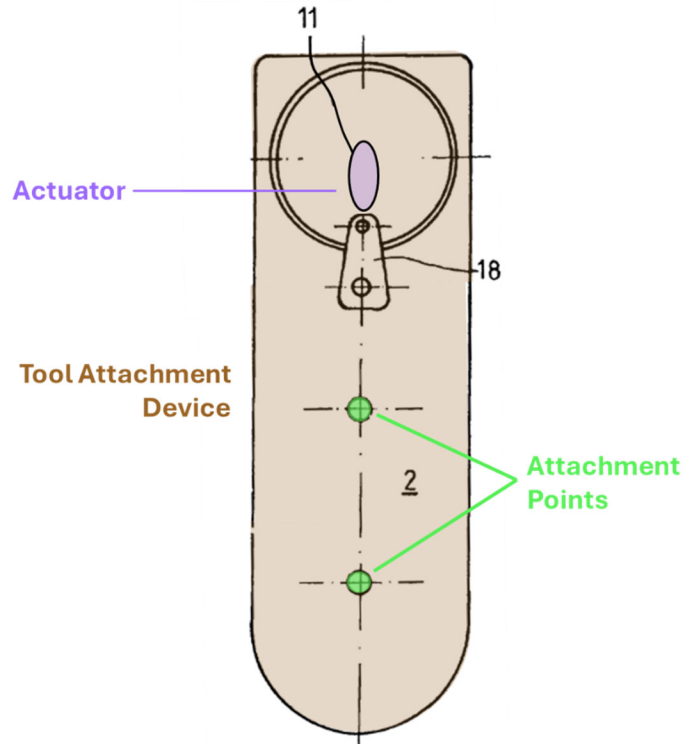
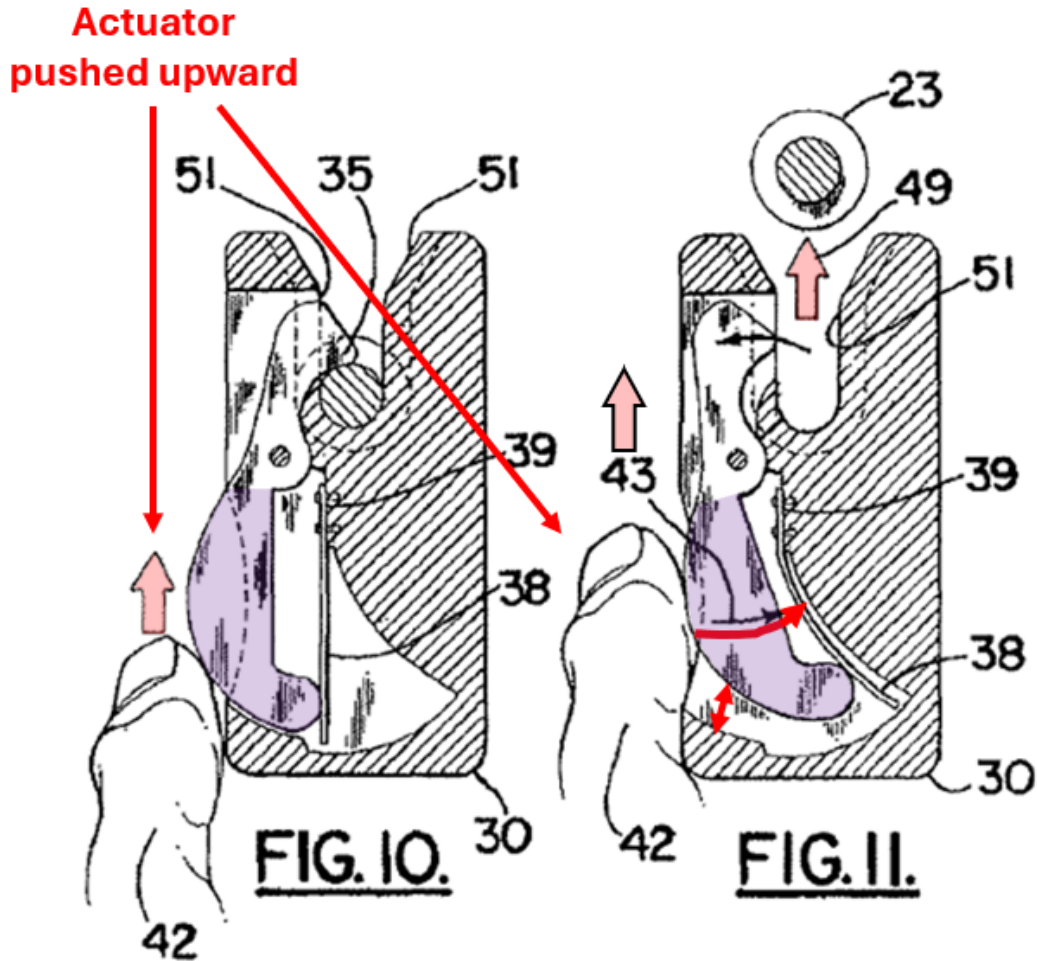


FIG. 3

Ex-1006, 6:1-3, Fig. 3 (modified); *see also id.* at Figs. 1, 3.

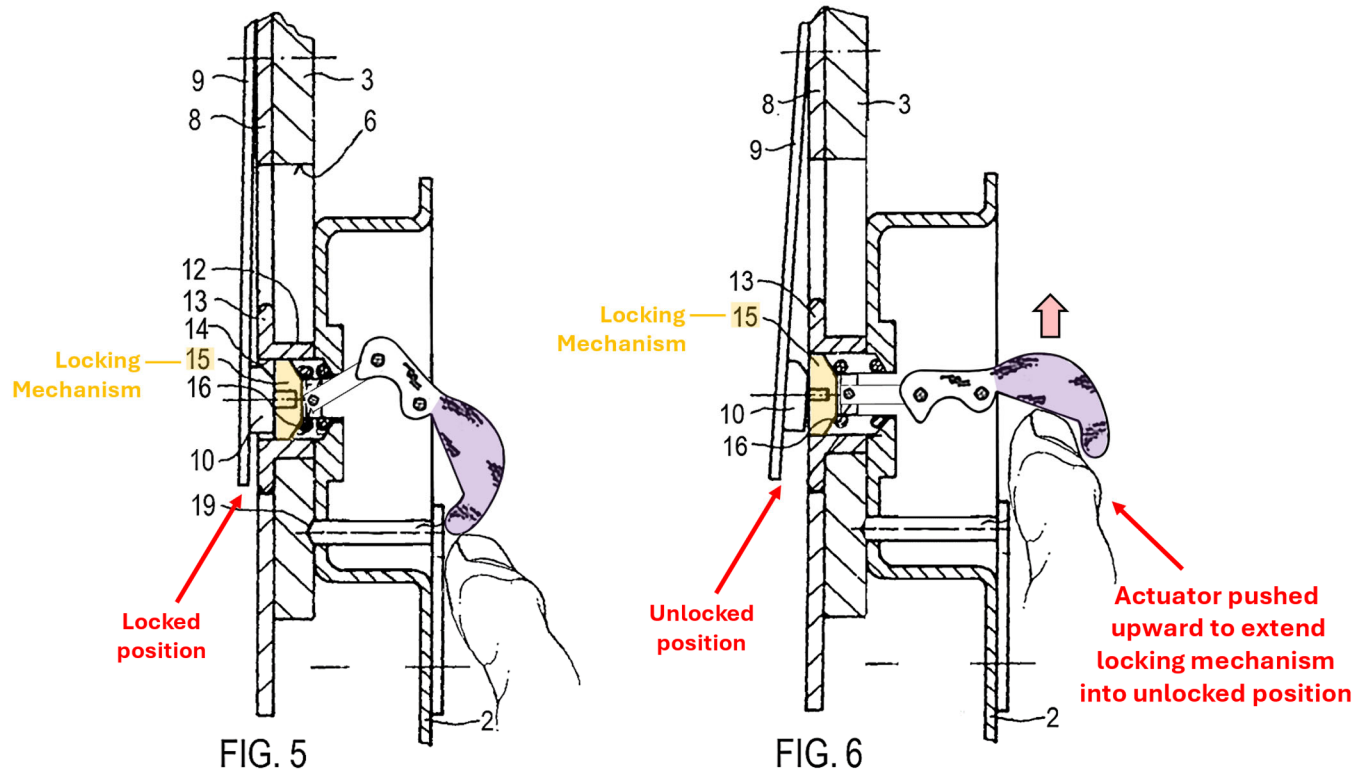
A POSA would have been motivated to make such a modification to make it easier for a user to unlock and decouple the pendulum bar and pouch from the carrying plate with a single motion, particularly with only one hand. *See* Ex-1008 at [0006], [0011]-[0014] (prior art describing why this is advantageous); Ex-1012 at [0005] (same); Ex-1003 ¶¶55, 73. For example, Gabriel discloses that the actuator (“lower end portion 36”) moves “in the direction of arrow 43 as shown in FIG. 11,” which, while described as “inwardly” is also *upward*:



Ex-1009, 3:38-4:5, Figs. 6-11. A POSA would have also looked to Gabriel because both Gabriel and Albrecht are directed toward the same purpose and solving the same problem: how to releasably attach their respective holders to a user's belt. Ex-1003 ¶¶56, 74; *see also id.* at ¶¶45-46.

A POSA would have had a reasonable expectation of success in making such a modification. Both Albrecht and Gabriel relate to detachable attachment systems for containers and a POSA would have known that whether the actuator was actuated in a clockwise or counterclockwise direction relative to the pouch was a design

choice (and both of which would result in lateral and upward movement). Ex-1003 ¶¶57, 74. It therefore would have been well within the abilities of a POSA to make such a routine modification, and a POSA would have had a high expectation of success in doing so. Ex-1003 ¶¶58, 74. For example, a POSA would understand that the same push-based actuator embodiment Gabriel disclosed would also function as a pull-based actuator utilizing the design of rotation around a pin as taught by Gabriel, as illustrated below:



Ex-1003 ¶58. And any work to connect Gabriel's actuator to Albrecht's device, such as using a linkage to connect it to Albrecht's locking mechanism or increasing the size of the space surrounding the actuator to provide sufficient room to rotate, would be a routine modification well within the skills of a POSA. Ex-1003 ¶59. *Ethicon*

*LLC v. Intuitive Surgical, Inc.*, No. 2021-1995, 2022 WL 1613188, at \*4 (Fed. Cir. May 23, 2022) (affirming Board’s finding that patent was obvious where combination “would require some modifications” but “a POSITA would know how to account for” such modifications).

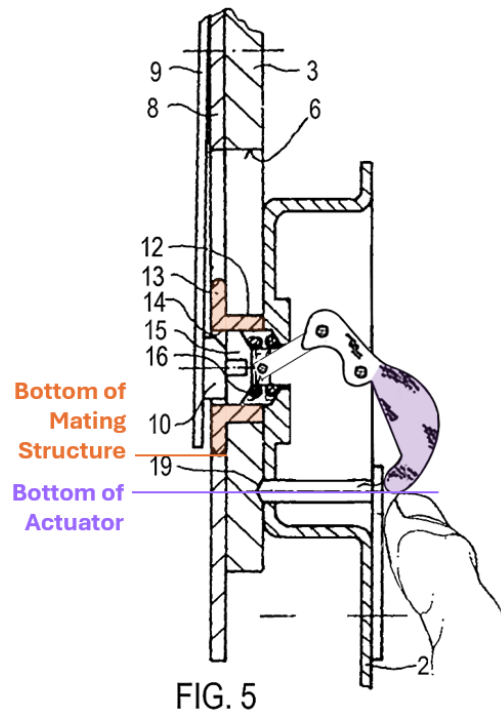
**2. Claim 4**

**a. “The tool attachment system of claim 3,”**

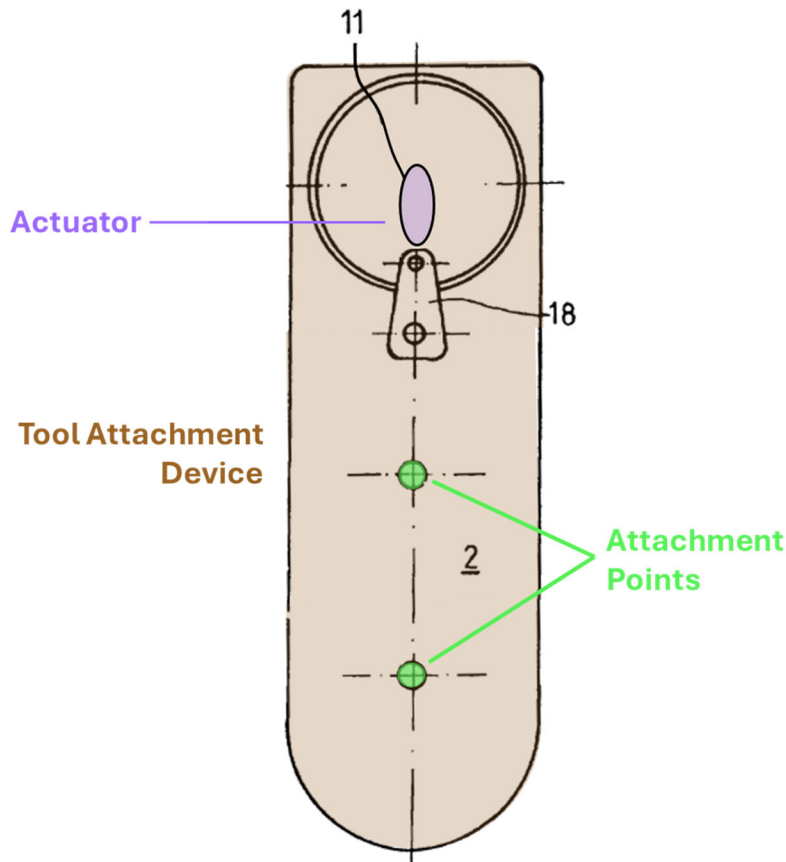
Albrecht in light of Gabriel renders obvious claim 3. *Supra* §XII.A.1.

**b. “wherein a lower end of the actuator is located below the disk mating structure and above the pouch.” limitation [4A]**

Albrecht in light of Gabriel renders this limitation obvious for the same reasons described above for claim 3. *Supra* §XII.A.1. Namely, a “lower end” of Albrecht’s modified actuator is “below the mating structure,” similar to the actuator taught by Gabriel, for example, as illustrated below:



Ex-1003 ¶¶60, 51-59, 73-74; *see also id.* at ¶¶45-46; §XII.A.1. Such an actuator would also have “a lower end of the actuator” “located ... above the pouch,” for the same reason:



§XII.A.1; Ex-1006, 6:1-3, Figs. 3 (modified); *see also id.* at Figs. 1, 3.

**3. Claim 5**

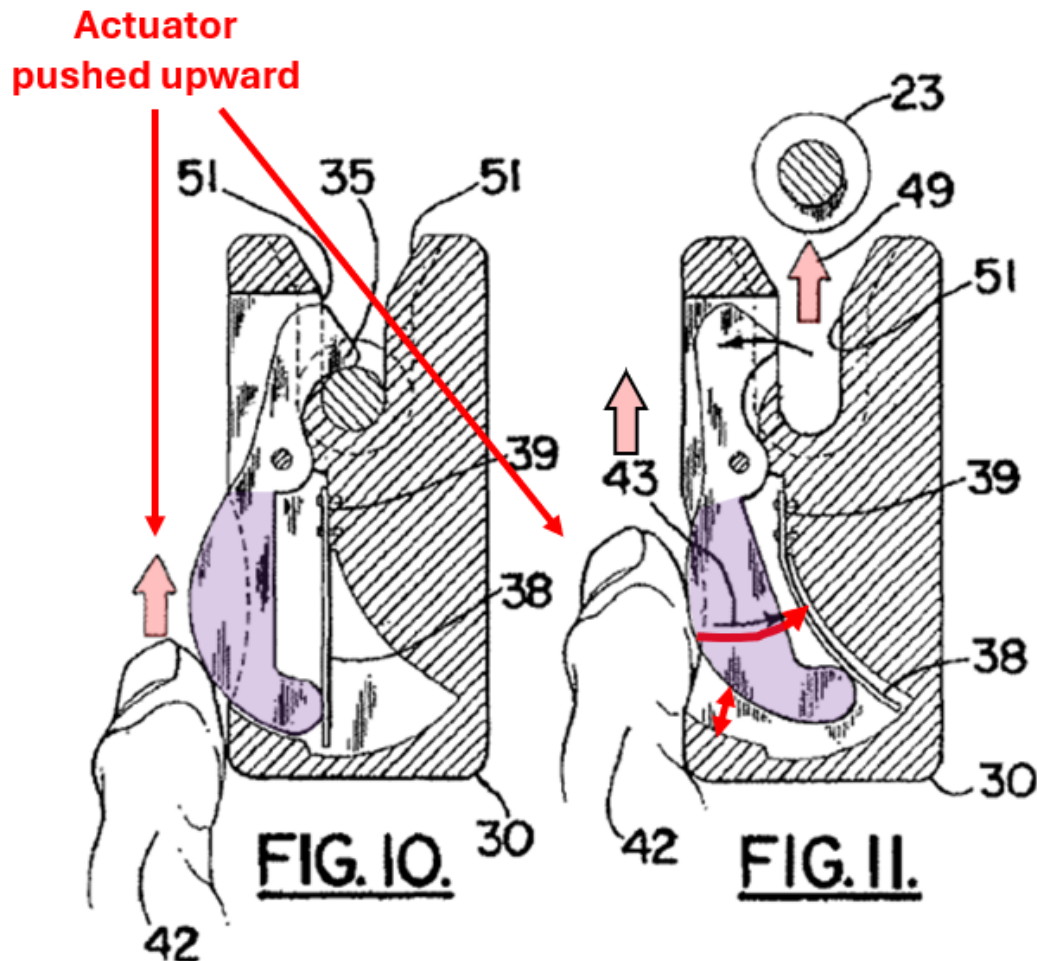
**a. “The tool attachment system of claim 1,”**

Albrecht anticipates claim 1. *Supra* §XII.A.1.

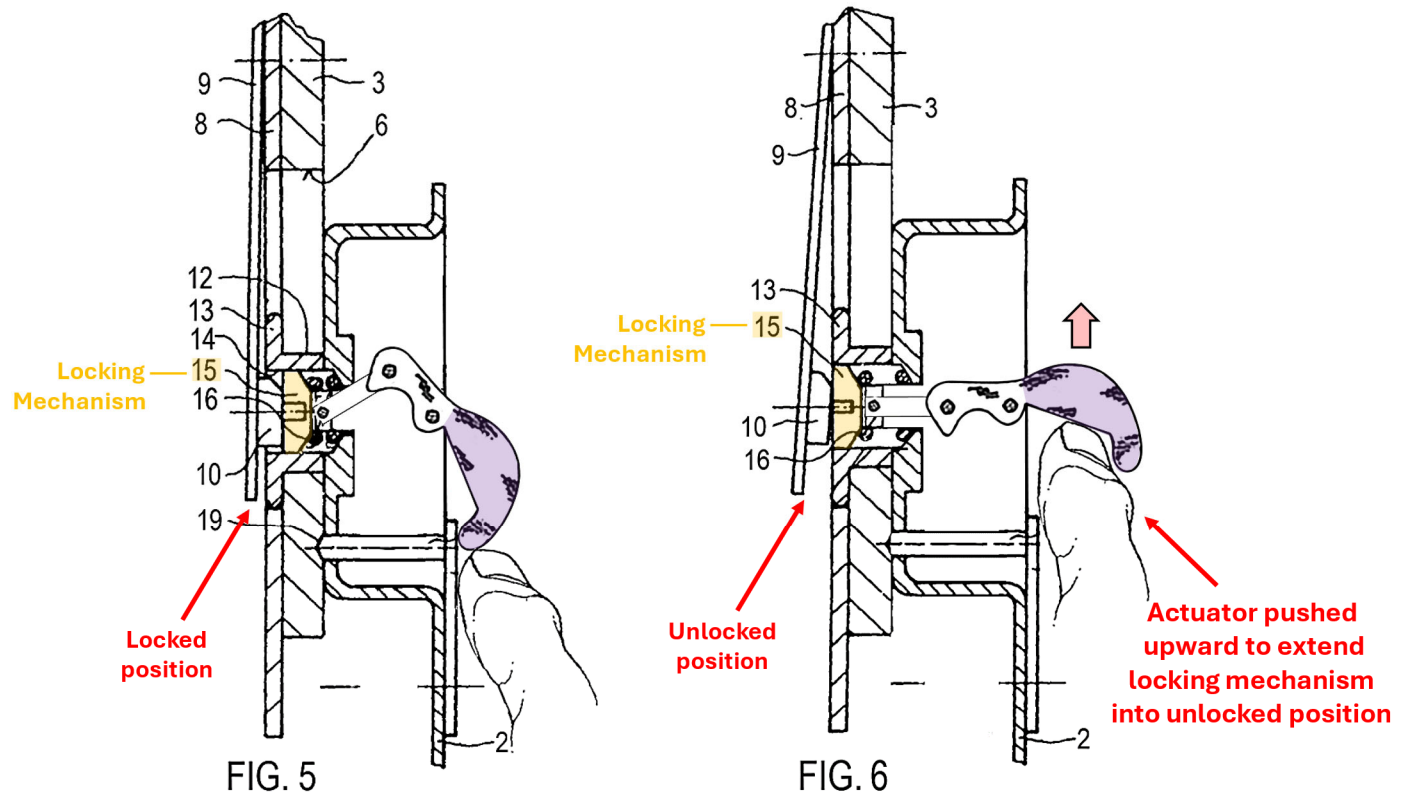
**b. “wherein the actuator moves upward relative to the pouch when the force is applied the actuator to move the locking mechanism to the unlocked position.” limitation [5A]**

Albrecht in light of Gabriel renders this limitation obvious for the same reasons describe above. *Supra* §XII.A.1-2. Namely, Gabriel discloses that the

actuator (“lower end portion 36”) moves “in the direction of arrow 43 as shown in FIG. 11,” which, while described as “inwardly” is also *upward*:



Ex-1009, 3:38-4:5, Figs. 6-11. Therefore, Albrecht, as modified in light of Gabriel, would likewise have an actuator that moves upward relative to the pouch when the force is applied the actuator to move the locking mechanism to the unlocked position, as illustrated below:



Ex-1003 ¶¶58-59, 62.

A POSA would have been motivated to make such a modification, and would have had a reasonable expectation of success in doing so, for the same reasons discussed with respect to claim 3 as well. *Supra* §XII.B.1; Ex-1003 ¶¶61-63, 51-59, 73-74; *see also id.* at ¶¶45-46.

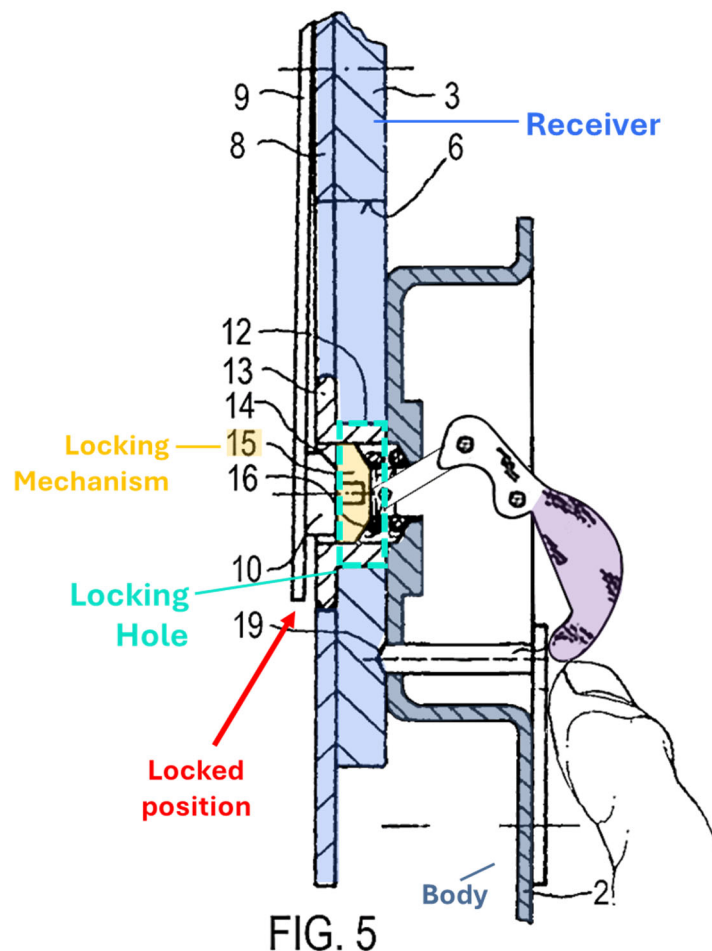
#### 4. Claim 6

##### a. “The tool attachment system of claim 5,”

Albrecht in light of Gabriel renders obvious claim 5. *Supra* §XII.B.3.

- b. “wherein the locking mechanism includes a pin protruding outward from the rear surface of the body, wherein the locking hole of the receiver receives the pin when the locking mechanism is in the locked position.” limitation [6A]

Albrecht discloses this limitation. *Supra* §XII.A.1.e. Namely, Albrecht discloses a “locking mechanism” that includes a “pin” (“bolt 15”) that protrudes outward from the rear surface of the body and into the locking hole (“pendulum bearing 7”) of the receiver when in the locked position:



*Supra* §XII.A.1.e; Ex-1006, 6:5-7:17, Figs 4-5; see also *supra* §§XII.B.1, XII.B.3 (describing Albrecht and Gabriel combination illustrated by modified figure above).

**5. Claim 7**

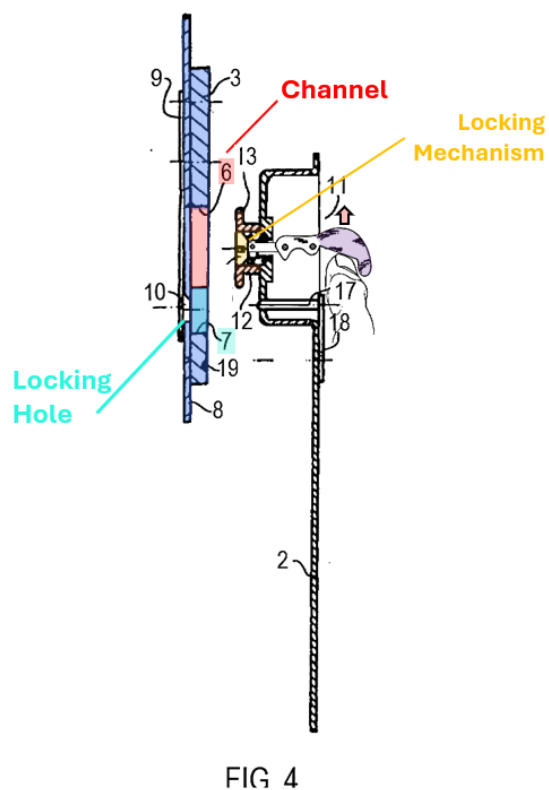
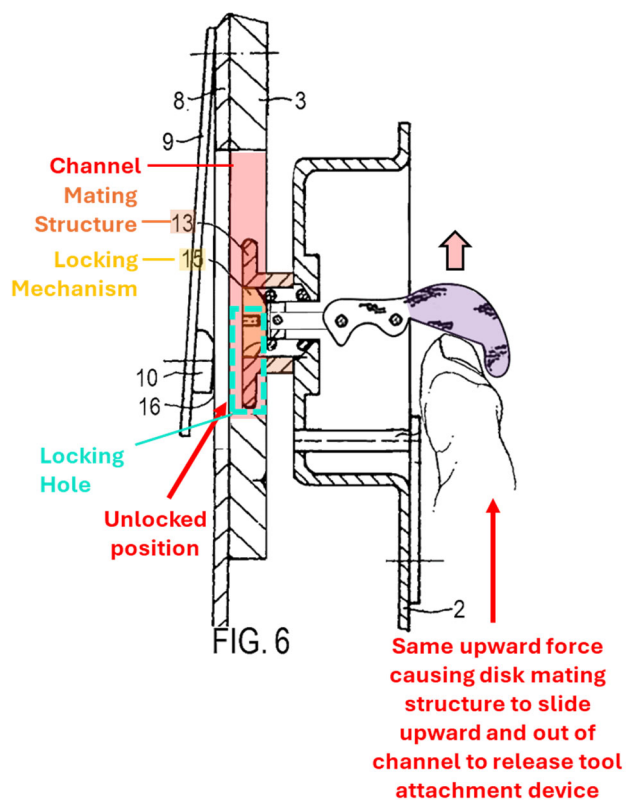
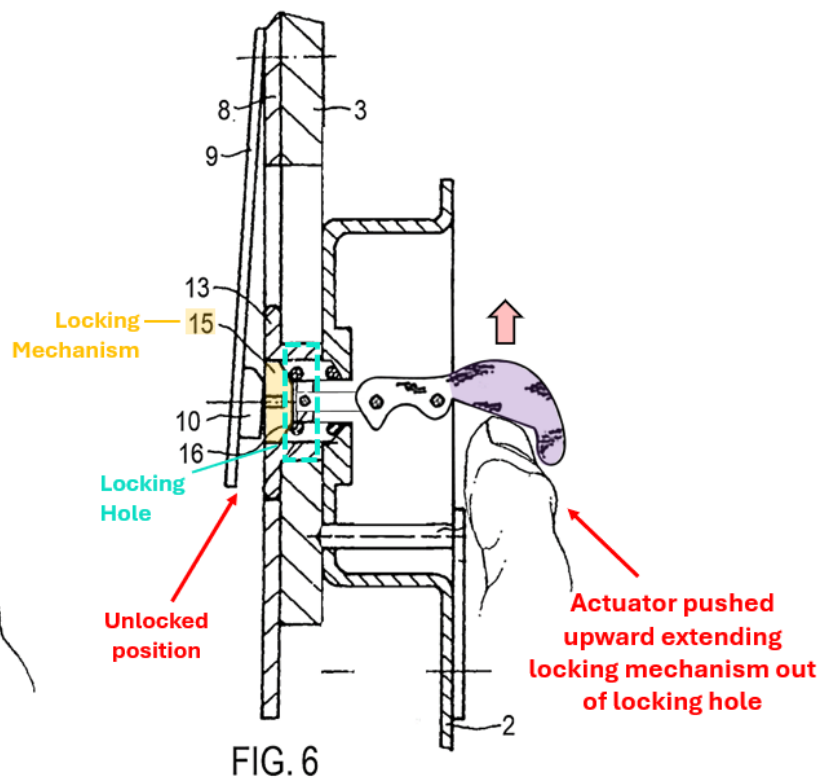
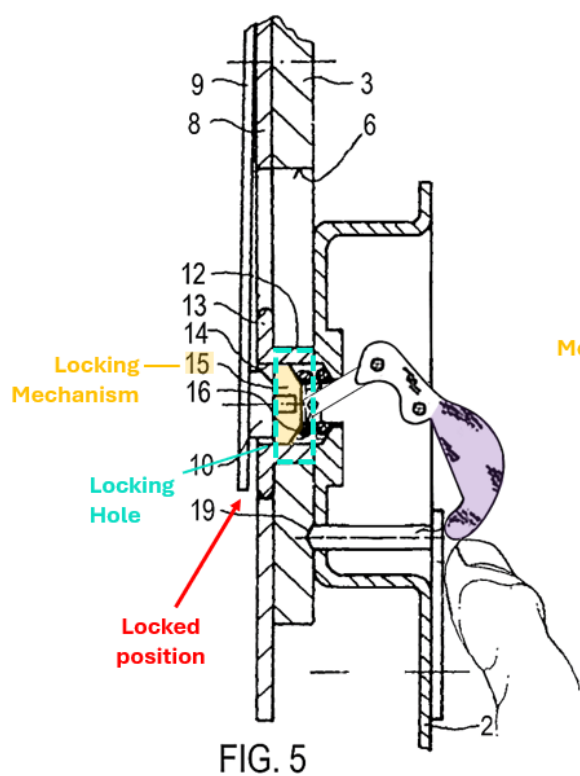
**a. “The tool attachment system of claim 6,”**

Albrecht in light of Gabriel renders obvious claim 6. *Supra* §XII.B.4.

**b. “wherein the force applied to the actuator causes both the pin to be drawn out of the locking hole of the receiver and the disk mating structure to slide upward and out of the channel of the receiver to release the tool attachment device from the receiver.” limitation [7A]**

Albrecht in light of Gabriel renders this limitation obvious. *Supra* §§XII.B.1-

3. Namely, Albrecht discloses a locking mechanism and disk mating structure. *Supra* §§XII.A.1.e., XII.A.1.f. And it would have been obvious to a POSA to modify the push button of Albrecht so that it would be pushed with an upward force, similar to the actuator taught by Gabriel, which would cause both the pin to be drawn out of the locking hole of the receiver and the disk mating structure to slide upward and out of the channel of the receiver to release the tool attachment device from the receiver when force is applied the actuator, as illustrated below:



*Supra* §§XII.B.1-3 (describing modified actuator illustrated above); Ex-1003 ¶¶64; Ex-1006, 7:8-18.

**6. Claim 8**

**a. “The tool attachment system of claim 1,”**

Albrecht anticipates claim 1. *Supra* §XII.A.1.

**b. “wherein the actuator moves in a direction parallel to the channel when the force is applied to move the actuator to the unlocked position.” limitation [8A]**

Albrecht in light of Gabriel renders this limitation obvious. *Supra* §§XII.B.1-3, 5. Namely, it would have been obvious to a POSA to modify the actuator (“push button”) of Albrecht in light of Gabriel so that it would be pushed with an upward force, which would cause it to “move[] in a direction parallel to the channel,” *i.e.*, upward. *Supra* §§XII.B.1-3, 5 (describing modified actuator); Ex-1009, 3:38-4:5, Figs. 6-9; Ex-1006, 5:19-34, Figs. 1-2 (disclosing vertical arrangement of “insertion opening 6” (“channel”)).

**7. Claim 9**

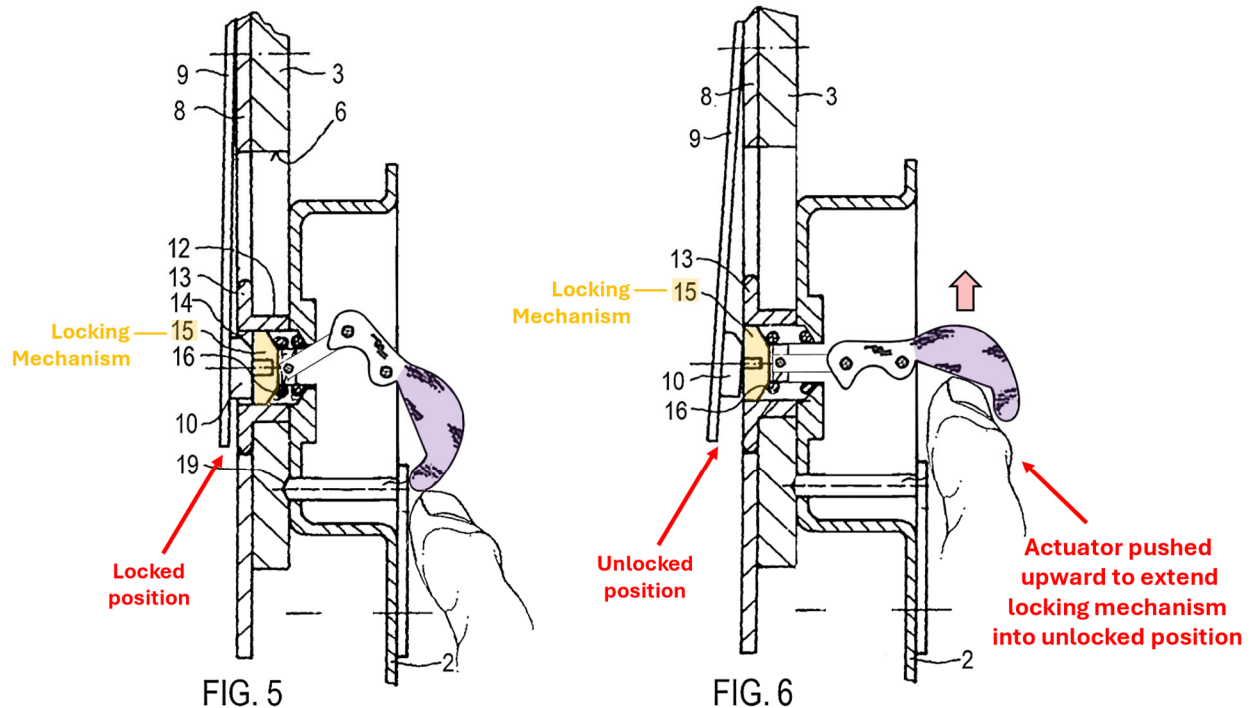
**a. “The tool attachment system of claim 8,”**

Albrecht in light of Gabriel renders obvious claim 8. *Supra* §XII.B.6.

**b. “wherein the force is an upward force applied to the actuator.” limitation [9A]**

Albrecht in light of Gabriel renders this limitation obvious. *Supra* §§XII.B.1-3. Specifically, Gabriel teaches that the actuator is pushed with an “upward[]” force

and therefore the force applied to Albrecht's modified actuator would likewise be upward, as illustrated below:



*Supra* §§XII.B.1-3; Ex-1009, 3:38-4:5, Figs. 6-11; Ex-1003 ¶65.

## 8. Claim 16

- a. “A tool attachment system, comprising:” limitation [16Pre]

Albrecht discloses this limitation. *Supra* §XII.A.1.a.

- b. “a receiver configured to attach to a belt of a user, the receiver comprising a channel,” limitation [16A]

Albrecht discloses this limitation. *Supra* §XII.A.1.b.

- c. “a tool attachment device configured to be releasably coupled to the receiver, the tool attachment device comprising,” limitation [16B]

Albrecht discloses this limitation. *Supra* §XII.A.1.c.

**d. “a body;” limitation [16C]**

Albrecht discloses this limitation for at least the reasons explained above.

*Supra* §XII.A.1.d.

**e. “a locking mechanism protruding from the body, the locking mechanism locking the tool attachment device against separation from the receiver when the locking mechanism is in a locked position; and” limitation [16D]**

Albrecht discloses this limitation for at least the reasons explained above.

*Supra* §§XII.A.1.e. Namely, Albrecht discloses a locking mechanism (“bolt 15”) that protrudes from the body, and which when pushed into the locking hole (“pendulum bearing 7”), “the arresting lug 10 of the leaf spring 9 engages in the recess 14 of the pendulum pin 12 and arrests it rotatably in the pendulum bearing 7,” thereby locking the tool attachment device (“pendulum bar 2”) against separation from the receiver when in the locked position. Ex-1006, 7:9-18.

**f. “a mating structure protruding outward from the body and configured to slidably engage the channel of the receiver;” limitation [16E]**

As explained above, “mating structure” is a means-plus-function term, that performs the function of slidably engaging the channel of the receiver via the structure of a disk. *Supra* §XI.A.2. Albrecht discloses this limitation for at least the reasons explained above. *Supra* §§XII.A.1.f, XII.A.1.g. Namely, Albrecht discloses a disk-shaped mating structure (“retaining flange 13”) that protrudes outward from

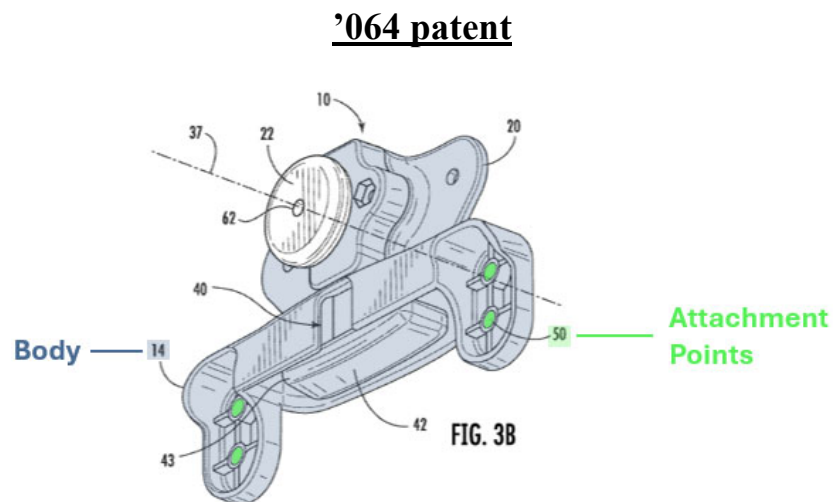
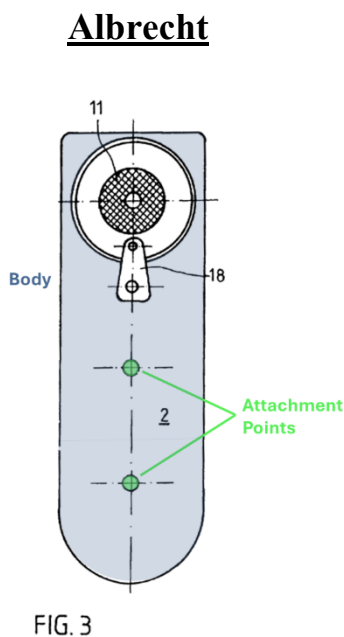
the body of the tool attachment device (“pendulum bar 2”) and is configured to slidably engage the channel of the receiver. *Id.*

- g. “an actuator coupled to the tool attachment device; and,” limitation [16F]**

Albrecht discloses this limitation. *Supra* §XII.A.1.i.

- h. “a pouch coupled below the body of the tool attachment device, the pouch configured to support a tool;” limitation [16G]**

Albrecht discloses this limitation for at least the reasons explained above. *Supra* §XII.A.1.h. Namely, Albrecht discloses that the pouch is attached via “rivet holes” toward the bottom of the body of the tool attachment device (“pendulum bar”), such that it is coupled “below the body” to the same extent as taught by the ’064 patent:



Ex-1006, Fig. 3, 6:1-3; *see also id.* at Fig. 1 (showing pouch 1 coupled to pendulum bar 2); Ex-1001, 3:26-30, 4:8-10, Figs. 3A-B.

- i. **“wherein the channel of the receiver is sized to slidably receive the mating structure such that the tool attachment device is supported from the receiver;” limitation [16H]**

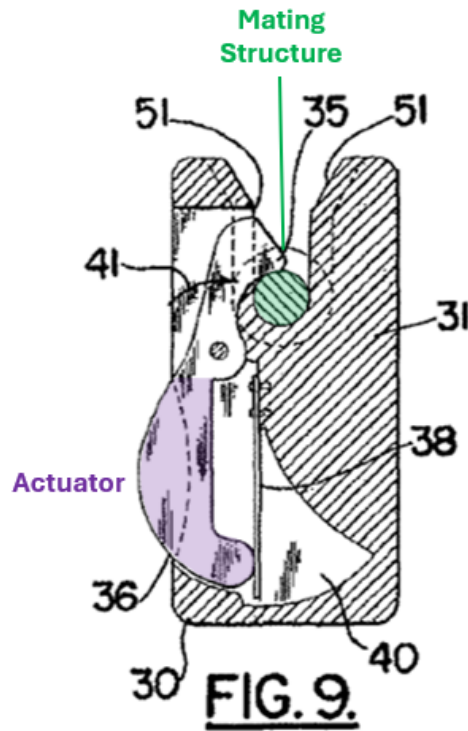
Albrecht discloses this limitation. *Supra* §XII.A.1.j.

- j. **“wherein the actuator is configured to move the locking mechanism to an unlocked position when a force is applied to the actuator, and wherein, when the locking mechanism in the unlocked position, the tool attachment device is slidable relative to the receiver such that the mating structure can move upward and out of the channel of the receiver to release the tool attachment device from the receiver;” limitation [16I]**

Albrecht discloses this limitation. *Supra* §XII.A.1.k.

- k. **“wherein a lower end of the actuator is located below the mating structure and above the pouch.” limitation [16J]**

Albrecht in combination with Gabriel renders this limitation obvious. As discussed above, Albrecht discloses an actuator (“push button 11”) that is located above “pouch 1,” *supra* §§XII.A.1.h-i, while Gabriel teaches an actuator (“a lower end portion 36” of “locking member 32”) with “a lower end ... below the mating structure”:



§§XII.B.1.b, XII.B.2.b; Ex-1009, 3:38-56, Figs. 6-11.

It would have been obvious to a POSA to modify the push button of Albrecht so that a “lower end” is “below the mating structure,” similar to the actuator taught by Gabriel, as explained above and illustrated below:

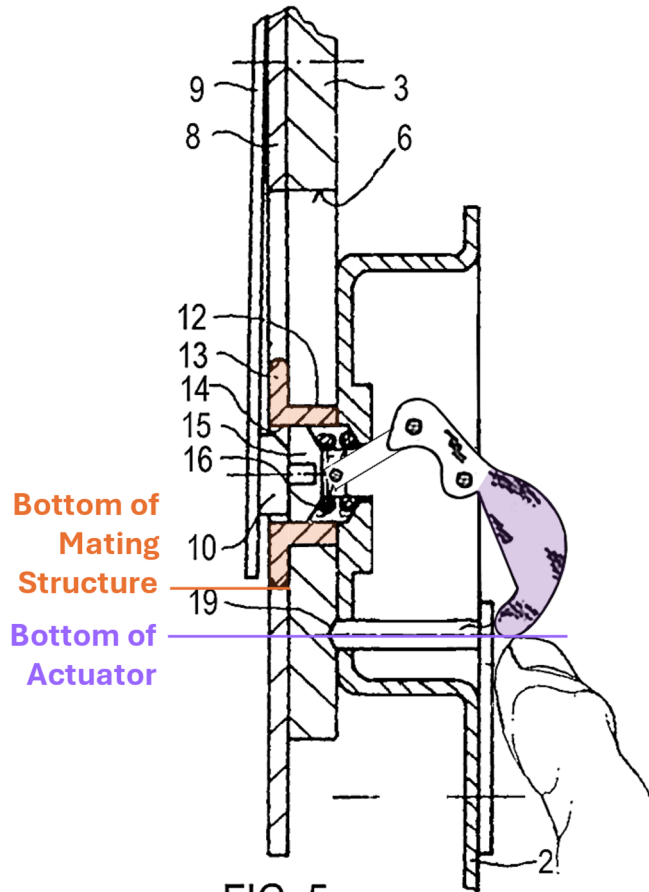


FIG. 5

§§XII.B.1-2. Such an actuator would also have “a lower end of the actuator” “located ... above the pouch,” for example, because Albrecht discloses that the attachment points for the pouch are well below the actuator and mating structure:

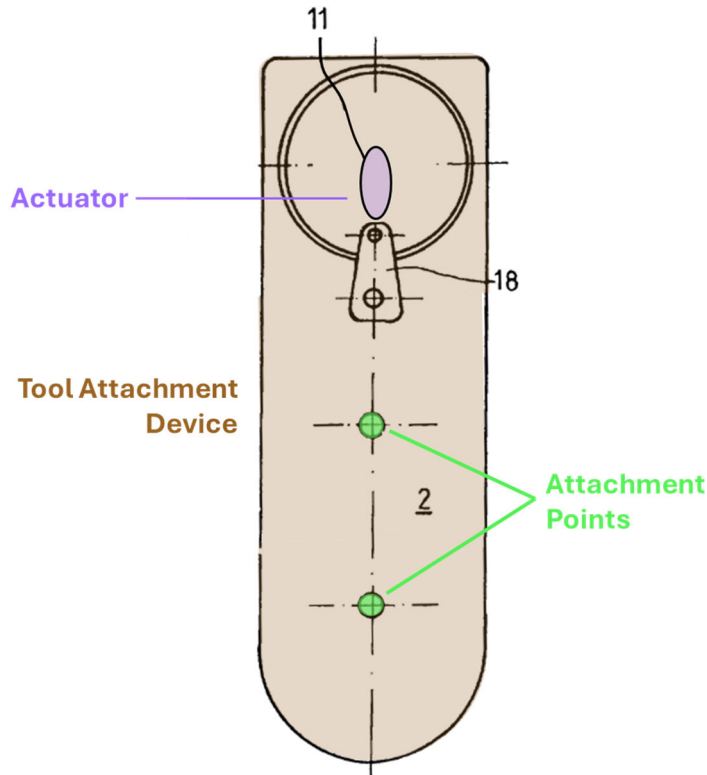


FIG. 3

Ex-1006, Fig. 3 (modified), 6:1-3; *see also id.* at Fig. 1, 4.

A POSA would have been motivated to make such a modification to make it easier for a user to unlock and decouple the pendulum bar and pouch from the carrying plate with a single motion, particularly with only one hand. *See* Ex-1008 at [0006], [0011]-[0014] (prior art describing why this is advantageous); Ex-1012 at [0005] (same); Ex-1003 ¶¶71, 73. And a POSA would have been motivated to make sure the “lower end” of the actuator was “located ... above the pouch” for a similar reason: so a user had easy access to the actuator to enable them to swiftly and easily unlock and decouple the pendulum bar and pouch from the carrying plate with a single motion. *Id.*

A POSA would have had a reasonable expectation of success in making such a modification. Both Albrecht and Gabriel relate to detachable attachment systems for containers and a POSA would have known that whether the actuator was actuated in a clockwise or counterclockwise direction relative to the pouch was a design choice (and both of which would result in lateral and upward movement). Ex-1003 ¶¶72, 74; *see also id.* at ¶¶45-46. It therefore would have been well within the abilities of a POSA to make such a routine modification, and a POSA would have had a high expectation of success in doing so, for the same reasons described above with respect to claim 3. *Supra* §XII.B.1.b; Ex-1003 ¶¶72, 74; *Ethicon*, 2022 WL 1613188 at \*4.

**9. Claim 17**

**a. “The tool attachment system of claim 16,”**

Albrecht in light of Gabriel renders obvious claim 16. *Supra* §XII.B.8.

**b. “wherein the tool attachment device is pivotally coupled to the receiver via the engagement between the mating structure and the channel such that the tool attachment device pivots relative to the receiver about an axis that is perpendicular to a front, face of the channel of the receiver when the locking mechanism is in the locked position.” limitation [17A]**

Albrecht discloses this limitation. *Supra* §XII.A.2.b.

**10. Claim 18**

**a. “The tool attachment system of claim 17,”**

Albrecht in light of Gabriel renders obvious claim 17. *Supra* §XII.B.9.

- b. “wherein the mating structure is disk shaped.” limitation [18A]**

Albrecht discloses this limitation. *Supra* §XII.A.1.f.

## **11. Claim 19**

- a. “The tool attachment system of claim 16,”**

Albrecht in light of Gabriel renders obvious claim 16. *Supra* §XII.B.8.

- b. “wherein the actuator moves upward when the force is applied to move the actuator to the unlocked position.” limitation [19A]**

Albrecht in combination with Gabriel renders this limitation obvious for the reasons described above for claims 3-5. *Supra* §§XII.B.1-3.

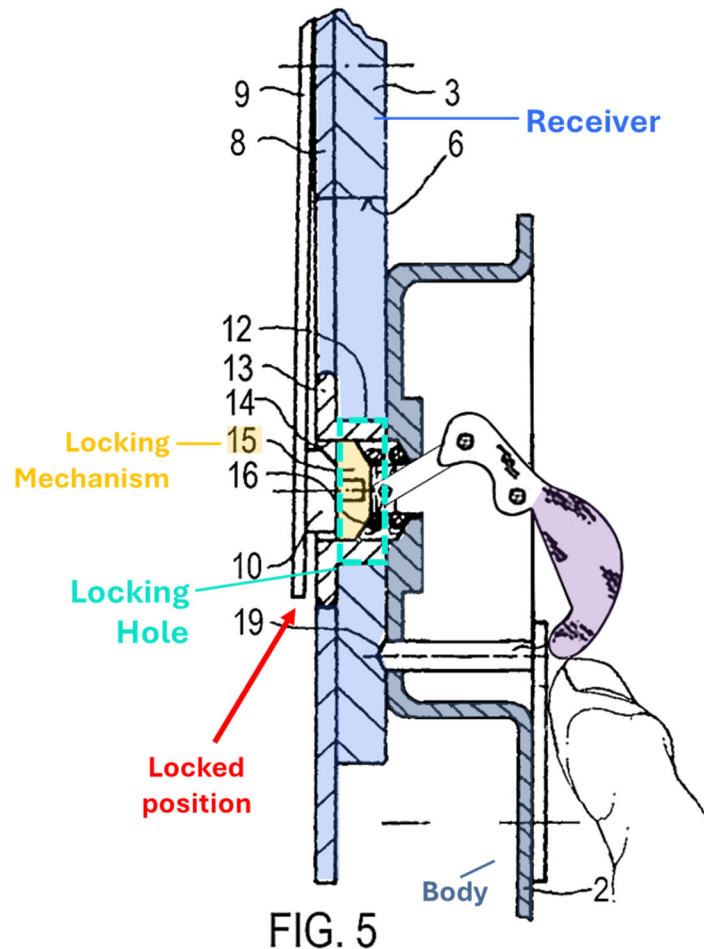
## **12. Claim 20**

- a. “The tool attachment system of claim 16,”**

Albrecht in light of Gabriel renders obvious claim 16. *Supra* §XII.B.8.

- b. “wherein the locking mechanism includes a pin protruding outward from the body, wherein the receiver includes a hole that receives the pin when the locking mechanism is in the locked position.” limitation [20A]**

Albrecht renders this limitation obvious. *Supra* §§XII.B.8.e; XII.A.1.e. Namely, Albrecht discloses a “locking mechanism” that includes a “pin” (“bolt 15”) that protrudes outward from the rear surface of the body and into the locking hole (“pendulum bearing 7”) of the receiver, when in the locked position:



*Id.*; Ex-1006, 6:5-7:17, Figs 4-5; §§XII.B.1, XII.B.3, XII.B.8.k. (describing Albrecht and Gabriel combination illustrated above).

**C. Ground 2: Claims 1-9, 12, and 16-20 Are Obvious in Light of Albrecht in Combination with Glock and Gabriel**

As discussed above, Claims 1, 2, and 12 of the '064 patent are anticipated by Albrecht, and the remaining Challenged Claims are obvious over Albrecht in light of Gabriel. However, Patent Owner has indicated that it may argue that Albrecht does not disclose the Challenged Claims because “the arresting lug 10 of the leaf spring 9 engages in the recess 14 of the pendulum pin 12 and arrests it rotatably in

the pendulum bearing 7,” as opposed to, in Patent Owner’s view, “bolt 15” traveling through a separate hole in the receiver. While Petitioner disagrees, at least because the Challenged Claims contain no such requirement, Petitioner presents this alternative ground, to demonstrate that all Challenged Claims would, at a minimum, be unpatentable for obviousness under 35 U.S.C. § 103 in view of Albrecht in combination with Glock and Gabriel, as shown below, should Patent Owner’s argument be accepted.

**1. Claim 1**

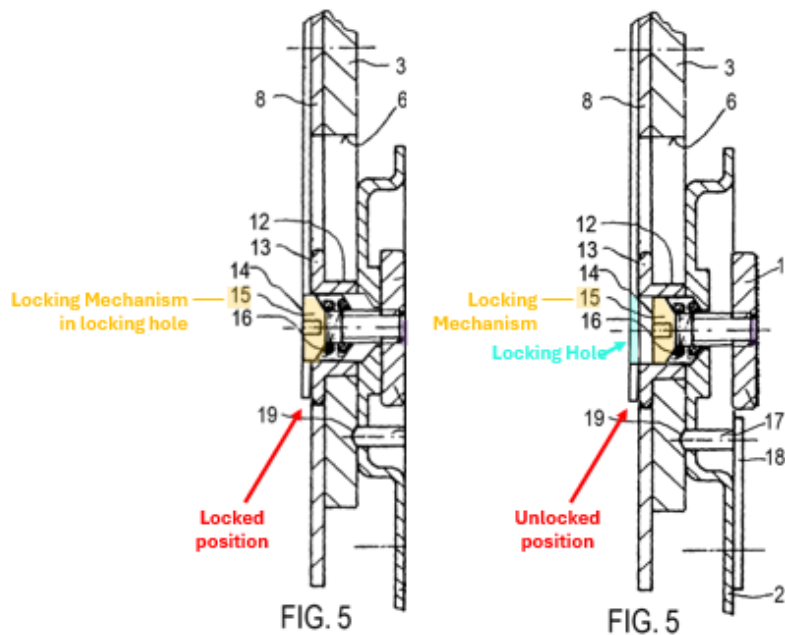
**a. “A tool attachment system” limitation [1Pre]**

Albrecht discloses this limitation. *Supra* §XII.A.1.a.

**b. “a receiver configured to attach to a belt of a user, the receiver comprising a channel and a locking hole,” limitation [1A]**

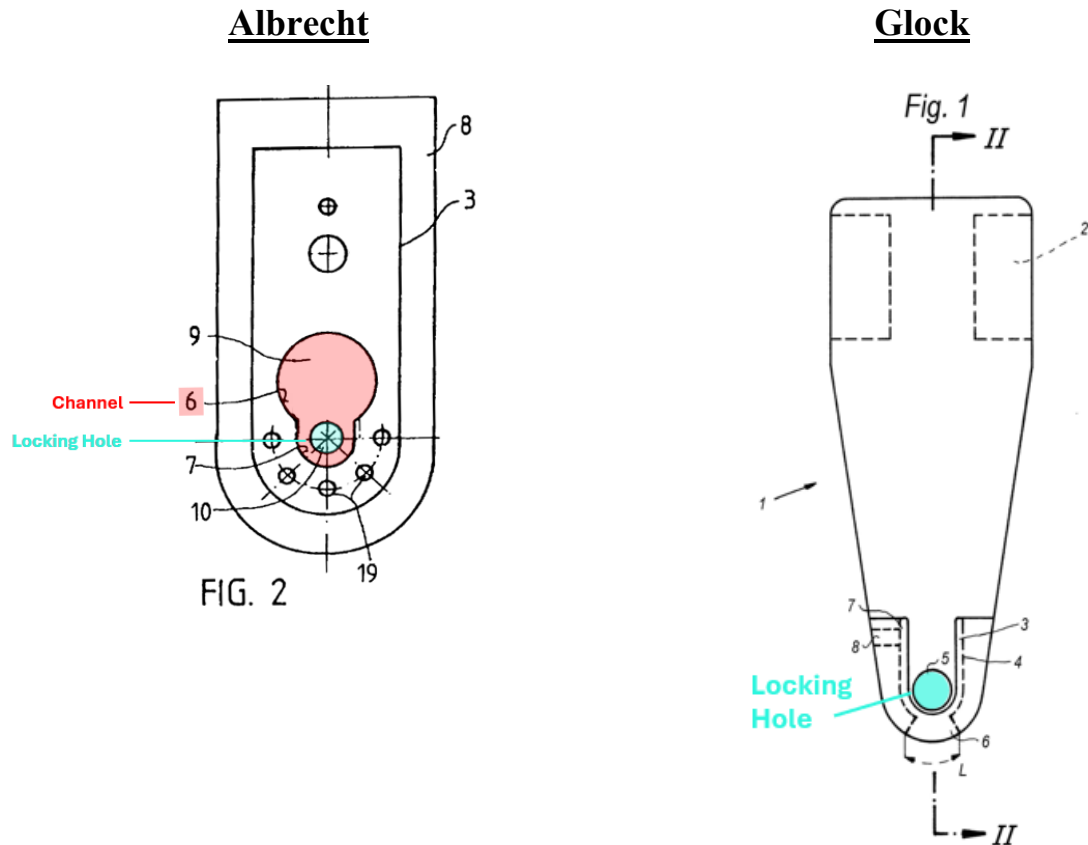
Albrecht discloses this limitation. *Supra* §XII.A.1.b. Specifically, Albrecht discloses “a receiver configured to attach to a belt of a user,” that receiver comprising “a channel” and “a locking hole.” *Supra* §XII.A.1.b. However, to the extent Patent Owner contends that Albrecht does not disclose “a locking mechanism protruding past the rear surface of the body and into the locking hole of the receiver when the locking mechanism is in a locked position,” such that it also does not disclose a “receiver comprising ... a locking hole,” Albrecht in combination with Glock renders this limitation obvious for the same reasons explained below. *Infra* §XII.C.1.e. Namely, it would have been obvious to a POSA to modify Albrecht such

that the locking mechanism (“bolt 15”) protrudes into the locking hole (a hole in the wall that replaces “leaf spring 9”) when in the locked position in light of Glock’s disclosure of button 15 protruding into (and out of) hole 5:



*Infra* §XII.C.1.e; Ex-1003 ¶¶79-80; Ex-1006 Fig.5 (modified).

As described more fully below, this obvious modification would include replacing Albrecht’s “leaf spring 9” and “arresting lug 10” with a simple wall with a hole behind “pendulum bearing 7” similar to Glock such that “bolt 15” protrudes through a hole in that wall when in the locked position:



*Infra* §XII.C.1.e; Ex-1003 ¶¶79-80.

As modified, Albrecht’s receiver would therefore have a “locking hole” at its rear, and Albrecht in combination with Glock renders this limitation obvious. *Infra* §XII.C.1.e.

- c. “a tool attachment device configured to be releasably coupled to the receiver, the tool attachment device comprising,” limitation [1B]

Albrecht discloses this limitation. *Supra* §XII.A.1.c.

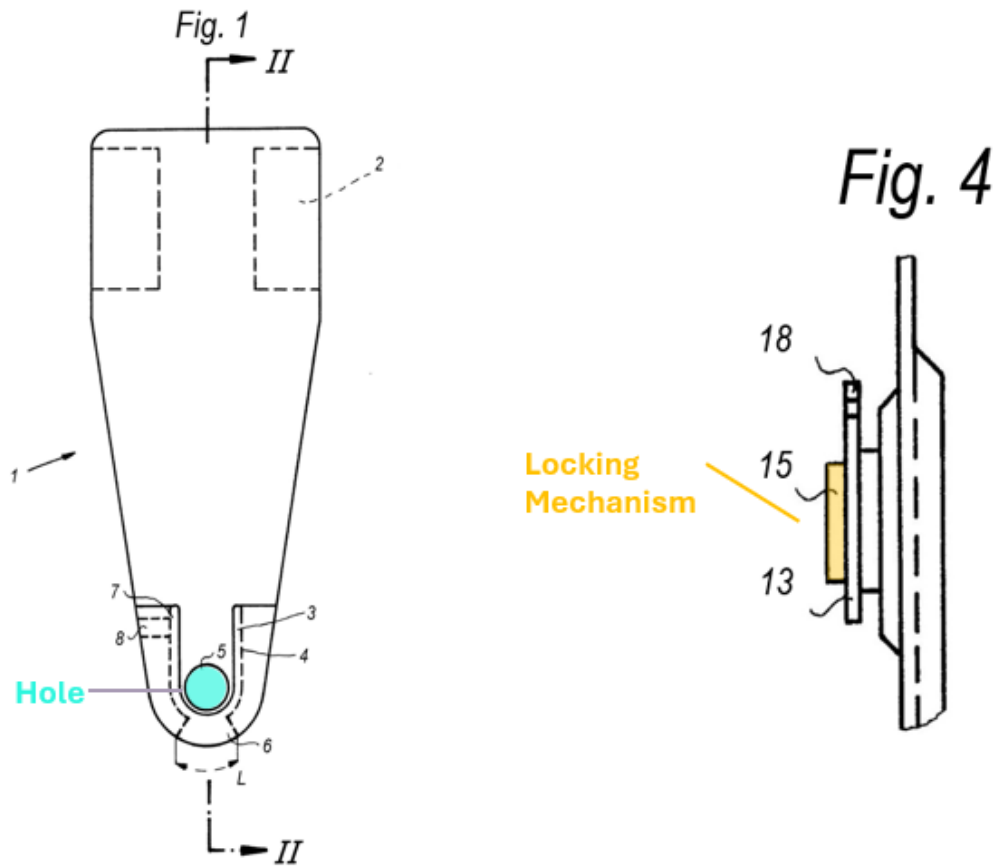
- d. “a body comprising a front surface and a rear surface;” limitation [1C]

Albrecht discloses this limitation. *Supra* §XII.A.1.d.

- e. **“a locking mechanism protruding past the rear surface of the body and into the locking hole of the receiver when the locking mechanism is in a locked position;” limitation [1D]**

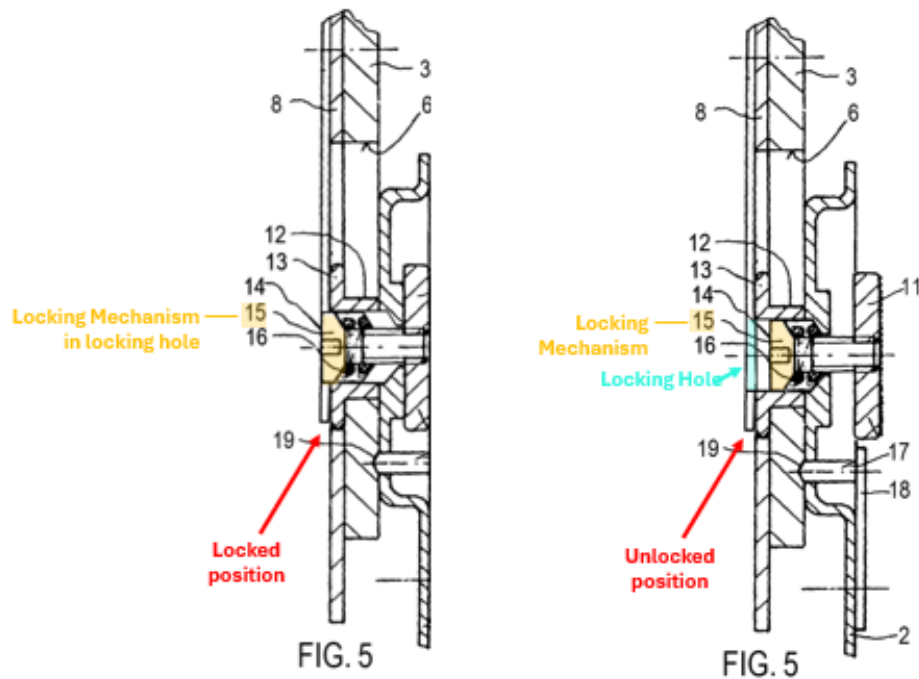
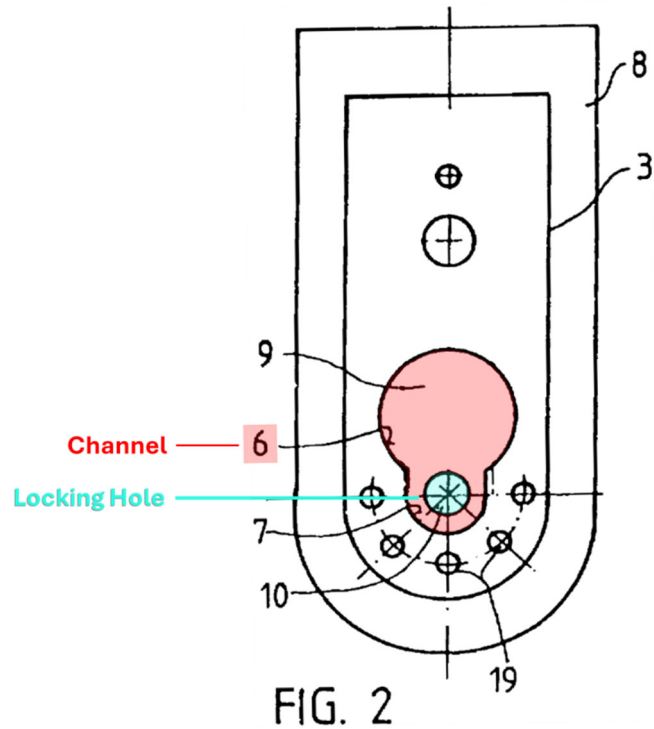
As described above, Albrecht discloses this limitation. *Supra* §XII.A.1.e. Namely, Albrecht discloses a locking mechanism (“bolt 15”) that protrudes past the rear surface of the body and into the locking hole (“pendulum bearing 7”) of the receiver when the locking mechanism is in the locked position. *Supra* §XII.A.1.e; Ex-1006, 6:5-16, Figs 4-5; *see also id.* at 1:5-10. However, to the extent Patent Owner contends that Albrecht does not disclose this limitation because “the arresting lug 10 of the leaf spring 9 engages in the recess 14 of the pendulum pin 12 and arrests it rotatably in the pendulum bearing 7,” (Ex-1006, 7:8-18) Albrecht in combination with Glock discloses this limitation.

Glock discloses “a holster for a handgun with a weapon part and a belt part.” Ex-1011, 2:1. Glock teaches that a user connects the “weapon part” to the “belt part” by “mov[ing] the guide plate into the lower part of the U, *where the button [15] protrudes into the hole* --5-- under the action of the spring. This connects and secures the two parts.” Ex-1011,4:4-7. This is illustrated, for example, in Figures 1 and 4:



Ex-1011, Figs. 1, 4; *see also id.* at Figs. 2-3. Glock further discloses “[t]o disconnect, press the button out of the hole.” *Id.* at 4:4-10.

It would have been obvious to a POSA to modify Albrecht so that “bolt 15” protrudes into a hole in the back of Albrecht’s receiver, similar to Glock’s disclosure of button 15 protruding into hole 5. Specifically, it would have been obvious to a POSA to replace Albrecht’s “leaf spring 9” and “arresting lug 10” with a simple wall with a hole behind “pendulum bearing 7” similar to Glock such that “bolt 15” protrudes through a hole in that wall when in the locked position:



Ex-1003 ¶79; Ex-1006 Figs. 2, 5 (modified).

A POSA would have been motivated to make such a modification to remove the need for a leaf spring. Ex-1003 ¶¶80, 111. Albrecht describes how “[d]ue to the

necessary length of the leaf spring, the distance between the fastening of the carrying device and the weapon is relatively large,” resulting in the holster “perform[ing] disruptive swinging and pendulum movements when walking,” and one objective of its invention is to “shorten[] the leaf spring and the carrying plate, [such that] the overall distance between the weapon pouch and the fastening of the carrying plate to the belt is reduced, so that the pendulum length between the belt fastening and the weapon is also reduced and the weapon performs significantly less disruptive swinging and pendulum movements when the weapon carrier moves.” Ex-1006, 2:1-22. A POSA would therefore have been motivated by Albrecht’s desire to reduce the size of the leaf spring to remove it completely and modify Albrecht’s locking mechanism in light of Glock. Ex-1003 ¶¶80, 111.

And a POSA would have had a reasonable expectation of success in making such a modification. Both Albrecht and Glock relate to detachable attachment systems for pouches, and gun holsters specifically, and a POSA would have known that whether the pendulum bar and carrying plate are secured by an “arresting lug” from the leaf spring or by “bolt 15” passing through a hole in the back of the receiver is a design choice. Ex-1003 ¶¶81-82, 112. Moreover, Albrecht teaches that “coil spring 16” can be connected to “bolt 15” that “presses the bolt against the arresting lug,” or hole as modified, “in the arrested position.” Ex-1006, 3:9-19. A POSA would understand that this is similar to Glock’s disclosure of how “button 15” “is

pressed outwards under the action of a spring” and “protrudes into the hole --5-- due to the force of the spring,” and include such a spring in this modification. Ex-1011,3:23-30; Ex-1003 ¶¶79, 81-82. It therefore would have been well within the abilities of a POSA to make such a routine modification, and a POSA would have had a high expectation of success in doing so. Ex-1003 ¶¶82, 112; *Ethicon*, 2022 WL 1613188 at \*4 (affirming Board’s finding that patent was obvious where combination “would require some modifications” but “a POSITA would know how to account for” such modifications).

**f. “a disk mating structure protruding outward from the rear surface of the body;” limitation [1E]**

Albrecht discloses this limitation. *Supra* §XII.A.1.f.

**g. “wherein the disk mating structure is configured to slidably engage the channel of the receiver,” limitation [1F]**

Albrecht discloses this limitation. *Supra* §XII.A.1.g.

**h. “a pouch coupled to the body of the tool attachment device, the pouch configured to support a tool; and” limitation [1G]**

Albrecht discloses this limitation. *Supra* §XII.A.1.h.

**i. “an actuator coupled to the tool attachment device,” limitation [1H]**

Albrecht discloses this limitation. *Supra* §XII.A.1.i.

- j. **“wherein the channel of the receiver is sized to slidably receive the disk mating structure such that the tool attachment device is supported from the receiver,” limitation [1I]**

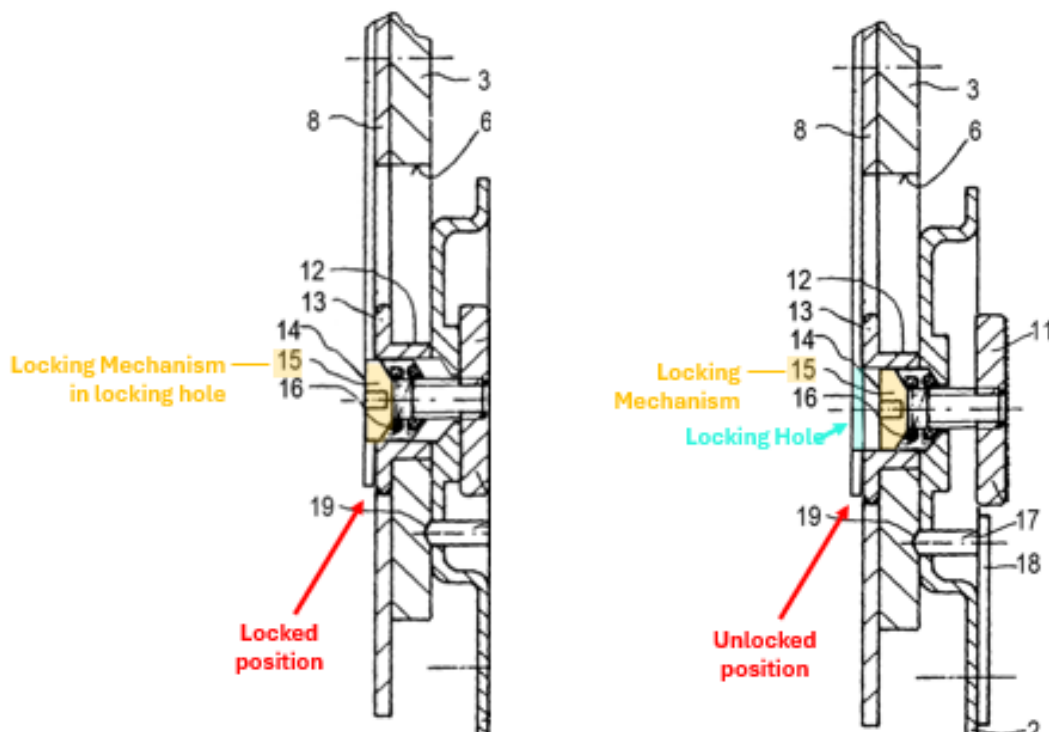
Albrecht discloses this limitation. *Supra* §XII.A.1.j.

- k. **“wherein the actuator is configured to move the locking mechanism from the locked position to an unlocked position when a force is applied to the actuator, and wherein, in the unlocked position, the locking mechanism is moved out of the locking hole in the receiver and the tool attachment device is allowed to move relative to the receiver such that the disk mating structure slides upward and out of the channel of the receiver to release the tool attachment device from the receiver” limitation [1J]**

Albrecht discloses this limitation. *Supra* §XII.A.1.k. Specifically, Albrecht discloses an actuator “configured to move the locking mechanism from the locked position to an unlocked position when a force is applied to the actuator,” and “the tool attachment device is allowed to move relative to the receiver such that the disk mating structure slides upward and out of the channel of the receiver to release the tool attachment device from the receiver.” *Supra* §XII.A.1.k. But to the extent Patent Owner contends that Albrecht does not disclose “a locking mechanism protruding past the rear surface of the body and into the locking hole of the receiver when the locking mechanism is in a locked position,” such that it also does not disclose “in the unlocked position, the locking mechanism is moved out of the locking hole in the receiver,” Albrecht in combination with Glock renders this limitation obvious

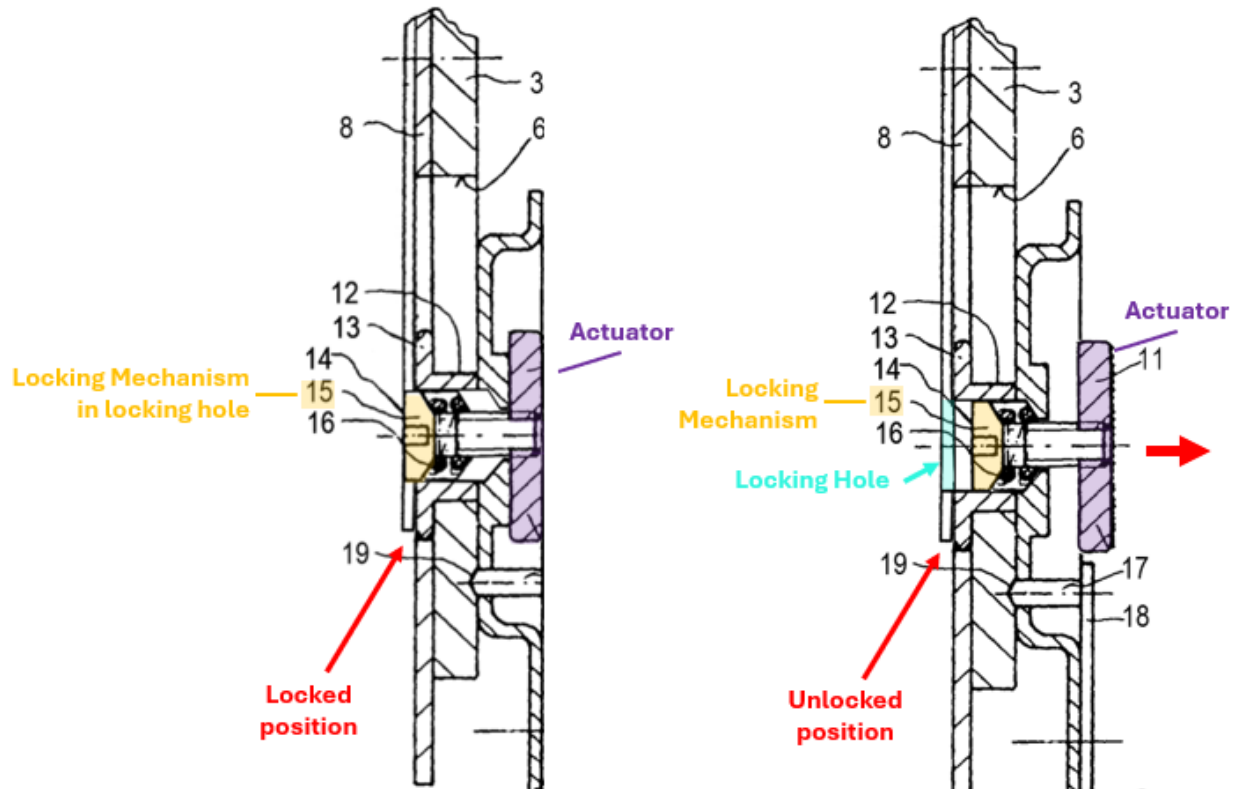
for the same reasons described above for the locking mechanism. *Supra* §XII.C.1.e.

As described above, it would have been obvious to a POSA to modify Albrecht such that its locking mechanism (“bolt 15”) protrudes into a hole in the back of the receiver when in the locked position, and out of that hole when in the unlocked position in light of Glock’s disclosure of button 15 protruding into (and out of) hole 5:



*Supra* §XII.C.1.e; Ex-1003 ¶¶85, 89-90; Ex-1006 Figs. 5-6 (modified). Moreover, Albrecht discloses how “bolt 15” can be connected to a “coil spring 16” that “presses the bolt against the arresting lug,” or locking hole as modified, “in the arrested position,” similar to Glock’s disclosure of how “button 15” “is pressed outwards under the action of a spring” and “protrudes into the hole --5-- due to the force of

the spring,” and include such a coil spring here. *Id.*; Ex-1006, 3:9-19; Ex-1011, 3:23-30; Ex-1003 ¶86. A POSA would therefore understand that to move Albrecht’s modified locking mechanism from the locked position to an unlocked position, *i.e.*, to move the locking mechanism out of the locking hole, they would pull button 15:



Ex-1003 ¶87; Ex-1006 Figs. 5-6 (modified); Ex-1011, 4:4-11 (Glock disclosing that to “disconnect,” a user “press[es] the button [15] out of the hole --5--” from the “wearer’s body side,” *i.e.*, from left to right as oriented in the illustrated above).

A POSA would have been motivated to make such a modification for the same reason they would have been motivated to modify Albrecht’s locking mechanism: to remove the leaf spring. *Supra* §XII.C.1.e; Ex-1003 ¶¶89, 80-81, 111. Indeed, a

POSA would have been motivated to make this modification in order to unlock Albrecht's modified locking mechanism. Such routine modification would have been well within the abilities of a POSA to make, and a POSA would have had a high expectation of success in doing so. Ex-1003 ¶¶88, 112; *Ethicon*, 2022 WL 1613188 at \*4 (affirming Board's finding that patent was obvious where combination "would require some modifications" but "a POSITA would know how to account for" such modifications).

Albrecht in combination with Glock therefore discloses this limitation.

**2. Claim 2**

**a. "The tool attachment system of claim 1,"**

Albrecht in light of Glock renders obvious claim 1. *Supra* §XII.A.1.

**b. "wherein the tool attachment device is pivotally coupled to the receiver via the engagement between the disk mating structure and the channel such that the tool attachment device pivots relative to the receiver about an axis that is perpendicular to a front face of the channel of the receiver when the locking mechanism is in the locked position." limitation [2A]**

Albrecht discloses this limitation for at least the reasons explained above.

*Supra* §XII.A.2. .

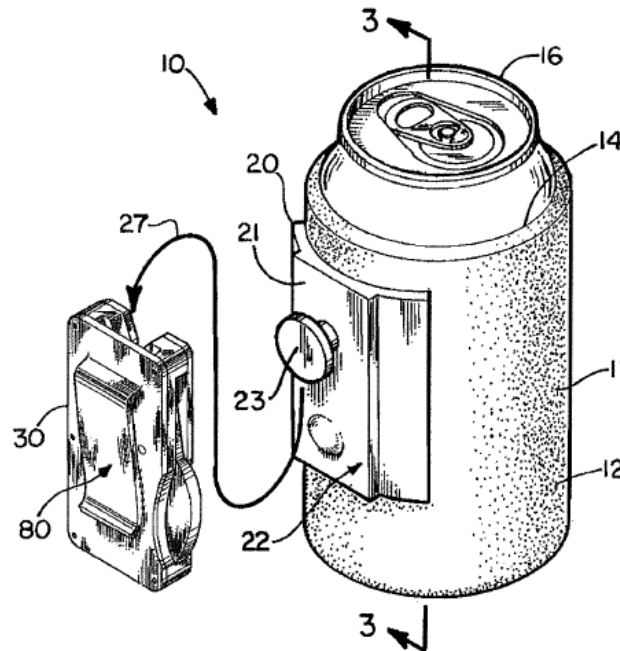
**3. Claim 3**

**a. "The tool attachment system of claim 1,"**

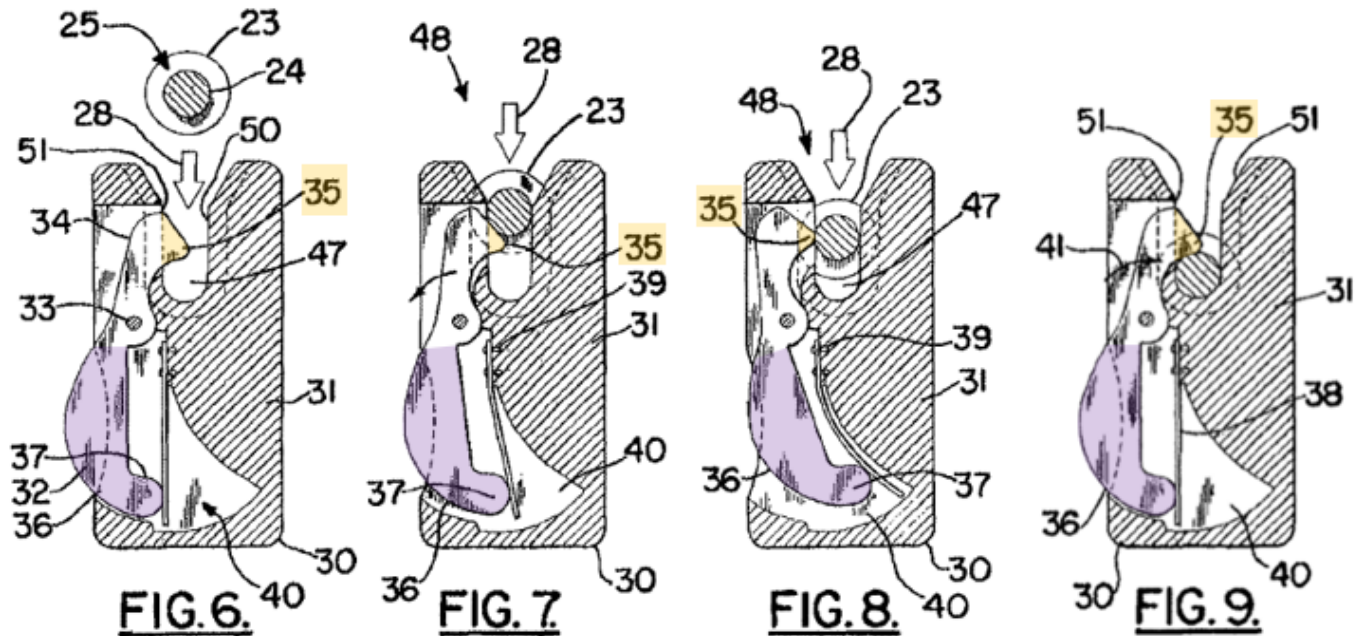
Albrecht in light of Glock renders claim 1 obvious. *Supra* §XII.A.1.

**b. “wherein the actuator is located below the disk mating structure and above the pouch.” limitation [3A]**

Albrecht in light of Gabriel renders this limitation obvious. Gabriel discloses a “beverage carrier” that “enables a user to support a drink product (canned, bottled, etc.) at a position next to the user’s waist or hip area such as upon a belt”:

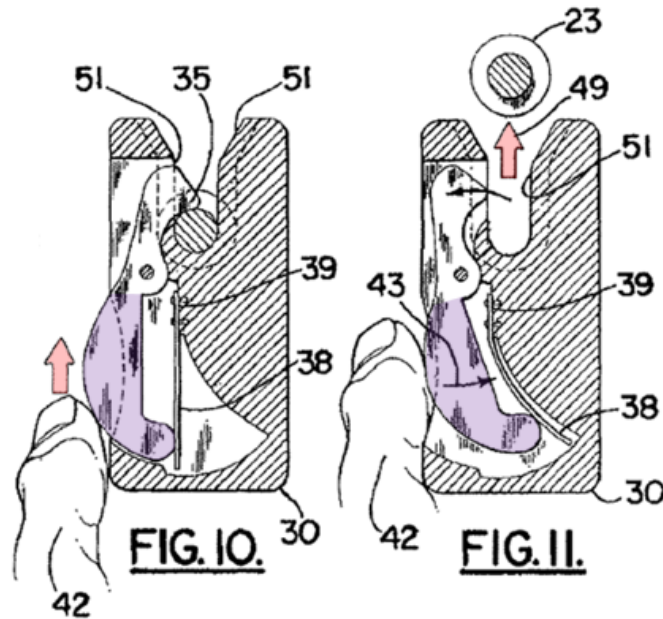


Ex-1009, Fig. 1, 1:28-54. To secure the beverage “sleeve 11” to the “receptacle 30,” Gabriel teaches the use of a “locking member 32” that comprises an actuator (“a lower end portion 36”) and “projection 35” that locks the sleeve (and thus beverage) in place when “disk or projecting member 23” is slid “into recess 47 via its open top 48”:

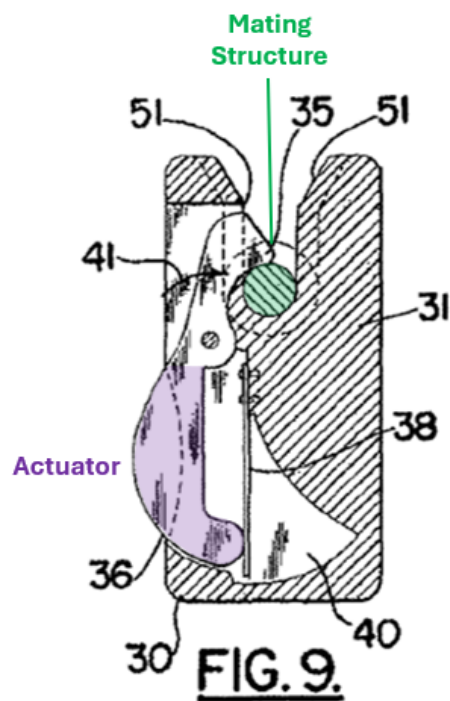


## Actuator

Ex-1009, 3:38-4:5, Figs. 6-9. And “to release the beverage can or other container 16 and sleeve 11 from recess 47, a user simply uses his or her finger or thumb 42 to press inwardly on the lower end portion 36 of locking member 32 in the direction of arrow 43 as shown in FIG. 11,” which causes “projecting portion 35 of locking member 32” to withdraw “from recess 47”:

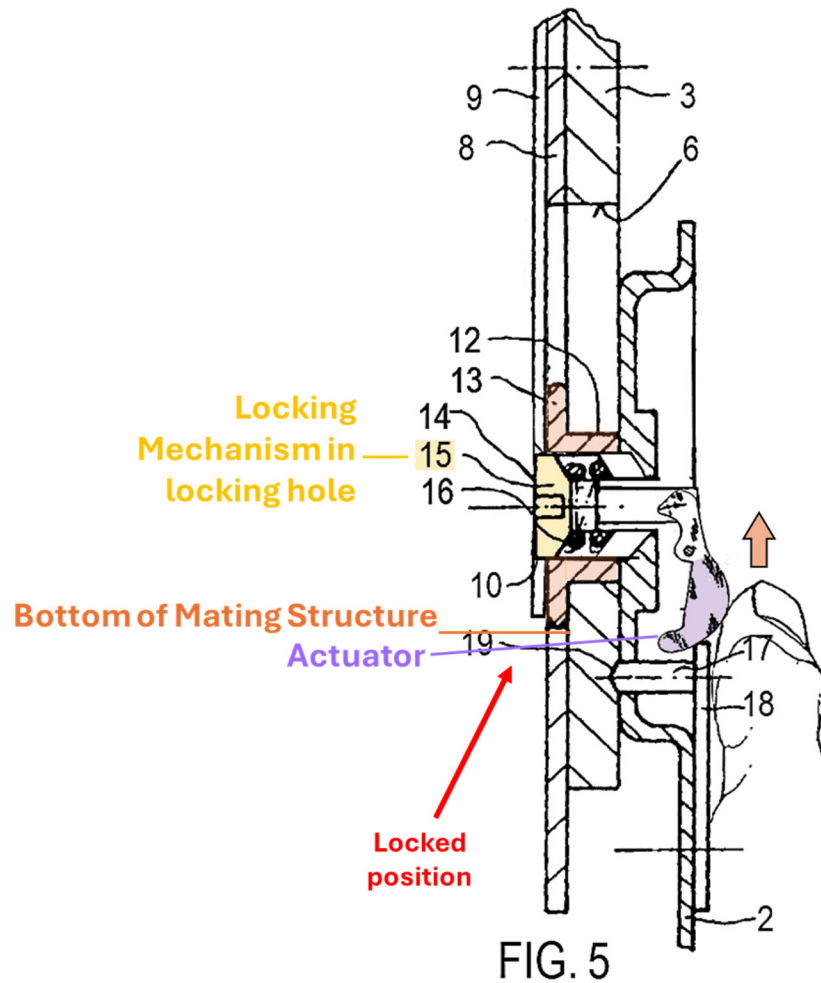


Ex-1009, 3:38-4:5, Figs. 6-9. Gabriel therefore also teaches an actuator (“lower end portion 36” of “locking member 32” having) with “a lower end ... located below the mating structure”:



*Id.* at Fig. 9.

It would have been obvious to a POSA to modify the button of Albrecht so that the actuator is “below the disk mating structure,” similar to the actuator taught by Gabriel as illustrated below:



Ex-1003 ¶¶92-94. Such an actuator would also be “located ... above the pouch,” for example, because Albrecht discloses that the attachment points for the pouch are well below the actuator and mating structure:

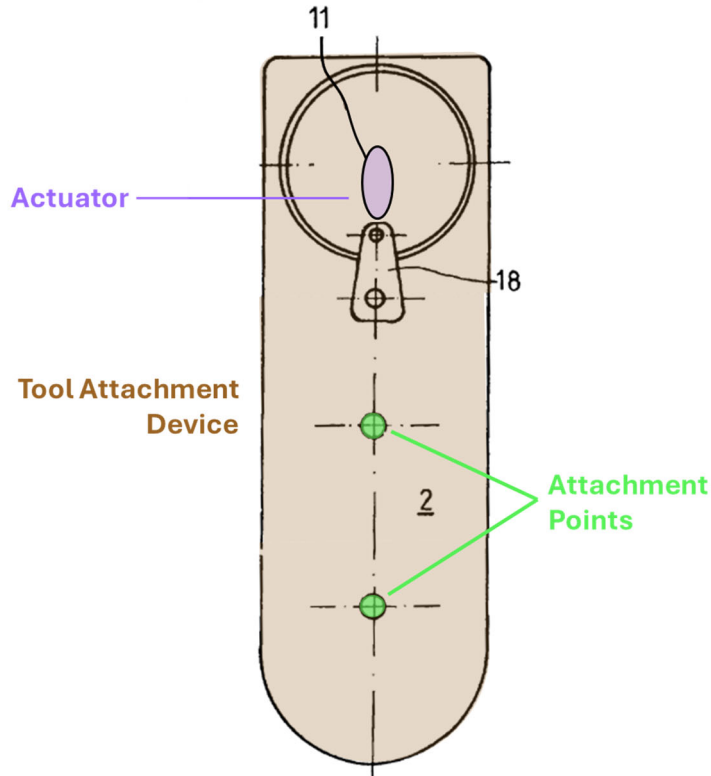
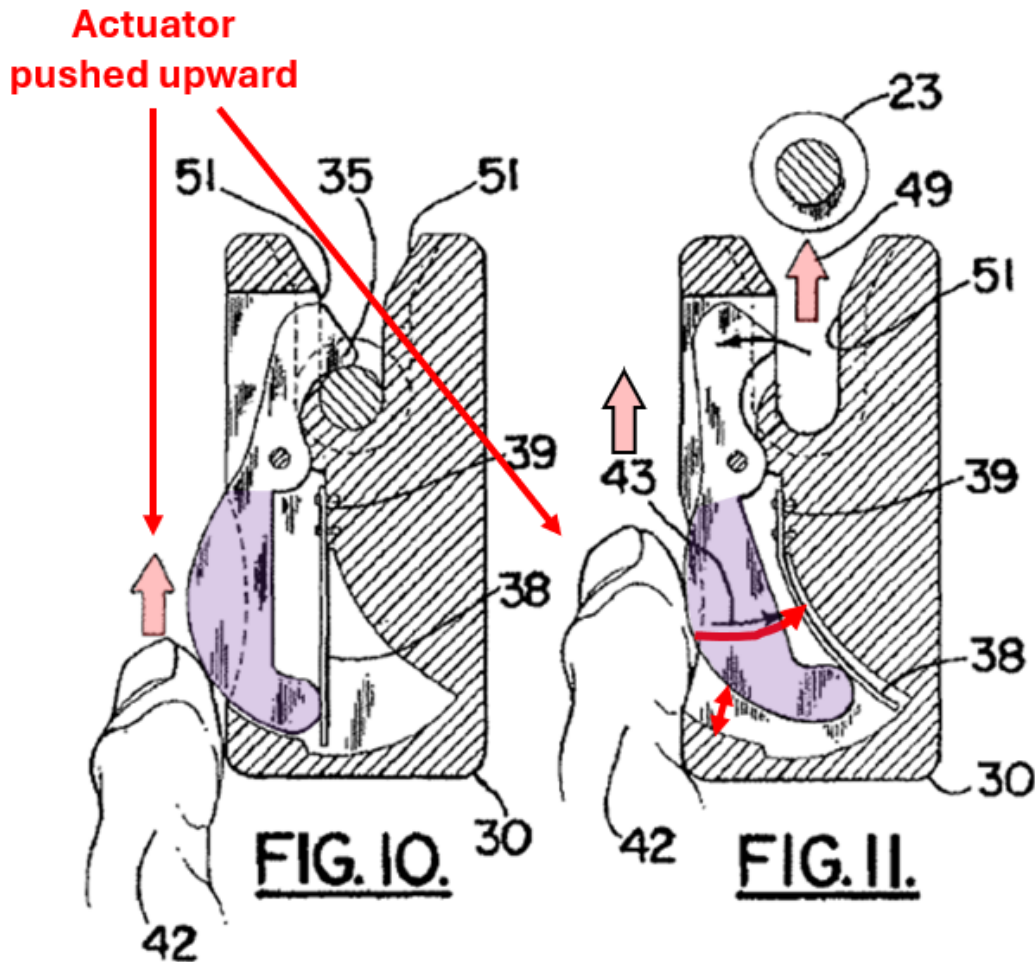


FIG. 3

Ex-1006, Fig. 3 (modified), 6:1-3; *see also id.* at Figs. 1, 4. And a POSA would have looked to Gabriel because both Gabriel and Albrecht are directed toward the same purpose and solving the same problem: how to releasably attach their respective holders to a user's belt. Ex-1003 ¶¶96, 112; *see also id.* at ¶¶45-46.

A POSA would have been motivated to make such a modification to make it easier for a user to unlock and decouple the pendulum bar and pouch from the carrying plate with a single motion, particularly with only one hand. *See* Ex-1008 at [0006], [0011]-[0014] (prior art describing why this is advantageous); Ex-1012 at [0005] (same); Ex-1003 ¶¶95-96. For example, Gabriel discloses that the actuator (“lower end portion 36”) moves “in the direction of arrow 43 as shown in FIG. 11,”

which, while described as “inwardly” is also *upward*:



Ex-1009, 3:38-4:5, Figs. 6-11; Ex-1003, ¶95.

A POSA would have had a reasonable expectation of success in making such a modification. Both Albrecht and Gabriel relate to detachable attachment systems for containers and a POSA would have known that whether the actuator was pushed (or pulled) horizontally or upward relative to the pouch was a design choice. Ex-1003 ¶¶96, 112. It therefore would have been well within the abilities of a POSA to make such a routine modification, and a POSA would have had a high expectation

of success in doing so. Ex-1003 ¶¶97-98; *Ethicon*, 2022 WL 1613188 at \*4 (affirming Board’s finding that patent was obvious where combination “would require some modifications” but “a POSITA would know how to account for” such modifications).

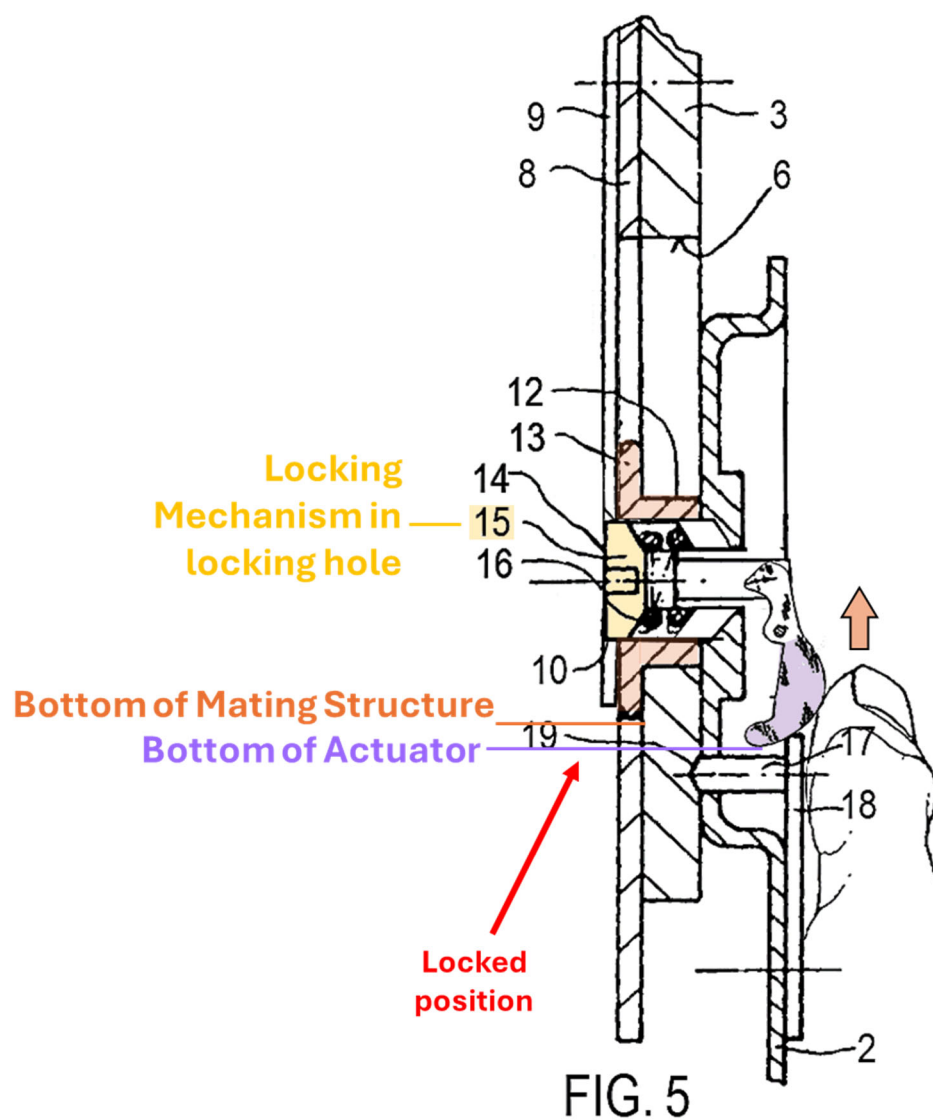
**4. Claim 4**

**a. “The tool attachment system of claim 3,”**

Albrecht in light of Glock and Gabriel renders obvious claim 3. *Supra* §XII.C.3.

**b. “wherein a lower end of the actuator is located below the disk mating structure and above the pouch.” limitation [4A]**

Albrecht in light of Glock and Gabriel renders this limitation obvious for the same reasons described above for claim 3. *Supra* §XII.C.3. Namely, a “lower end” of Albrecht’s modified actuator is “below the mating structure,” similar to the actuator taught by Gabriel, as illustrated below:



Ex-1003 ¶¶99; §XII.C.3. Such an actuator would also have “a lower end of the actuator” “located ... above the pouch,” for the same reason:

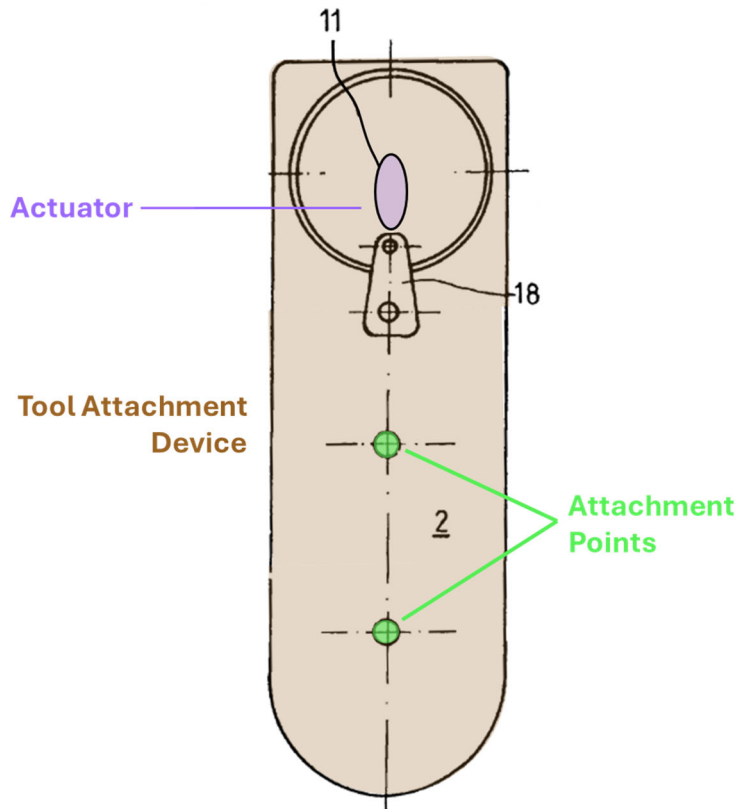


FIG. 3

§XII.C.3; Ex-1006, 6:1-3, Fig. 3 (modified); *see also id.* at Figs. 1, 4.

**5. Claim 5**

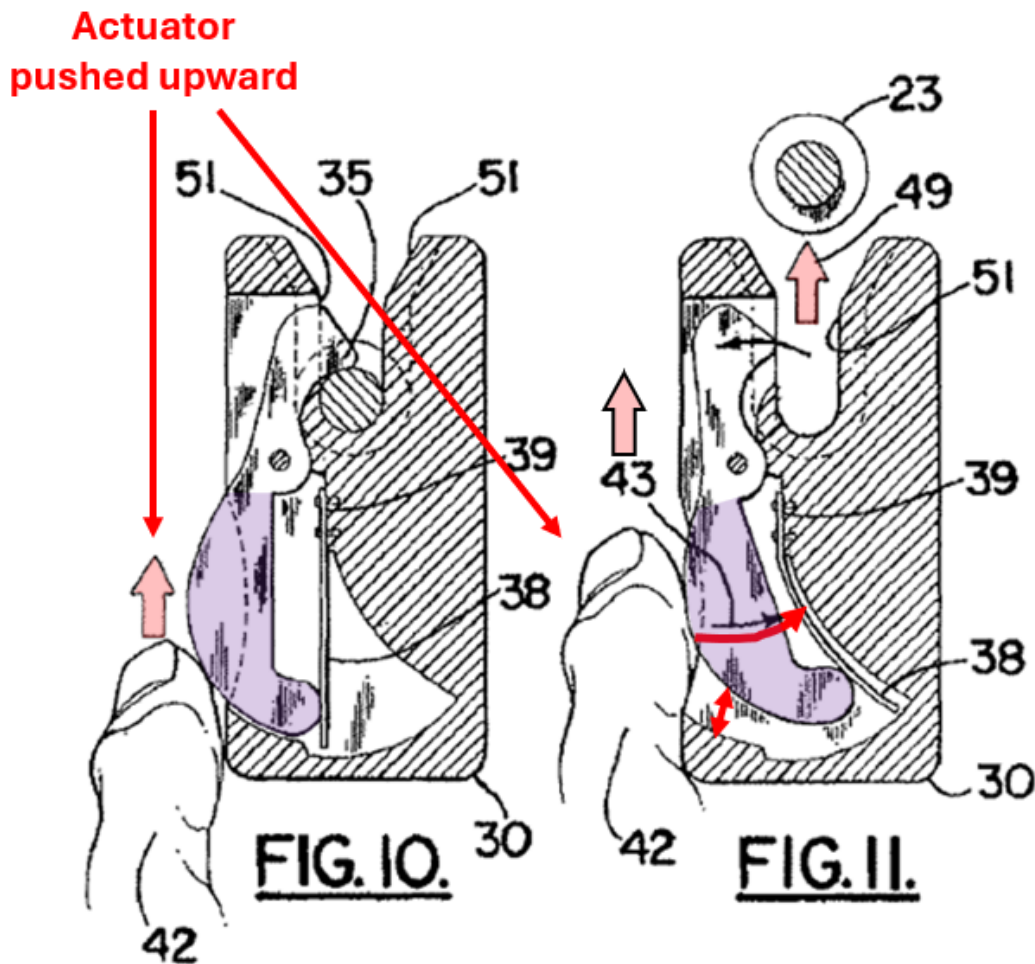
**a. “The tool attachment system of claim 1,”**

Albrecht in light of Glock renders obvious claim 1. *Supra* §XII.C.1.

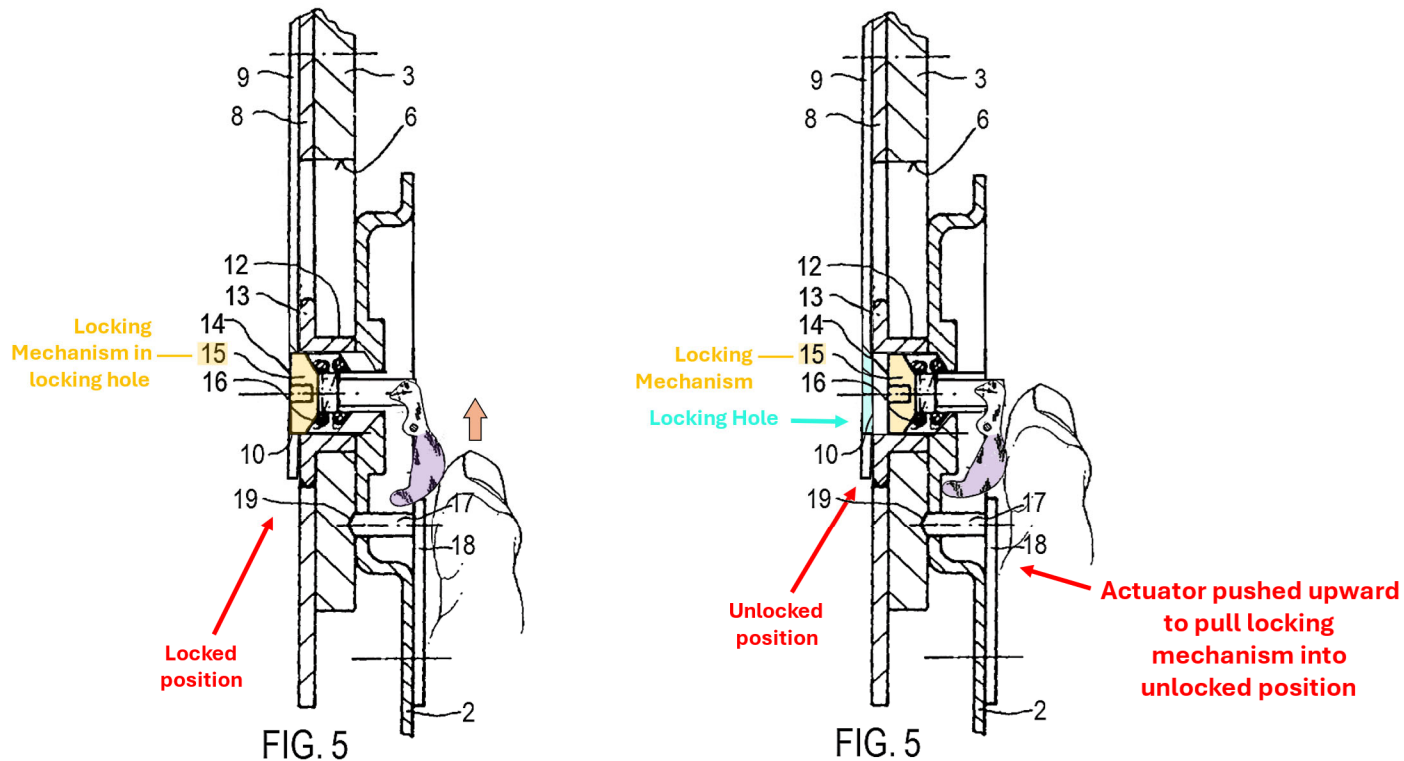
**b. “wherein the actuator moves upward relative to the pouch when the force is applied the actuator to move the locking mechanism to the unlocked position.” limitation [5A]**

Albrecht in light of Gabriel renders this limitation obvious for the same reasons describe above. *Supra* §XII.A.13-4. Namely, Gabriel discloses that the actuator (“lower end portion 36”) moves “in the direction of arrow 43 as shown in

FIG. 11,” which, while described as “inwardly” is also *upward*:



Ex-1009, 3:38-4:5, Figs. 6-11. Therefore, Albrecht, as modified in light of Gabriel and Glock, would likewise have an actuator that moves upward relative to the pouch when the force is applied the actuator to move the locking mechanism to the unlocked position as illustrated below:



*Supra* §XII.C.3; Ex-1003 ¶100.

A POSA would have been motivated to make such a modification, and would have had a reasonable expectation of success in doing so, for the same reasons discussed with respect to claim 3 as well. *Supra* §XII.C.3; Ex-1003 ¶¶101, 93-98.

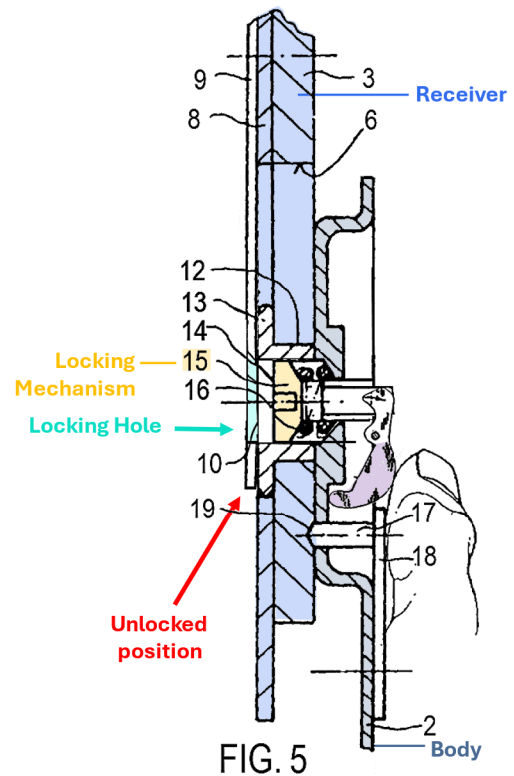
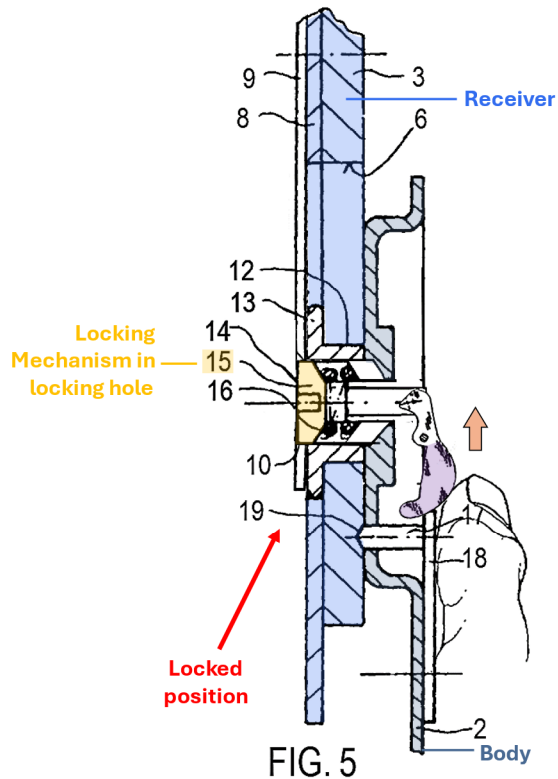
## 6. Claim 6

### a. “The tool attachment system of claim 5,”

Albrecht in light of Glock and Gabriel renders obvious claim 5. *Supra* §XII.C.5.

- b. “wherein the locking mechanism includes a pin protruding outward from the rear surface of the body, wherein the locking hole of the receiver receives the pin when the locking mechanism is in the locked position.” limitation [6A]**

Albrecht in combination with Glock and Gabriel discloses this limitation as explained above. *Supra* §XII.C.1.e. Namely, Albrecht discloses a “locking mechanism” that includes a “locking pin” (“bolt 15”) that protrudes outward from the rear of the body, and Albrecht in combination with Glock renders obvious “wherein the locking hole of the receiver receives the pin when the locking mechanism is in the locked position.” *Supra* §XII.C.1.e. As discussed above, it would have been obvious to a POSA to replace Albrecht’s “leaf spring 9” and “arresting lug 10” with a simple wall with a hole behind “pendulum bearing 7” similar to Glock such that “bolt 15” protrudes through a hole in that wall when in the locked position, as illustrated below:



*Supra* §XII.C.1.e; see also *supra* §§XII.C.3-5 (describing Albrecht and Gabriel combination).

## 7. Claim 7

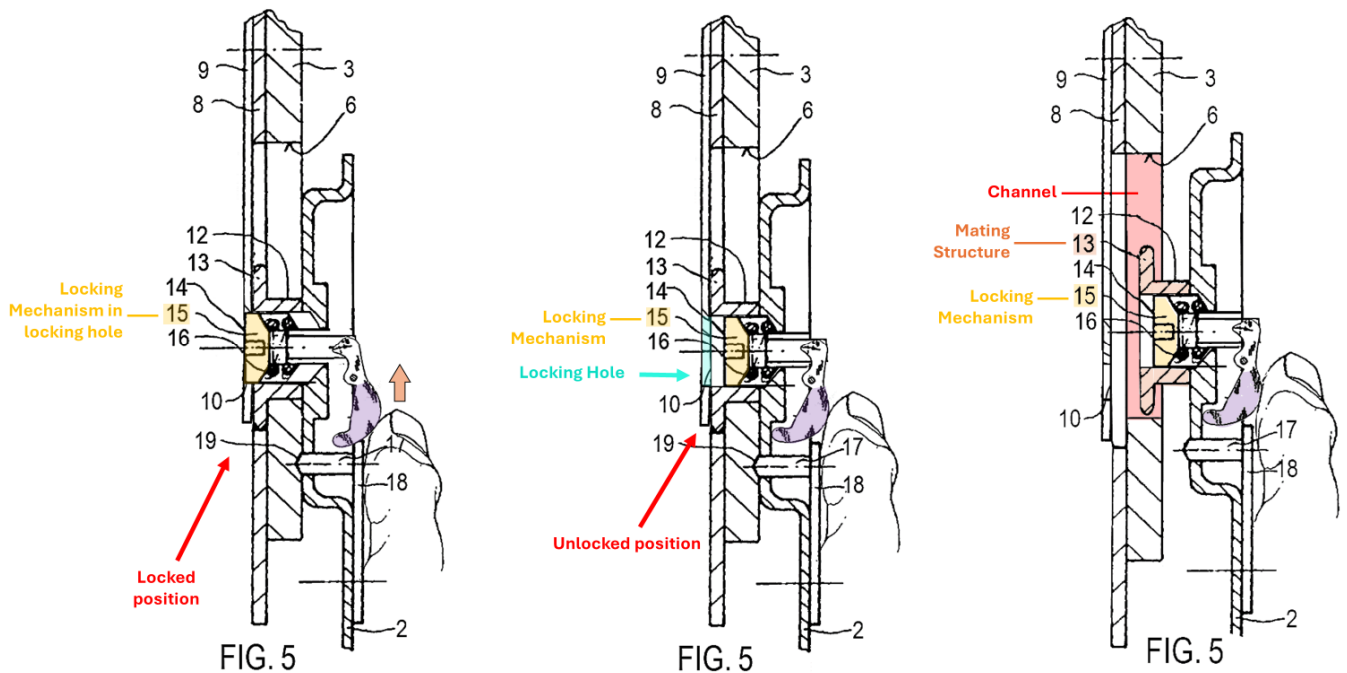
### a. “The tool attachment system of claim 6,”

Albrecht in light of Glock and Gabriel renders obvious claim 6. *Supra* §XII.C.6.

### b. “wherein the force applied to the actuator causes both the pin to be drawn out of the locking hole of the receiver and the disk mating structure to slide upward and out of the channel of the receiver to release the tool attachment device from the receiver.” limitation [7A]

Albrecht in light of Gabriel and Glock renders this limitation obvious. *Supra* §XII.C.3.b. Namely, Albrecht in combination with Glock discloses a locking

mechanism and disk mating structure. *Supra* §§XII.C.1.e., XII.C.1.f. And it would have been obvious to a POSA to modify the push button of Albrecht so that it would be pushed with an upward force, similar to the actuator taught by Gabriel, which would cause both the pin to be drawn out of the locking hole of the receiver and the disk mating structure to slide upward and out of the channel of the receiver to release the tool attachment device from the receiver, when the force is applied to it, as illustrated below:



*Supra* §XII.C.3; Ex-1003 ¶102; Ex-1006, 7:8-18, Fig. 5 (as modified).

## 8. Claim 8

### a. “The tool attachment system of claim 1,”

Albrech in light of Glock renders obvious claim 1. *Supra* §XII.C.1.

- b. “wherein the actuator moves in a direction parallel to the channel when the force is applied to move the actuator to the unlocked position.” limitation [8A]**

Albrecht in light of Gabriel renders this limitation obvious. *Supra* §§XII.C.3-

5. Namely, it would have been obvious to a POSA to modify the push button of Albrecht in light of Gabriel so that it would be pushed with an upward force, which would cause it to “move[] in a direction parallel to the channel,” *i.e.*, upward. *Supra* §§XII.C.3-5; *see also* Ex-1009, 3:38-4:5, Figs. 6-9; Ex-1006, 5:19-34, Figs. 1-2 (disclosing vertical arrangement of “insertion opening 6” (“channel”)).

## **9. Claim 9**

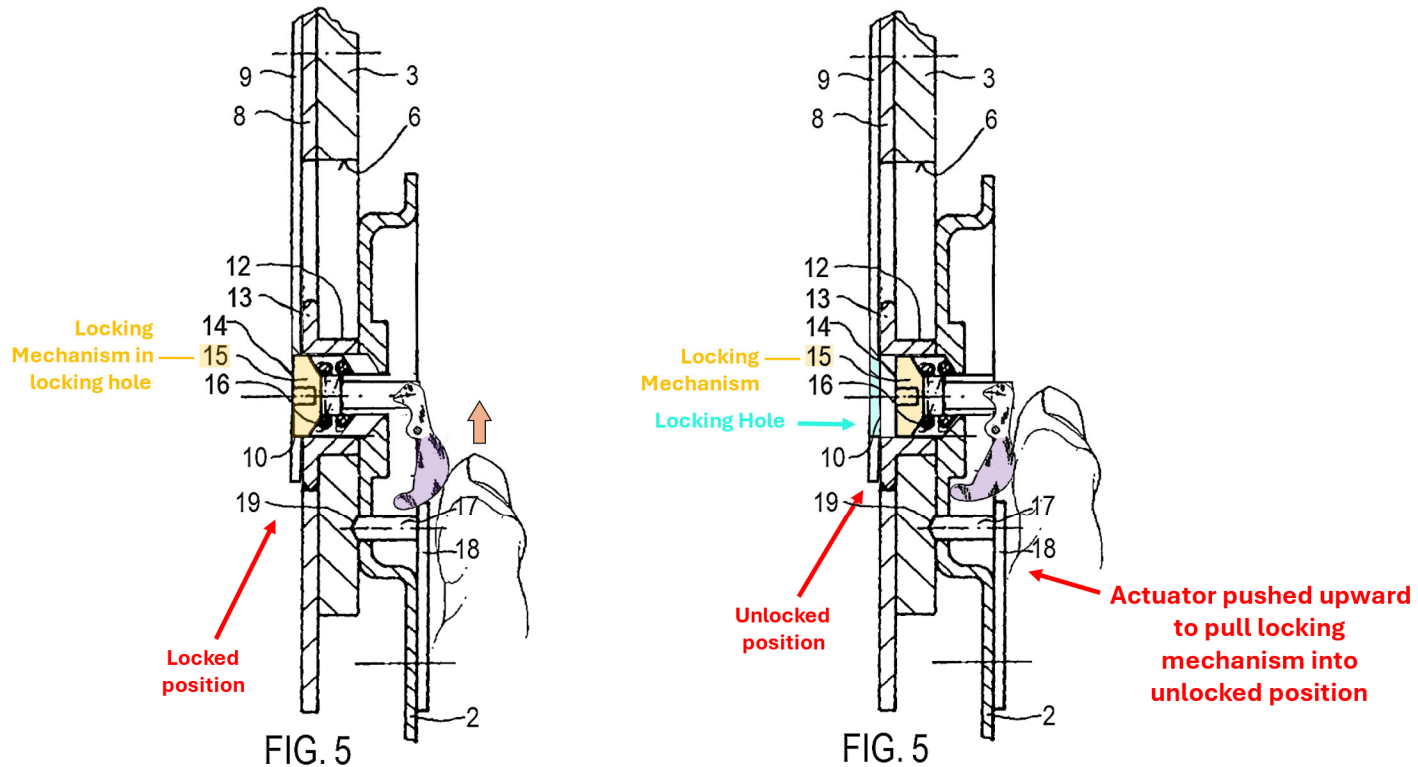
- a. “The tool attachment system of claim 8,”**

Albrecht in light of Glock and Gabriel renders obvious claim 8. *Supra* §XII.C.8.

- b. “wherein the force is an upward force applied to the actuator.” limitation [9A]**

Albrecht in light of Gabriel renders this limitation obvious. *Supra* §§XII.C.3-

5. Specifically, Gabriel teaches that the actuator is pushed with an “upward[]” force (Ex-1009, 3:38-4:5, Figs. 6-11) and therefore the force applied to Albrecht’s modified actuator would likewise be upward, as illustrated below:



*Supra* §§XII.C.3-5; Ex-1003 ¶103.

## 10. Claim 12

### a. “The tool attachment system of claim 1,”

Albrecht in light of Glock renders obvious claim 1. *Supra* §XII.C.1.

### b. “wherein the pouch is coupled to the tool attachment device through a plurality of attachment points.” limitation [9A]

Albrecht discloses this limitation for at least the reasons explained above.

*Supra* §XII.A.3.

## 11. Claim 16

### a. “A tool attachment system, comprising:” limitation [16Pre]

Albrecht discloses this limitation for at least the reasons explained above.

*Supra* §XII.A.1.a.

- b. **“a receiver configured to attach to a belt of a user, the receiver comprising a channel,” limitation [16A]**

Albrecht discloses this limitation for at least the reasons explained above.

*Supra* §XII.A.1.b.

- c. **“a tool attachment device configured to be releasably coupled to the receiver, the tool attachment device comprising,” limitation [16B]**

Albrecht discloses this limitation for at least the reasons explained above.

*Supra* §XII.A.1.c.

- d. **“a body;” limitation [16C]**

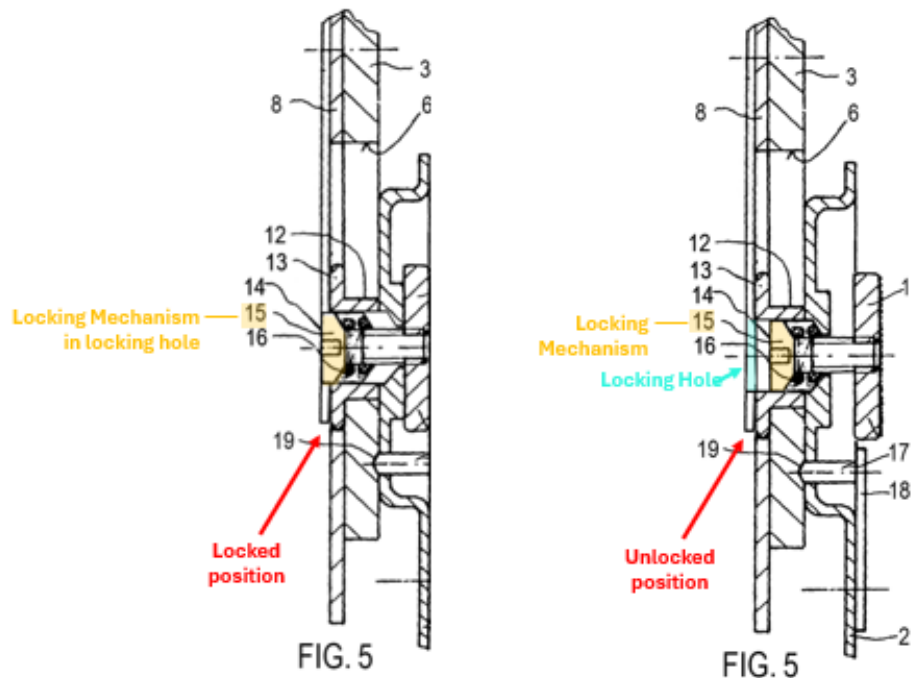
Albrecht discloses this limitation for at least the reasons explained above.

*Supra* §XII.A.1.d.

- e. **“a locking mechanism protruding from the body, the locking mechanism locking the tool attachment device against separation from the receiver when the locking mechanism is in a locked position; and” limitation [16D]**

Albrecht in light of Glock renders this limitation obvious for at least the reasons explained above. *Supra* §XII.C.1.e. Namely, Albrecht discloses a locking mechanism (“bolt 15”) that protrudes from the body, and Albrecht in combination with Glock renders obvious “the locking mechanism locking the tool attachment device against separation from the receiver when the locking mechanism is in a locked position.” *Supra* §XII.C.1.e. As discussed above, it would have been obvious

to a POSA to replace Albrecht's "leaf spring 9" and "arresting lug 10" with a simple wall with a hole behind "pendulum bearing 7" similar to Glock such that "bolt 15" protrudes through a hole in that wall when in the locked position, thereby locking the tool attachment device against separation from the receiver, as illustrated below:



*Supra* §XII.C.1.e.

- f. “a mating structure protruding outward from the body and configured to slidably engage the channel of the receiver;” limitation [16E]

Albrecht discloses this limitation. *Supra* §XII.A.1.f.

- g. “an actuator coupled to the tool attachment device; and,” limitation [16F]

Albrecht discloses this limitation. *Supra* §XII.A.1.g.

- h. “a pouch coupled below the body of the tool attachment device, the pouch configured to support a tool;” limitation [16G]**

Albrecht discloses this limitation. *Supra* §§XII.A.1.h, XII.B.8.h.

- i. “wherein the channel of the receiver is sized to slidably receive the mating structure such that the tool attachment device is supported from the receiver;” limitation [16H]**

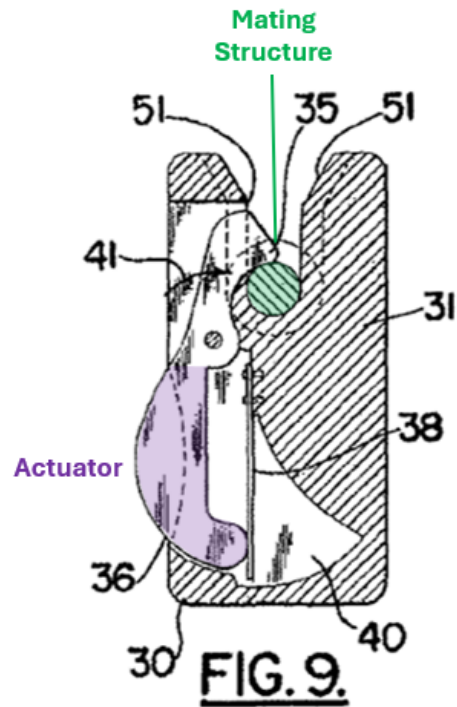
Albrecht discloses this limitation. *Supra* §XII.A.1.j.

- j. “wherein the actuator is configured to move the locking mechanism to an unlocked position when a force is applied to the actuator, and wherein, when the locking mechanism in the unlocked position, the tool attachment device is slidable relative to the receiver such that the mating structure can move upward and out of the channel of the receiver to release the tool attachment device from the receiver;” limitation [16I]**

Albrecht in light of Glock renders this obvious. *Supra* §XII.A.1.k.

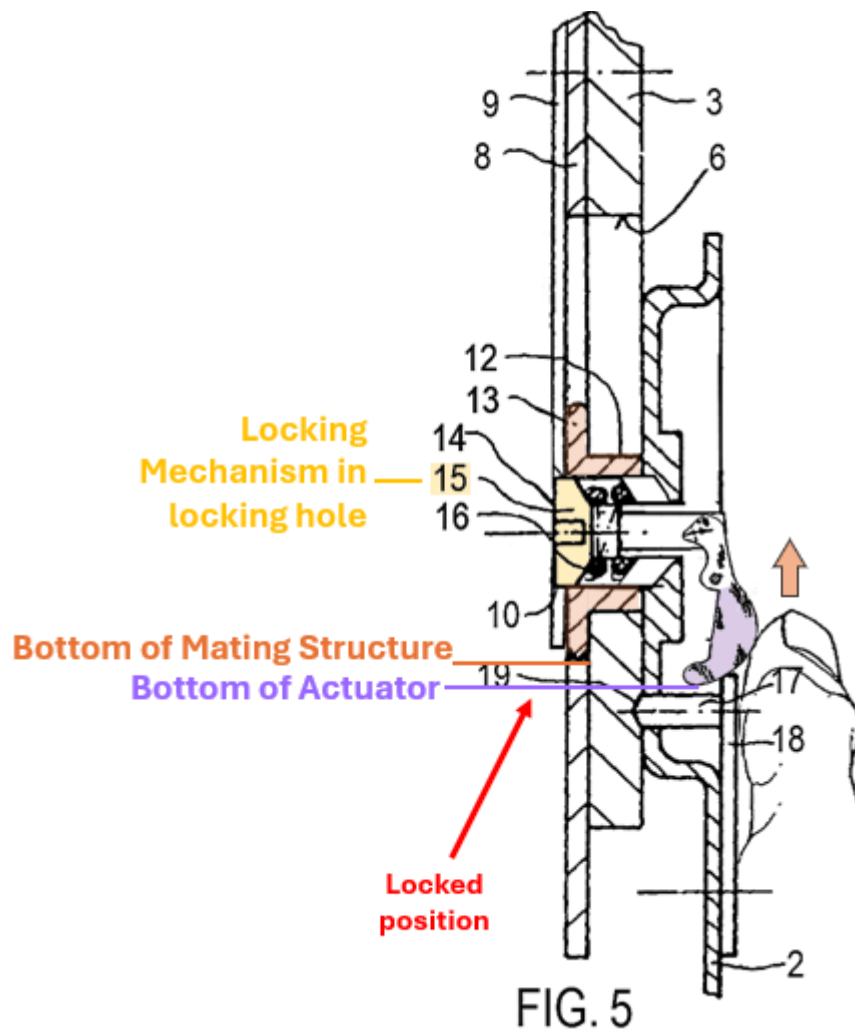
- k. “wherein a lower end of the actuator is located below the mating structure and above the pouch.” limitation [16J]**

Albrecht in combination with Gabriel renders this limitation obvious. As discussed above, Albrecht discloses an actuator (“push button 11”) that is located above “pouch 1,” *supra* §§XII.A.1.h-i., XII.B.8.k, while Gabriel teaches an actuator (“lower portion 36” of “locking member 32”) with “a lower end ... located below the mating structure”:



§§XII.B.8.k, XII.B.1.b, XII.B.2.b; Ex-1009, 3:38-56, Figs. 6-11.

It would have been obvious to a POSA to modify the push button of Albrecht so that a “lower end” is “below the mating structure” and would be pushed with an upward force, similar to the actuator taught by Gabriel, as illustrated below:



Ex-1003 ¶¶106-107; §§XII.B.8.k, XII.B.1.b, XII.B.2.b. Such an actuator would also have “a lower end of the actuator” “located ... above the pouch,” for example, because Albrecht discloses that the attachment points for the pouch are well below the actuator and mating structure:

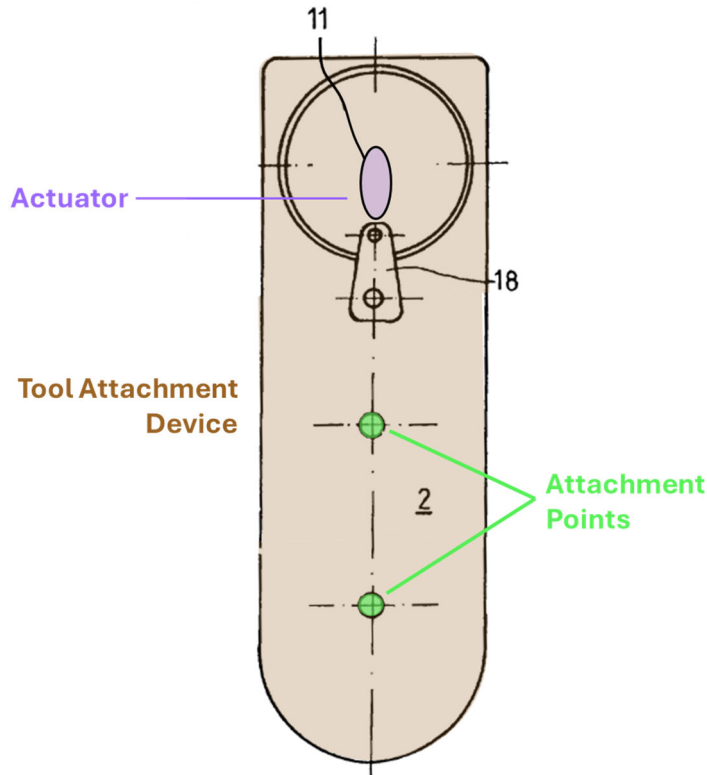


FIG. 3

Ex-1006, 6:1-3, Fig. 3 (modified); *see also id.* at Figs. 1, 4.

A POSA would have been motivated to make such a modification to make it easier for a user to unlock and decouple the pendulum bar and pouch from the carrying plate with a single motion, particularly with only one hand. *See* Ex-1008 at [0006], [0011]-[0014] (prior art describing why this is advantageous); Ex-1012 at [0005] (same); Ex-1003 ¶¶108, 73. And a POSA would have been motivated to make sure the “lower end” of the actuator was “located ... above the pouch” for a similar reason: to make sure a user had easy access to the actuator to enable them to swiftly and easily unlock and decouple the pendulum bar and pouch from the carrying plate with a single motion. *Id.*

And a POSA would have had a reasonable expectation of success in making such a modification. Both Albrecht and Gabriel relate to detachable attachment systems for containers and a POSA would have known that how the actuator was designed, and therefore whether to use an actuator like Gabriel's, was a design choice. Ex-1003 ¶¶109, 74. It therefore would have been well within the abilities of a POSA to make such a routine modification, and a POSA would have had a high expectation of success in doing so. Ex-1003 ¶¶109, 74; *Ethicon*, 2022 WL 1613188 at \*4.

**12. Claim 17**

**a. “The tool attachment system of claim 16,”**

Albrecht in light of Glock and Gabriel renders obvious claim 16. *Supra* §XII.C.11.

**b. “wherein the tool attachment device is pivotally coupled to the receiver via the engagement between the mating structure and the channel such that the tool attachment device pivots relative to the receiver about an axis that is perpendicular to a front, face of the channel of the receiver when the locking mechanism is in the locked position.” limitation [17A]**

Albrecht discloses this limitation for at least the reasons explained above. *Supra* §XII.A.2.b.

**13. Claim 18**

**a. “The tool attachment system of claim 17,”**

Albrecht in light of Glock and Gabriel renders obvious claim 17. *Supra*

§XII.C.12.

- b. “wherein the mating structure is disk shaped.”  
limitation [18A]**

Albrecht discloses this limitation. *Supra* §XII.A.1.f.

#### **14. Claim 19**

- a. “The tool attachment system of claim 16,”**

Albrecht in light of Glock and Gabriel renders obvious claim 16. *Supra* §XII.C.7.

- b. “wherein the actuator moves upward when the force is applied to move the actuator to the unlocked position.”  
limitation [19A]**

Albrecht in combination with Gabriel renders this limitation obvious for the reasons described above for claims 3-5. *Supra* §§XII.C.3-5.

#### **15. Claim 20**

- a. “The tool attachment system of claim 16,”**

Albrecht in light of Glock and Gabriel renders obvious claim 16. *Supra* §XII.C.11.

- b. “wherein the locking mechanism includes a pin protruding outward from the body, wherein the receiver includes a hole that receives the pin when the locking mechanism is in the locked position.”  
limitation [20A]**

Albrecht in combination with Glock discloses this limitation as explained above. *Supra* §XII.C.11.e. Namely, Albrecht discloses a “locking mechanism” that includes a “locking pin” (“bolt 15”) that protrudes outward from the rear of the body,



claimed inventions. If Patent Owner identifies any evidence of secondary considerations, Petitioner reserves the right to respond.

### **XIII. CONCLUSION**

For the foregoing reasons, Petitioner respectfully request that the Board institute IPR and cancel all Challenged Claims.

Petition for *Inter Partes* Review of U.S. Patent No. 11,857,064

Date: January 30, 2026

Respectfully submitted,

/s/ W. Todd Baker

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**CERTIFICATE OF COMPLIANCE**

This Petition complies with the word count limitation of 37 C.F.R. § 42.24(a)(1) because, according to the word processing system used to prepare this document, the Petition contains 13,439 words, excluding the cover page, signature block, the exhibit list, and the parts of the Petition exempted by 37 C.F.R. § 42.24(a)(1).

/s/ W. Todd Baker

W. Todd Baker

**CERTIFICATE OF SERVICE**

Pursuant to 37 C.F.R. §42.6(e)(4) and 42.105, lead counsel for Petitioner hereby certifies that on January 30, 2026, copies of this Petition and all supporting exhibits were sent via Federal Express® to the correspondence address of record for the '064 Patent:

Reinhart Boemer Van Deuren s.c.  
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Milwaukee, WI 53202

Courtesy copies have also been served by electronic mail on Patent Owner's counsel of record in the following related matter:

*Milwaukee Electric Tools Corporation v. Klein Tools, Inc.*,  
No. 1:25-cv-04689 (N.D. Ill.)

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