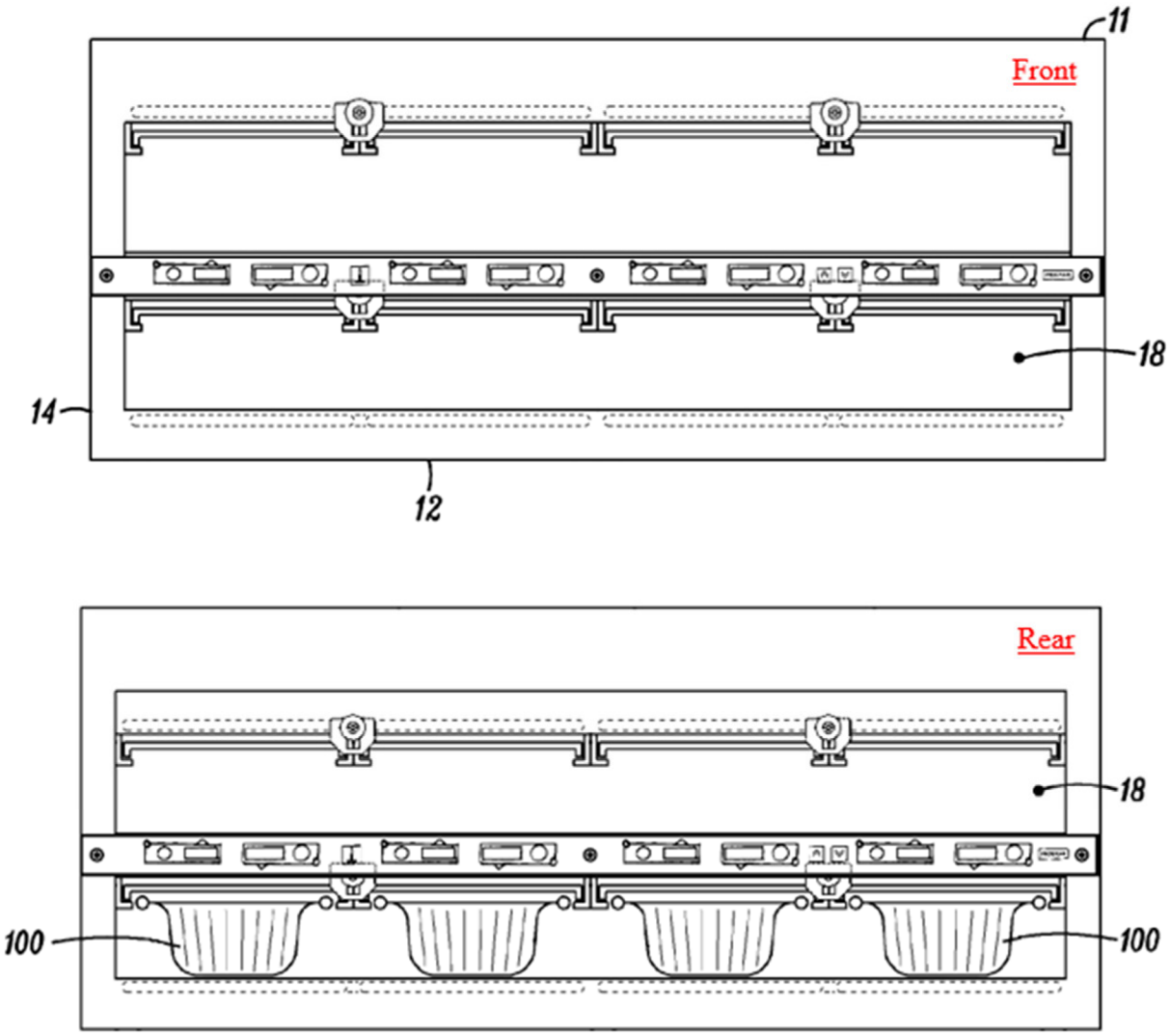
676. Representative illustrations[6] of the 2x4 Fortmann'748 cabinet modified to have front and rear spaced timer bars are shown below:



EX1010: Figs. 2 and 6 (modified).

[6] These illustrations include further modifications as explained below.

7. Discrete Lids for Each Pan Holding Location

677. Each compartment of Fortmann'748's cabinet includes a single lid or cover (40). EX1010: ¶[0017] ("[t]he plurality of shelves 21 may each include a removable and slidable cover 40 that is disposed in conjunction with and below each shelf 21 (with the exception of the bottom shelf 21, with a cover 40 also provided above the upper-most shelf)" and "[a]n additional cover 40 may be slidably disposed at the top of the warming volume 18 to enclose a pan 100 that is disposed upon the upper-most shelf 21").

678. The lids (40) maintain heat and moisture in the pans (100). EX1010: ¶[0017] ("[t]he cover 40 is configured to provide a lid to each restaurant or hotel pan 100 that is placed onto the shelf 21 within the warming volume 18 such that the heat from the food products disposed within the pan 100 (and the heat of the residual heat of the pan 100 itself) is substantially prevented from escaping due to convective heat transfer. The cover 40 additionally substantially encloses the one or more pans 100 disposed upon the shelf 21 therebelow, which maintains any moisture or water vapor within the pan 100 to prevent the warmed food disposed within the pan 100 from drying"). The lids (40) are removeable. EX1010: ¶[0017] ("removable and slidable cover"), Fig. 4.

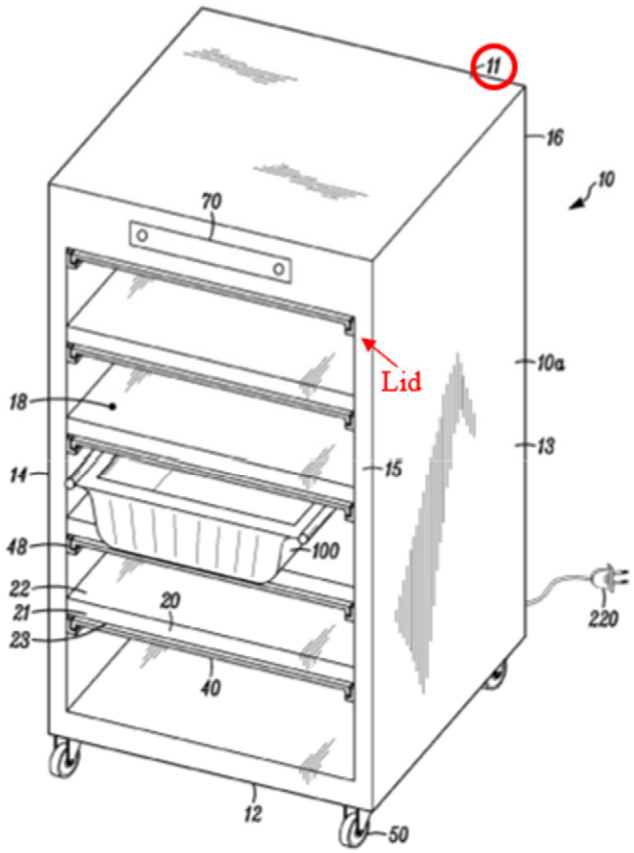


FIG. 1

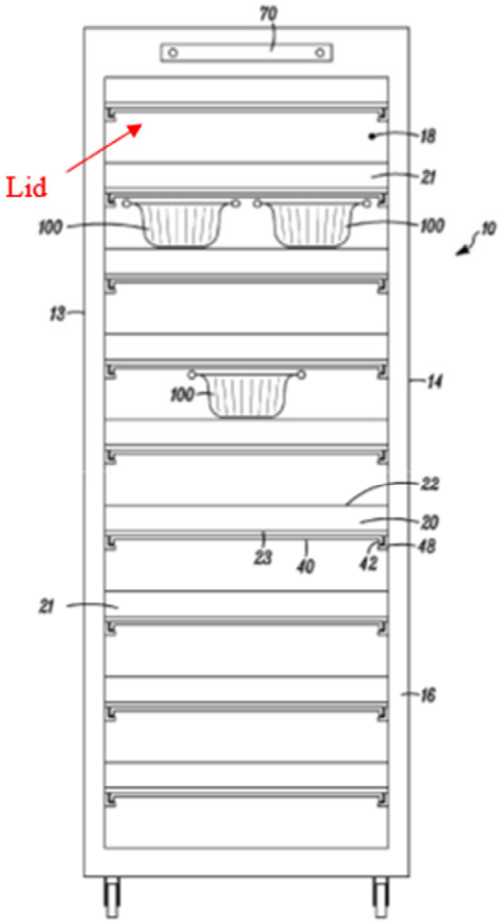


FIG. 6

EX1010: Figs. 1 and 6 (annotated).

679. While Fortmann'748's cabinet only includes a single lid or cover (40) per food holding compartment, the prior art is replete with cabinets that include discrete lids for each pan/pan holding location). Jones, Fortmann'197, and the IRHS Documents provide examples of such prior art. EX1012: ¶[0072] ("a food tray cover 16 above each respective upper left tray location ULTL and upper right food tray location URTL, and … a food tray cover above each respective lower left and lower right food tray locations, LLTL and LRTL"), Fig. 1B; EX1014: 4:50-53,

Figs. 1-4; EX1005: 8; EX1006: 1 (“HeatSink cover”), 2; EX1007: 53 (“Metal Cover”), 58 (“Cover allows better heat transfer and greater seal assurance; critical to maintain food quality with extended hold times”); EX1014: 7:31-32 (“covers 200 … configured to partially enclose one of the discrete heating zones 100”).

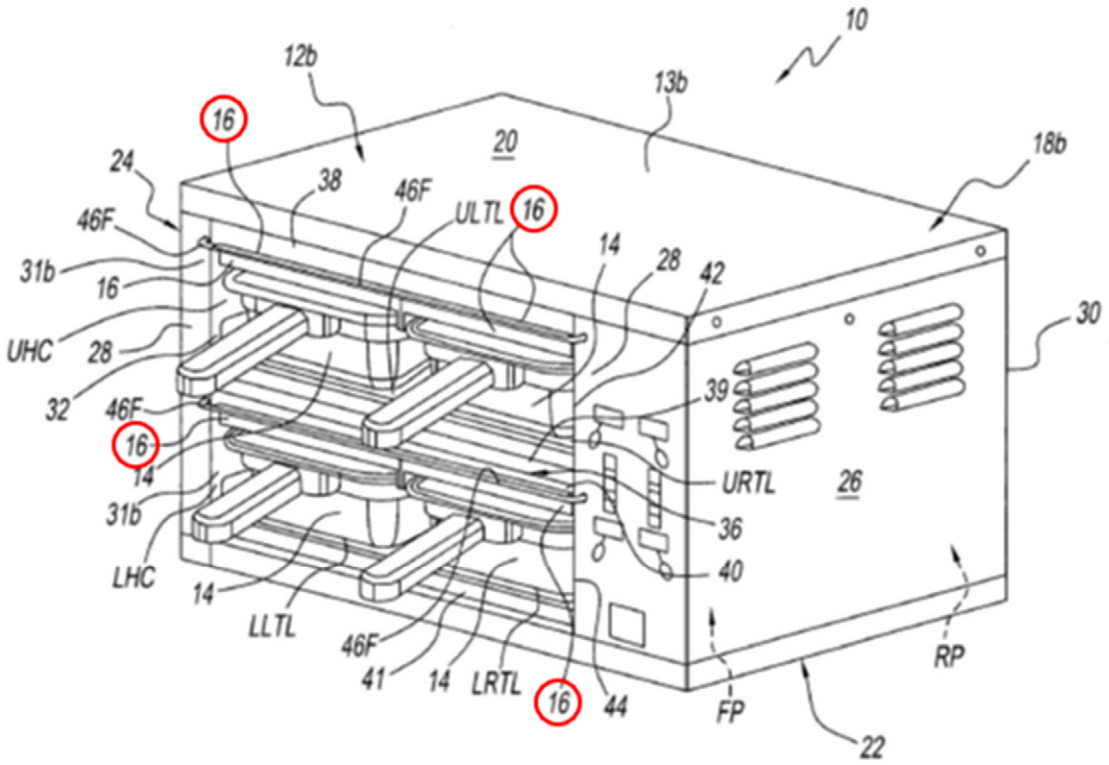


Fig. 1B

EX1012: Fig. 1B (annotated).

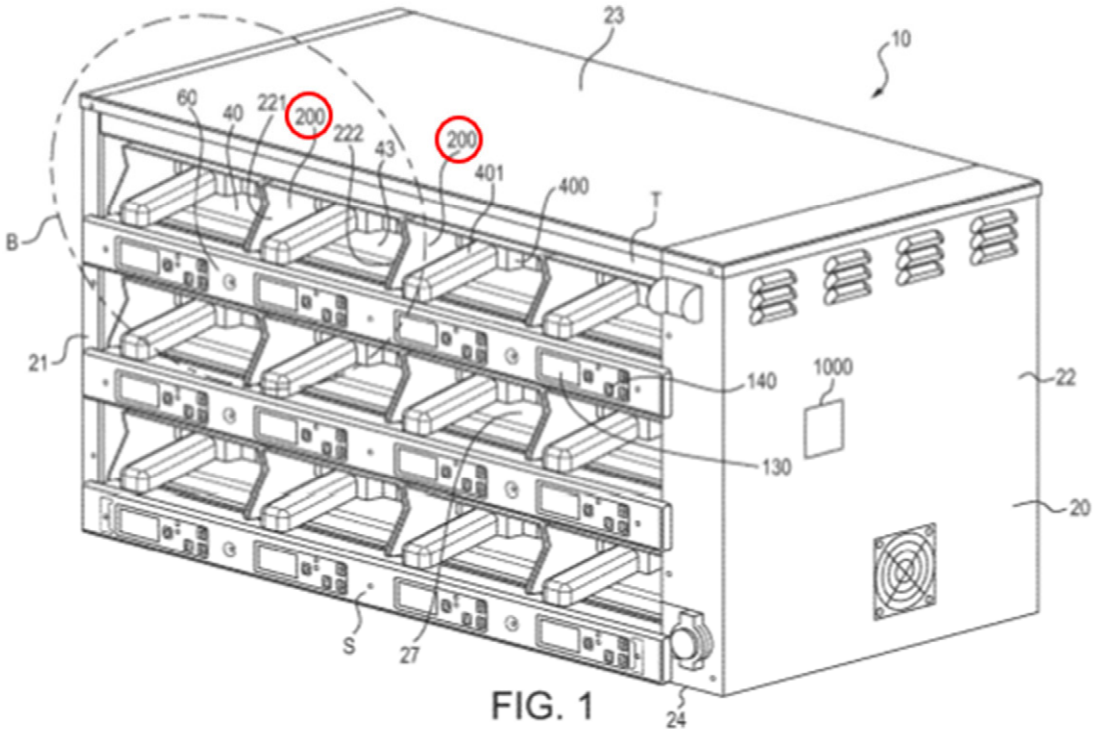
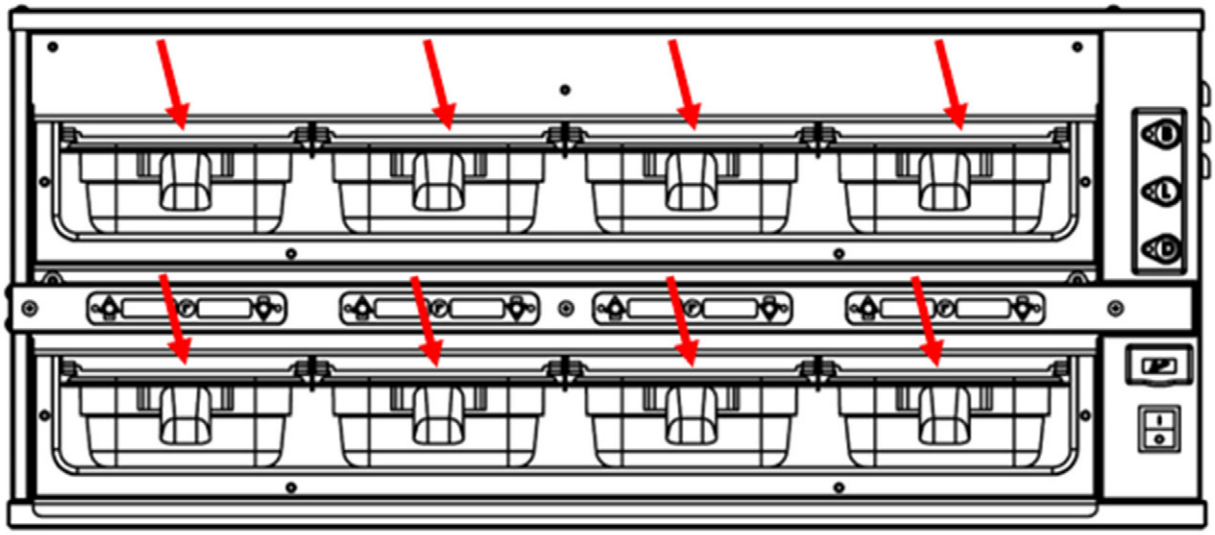


FIG. 1

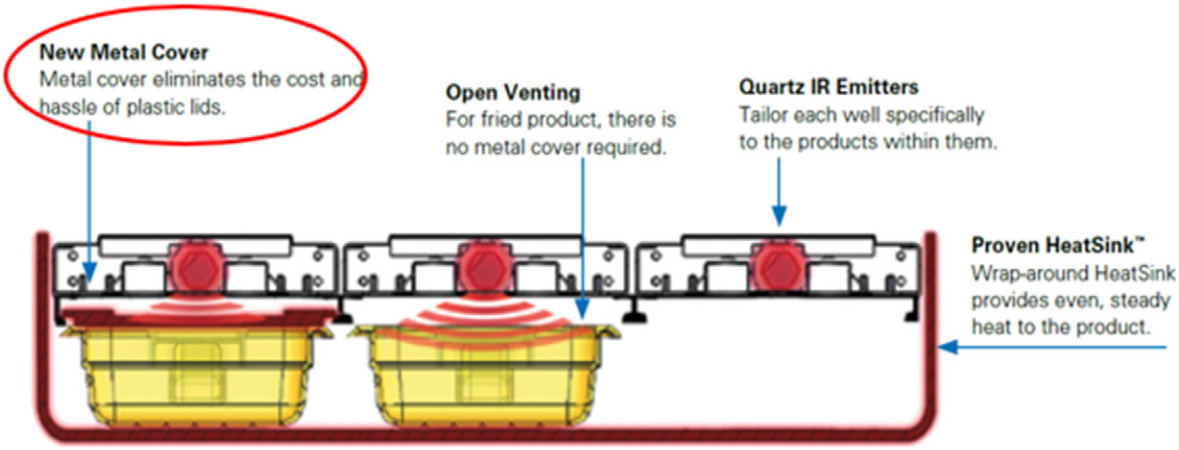
EX1014: Fig. 1 (annotated).



EX1005: 8 (annotated).



EX1006: 2 (annotated).



EX1007: 53 (annotated).

680. It would have been obvious to modify the Fortmann'748 cabinet to have discrete lids for each pan holding location/bay (instead of a single lid per compartment), as taught by Jones, Fortmann'197, and/or the IRHS Documents.

681. This modification would further Fortmann'748's goal of having "zones" for different types of food by allowing the lids for individual pans to be selectively removeable, increasing the flexibility for the cabinet and each compartment to hold more types of food (more temperature/moisture combinations) at the same time. EX1010: ¶[0024].

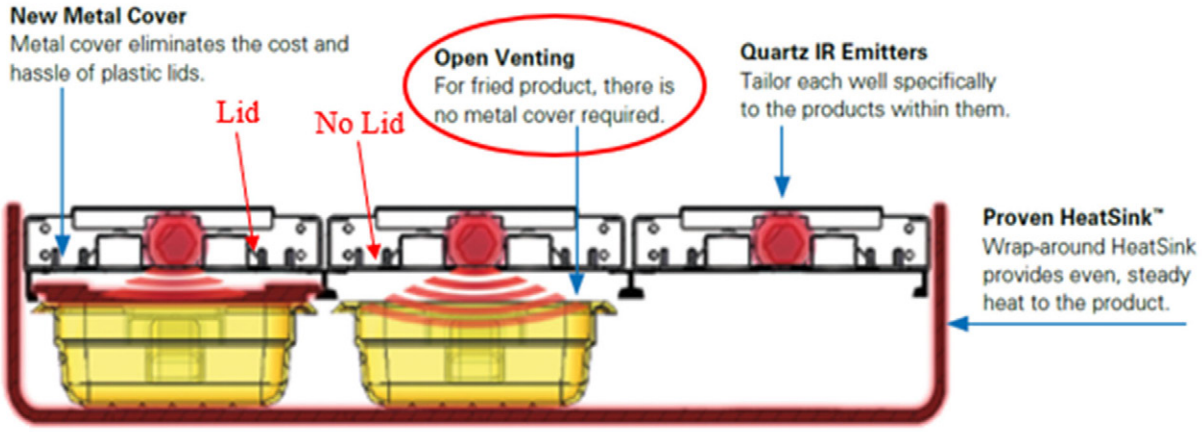
682. For example, for certain types of food (*e.g.*, non-fried foods such as burgers and grilled chicken) it would have been desirable to maintain the moisture from the food in the food pan/tray with a lid. EX1016: ¶[0003] ("[a]s the food loses moisture due to evaporation, flavor is lost. This affects the texture and taste of the product. For example, chicken meat fibers will dry out and become tough"); EX1017: 6:45-47 ("[s]ome of these foods, such as hamburger patties, [lose] their taste and texture with loss of moisture"); EX1014: 7:50-56 ("when it is desired to heatingly store food products in a moist environment, the cover 200 may be installed in the discrete heating zone such to enclose [] the opening 402 into the pan 400 and to prevent moisture from the food products within the pan 400 from leaving the pan 400").

683. In yet other examples, it may be desired for the food pan to be uncovered to allow moisture from the food (*e.g.*, fried foods such as fried chicken) to vent to keep the food crispy or prevent it from becoming soggy. EX1013: ¶[0044] ("food portions, such as fried foods or breads like biscuits, [] are

maintained uncovered to prevent the previously cooked food portions from becoming soggy"); EX1017: 6:47-48 ("[o]ther[] [foods], such as fried chicken fillets, biscuits, and eggs become soggy if stored in an abundance of moisture"); EX1007: 53 ("Open Venting For fried product, there is no metal cover required"); EX1014: 7:61-67 ("where a relatively dry environment is desired, the cover 200 may be removed from the discrete heating zone 100 to allow any moisture within the food product disposed within the opening 402 of the pan 400 to travel away from the pan 400").

684. It thus would have been obvious to modify Fortmann'748's cabinet to have individual lids for each food pan/tray in order to provide more flexibility in food placement, more discrete and better control over venting/sealing, and ability to hold more food types at different holding combinations (temperature/venting). EX1007: 53; EX1019: 1:36-39 ("fast food restaurants [] face challenges [to] maintain a large volume of different food products … [that] present different [holding] requirements"), 1:43-45 ("As the number of offered food products increases, so does the complexity of a system capable of maintaining all the different types of food products.").

685. For example, by incorporating individual lids for each food pan/tray the user could then keep the lids in the compartment for the non-fried foods and remove the lids from the compartment for the fried foods.



EX1007: 53 (annotated).

686. Moreover, discrete lids for each pan holding location/bay are smaller, making the lids easier to move and clean.

687. Furthermore, when holding foods where moisture retention is desired (*e.g.*, burgers), having discrete lids for each food pan/tray allows each lid to form a better seal and eliminate influence that other food pans/trays could have on the seal. EX1007: 10 ("Completely sealed metal cover"), 21 ("covers for individual control"), 58 ("greater seal assurance; critical to maintain food quality with extended hold times").

688. For example, if each pan is provided its own discrete lid, the movement of one pan to add or remove food would not affect the seal of a lid on any of the other pans.

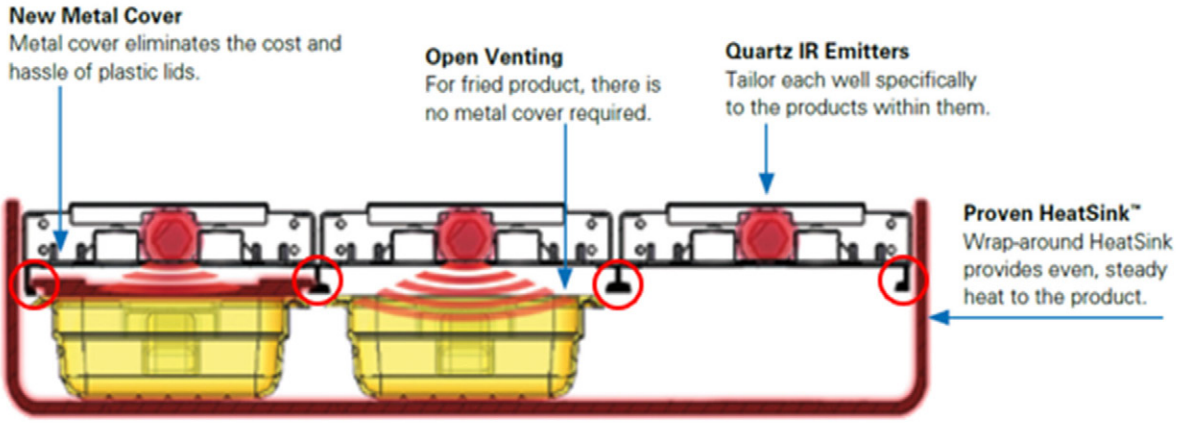
689. Adding discrete lids for each food pan/tray would merely require duplicating and resizing Fortmann'748's lids to cover one pan (100) and

duplicating Fortmann'748's tracks (48) across the compartments to hold the additional lids.

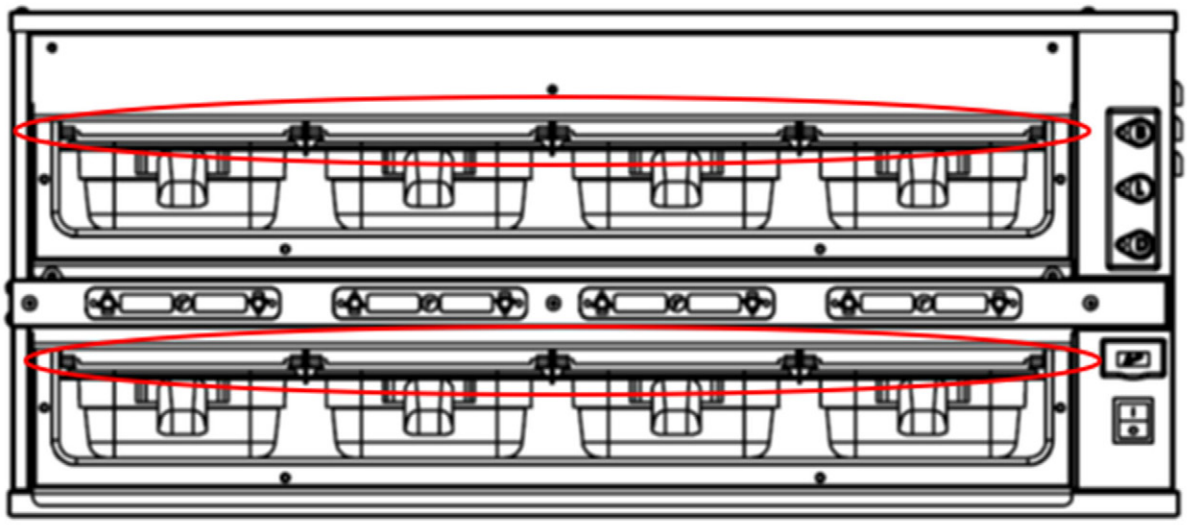
690. In duplicating the tracks (48), it would have been obvious to secure them to the overlying structure, as taught by Fortmann'748. EX1010: ¶[0018] ("a track 48 may be fixed directly to the respective shelf 21 and is disposed beneath each of the right and left sides of the shelf 21").

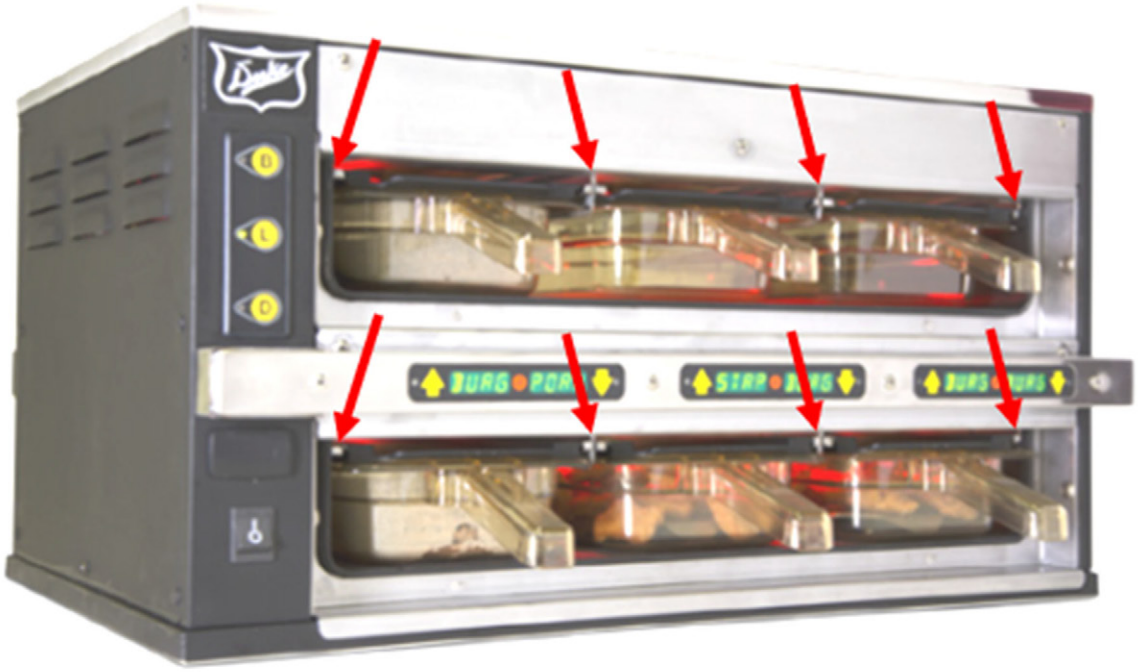
691. Moreover, in view of the IRHS Documents, the POSA would have known to simply duplicated the Fortmann'748 lid holding shelves across the width of the compartment to provide suitable support structure in locations/orientations for holding left and right sides of the individual lids.

692. Specifically, the IRHS Documents disclose discrete lids and sets of lid holding shelves for each lid secured to the overhead structure (including the top panel). EX1005: 4 ("robust aluminum Heat Sink Cover for broiled foods"), 8, 20-21 (ref. no. 18); EX1007: 53 ("[m]etal cover eliminates the cost and hassle of plastic lids"), 56, 58 ("[c]over allows better heat transfer and greater seal assurance; critical to maintaining food quality with extended hold times").

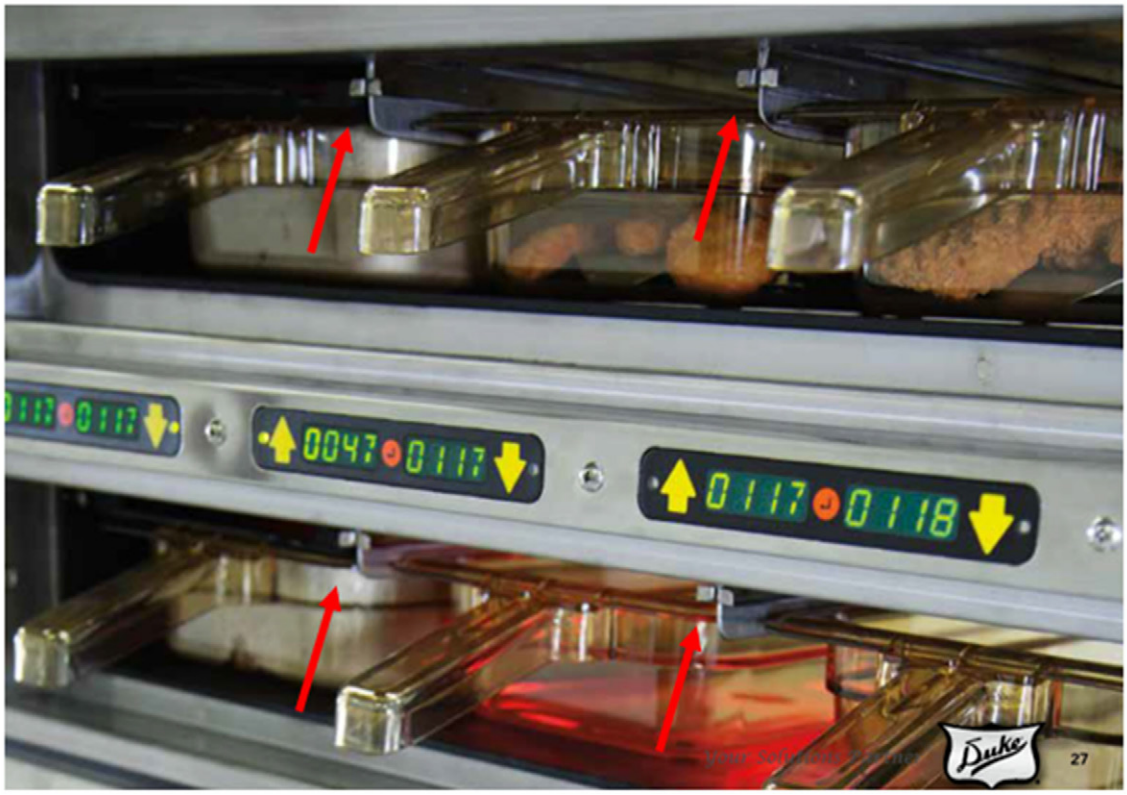


EX1007: 53 (annotated).

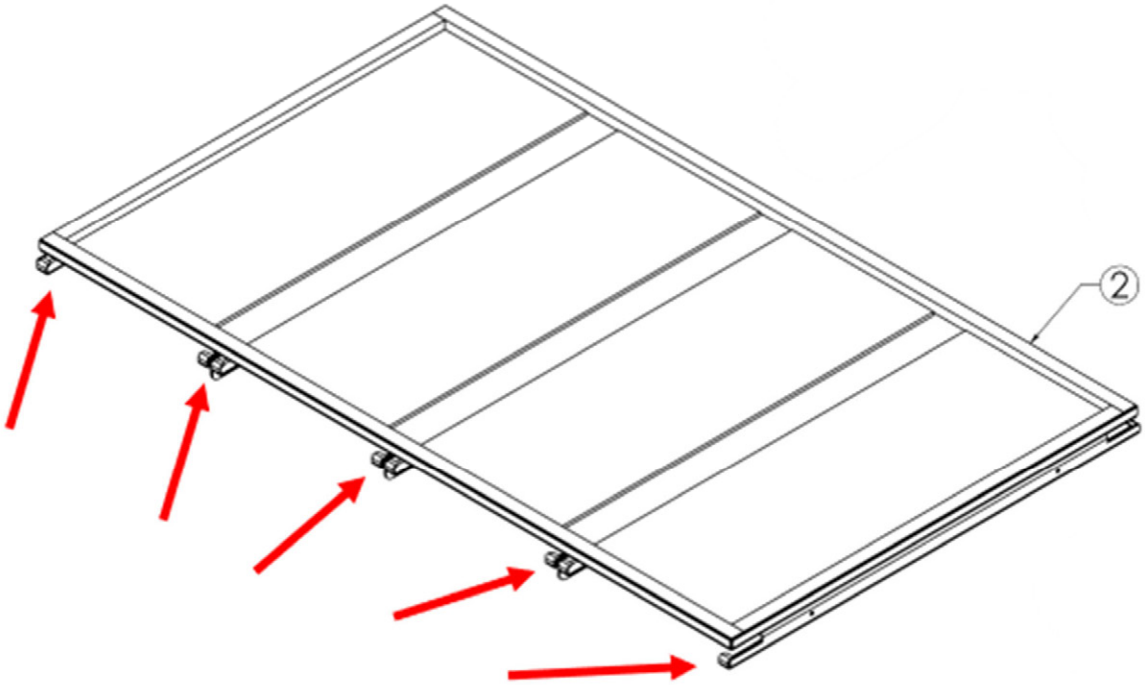




EX1006: 2 (annotated).



EX1007: 52 (annotated).



EX1005: 19 (annotated).

693. Resizing and duplicating lids and duplicating the lid holding shelves would have been nothing more than the application of a known technique (providing individual lids for each food pan/tray as taught by IRHS Documents, Jones, and/or Fortmann'197) to improve a similar device (the Fortmann'748's cabinet) in the same way (the independent lids would be supported by discrete lid supporting shelves secured to overhead structure).

694. There would have been a high expectation of success in making this modification given

(1) the similarities between the Fortmann'748 cabinet and the holding unit of the IRHS Documents;

(2) the function and operation of Fortmann'748's lid holding shelves would not change; and

(3) the IRHS Documents demonstrate discrete lid holding shelves for each lid is possible. EX1012: ¶[0072], Fig. 1B; EX1014: 4:50-53, 7:31-32, Figs. 1-4; EX1005: 8; EX1006: 1-2; EX1007: 53, 58.

695. In view of Fortmann'748, it would have been obvious to directly fix the tracks (48) that supports the lids (40) that are directly below top panel (11) to the top panel. Fortmann'748 discloses two ways of mounting the track (48) in the chassis (10a): (1) mounted on the side panels (13, 14), or (2) mounted on the shelves (21). EX1010: ¶[0018].

696. This arrangement would still be applicable for supporting individual lids for each food pan/tray, with the addition that because the top lid (40) does not have a shelf (21) above it, the track (48) would instead be fixed directly to the top panel (11) (the top panel substituting as the shelf in this context).

697. This would have also been the application of a known technique (Fortman'748 mounting a track to an overhead structure) to improve a similar device (the tracks for the top compartment) in the same way (mounting the top tracks to the overhead structure).

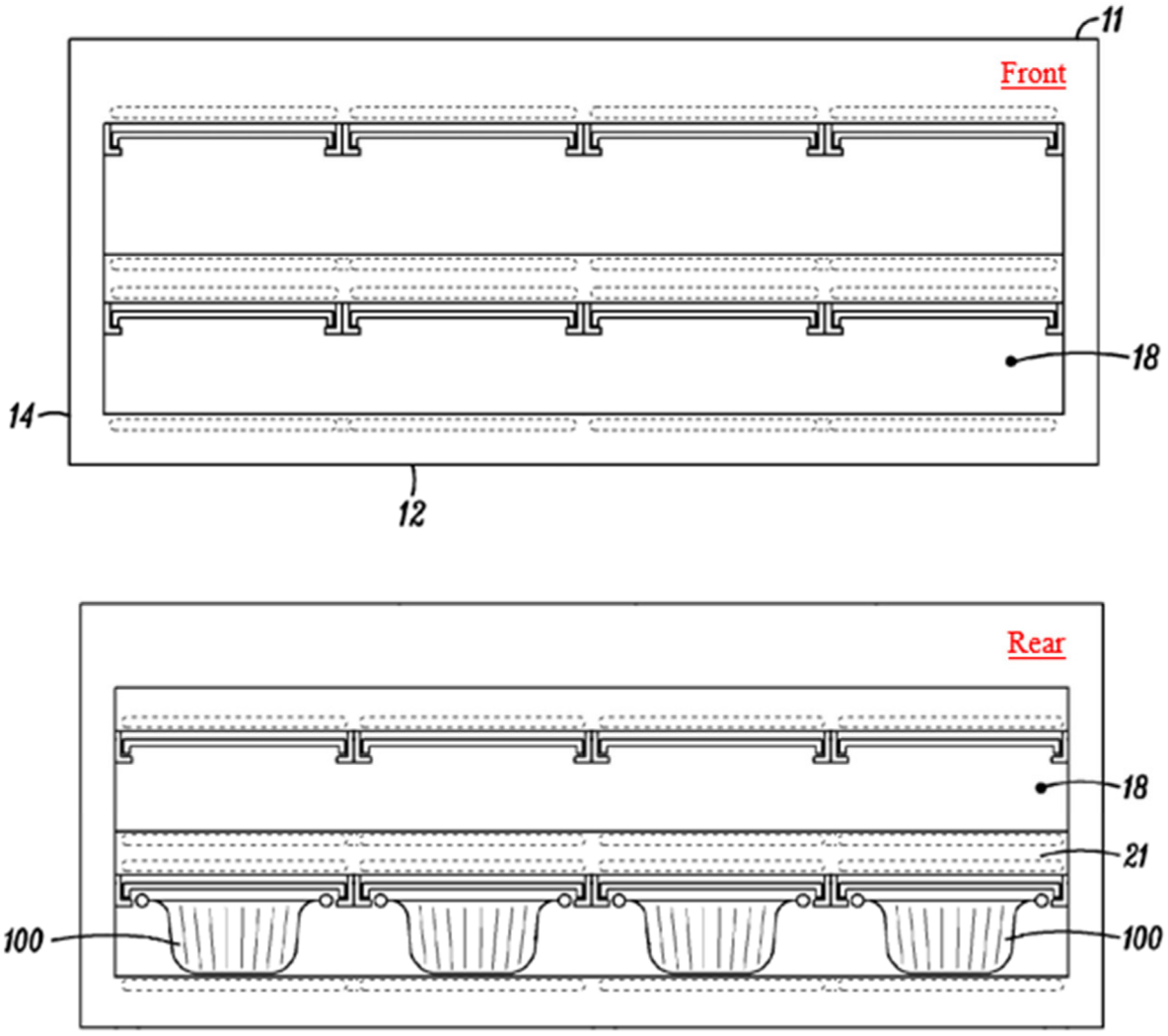
698. There would have been a high expectation of success in making this modification given

(1) the similarities between the Fortmann'748 cabinet and the holding unit of Jones, Fortmann'197, or IRHS Documents (*e.g.*, all units with lids);

(2) the function and operation of Fortmann'748's lids would not change; and

(3) Jones, Fortmann'197, and IRHS Documents demonstrate individual lids for each pan holding location/bay is possible.

699. Schematic illustrations of the 2x4 Fortmann'748 cabinet modified to have individual lids for each pan holding location/bay are shown below:



EX1010: Figs. 2 and 6 (modified, annotated).

8. Latches

700. Each compartment of Fortmann'748's cabinet includes a removable lid or cover (40). EX1010: ¶[0017] ("[t]he plurality of shelves 21 may each include a removable and slidable cover 40 that is disposed in conjunction with and below each shelf 21 (with the exception of the bottom shelf 21, with a cover 40 also provided above the upper-most shelf)" and "[a]n additional cover 40 may be slidably disposed at the top of the warming volume 18 to enclose a pan 100 that is disposed upon the upper-most shelf 21").

701. The lid (40) slides along tracks (48) and can rest on the top of the pan (100). EX1010: ¶¶[0017] ("a removable and slidable cover 40"), [0018] ("the cover 40 [is] closely received within the track 48 to encourage stability within the track 48 and ease of sliding movement therewithin" and "no space between the upper edges of the pan 100 and the bottom surface of the cover 40").

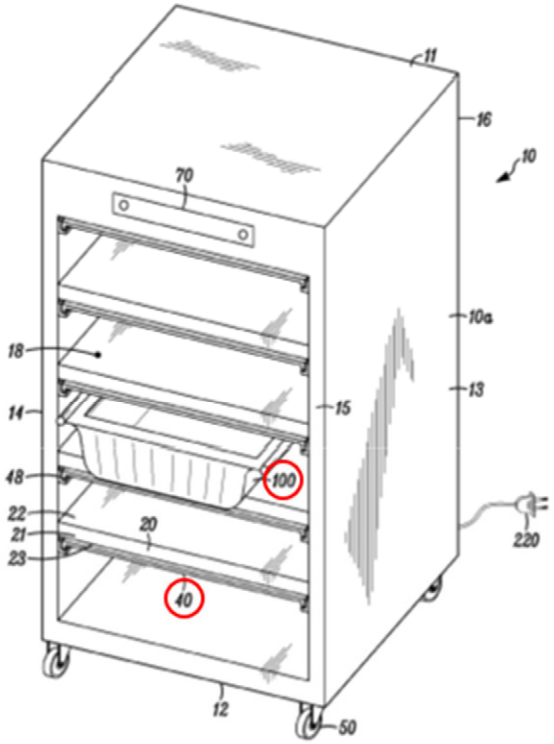


FIG. 1

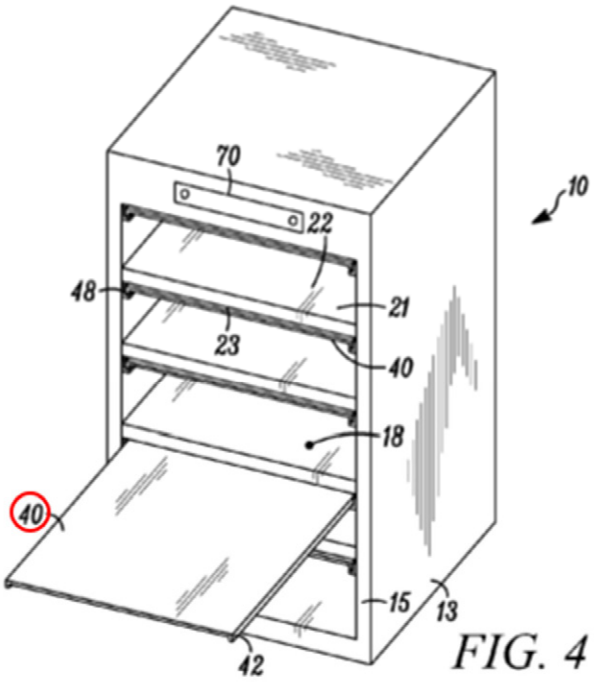


FIG. 4

EX1010: Figs. 1 and 4 (annotated).

702. Notably, similar food holding units which include covers or lids routinely include latches to secure the lid in place.

703. For example, Hartfelder teaches a food warming apparatus (10) that receives trays (40) in heating compartments (24, 26) with covers or lids (44, 46). EX1013: ¶¶[0028] ("food warming apparatus 10"), ¶[0030] ("[e]ach of heating compartments 24 and 26 is sized to accommodate a plurality of trays, as exemplified in FIG. 1 by trays 40 and 42 in heating compartment 24. Each of trays 40 and 42 are covered by covers 44 and 46, respectively.").

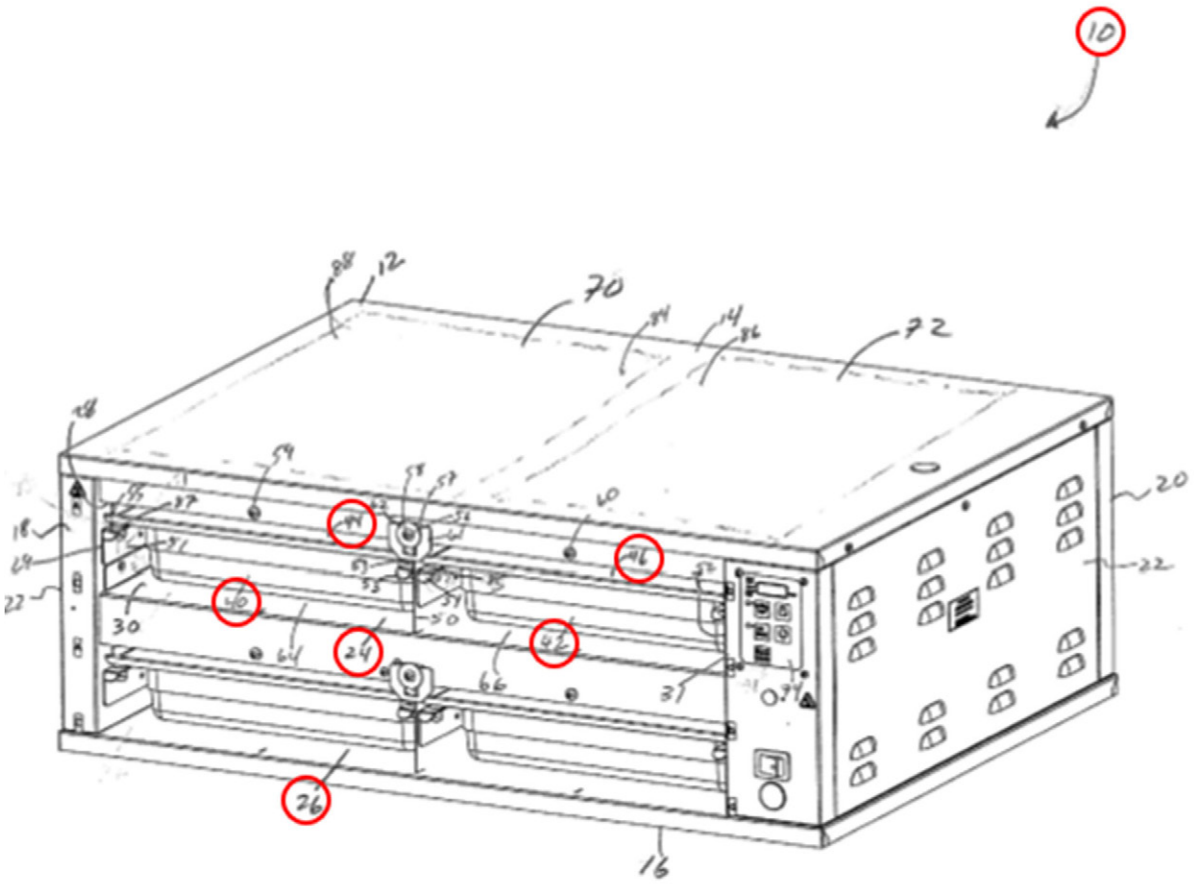


FIGURE 1

EX1013: Fig. 1 (annotated).

704. To prevent the lids (44, 46) from moving with the trays (40, 42) when the trays are removed from the heating compartment (24, 26), the Hartfelder apparatus (10) includes stop members (61) which retain the lids. EX1013: ¶[0058] ("[a]s best shown in FIG. 9, when tray 40 is withdrawn from sub-compartment 64 of heating compartment 24, front turned-up edge 90 of cover 64, acting as an

engagement edge, engages stop member 61. The engagement of engagement edge 90 with stop member 61 arrests the movement of cover 44. As the movement of cover 44 is arrested, cover 44 is retained upon within sub-compartment 64 while tray 40 is withdrawn"), Fig. 9.

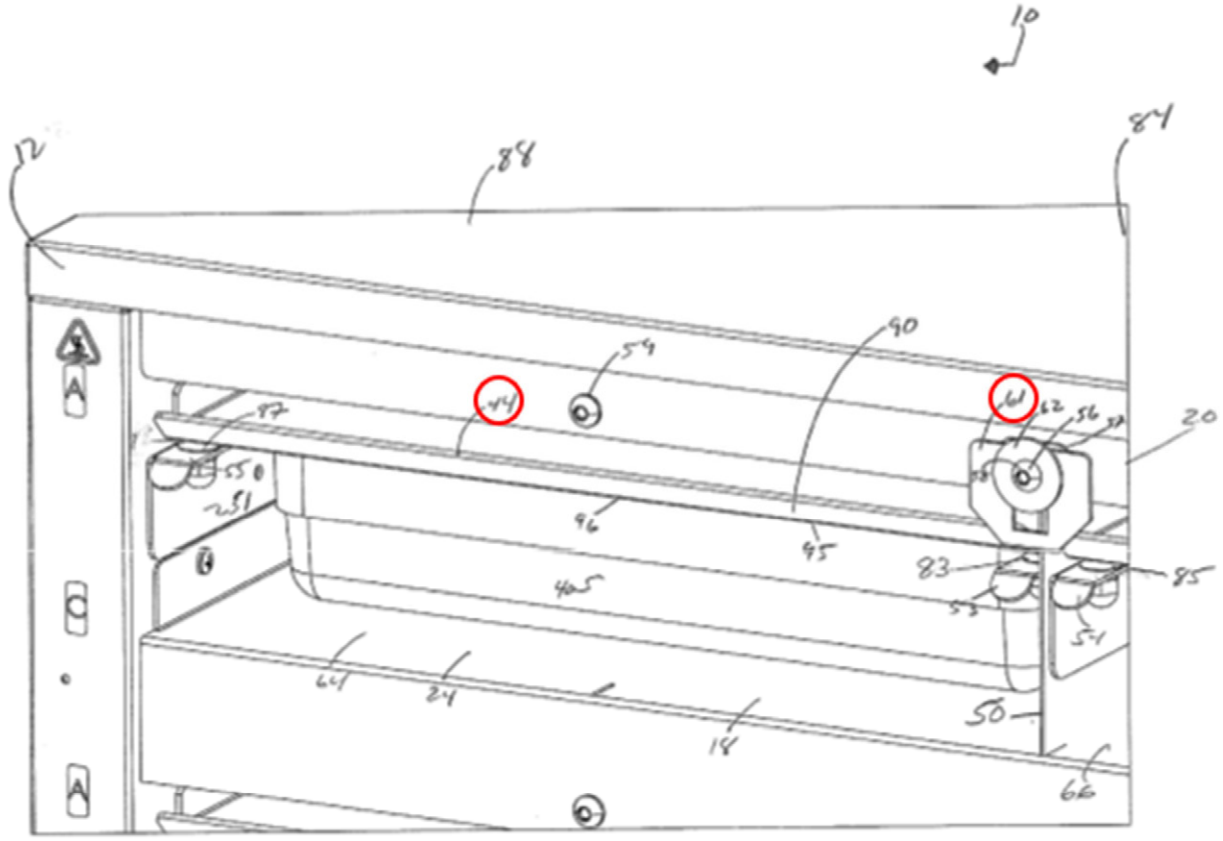


FIGURE 9

EX1013: Fig. 9 (annotated).

705. Shei'099 discloses similar stops (88) between pairs of covers (80) where the stops are biased by gravity to a cover-retaining position (to retain both

covers) and pivotable to the left or right to selectively permit insertion/removal of either of the covers. EX1017: 6:9-32.

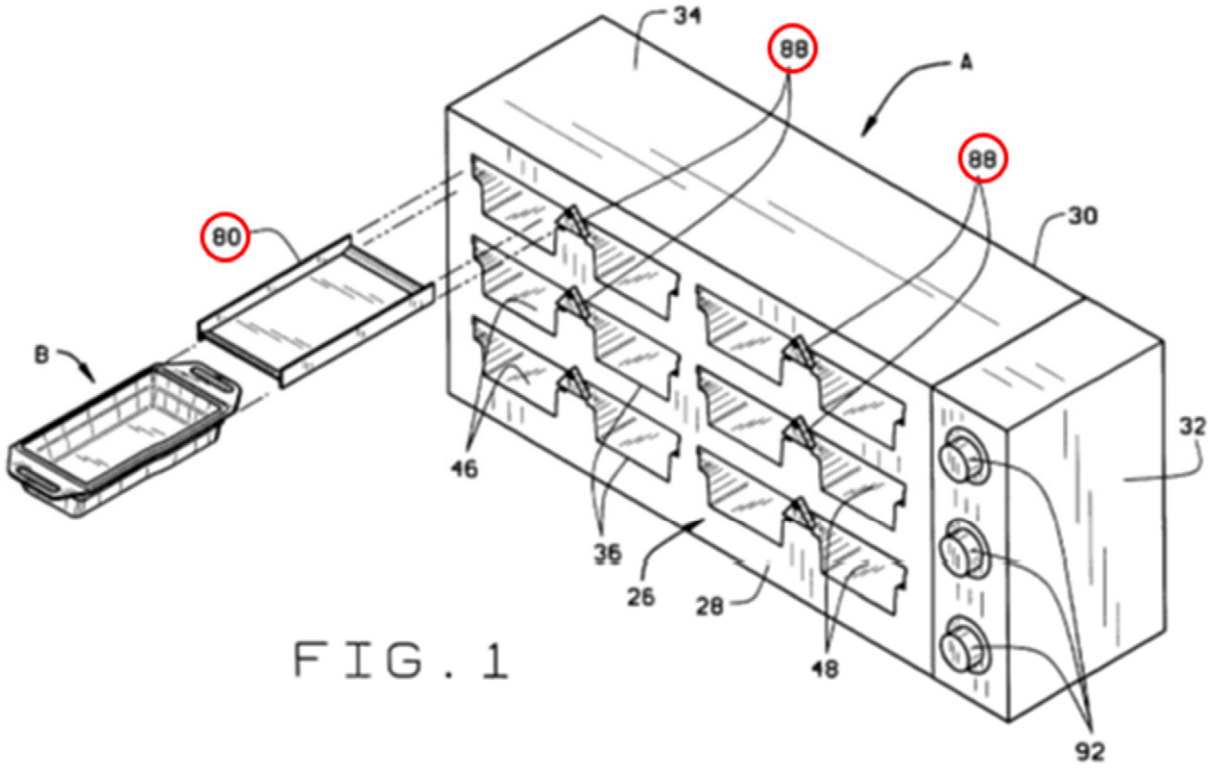


FIG. 1

EX1017: Fig. 1 (annotated).

706. It would have been obvious to the POSA to modify Fortmann'748's cabinet to include Hartfelder's stop members (61) or Shei'099's stops (88) for retaining the lids of Fortmann'748's cabinet on the lid-holding shelves. EX1013: ¶[0058].

707. The stop members (61) or stops (88) would prevent the lids, which are in contact with the pans, from moving with the pans as the pans are inserted into and removed from the compartments. EX1013: ¶[0058] ("[a]s best shown in FIG.

9, when tray 40 is withdrawn from sub-compartment 64 of heating compartment 24, front turned-up edge 90 of cover 64, acting as an engagement edge, engages stop member 61. The engagement of engagement edge 90 with stop member 61 arrests the movement of cover 44. As the movement of cover 44 is arrested, cover 44 is retained upon within sub-compartment 64 while tray 40 is withdrawn"); EX1017: 6:19-22. This would retain the lids in position to cover the pans when the pans are in the heating compartments.

708. The addition of latches would have been nothing more than using a known technique (the incorporation of stop members of Hartfelder or Shei'099 to retain lids) to improve a similar device (the Fortmann'748 cabinet with lids) in the same way (retaining lids in place while moving food pans into and out of the food holding compartments).

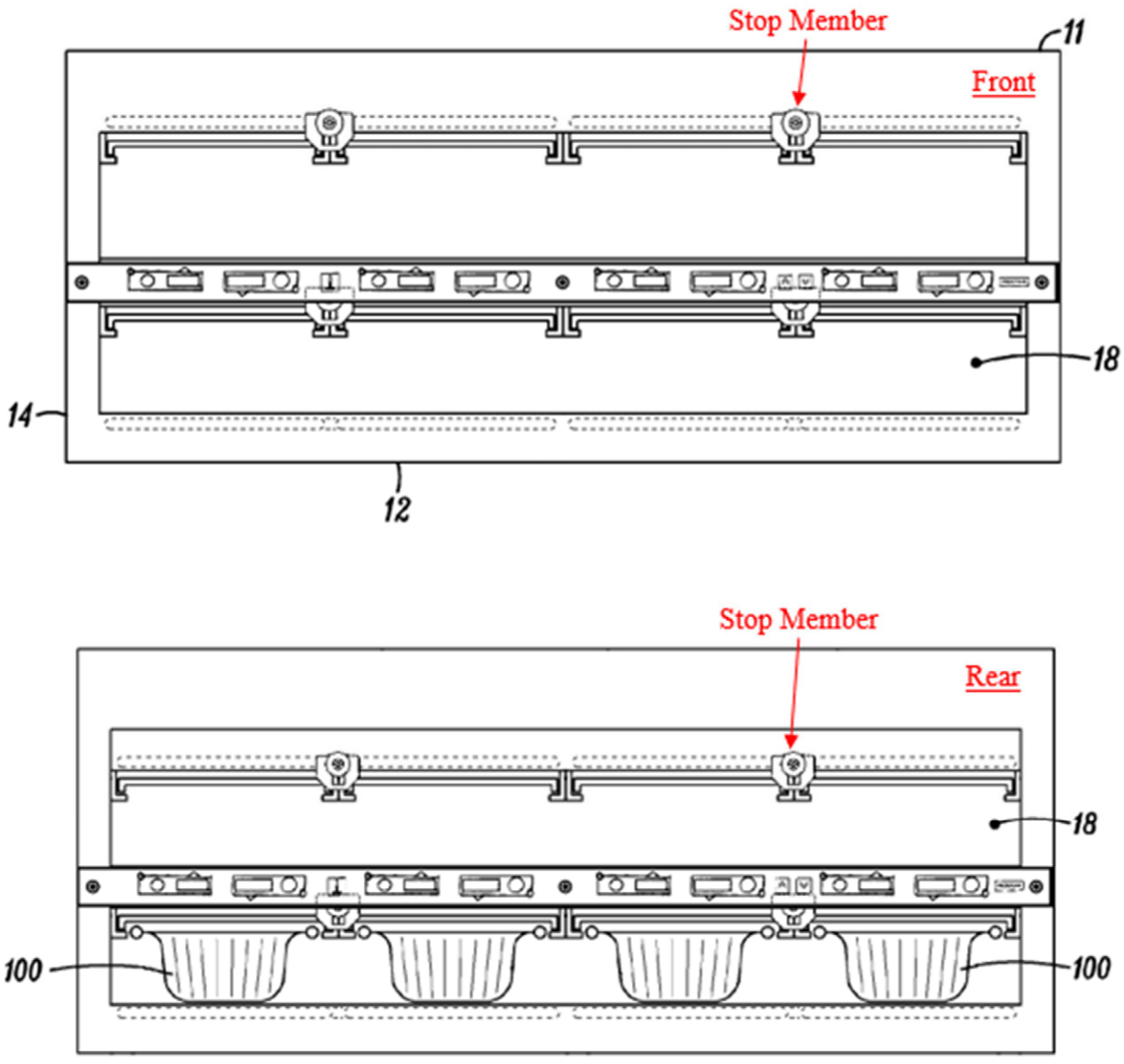
709. There would have been a high expectation of success in making this modification given:

(1) the similarities between the Fortmann'748 cabinet and Hartfelder's and Shei'099's unit (*e.g.*, all units with compartments for warming trays/pans of food with lids covering the trays/pans); and

(2) that the stop member of Hartfelder or the stop of Shei'099 would perform the same function in the same way in Fortmann'748's cabinet. EX1013: ¶[0058].

710. In making this modification, it would have been obvious to the POSA to arranged each stop member (61) or stop (88) on the face of the shelf between two lids as taught by Hartfelder and Shei'099.

711. A representative illustration of the 2x4 Fortmann'748 cabinet modified to have Hartfelder's stop members (61) for the lids is shown below. A modification implementing Shei'099's stops (88) would be similar to below, except Hartfelder's stop members (61) would be replaced with Shei'099's stops (88).



EX1010: Figs. 2 and 6 (modified, annotated).

9. Insulation

712. The heaters (60) of Fortmann'748 are disposed between top and bottom planar sheets (22, 23) of the shelf (21). EX1010: ¶[0019] ("[e]ach of the plurality of shelves 21 include[s] one or more heaters 60 … disposed within the internal volume shelf 21 …, the shelves 21 may include two planar sheets of thin material (such as stainless steel) that form an envelope for the heater[s] 60 to be disposed therebetween").

713. The heater (60) is taught to be in contact with the top sheet (22) of the shelf (21) to heat the compartment above the shelf and with the bottom sheet (23) of the shelf (21) to heat the compartment below the shelf. EX1010: ¶[0019] ("the heater 60 makes surface contact with at least the upper sheet 22 forming the shelf 21 (and also the heater 60 may contact the lower sheet 23 forming the shelf 21)").

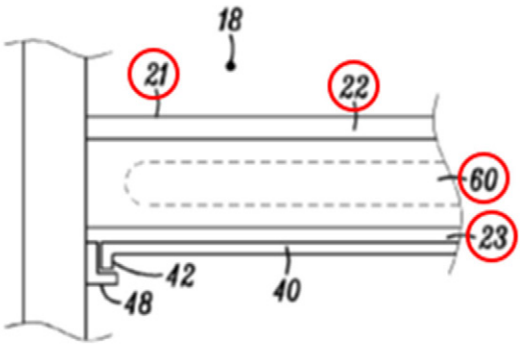


FIG. 3

EX1010: Fig. 3 (annotated).

714. In implementing the independently controllable upper and lower heater modification to Fortmann'748 discussed in Paragraphs 554-637 above, it would have been obvious to provide insulation between the upper and lower heaters as taught in the prior art.

715. For example, Fortmann'967 teaches a food holding system or cabinet (10) for keeping food warm. EX1018: 1:5-7 ("[t]his invention relates to a system that defines a conditioned environment, as for treating and/or maintaining the treated state of food items"), 4:19-26, Fig. 1.

716. Similar to Fortmann'748, the system (10) of Fortmann'967 has a plurality of vertically stacked food treatment spaces (16, 18, 20, 22) that receive a receptacle or tray (32) of food. EX1018: 3:64-65, 4:4-11, Fig. 2.

717. Each food treatment space (16, 18, 20, 22) of Fortmann'967 has two heaters (44, 48) which heat the top and bottom of the receptacle (32). EX1018: 4:22-26 ("a heater 44, which conducts heat through a heat sink 46 to the bottom wall 24, and a separate heater 48 which conducts heat through a heat sink 50 to the top wall 26"), Fig. 2.

Fig. 1

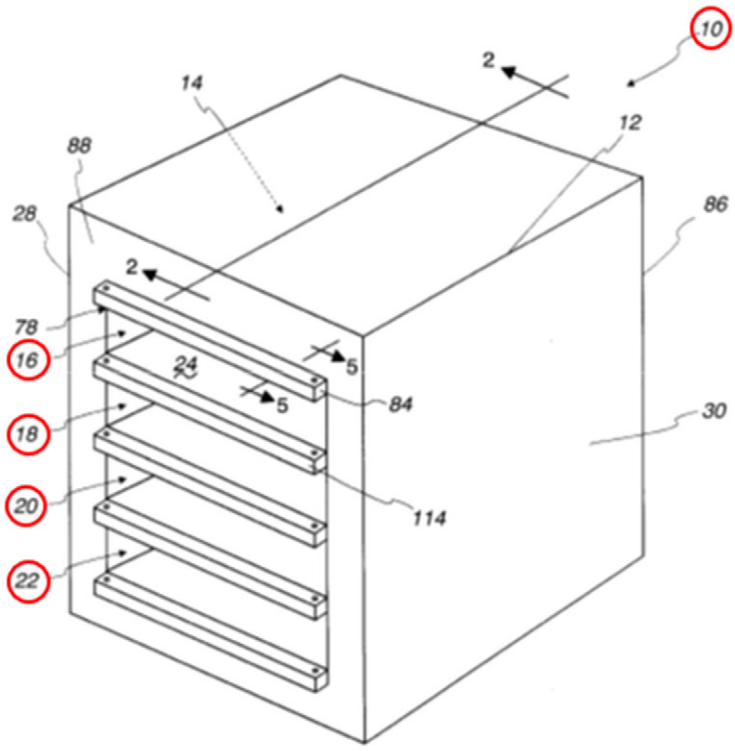
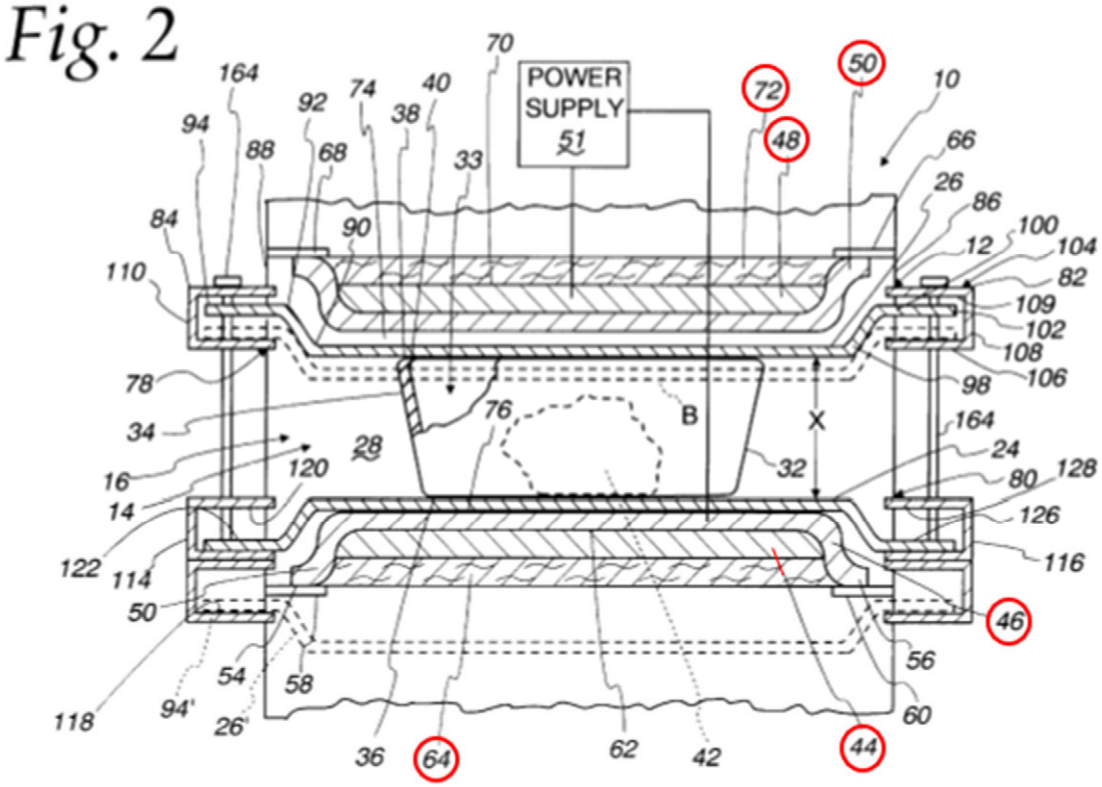

10
2
14
12
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86
2
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16
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5
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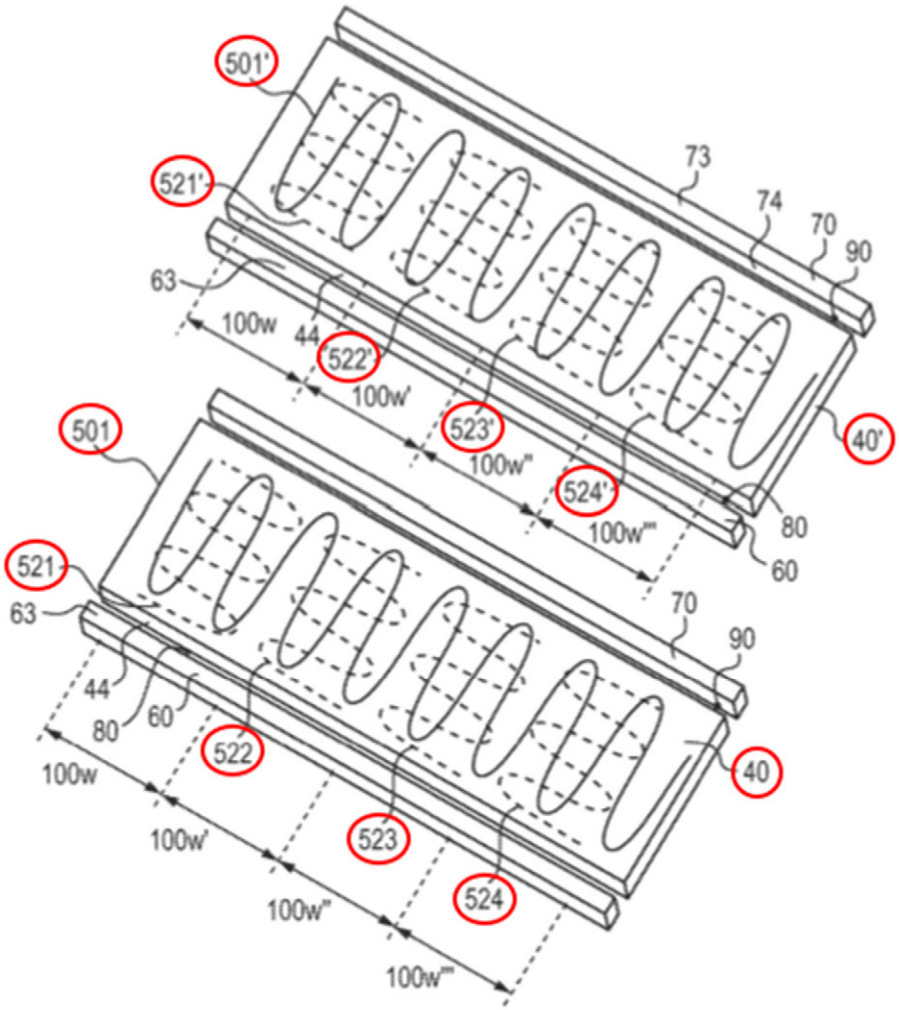
Fig. 2


70
POWER SUPPLY 51
72
50
10
48
164
92
74
40
38
33
94
88
68
66
26
86
84
90
12
100
104
82
110
109
102
108
78
98
106
76
B
X
34
28
164
24
32
80
128
16
120
126
14
116
122
114
50
46
56
54
58
118
94'
26'
60
36
64
62
42
44

EX1018: Figs. 1 and 2 (annotated).

718. Each heater (44, 48) is backed by insulation (64, 72), which directs the heat from the heaters into the food treatment space (16, 18, 20, 22). EX1018: 4:33-38 ("An insulation layer 64 fills the space 62 beneath the heater 44.… The heater 48 is nested in a space 70 defined by the heat sink 50 and covered by an insulation layer 72."), Fig. 2.

719. Similarly, Fortmann'197 explains that "***insulation*** may be provided between the upper heaters 521, 522, 523, 524 in a plate 40 and the lower heater 501 in the same plate, so that the heat generated by the respective heater travels generally through the surface of the plate 40 proximate to the plate and not in the direction of the other heater within the plate 40." EX1014: 9:32-37, Fig. 10.



EX1014: Fig. 10 (annotated).

720. It would have been obvious to add insulation in the shelf of Fortmann‘748’s cabinet—as modified in view of Jones, Fortmann’197, IRHS Documents, and McMillan to incorporate separate independently controllable upper and lower heaters—to direct the heat generated by the heaters (upper heaters) disposed at the bottom of the shelf into the compartment below the shelf and heaters (upper heaters) disposed at the top of the shelf into the compartment

above the shelf. EX1014: 9:32-37 ("insulation may be provided between the upper heaters 521, 522, 523, 524 in a plate 40 and the lower heater 501 in the same plate, so that the heat generated by the respective heater travels generally through the surface of the plate 40 proximate to the plate and not in the direction of the other heater within the plate 40").

721. The addition of insulation would also further thermally separate the two compartments, reducing the effect the temperature in one compartment has on the temperature in the other compartment.

722. Moreover, insulation would increase heating accuracy and efficiency, reducing power consumption and operating costs. EX1007: 8 ("raise restaurant profitability" and "decreasing the costs associated with running your restaurant"), 11 ("Energy Savings = Cash Flow Improvement").

723. This modification would have been nothing more than combining known prior art elements (the insulation of Fortmann'967 and Fortmann'197 with the cabinet of Fortmann'748) according to known methods (the insulation arrangement taught by Fortmann'967 and Fortmann'197) to yield predictable results (thermally separating the upper and lower heaters in the same shelf and heating accuracy/efficiency).

724. This modification would have also been nothing more than using a known technique (the insulation of Fortmann'967 and Fortmann'197) to improve a

similar device (Fortmann'748's cabinet) in the same way (the insulation arrangements taught by Fortmann'967 and Fortmann'197).

725. There would have been a high expectation of success in making this modification given:

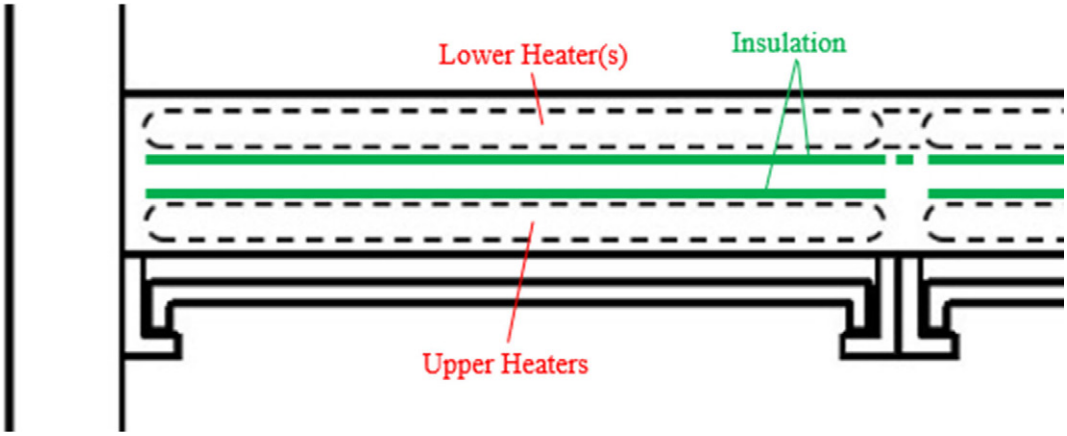
(1) the similarities between the Fortmann'748 cabinet and the units of Fortmann'967 and Fortmann'197 (*e.g.*, all shelves having upper and lower heating elements);

(2) the insulating purposes of the added insulation from Fortmann'967 or Fortmann'197 would not change; and

(3) Fortmann'967 and Fortmann'197 demonstrate placement of insulation to promote heating in a desired direction is possible. EX1018: 4:33-38; EX1014: 9:32-37.

726. Fortmann'967 teaches backing each heater with insulation. EX1018: 4:33-38. Based on these teachings, the POSA would back each of the upper and lower heaters in the shelf with insulation.

727. An enlarged schematic illustration of the 2x4 Fortmann'748 cabinet modified in this manner is shown below:

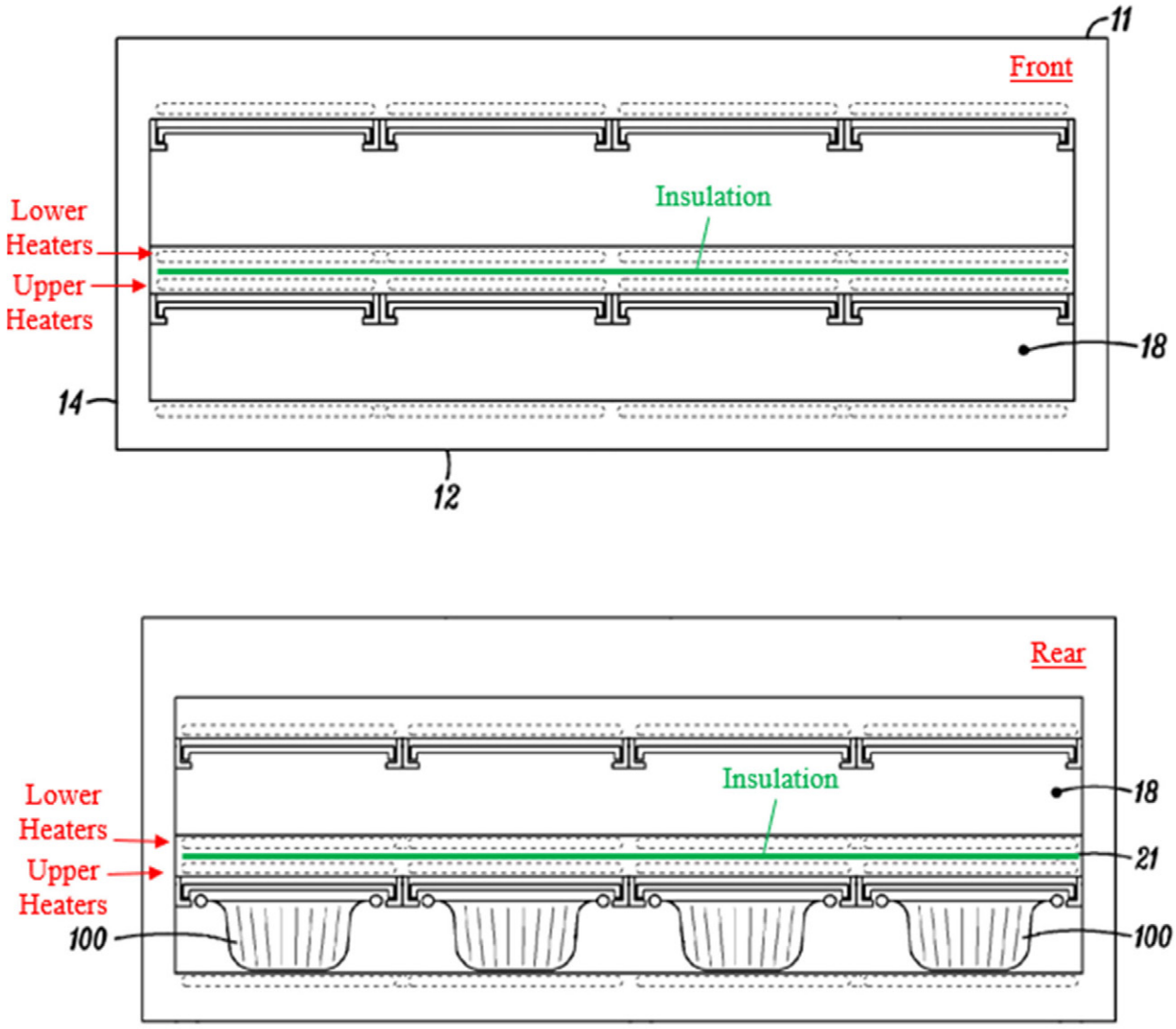


EX1010: Fig. 2 (modified, annotated, enlarged).

728. Fortmann'197 similarly teaches placing insulation between the upper and lower heating elements in the shelf. EX1014: 9:32-37.

729. Based on these teachings, the POSA would place the insulation in the interior volume of the shelf (21) between the upper and lower heaters.

730. Schematic illustrations of the 2x4 Fortmann'748 cabinet modified in this manner are shown below:



EX1010: Figs. 2 and 6 (modified, annotated).

B. Independent Claim 1

1.P: A multi-zone food holding bin comprising:

731. The POSA would recognize that Fortmann'748 discloses "a multi-zone food holding bin."

732. Specifically, Fortmann'748 teaches a food holding bin or warming cabinet (10) having multiple zones for a plurality of food pans (100). EX1010: ¶¶[0014], [0024] ("multiple heat zones"), Figs. 1 and 6.

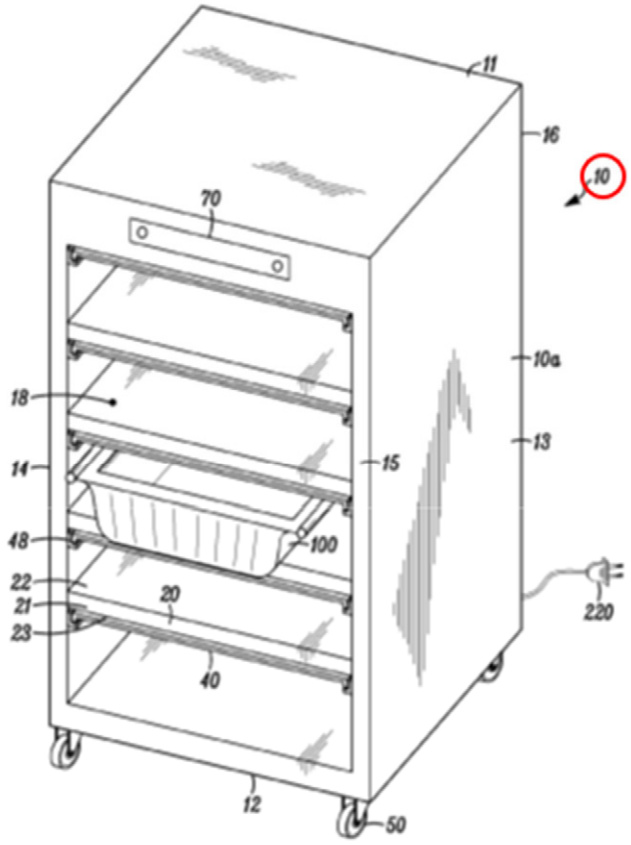


FIG. 1

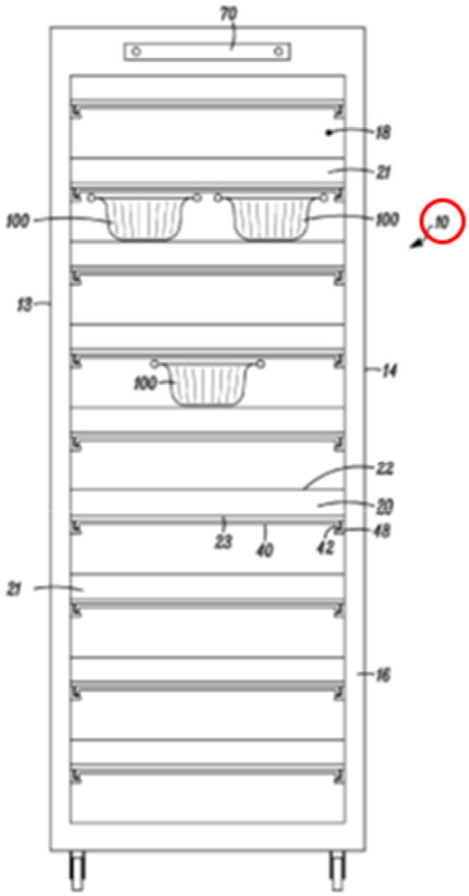
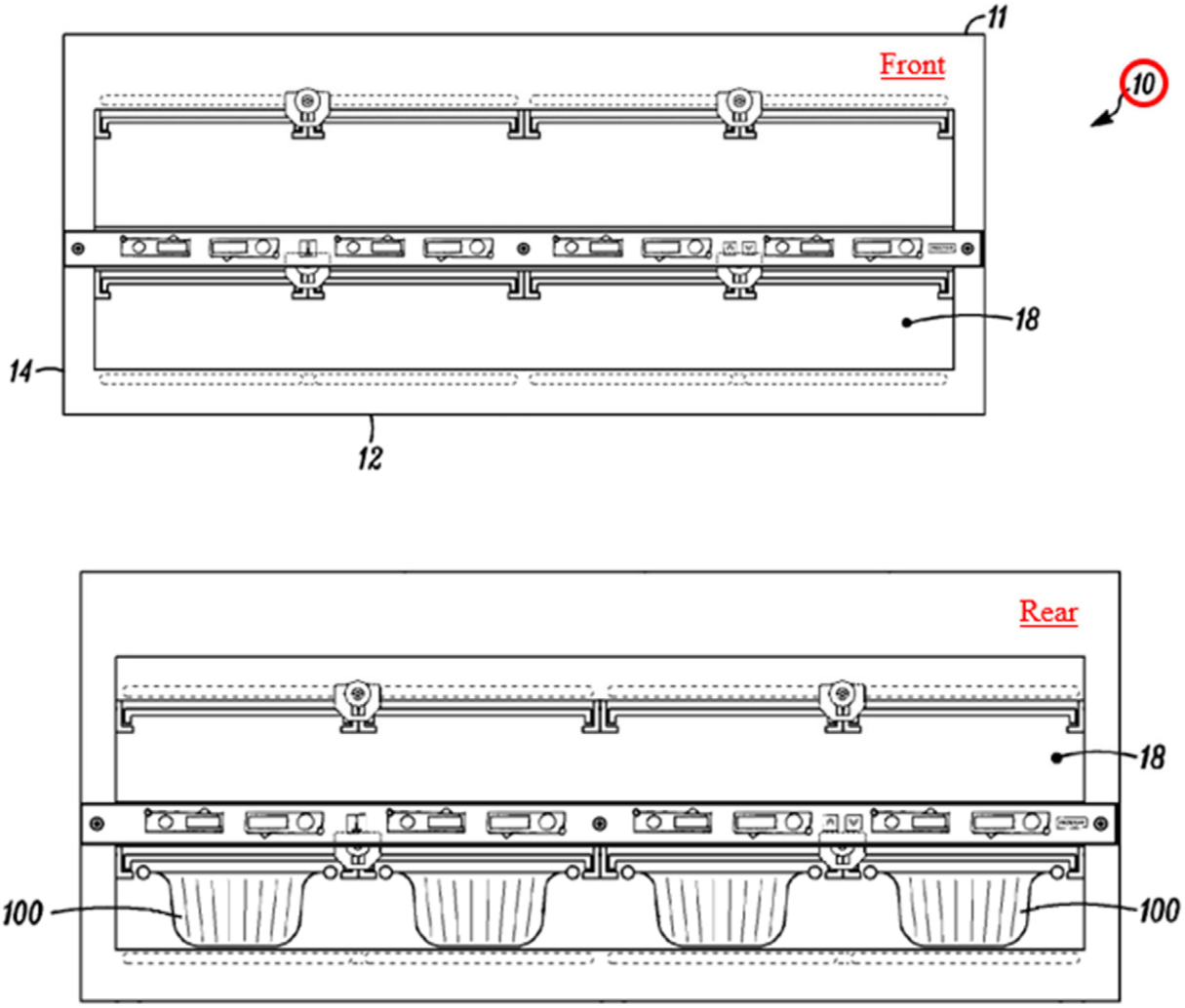


FIG. 6

EX1010: Figs. 1 and 6 (annotated).

733. This teaching would likewise hold true for the Fortmann'748 cabinet as modified according to Paragraphs 542-730 above as shown in the modified renderings below.



EX1010: Figs. 2 and 6 (modified, annotated).

1.a: a chassis having a top panel, a first side panel, a second side panel, a bottom panel, a front face, and an opposing rear face

734. The POSA would recognize that Fortmann'748 discloses the multi-zone food holding bin as having "a chassis having a top panel, a first side panel, a second side panel, a bottom panel, a front face, and an opposing rear face."

735. For example, Fortmann'748's warming cabinet (10) has a chassis (10a) having a top panel (11), a first side panel (13), a second side panel (14), and a bottom panel (12). EX1010: ¶[0014] ("warming cart 10 includes a body 10a that is defined from a top wall 11, a bottom wall 12, a left wall 14, and a right wall 13"). The cabinet (10) has a front face and a rear face. EX1010: ¶[0014] ("warming cart 10 is configured with an open front side 15 and an open back side 16"), Figs. 1 and 6.

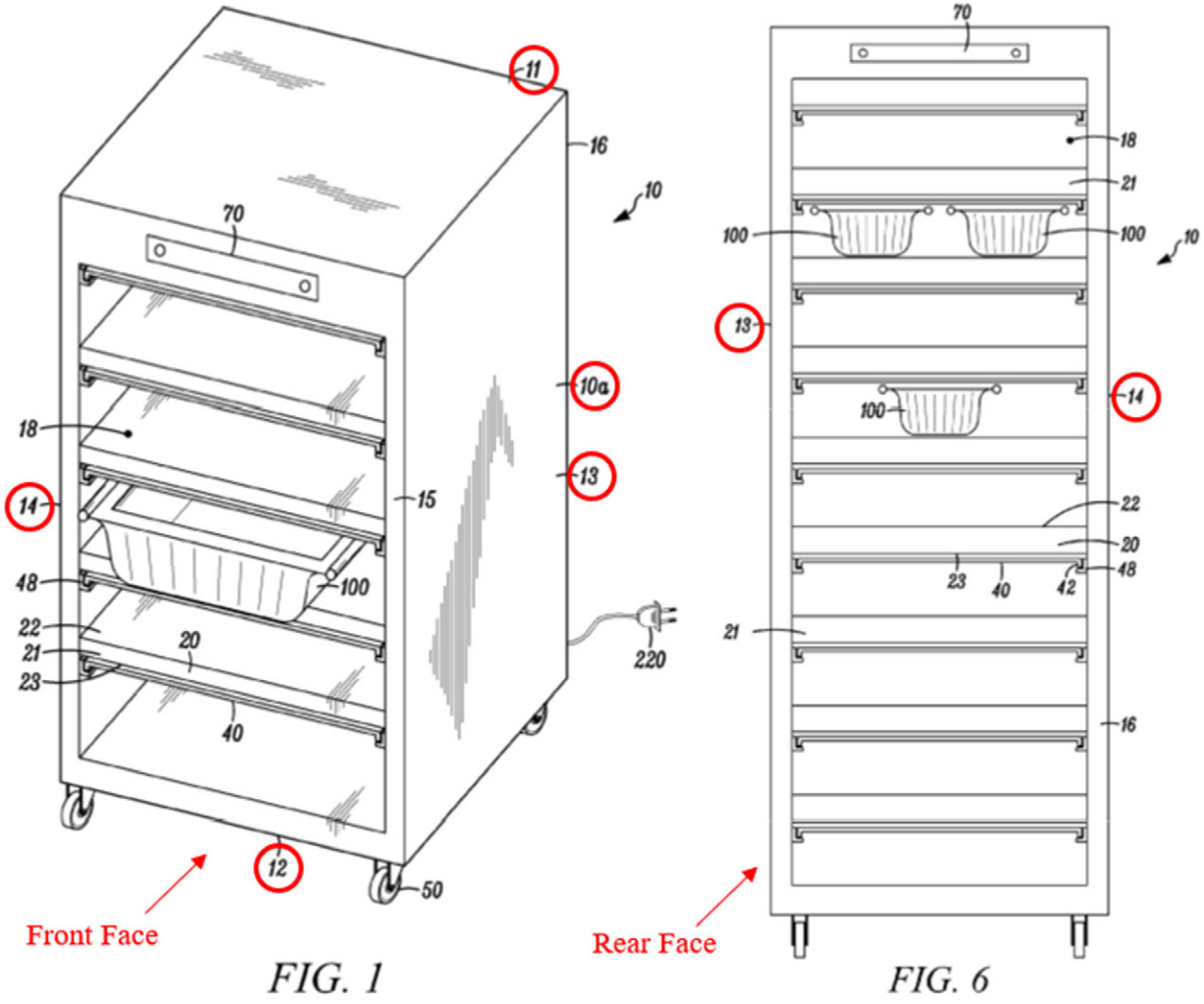
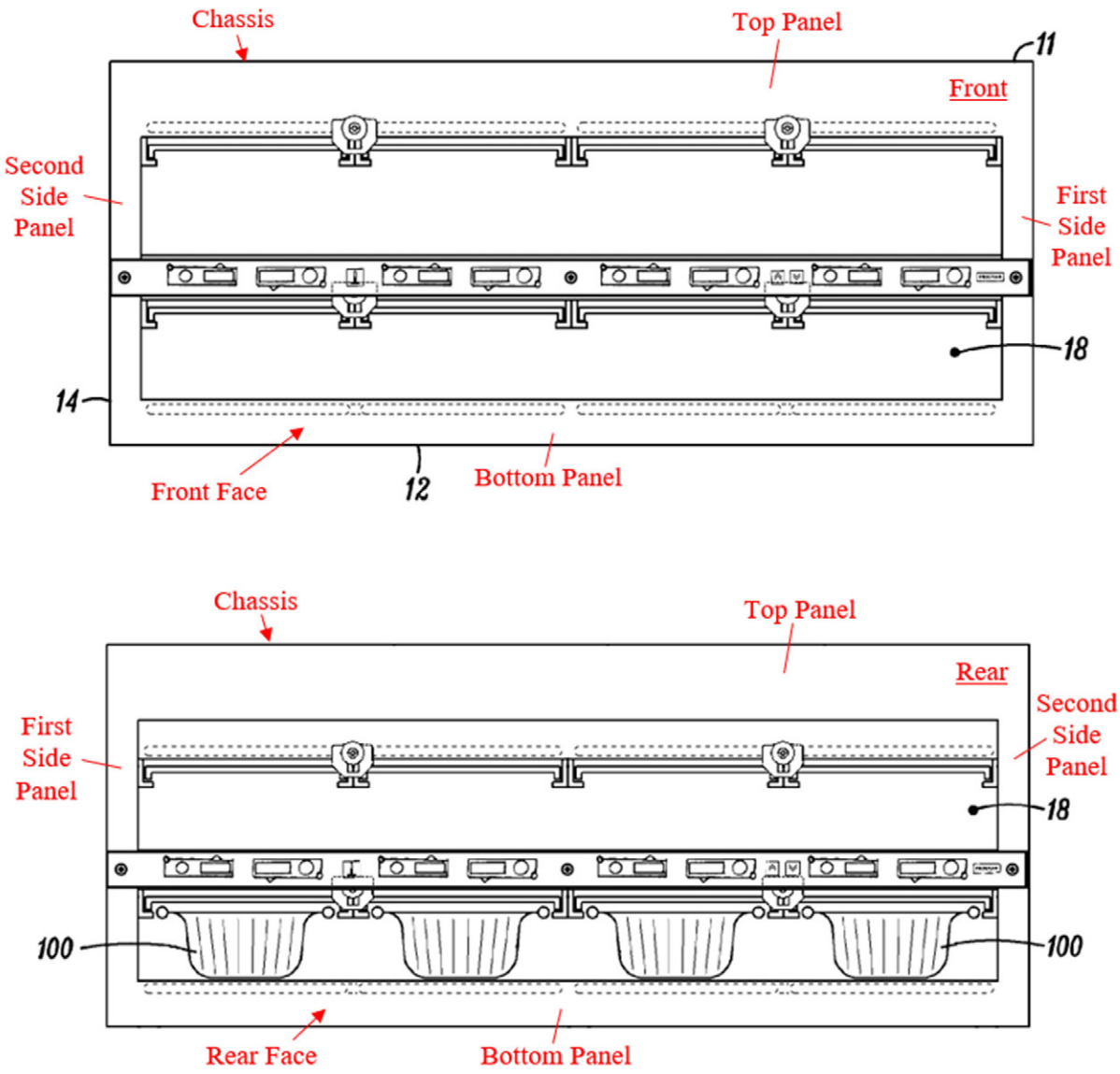


FIG. 1 FIG. 6

EX1010: Figs. 1 and 6 (annotated).

736. This teaching would likewise hold true for the Fortmann'748 cabinet as modified according to Paragraphs 542-730 above as shown in the modified renderings below. The modified figures throughout Grounds 9-12 represent the modifications explained in Paragraphs 542-730 (Ground 9, Section(A)).



EX1010: Figs. 2 and 6[7] (modified, annotated).

[7] Fig. 2 is a front view and Fig. 6 is a back view of the cabinet. EX1010: ¶¶[0008], [0012].

1.b.1: a first food holding compartment within the chassis, the first food holding compartment being defined by the first side panel, the second side panel, the top panel and a shelf

737. The POSA would recognize that Fortmann'748 discloses "a first food holding compartment within the chassis, the first food holding compartment being defined by the first side panel, the second side panel, the top panel and a shelf."

738. The chassis (10a) of Fortmann'748's cabinet (10) has an interior volume (18) for the food pans (100). EX1010: ¶[0014], Figs. 1 and 6.

739. The cabinet (10) includes a plurality of shelves (21) dividing the interior volume (18) into a plurality of food holding compartments. EX1010: ¶[0015] ("a shelf 21 that is fixed to the right and left sides 14, 13 of the body 10a, with the top surface 22 of the shelf 21 being spaced from a bottom surface 23 of a neighboring shelf 21 a distance to allow a conventional restaurant cooking pan 100 to be inserted therebetween"), Figs. 1 and 6.

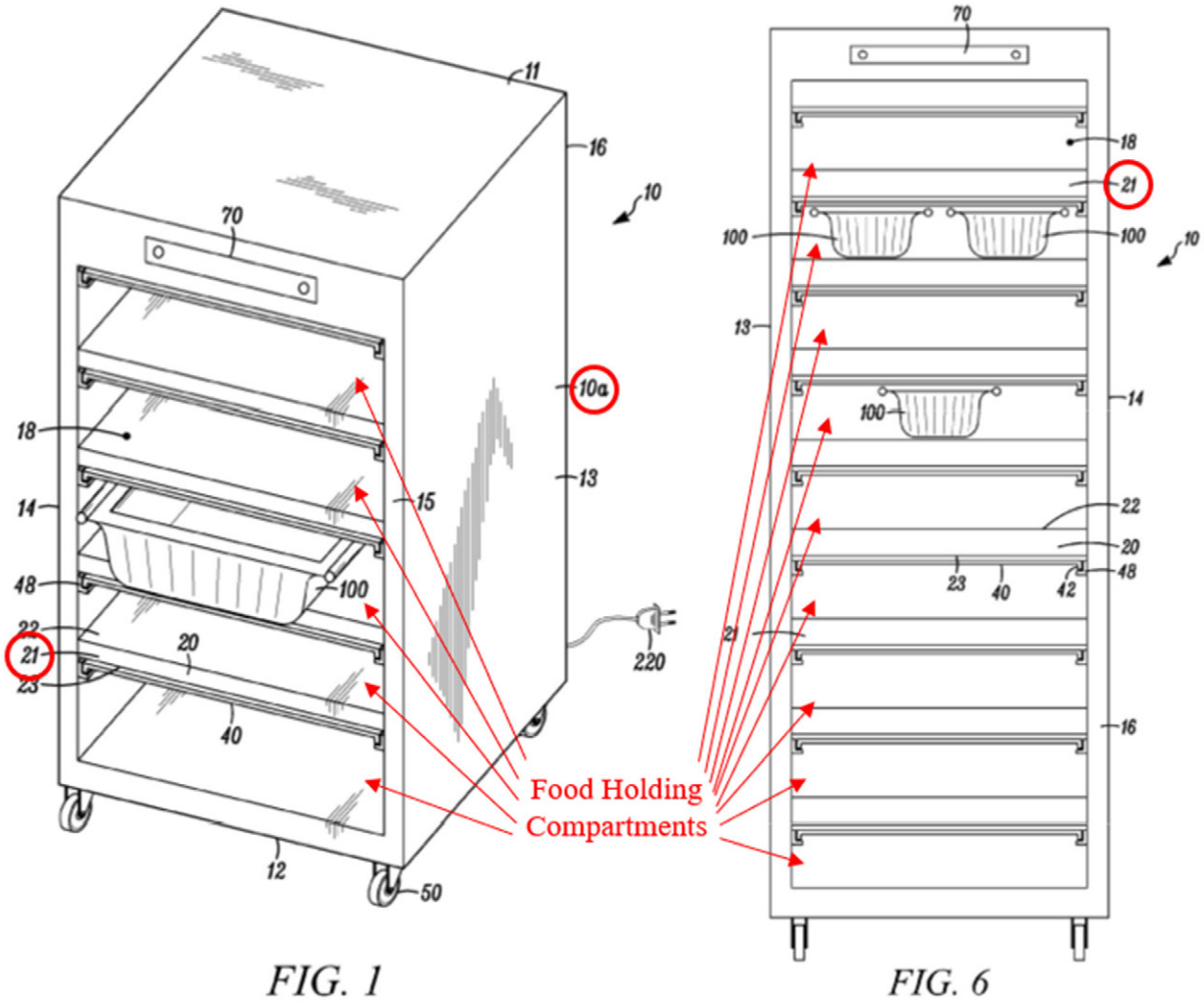
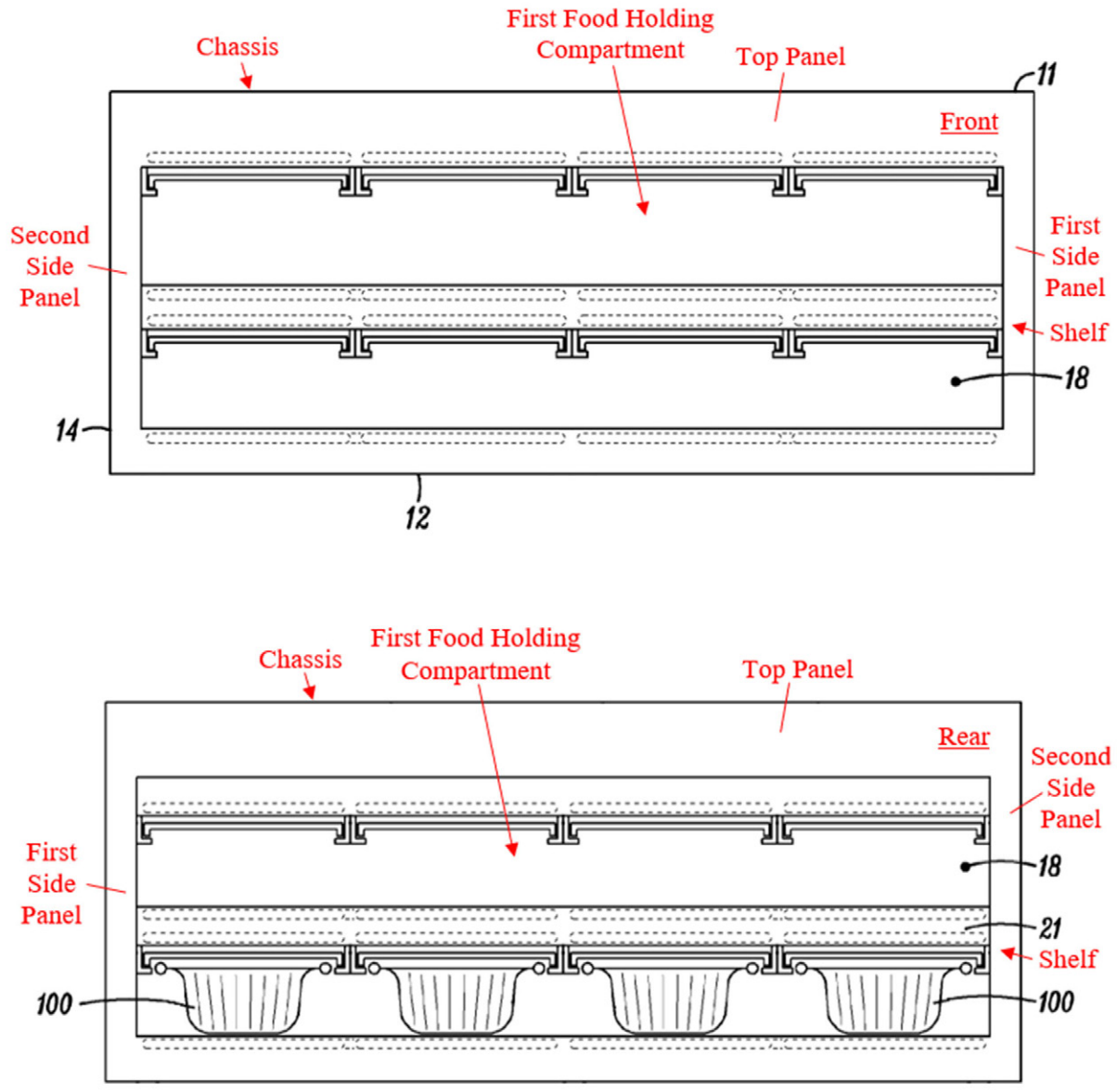


FIG. 1 FIG. 6

EX1010: Figs. 1 and 6 (annotated).

740. In adapting the Fortmann'748 cabinet to a 2x4 configuration as discussed at Paragraphs 542-553 above, the chassis (10a) of the cabinet would still have a first food holding compartment within the chassis defined by the first side panel (13), the second side panel (14), and the shelf (21).



EX1010: Figs. 2 and 6 (modified, annotated).

1.b.2: the first food holding compartment having a first opening, the first opening of the first food holding compartment being configured to allow food items to be placed into and removed from the first food holding compartment

741. The POSA would recognize that Fortmann'748 discloses the first food holding compartment as having "a first opening" and that this "first opening" is

"configured to allow food items to be placed into and removed from the first food holding compartment."

742. The first opening is larger than the food pans and allows the food pans, and thus food contained therein, to pass therethrough to be placed into and removed from the first food holding compartment. EX1010: ¶[0014] ("[t]he warming cart 10 is configured with an open front side 15 … to allow one or more pans 100 to be quickly disposed within the cart 10 and the warming volume and removed from the cart 10 without operation of doors or other barriers found on conventional warming carts. As shown in FIGS. 1, 2, 4, and 5 the front side 15 is open to allow pans 100, trays, pizza boxes and the like to slide through the open front side 15 and within the warming volume 18 of the cart"), ¶[0015] ("the top surface 22 of the shelf 21 being spaced from a bottom surface 23 of a neighboring shelf 21 a distance to allow a conventional restaurant cooking pan 100 to be inserted therebetween"), ¶[0017] ("food products disposed within the pan 100"), ¶[0024] ("tray 100"), Figs. 1 and 6. This teaching would likewise hold true for the Fortmann'748 cabinet as modified according to Paragraphs 542-730 above as shown in the modified rendering below.

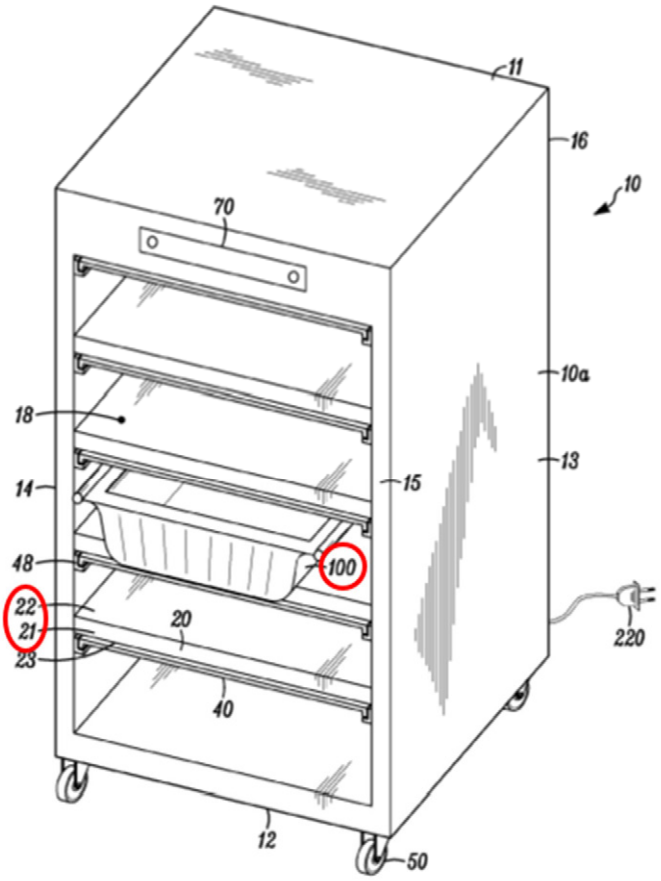
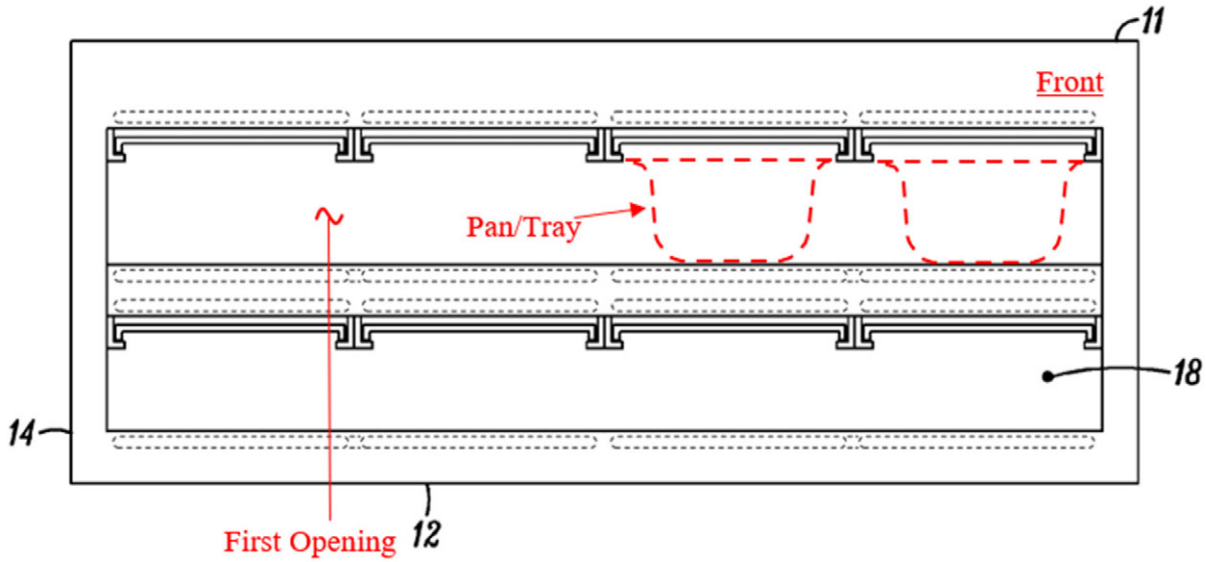


FIG. 1

EX1010: Fig. 1 (annotated).



EX1010: Fig. 2 (modified, annotated).

1.c.1: a substantially planar surface forming a top surface of the shelf and thus a bottom surface of the first food holding compartment

743. The POSA would recognize that Fortmann'748 discloses a "substantially planar surface forming a top surface of the shelf and thus a bottom surface of the first food holding compartment."

744. Both as disclosed in Fortmann'748 and as modified according to Paragraphs 542-730 above, the top surface (22) of the shelf (21) of Fortmann'748 is shown as a planar surface and forms bottom surface of the first food holding compartment. EX1010: ¶[0015] ("with the top surface 22 of the shelf 21"), Figs. 1 and 6.

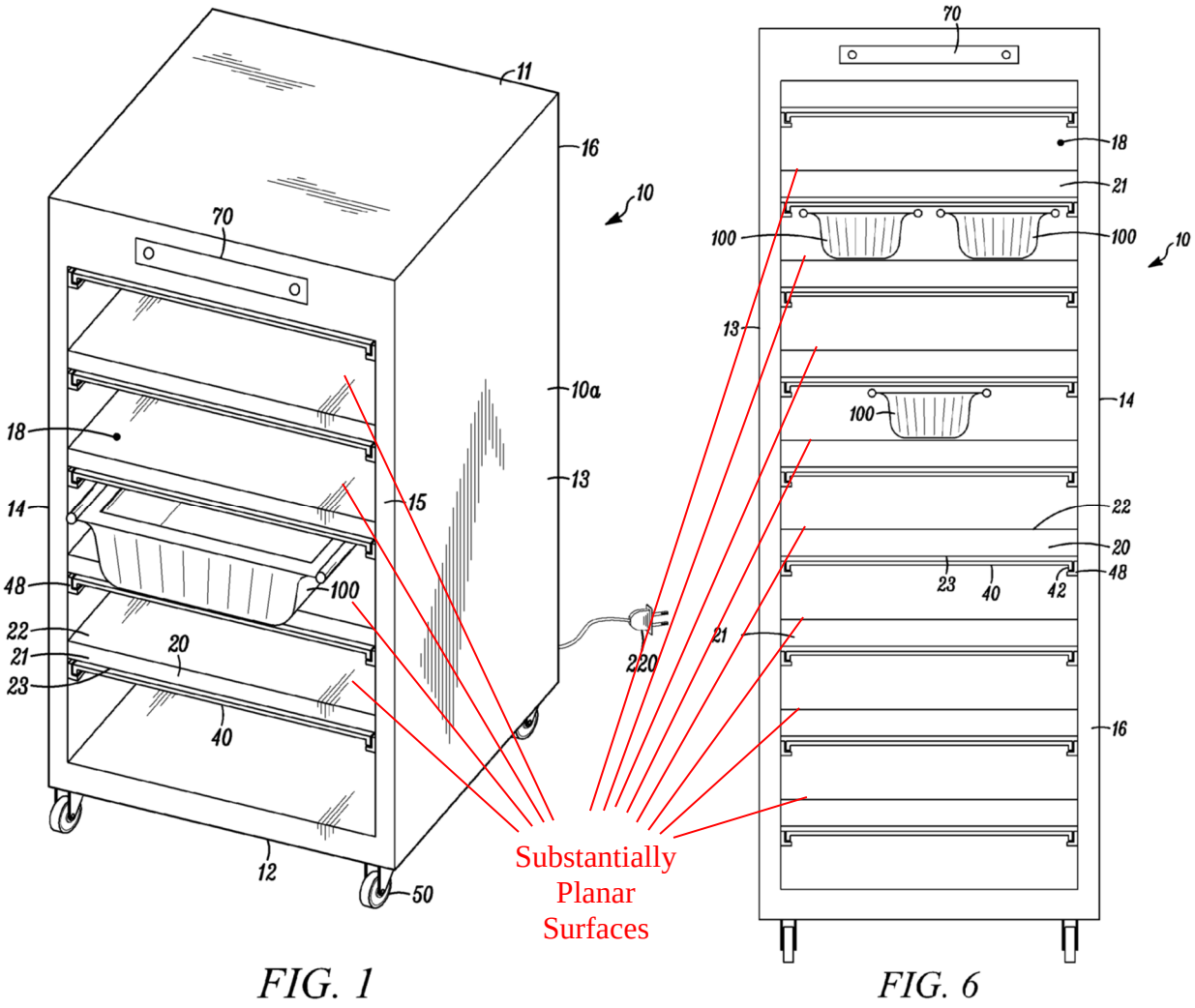
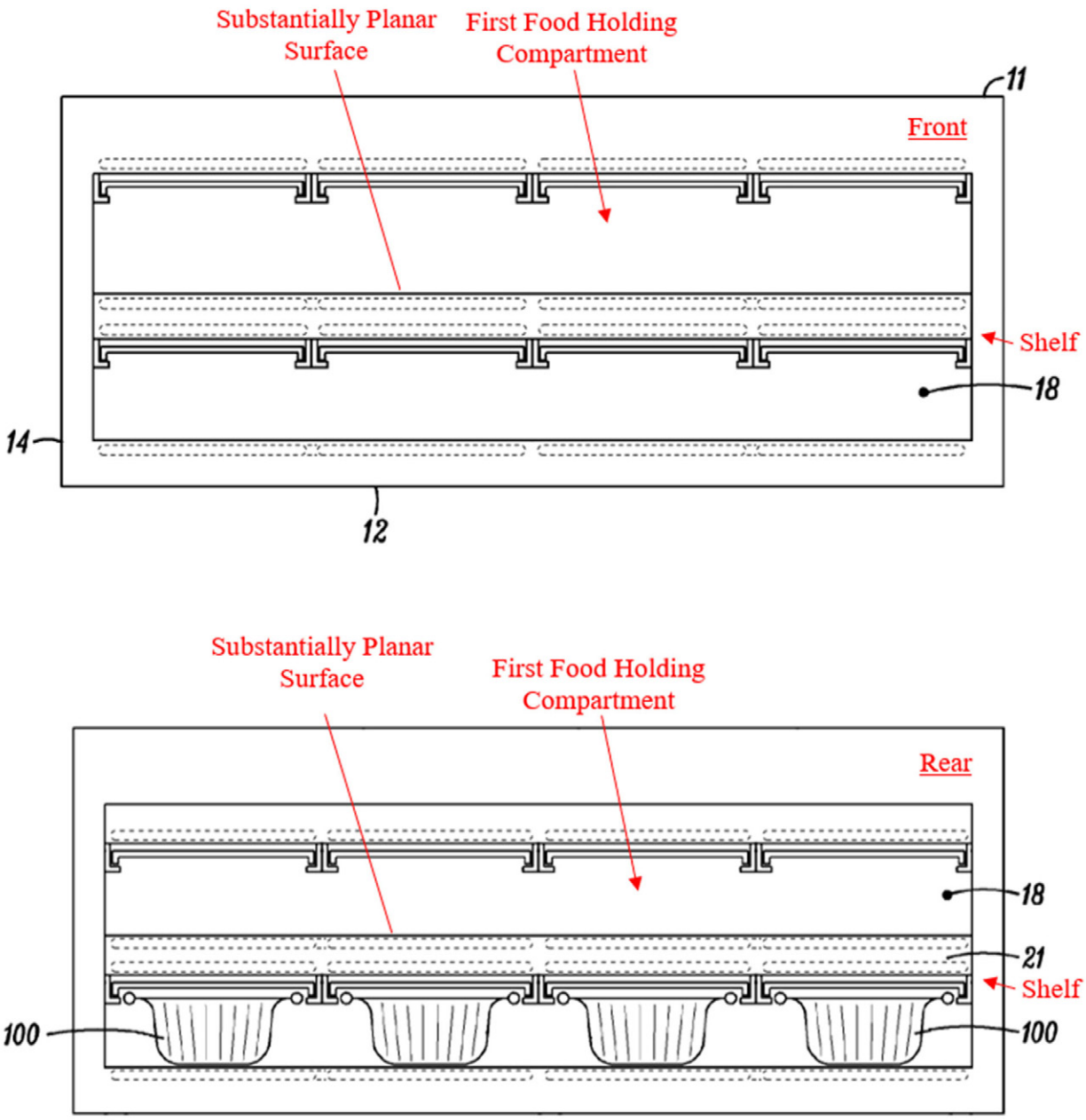


FIG. 1 FIG. 6

EX1010: Figs. 1 and 6 (annotated).



EX1010: Figs. 2 and 6 (modified, annotated).

1.c.2: the substantially planar surface extending completely to the first opening of the first food holding compartment

745. The POSA would recognize that Fortmann'748 discloses a "substantially planar surface extending completely to the first opening of the first food holding compartment."

746. Both as disclosed in Fortmann'748 and as modified according to Paragraphs 542-730 above, the substantially planar surface extends completely to the first opening of the first food holding compartment.

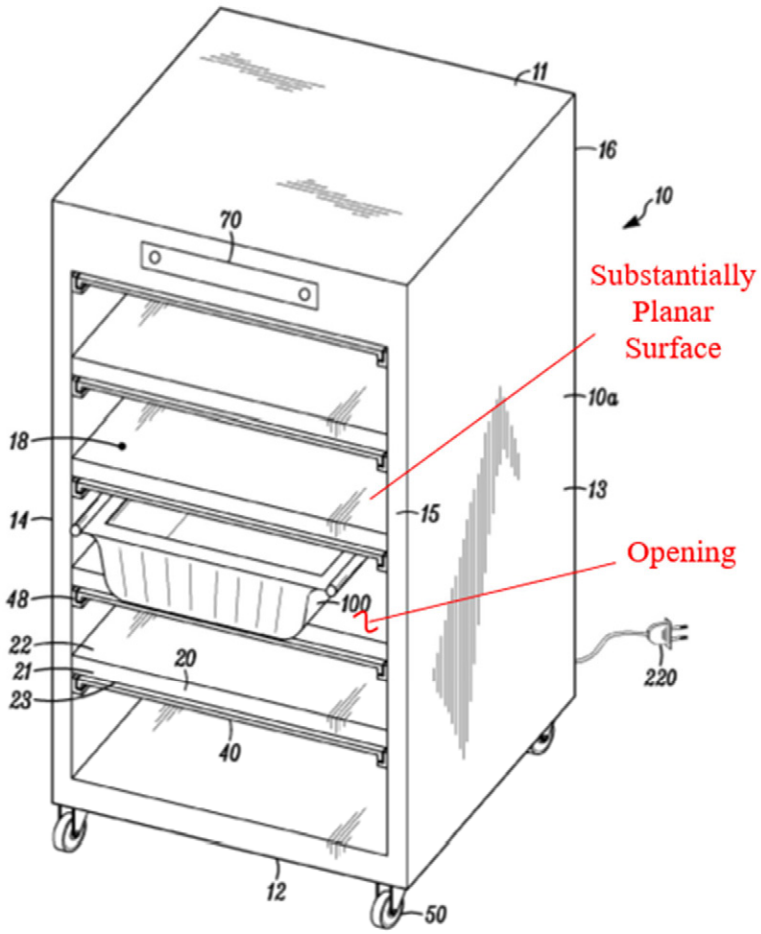
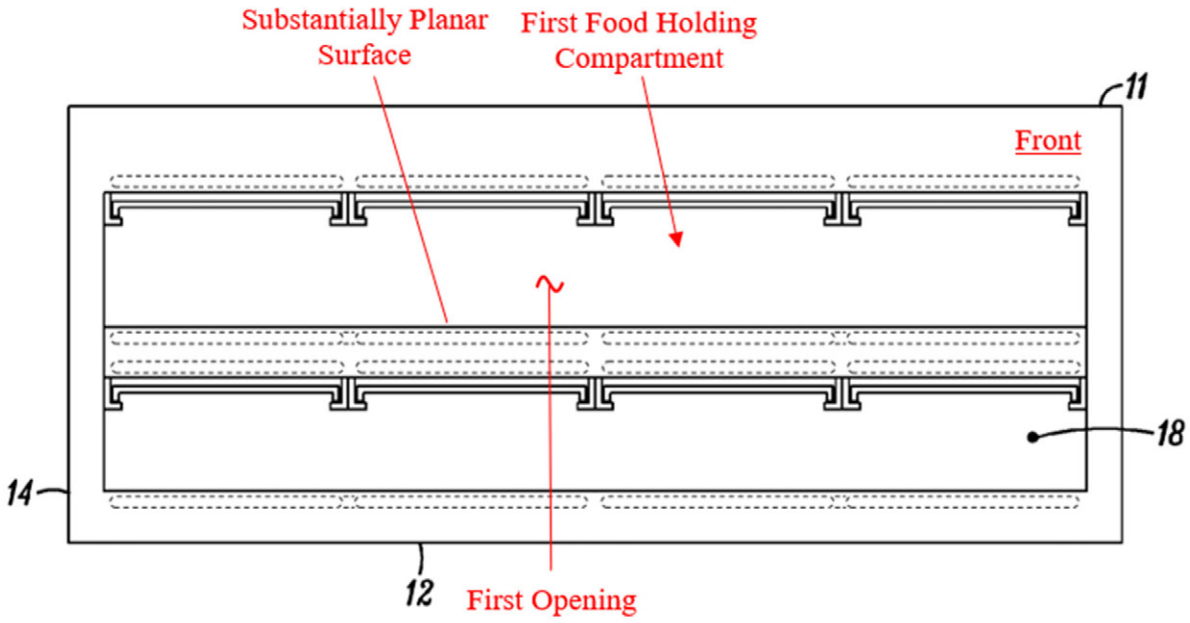


FIG. 1

EX1010: Fig. 1 (annotated).



EX1010: Fig. 2 (modified, annotated).

1.c.3: and the substantially planar surface comprising a thermally conductive material;

747. The POSA would recognize that Fortmann'748 discloses that "the substantially planar surface compris[es] a thermally conductive material."

748. Fortmann'748 explains the shelves (21) are formed by "planar sheets of thin material (such as stainless steel) that form an envelope for the heater 60 to be disposed therebetween." EX1010: ¶[0019].

749. Stainless steel is a thermally conductive material.

750. Both as disclosed in Fortmann'748 and as modified according to Paragraphs 542-730 above, the planar surface forming the top surface (22) of the shelf (21) of the cabinet is a made of stainless steel. EX1010: ¶[0019].

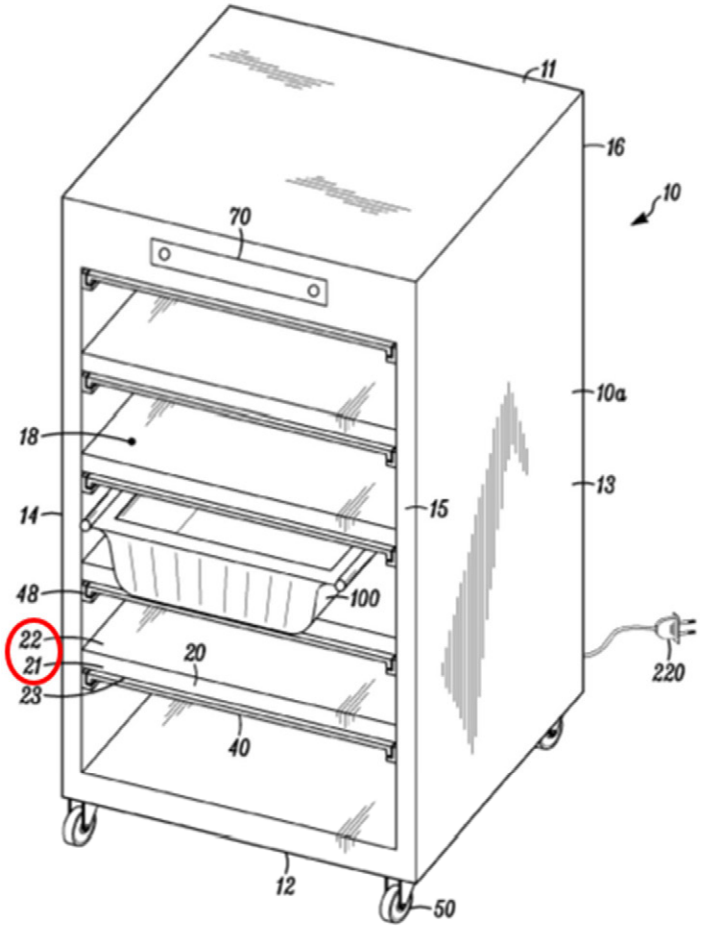


FIG. 1

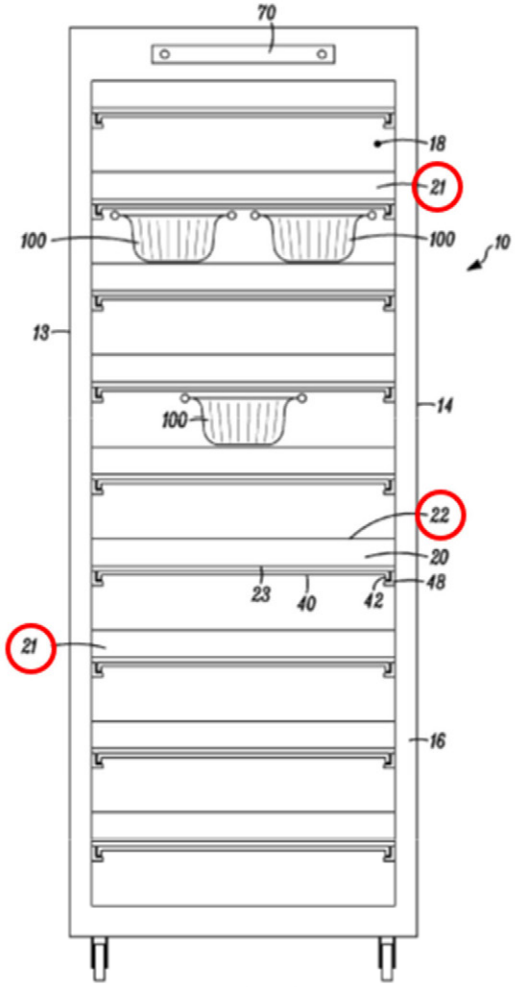
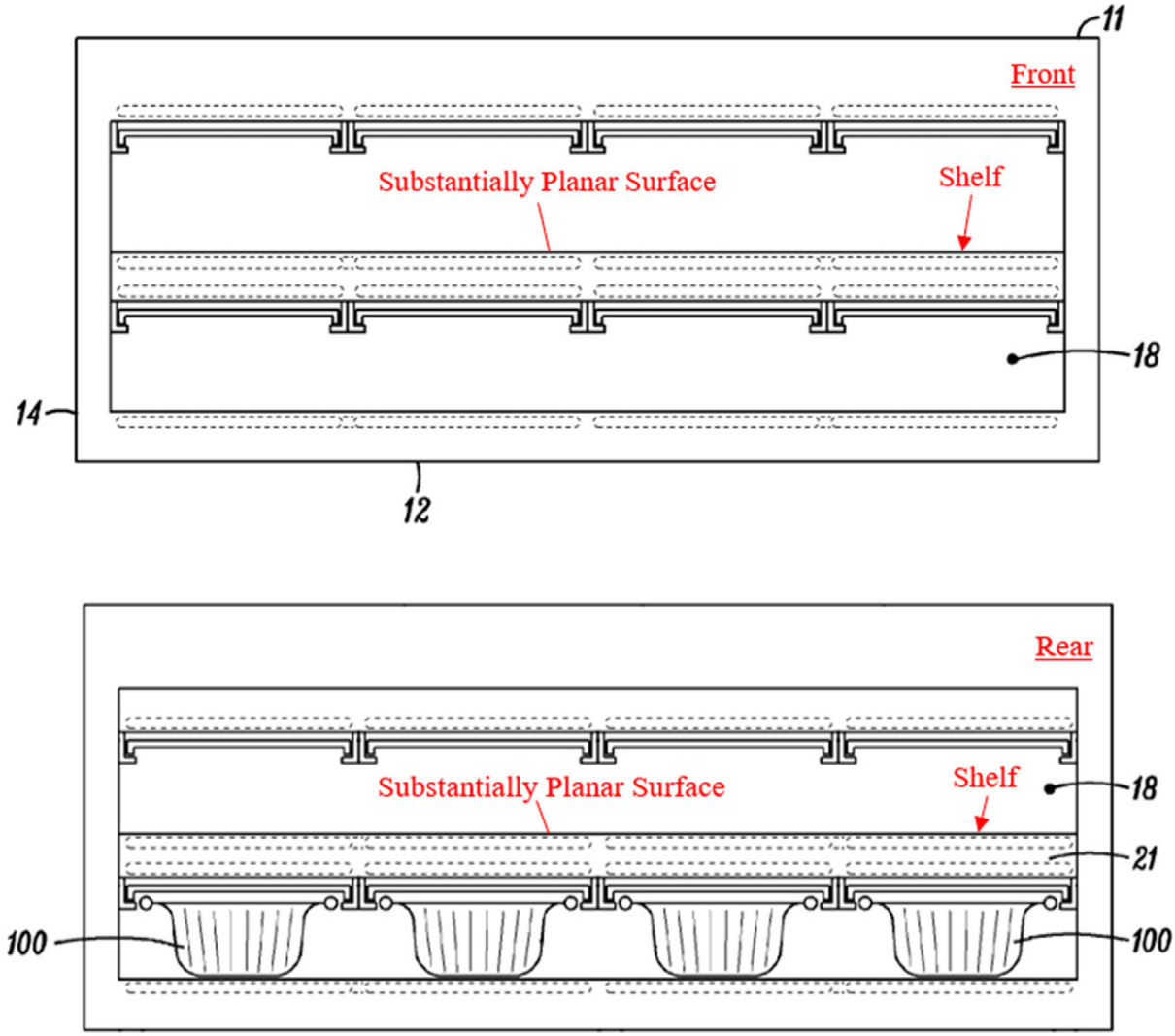


FIG. 6

EX1010: Figs. 1 and 6 (annotated).



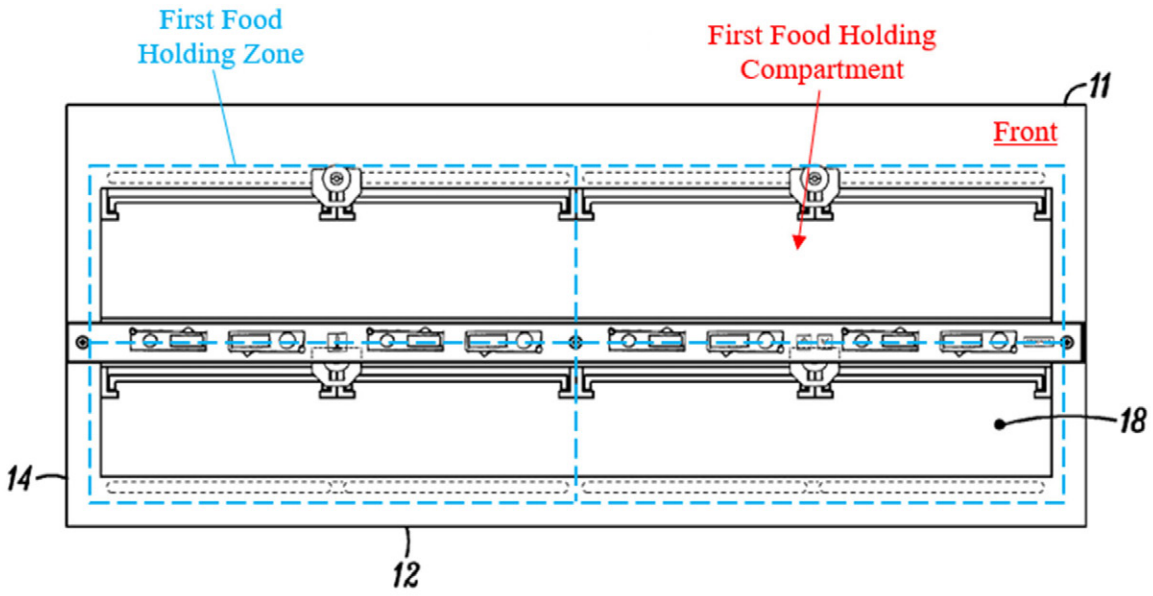
EX1010: Figs. 2 and 6 (modified, annotated).

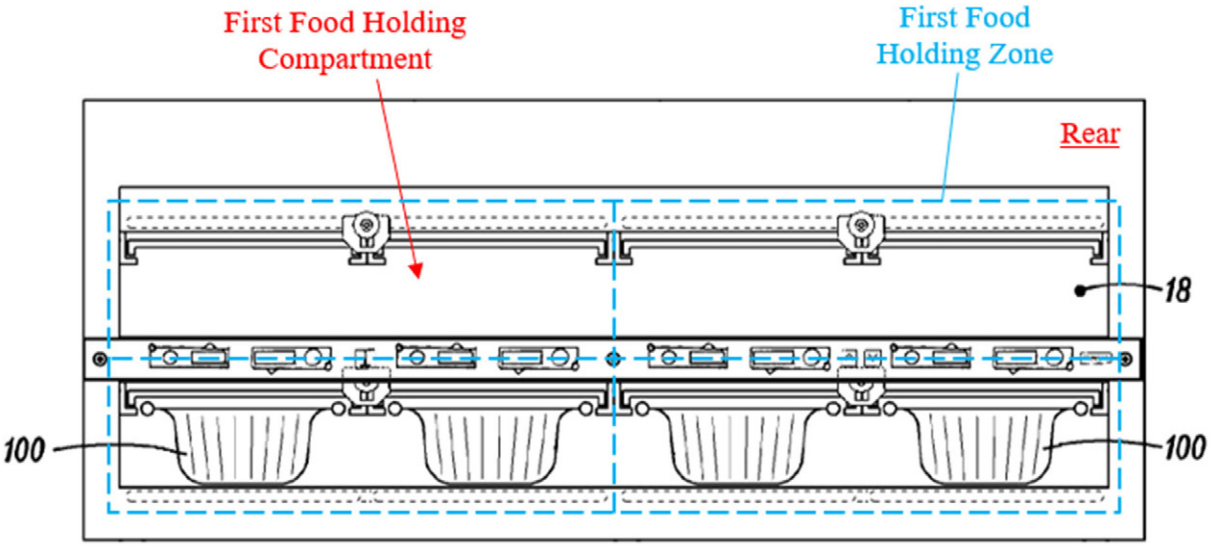
1.d.1: a first food holding zone formed in the first food holding compartment

751. The POSA would recognize that Fortmann'748 discloses a "holding zone formed in the first food holding compartment."

752. It would have been obvious to modify the Fortmann'748 cabinet in view of Jones (EX1012), Fortmann'197 (EX1014), the IRHS Documents

(EX1005-1008), and McMillan (EX1019) as discussed in Paragraph 554-590 such that it has at least two food holding zones (heating zones) across the first compartment such that one of the heating zones would be a first food holding zone (heating zone). As described above in Paragraphs 554-590, Jones, Fortmann'197, the IRHS Documents, and McMillan all disclose multiple food holding zones in a food holding compartment. EX1005: 20, 25; EX1007: 53; EX1012: ¶¶[0069], [0072], [0096]; EX1014: 3:6-27, 8:63-9:19, 9:50-65; EX1019: 4:36-59.



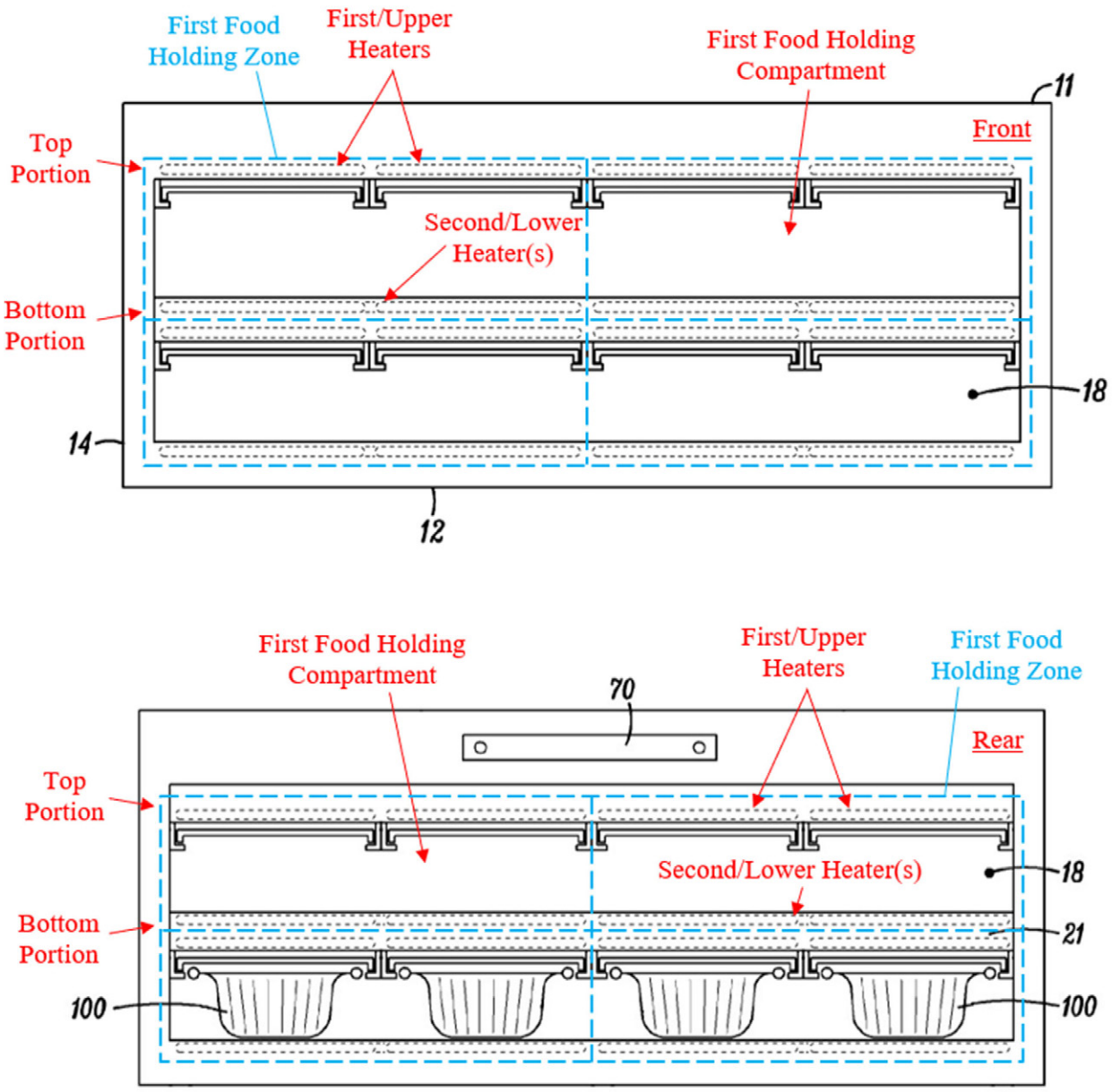


EX1010: Figs. 2 and 6 (modified, annotated).

1.d.2: the first food holding zone having an independently controllable first heating element disposed at a top portion of the first food holding compartment, and an independently controllable second heating element disposed at a bottom portion of the first food holding compartment

753. The POSA would recognize that Fortmann'748 discloses having food holding zones with independently controllable heating elements.

754. It would have been further obvious to modify the Fortmann'748 cabinet in view of Jones (EX1012), Fortmann'197 (EX1014), the IRHS Documents (EX1005-1008), and McMillan (EX1019) as discussed in Paragraphs 554-611 (Ground 9 Section(A)(2)-(3)) such that it would have first/upper heaters and second/lower heater(s) (e.g., heating elements) at respective top and bottom portions of the first food holding compartment.



EX1010: Figs. 2 and 6 (modified, annotated).

755. In modifying Fortmann'748's cabinet such that the first food holding zone were to have upper heaters and lower heater(s) it would have further been obvious for the upper heaters and lower heater(s) to be independently controllable from one another and from the upper and lower heaters of the other food holding

zones. Jones, Fortmann'197, IRHS Documents, and McMillan all disclose that their heating elements of each zone are independently controllable from one another and from the heating elements of other zones. EX1005: 16, 20, 25; EX1006: 1; EX1007: 53; EX1010: ¶¶[0021], [0027]; EX1012: ¶¶[0072], [0096], [0098], [0130]; EX1014: 3:6-27, 8:63-9:19, 9:50-65; EX1019: 4:36-59.

756. Specifically, as explained in Paragraphs 554-611 (Ground 9 Section(A)(2)-(3)), when duplicating Fortmann'748's heaters (60) in view of Jones, Fortmann'197, IRHS Documents, and/or McMillan, the POSA would have maintained the independent control of the heaters as taught by Jones, Fortmann'197, IRHS Documents, and/or McMillan. As explained in Paragraphs 554-611 (Ground 9 Section(A)(2)-(3)), Fortmann'748's modified control system would independently operate the upper and lower heaters in one zone (specifically, in each pan holding location) from one another and from the upper and lower heaters in other zones.

757. As such, it would have been obvious for the first food holding zone's first/upper and second/lower heaters to be independently controllable from one another and from the upper and lower heaters of the other food holding zones.

1.d.3: the first food holding zone including a first food holding bay and a second food holding bay, each of the first and second food holding bays being configured to receive a food holding tray

758. The POSA would recognize that Fortmann'748 discloses food holding compartments having a singular food holding zone to be configured to receive multiple food holding trays.

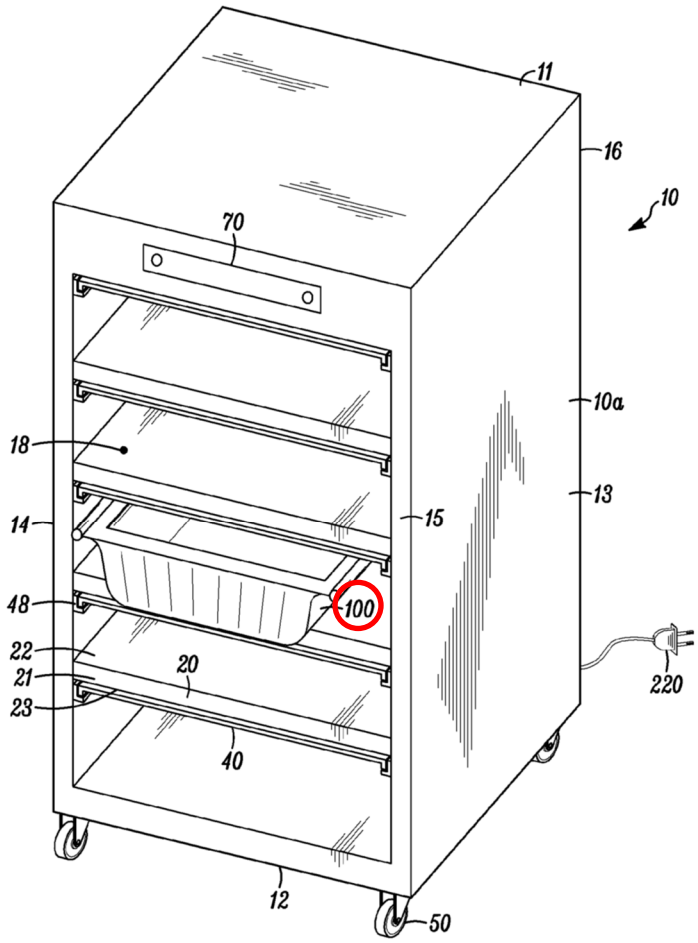


FIG. 1

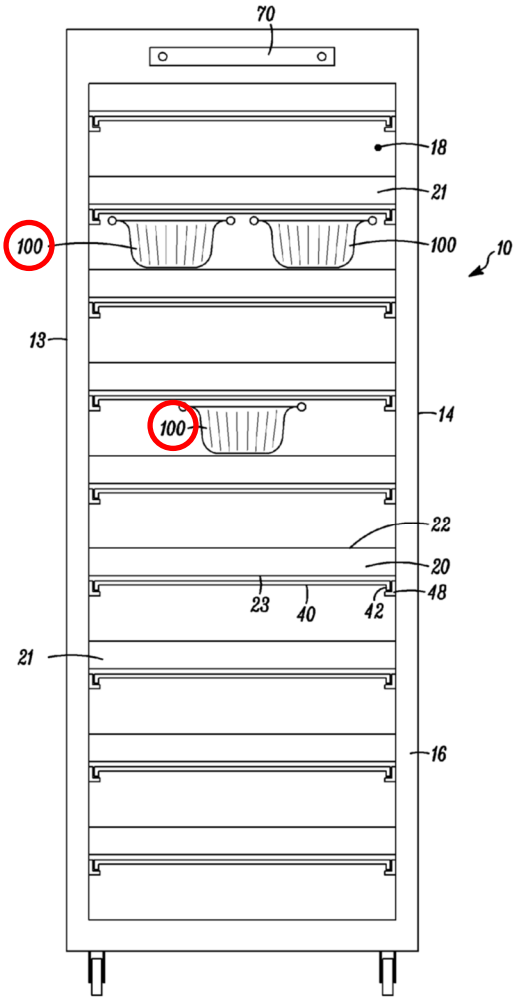


FIG. 6

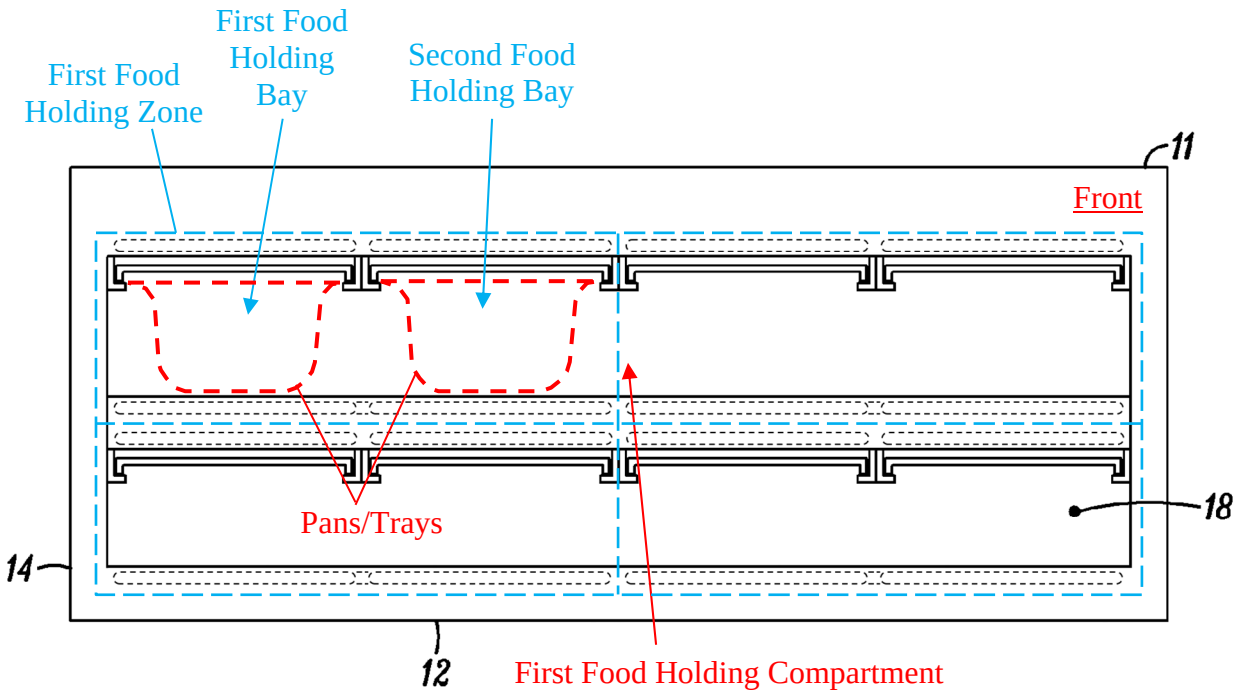
EX1010: Figs. 1 and 6 (annotated).

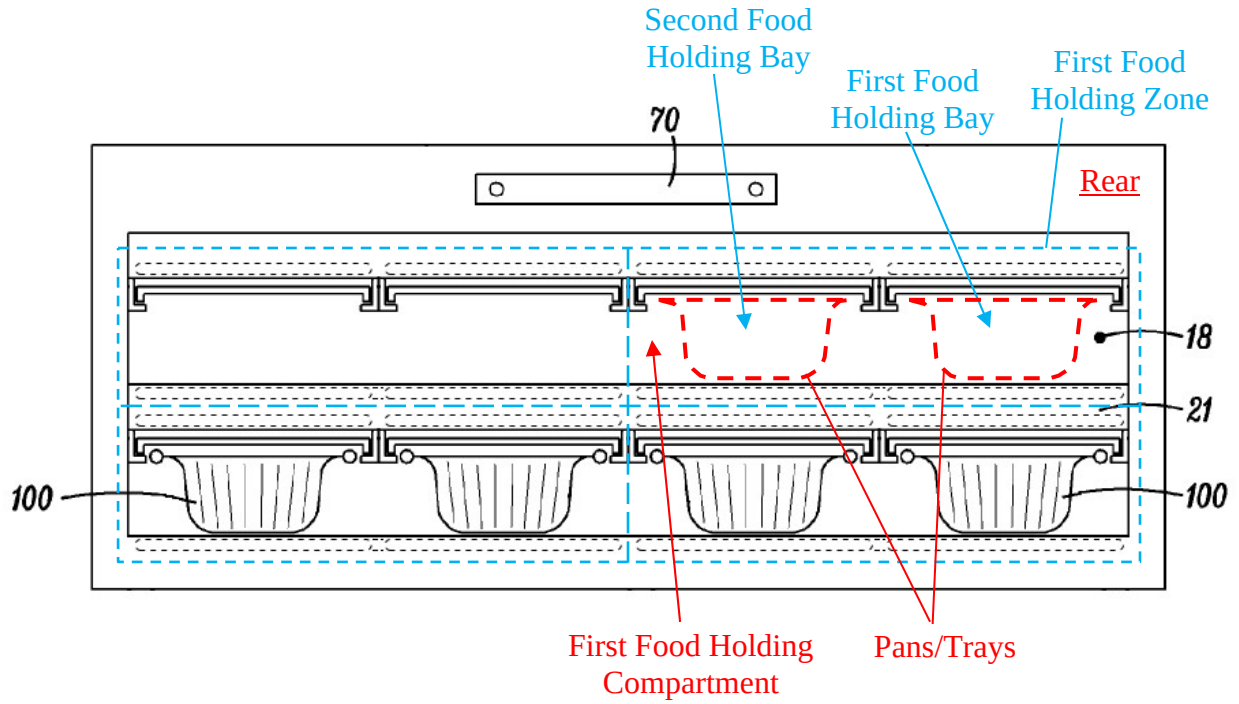
759. In modifying the Fortmann'748 cabinet by expanding to the food holding compartment to have multiple food holding zones in view of Jones

(EX1012), Fortmann'197 (EX1014), the IRHS Documents (EX1005-1008), and McMillan (EX1019) as discussed in Paragraph 542-578, it would have also been obvious for each of the food holding zones to be further subdivided into multiple food holding bays. EX1010: ¶[0014] ("[t]he warming cart 10 is configured with an open front side 15 … to allow one or more pans 100 to be quickly disposed within the cart 10 and the warming volume and removed from the cart 10 without operation of doors or other barriers found on conventional warming carts. As shown in FIGS. 1, 2, 4, and 5 the front side 15 is open to allow pans 100, trays, pizza boxes and the like to slide through the open front side 15 and within the warming volume 18 of the cart"), ¶[0015] ("the top surface 22 of the shelf 21 being spaced from a bottom surface 23 of a neighboring shelf 21 a distance to allow a conventional restaurant cooking pan 100 to be inserted therebetween"), ¶[0017] ("food products disposed within the pan 100"), ¶[0024] ("tray 100"), Figs. 1 and 6. As described above in Paragraphs 554-578, Fortmann'748, Jones, Fortmann'197, the IRHS Documents, and McMillan all disclose or suggest multiple bays in heating zones. EX1005: 8, 25; EX1006: 1; EX1007: 56; EX1010: ¶¶[0014]-[0015]; EX1012: ¶[0072]; EX1014: 3:6-27, 8:63-9:19; EX1019: 4:36-59.

760. Pursuant to the modifications explained in Paragraphs above 554-578 (Ground 9 Section(A)(2)), the first food holding zone would include a first food

holding bay and a second food holding bay with each holding bay configured to receive a food pan/tray.



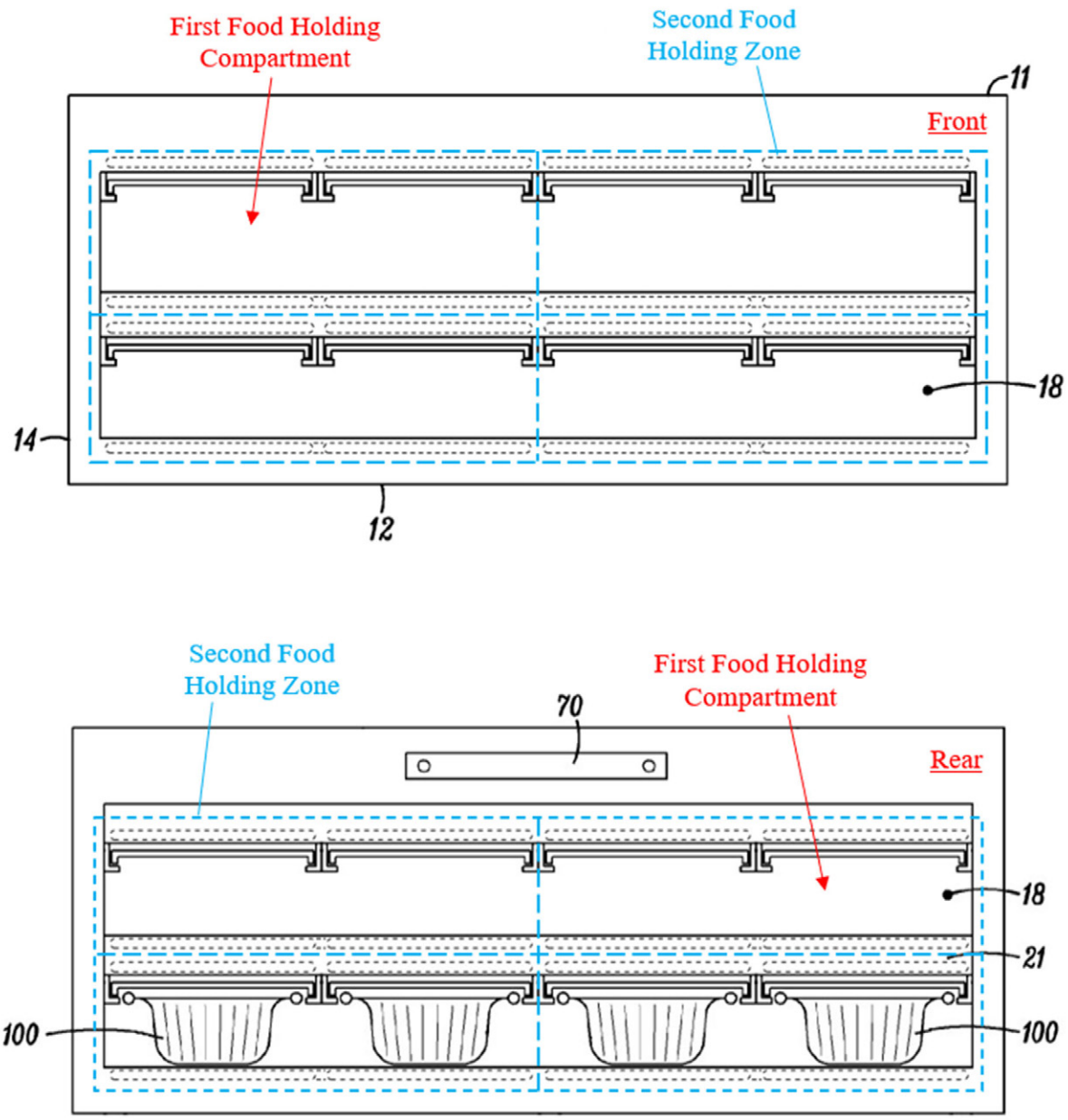


EX1010: Figs. 2 and 6 (modified, annotated).

1.e.1: a second food holding zone formed in the first food holding compartment

761. The POSA would recognize that Fortmann'748 discloses a "holding zone formed in the first food holding compartment."

762. It would have been obvious to modify the Fortmann'748 cabinet in view of Jones (EX1012), Fortmann'197 (EX1014), the IRHS Documents (EX1005-1008), and McMillan (EX1019) as discussed in Paragraph 554-578 such that it has at least two food holding zones (heating zones) across the first compartment such that one of the heating zones would be a second food holding zone (heating zone). As described above in Paragraphs 554-578, Jones, Fortmann'197, the IRHS Documents, and McMillan all disclose multiple food holding zones in a food holding compartment. EX1005: 20, 25; EX1007: 53; EX1012: ¶¶[0069], [0072], [0096]; EX1014: 3:6-27, 8:63-9:19, 9:50-65; EX1019: 4:36-59.



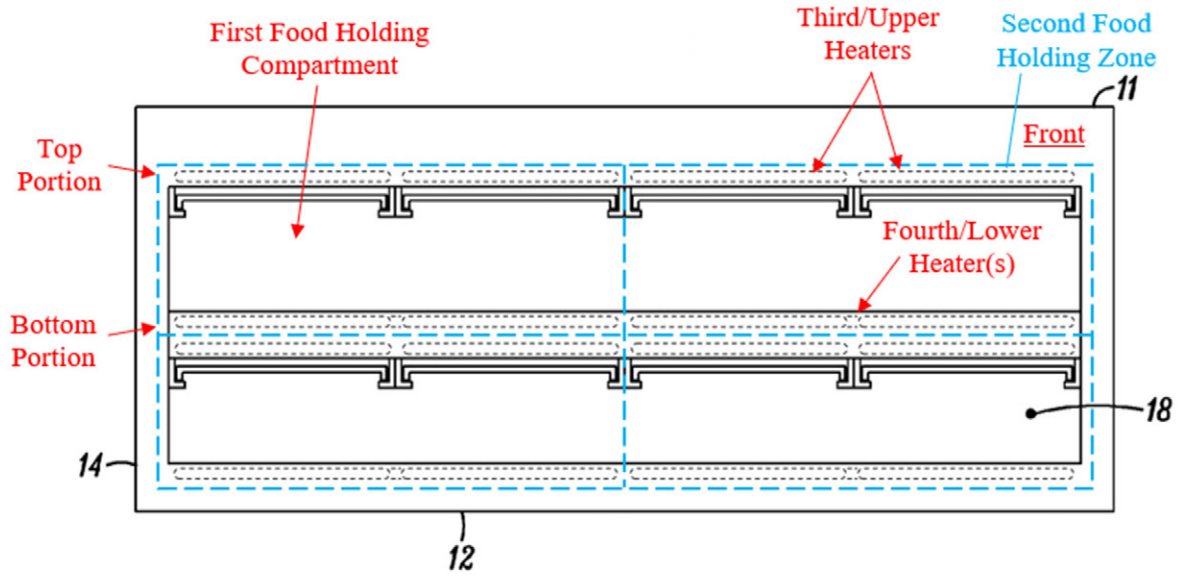
EX1010: Figs. 2 and 6 (modified, annotated).

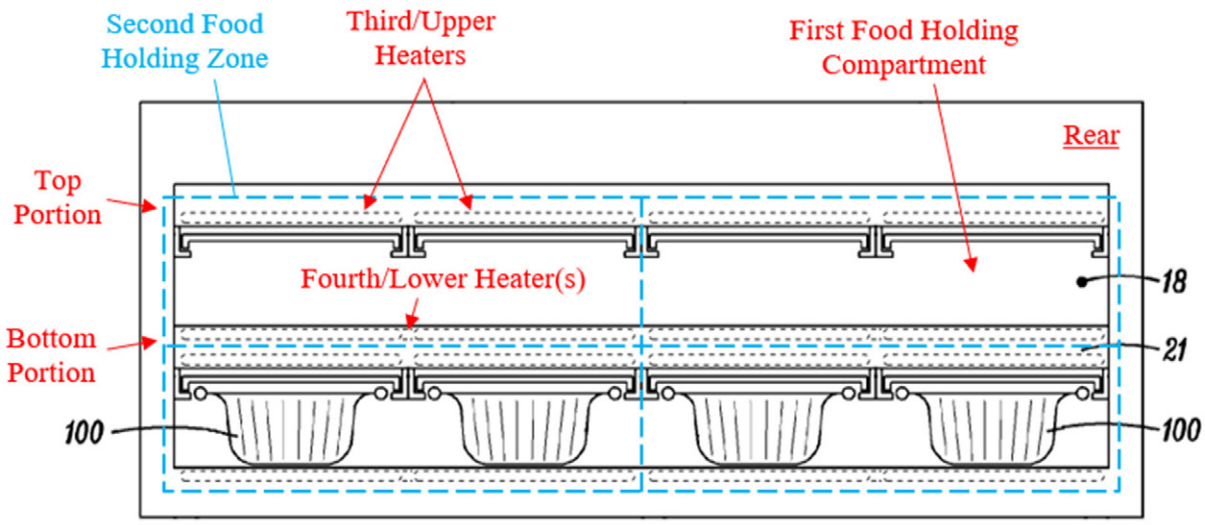
1.e.2: the second food holding zone having an independently controllable third heating element disposed at the top portion of the first food holding compartment and an independently

controllable fourth heating element disposed at the bottom portion of the first food holding compartment

763. The POSA would recognize that Fortmann'748 discloses having food holding zones with independently controllable heating elements.

764. It would have further been obvious to modify the Fortmann'748 cabinet in view of Jones (EX1012), Fortmann'197 (EX1014), the IRHS Documents (EX1005-1008), and McMillan (EX1019) as discussed in Paragraph 554-611 (Ground 9 Section(A)(2)-(3)) such that the second food holding zone would have third/upper heaters and fourth/lower heater(s) (e.g., heating elements) in respective top and bottom portions of the first food holding compartment.





EX1010: Figs. 2 and 6 (modified, annotated).

765. In modifying Fortmann'748's cabinet such that the second food holding zone were to have upper heaters and lower heater(s) it would have further been obvious for the upper heaters and lower heater(s) to be independently controllable from one another and from the upper and lower heaters of the other food holding zones. Jones, Fortmann'197, IRHS Documents, and McMillan all disclose that their heating elements of each zone are independently controllable from one another and from the heating elements of other zones. EX1005: 16, 20, 25; EX1006: 1; EX1007: 53; EX1010: ¶¶[0021], [0027]; EX1012: ¶¶[0072], [0096], [0098], [0130]; EX1014: 3:6-27, 8:63-9:19, 9:50-65; EX1019: 4:36-59.

766. Specifically, as explained in Paragraphs 554-611 (Ground 9 Section(A)(2)-(3)), when duplicating Fortmann'748's heaters (60) in view of Jones, Fortmann'197, IRHS Documents, and/or McMillan, the POSA would have

maintained the independent control of the heaters as taught by Jones, Fortmann‘197, IRHS Documents, and/or McMillan.

767. As such, it would have been obvious for the second food holding zone’s third/upper and fourth/lower heaters to be independently controllable from one another and from the upper and lower heaters of the other food holding zones.

1.e.3: the second food holding zone including a third food holding bay and a fourth food holding bay, each of the third and fourth food holding bays being configured to receive a food holding tray

768. The POSA would recognize that Fortmann’748 discloses food holding compartments having a singular food holding zone to be configured to receive multiple food holding trays.

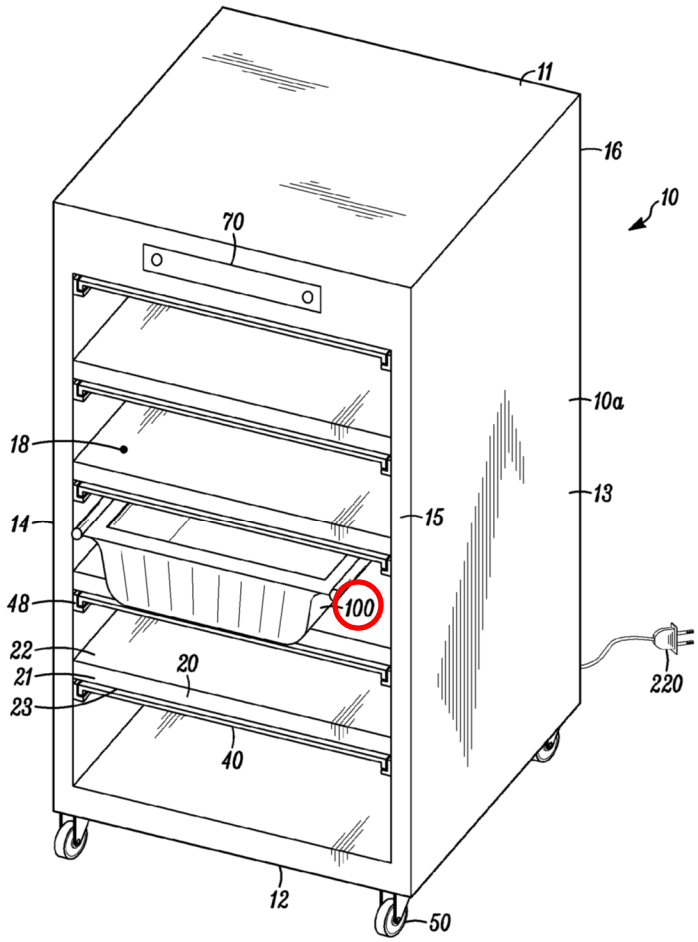


FIG. 1

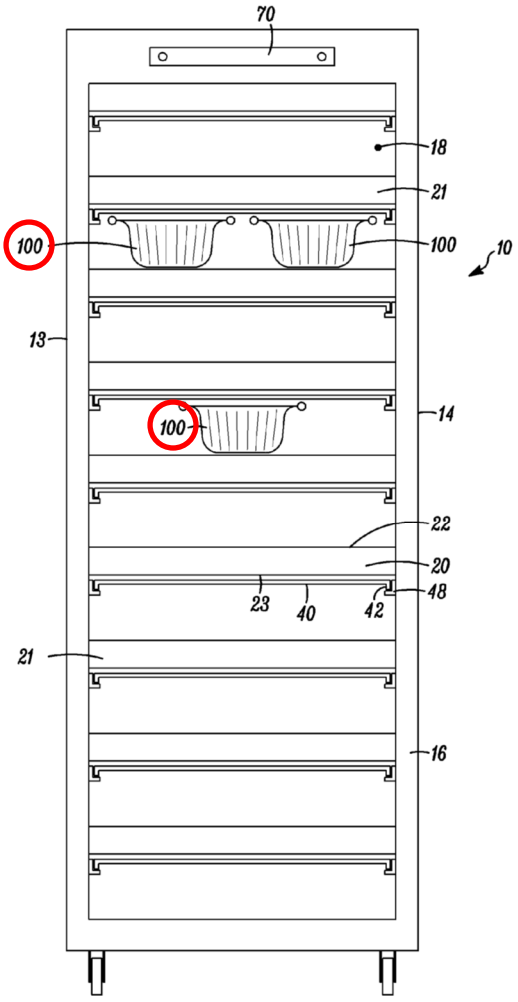


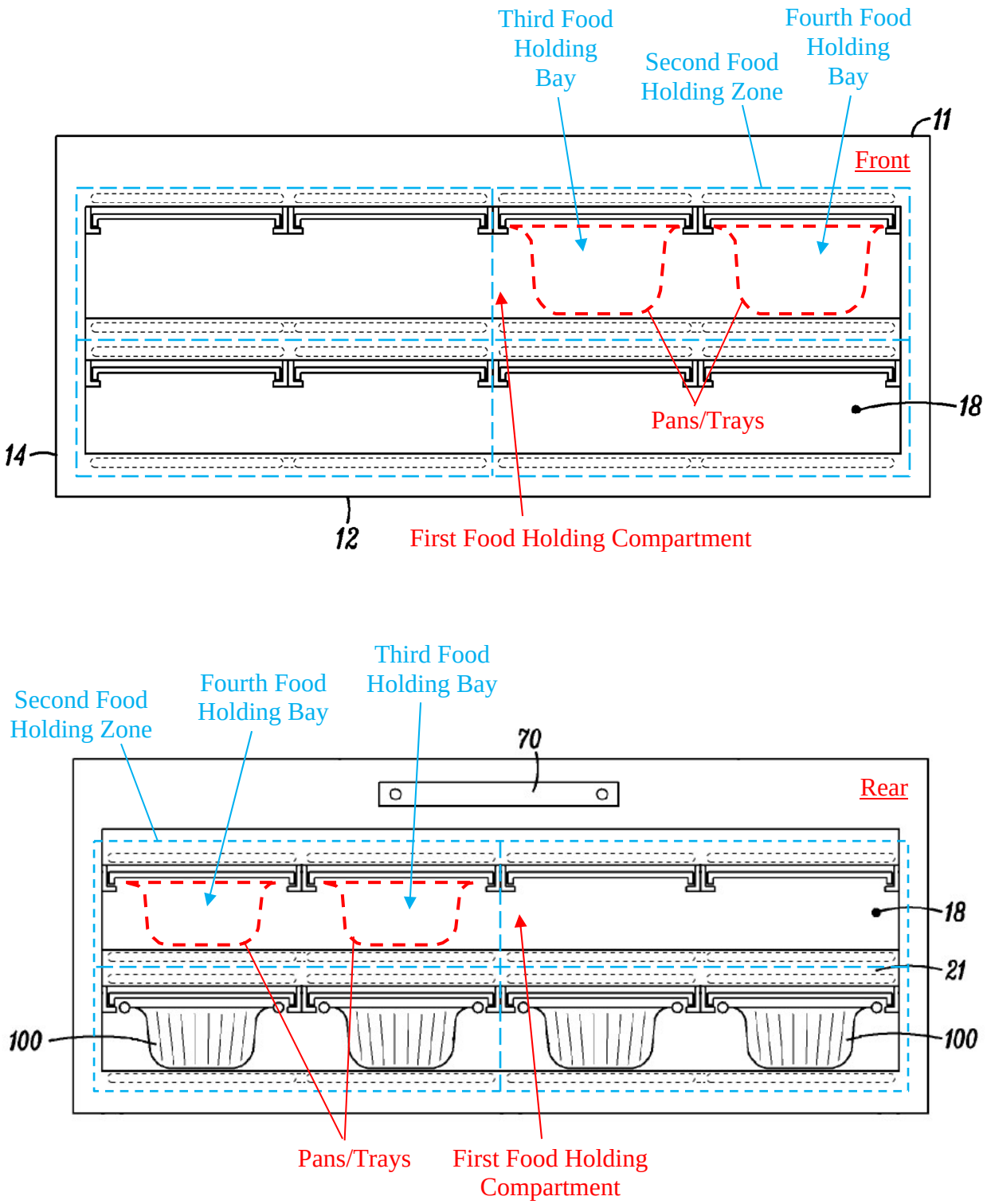
FIG. 6

EX1010: Figs. 1 and 6 (annotated).

769. In modifying the Fortmann'748 cabinet by expanding to the food holding compartment to have multiple food holding zones in view of Jones (EX1012), Fortmann'197 (EX1014), the IRHS Documents (EX1005-1008), and McMillan (EX1019) as discussed in Paragraph 554-578, it would have also been obvious for each of the food holding zones to be further subdivided into multiple food holding bays. EX1010: ¶[0014] ("[t]he warming cart 10 is configured with an open front side 15 … to allow one or more pans 100 to be quickly disposed within

the cart 10 and the warming volume and removed from the cart 10 without operation of doors or other barriers found on conventional warming carts. As shown in FIGS. 1, 2, 4, and 5 the front side 15 is open to allow pans 100, trays, pizza boxes and the like to slide through the open front side 15 and within the warming volume 18 of the cart"), ¶[0015] ("the top surface 22 of the shelf 21 being spaced from a bottom surface 23 of a neighboring shelf 21 a distance to allow a conventional restaurant cooking pan 100 to be inserted therebetween"), ¶[0017] ("food products disposed within the pan 100"), ¶[0024] ("tray 100"), Figs. 1 and 6. As described above in Paragraphs 554-578, Fortmann'748, Jones, Fortmann'197, the IRHS Documents, and McMillan all disclose or suggest multiple bays in heating zones. EX1005: 8, 25; EX1006: 1; EX1007: 56; EX1010: ¶¶[0014]-[0015]; EX1012: ¶[0072]; EX1014: 3:6-27, 8:63-9:19; EX1019: 4:36-59.

770. Pursuant to the modifications explained in Paragraph 554-578 above (Ground 9 Section(A)(2)), the second food holding zone would include a third food holding bay and a fourth food holding bay with each holding bay configured to receive a food pan/tray.



EX1010: Figs. 2 and 6 (modified, annotated).

1.f.1: wherein the first food holding zone and the second food holding zone are adjacent one another across the substantially planar surface

771. In modifying the Fortmann'748 cabinet by expanding to the food holding compartment to have multiple food holding zones in view of Jones (EX1012), Fortmann'197 (EX1014), the IRHS Documents (EX1005-1008), and McMillan (EX1019) as discussed in Paragraph 554-578, the first food holding zone and the second food holding zone would be adjacent one another across the substantially planar surface.

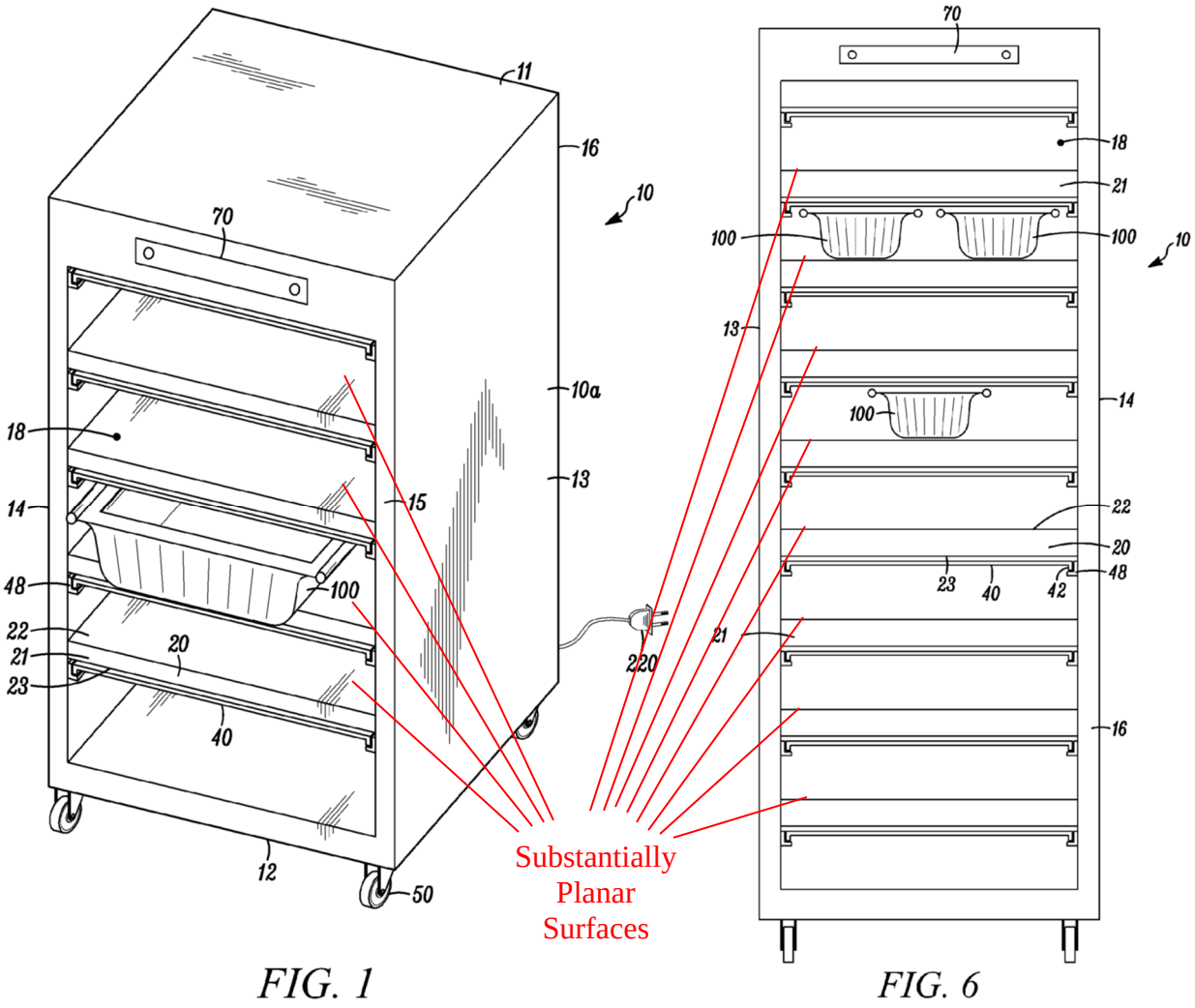
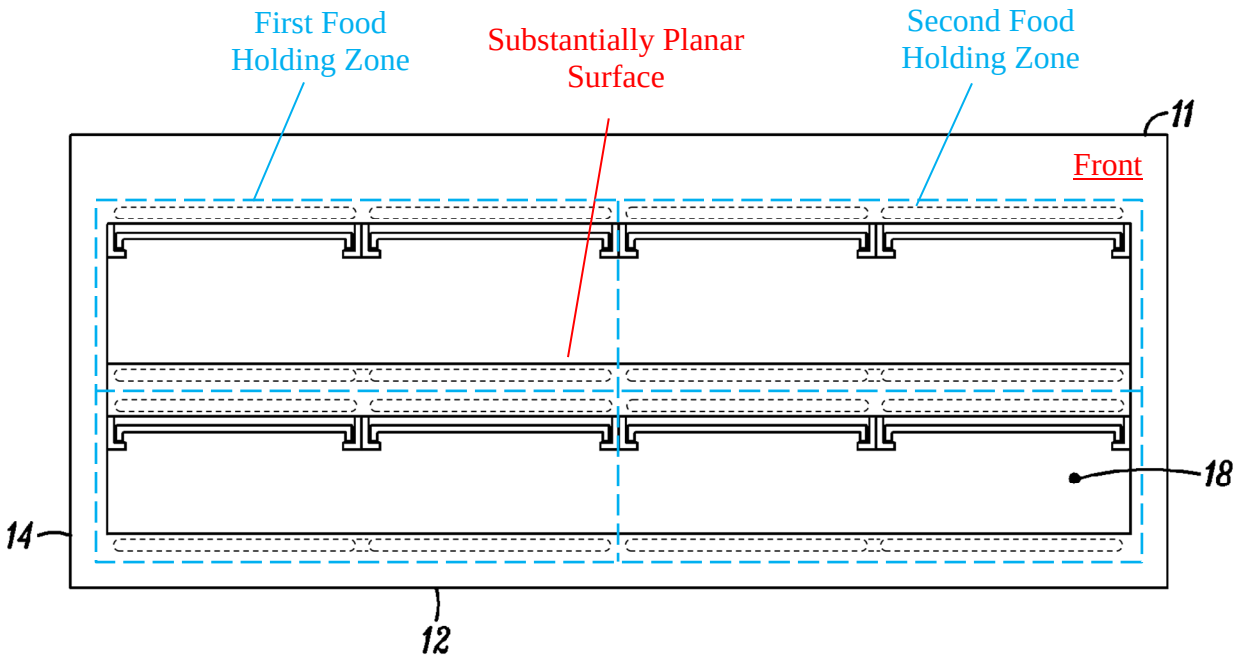
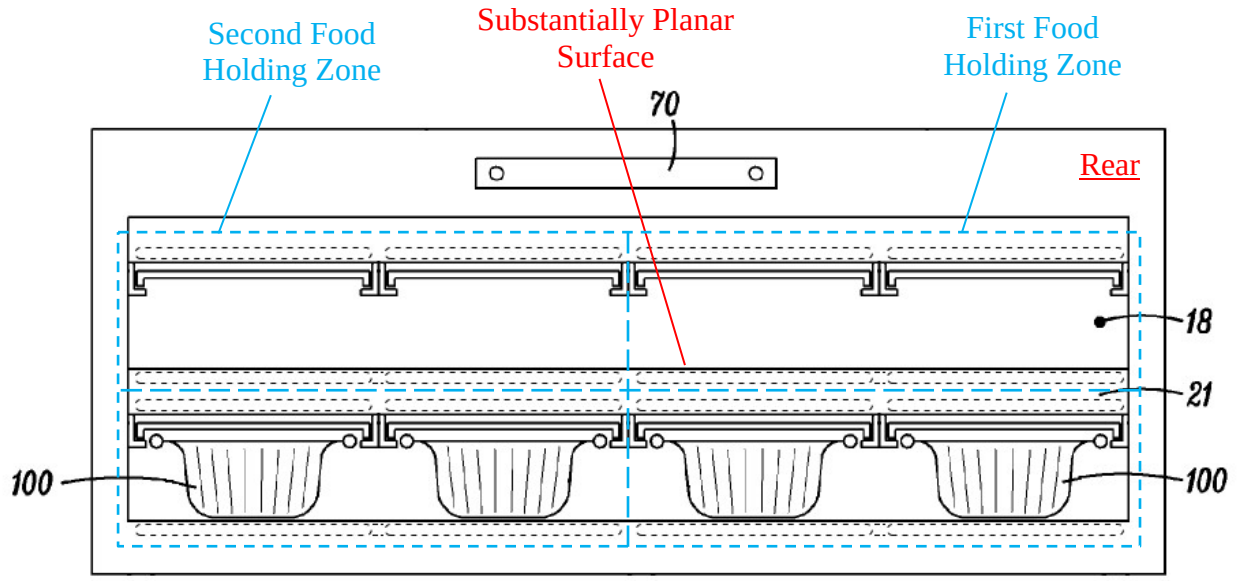


FIG. 1 FIG. 6

EX1010: Figs. 1 and 6 (annotated).





EX1010: Figs. 2 and 6 (modified, annotated).

1.f.2: the first food holding zone is configured to maintain a first temperature and the second food holding zone is configured to

maintain a second temperature, the first temperature and the second temperature capable of being different than one another

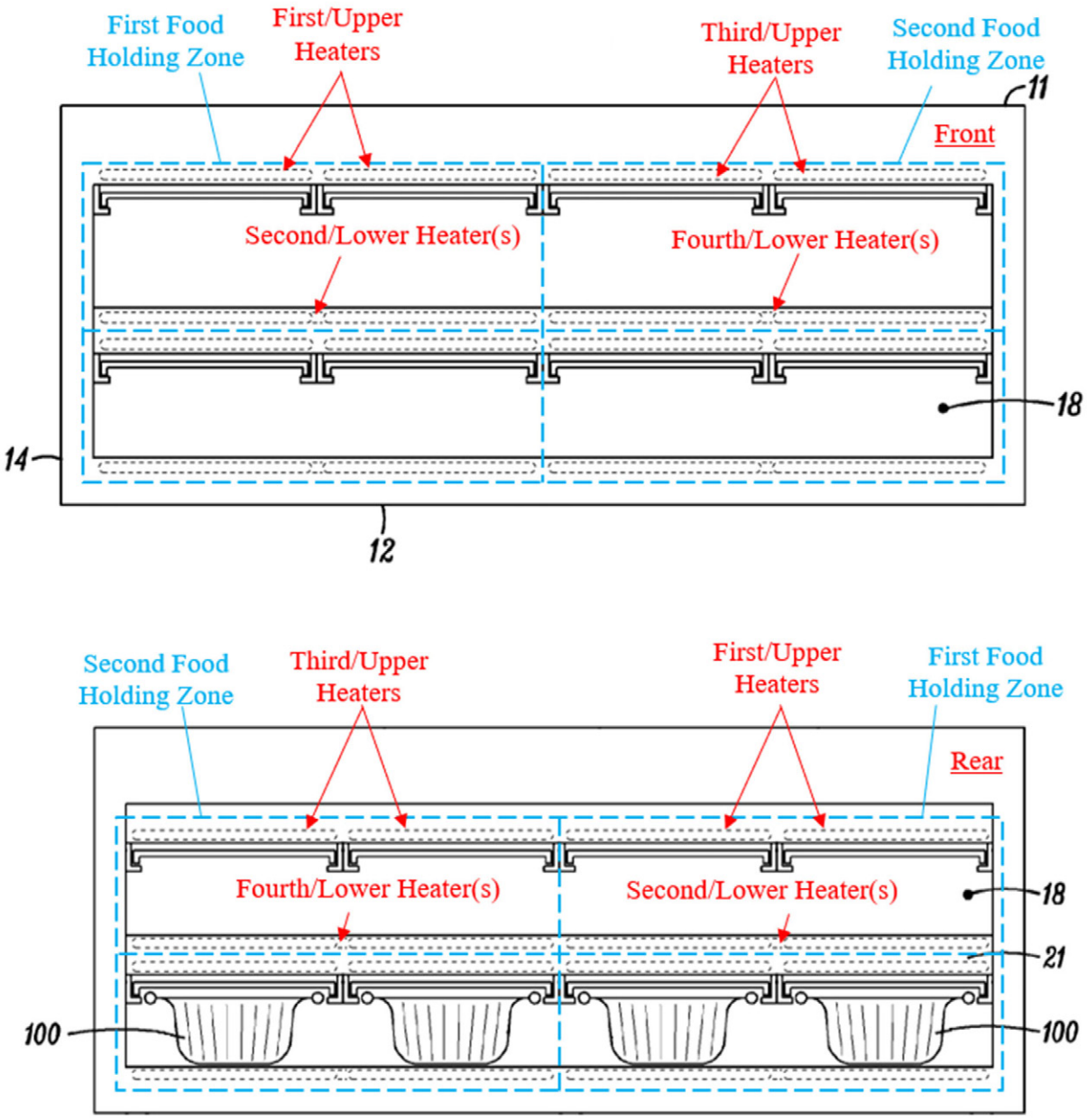
772. The POSA would recognize that Fortmann'748 discloses a cabinet having multiple food holding zones capable of maintaining their own food holding temperature. Specifically, each of the Fortmann'748 shelf's one or more heaters (60) are described as being independently controllable relative to the heaters of other shelves "to establish two or more heat zones of differing temperatures within the warming volume [18]." EX1010: ¶¶[0019], [0021], [0024], [0027]. Moreover, as described above in Paragraphs 554-658, Jones, Fortmann'197, the IRHS Documents, and McMillan all disclose heating zones to different temperatures. EX1005: 16, 20, 25; EX1006: 1; EX1007: 53; EX1010: ¶¶[0021], [0024], [0027]; EX1012: ¶¶[0098], [0130]; EX1014: 3:6-27, 8:63-9:19, 9:50-65; EX1019: 4:36-52.

773. As discussed in Paragraphs 554-658 above (Ground 9 Sections(A)(2)-(5)), in modifying Fortmann'748's cabinet to have a first food holding zone and a second food holding zone, each with their own upper and lower heaters, it would have been obvious to adapt Fortmann'748's control system to independently operate the heaters of each food holding zone. Accordingly, the first food holding zone of the Fortmann'748 modified cabinet would have a controllable/maintainable first food holding temperature and the second food holding zone would have a controllable/maintainable second food holding temperature.

774. Fortmann'748's control system has a "controller [that] selectively provide[s] or secure[s] current to the one or more heaters 60 disposed within each zone to control the temperature of the zone." EX1010: ¶[0027].

775. As a result of the modifications, Fortmann'748's control system, and more specifically the controller thereof, would have operated the upper and lower heaters of each food holding zone to control/maintain its food holding temperature. *See supra* Paragraphs 554-658 (Ground 9 Sections(A)(2)-(5)). And because Fortmann'748's upper and lower heating elements are independently controllable from one another, the temperatures of each zone would be capable of being different from one another. *See supra* Paragraphs 735-739 (Claim 1.d.2).

776. As a result of the modifications, Fortmann'748's controller would have been capable of independently operating each heating element of the respective food holding zones (i.e. upper and lower heaters) to independently control the food holding temperature associated with each corresponding food holding zone and heat the zones to different temperatures based on the different heat settings for different food types in the food holding zones. *See supra* Paragraphs 554-658 (Ground 9 Sections(A)(2)-(5)).



EX1010: Figs. 2 and 6 (modified, annotated).

777. Moreover, it would have been obvious for the temperatures of the food holding zones to be different from one another.

778. Jones (EX1012) teaches customized temperature settings for each food type and that the temperature in the tray locations (zones) can be different

based on the temperature presets for the particular types of food held in each location. EX1012: ¶[0098] ("assigns the holding parameters, top and bottom temperature … to the product name, so wherever the product name is displayed, the holding parameters follow", and "temperature settings for the top and bottom heater that are set to the product name and no matter how many locations have the same product name displayed [1 location up to all locations]"), Fig. 19 ("Select Product Name to be held in Display Location. Each display may have the same Product Name, or all different Product Names … Heating system maintains Top and Bottom Preset Temps for Product Names").

779. The IRHS Documents similarly teach to customize temperature settings by food type and teach holding zones having different food types. EX1006: 1 ("[c]ustom heat settings for food product"); EX1005: 4 ("[t]his new technology allows you to precisely control the environment in each pan, allowing customized settings for each food product"), 16 ("each food product has a tailored HeatSink temperature and InfraRed pulse rate"); EX1007: 51 ("each food product has tailored settings to control the thermal path of the food, leading to optimal quality, consistency and extended hold"), 53 ("[p]recise holding for each product in an optimized environment tailored to that product"). The temperature settings for each pan location/heating zone are independent of the other food product types being held in the other pan locations/zones. EX1005: 25 ("1/2 ROW HEAT (2

Wells)"); EX1006: 1 ("independent well flexibility"); EX1007: 53 ("[t]otal well independence allows freedom in product placement in the IRHS" and "[t]ailor each well specifically to the products within them").



EX1007: 12.

780. Likewise, McMillan teaches heating different zones to different temperatures. EX1019: 4:45-52 ("each of the heater plates 27a, 27b may include customizable heating elements arranged such that different portions of the passageway 16a may be set to different temperatures. In this way, the temperature of each passageway may be maintained according to the number and types of food product to be stored. For example, the passageway 16 a may be set to store four different types of food products at four different temperatures").

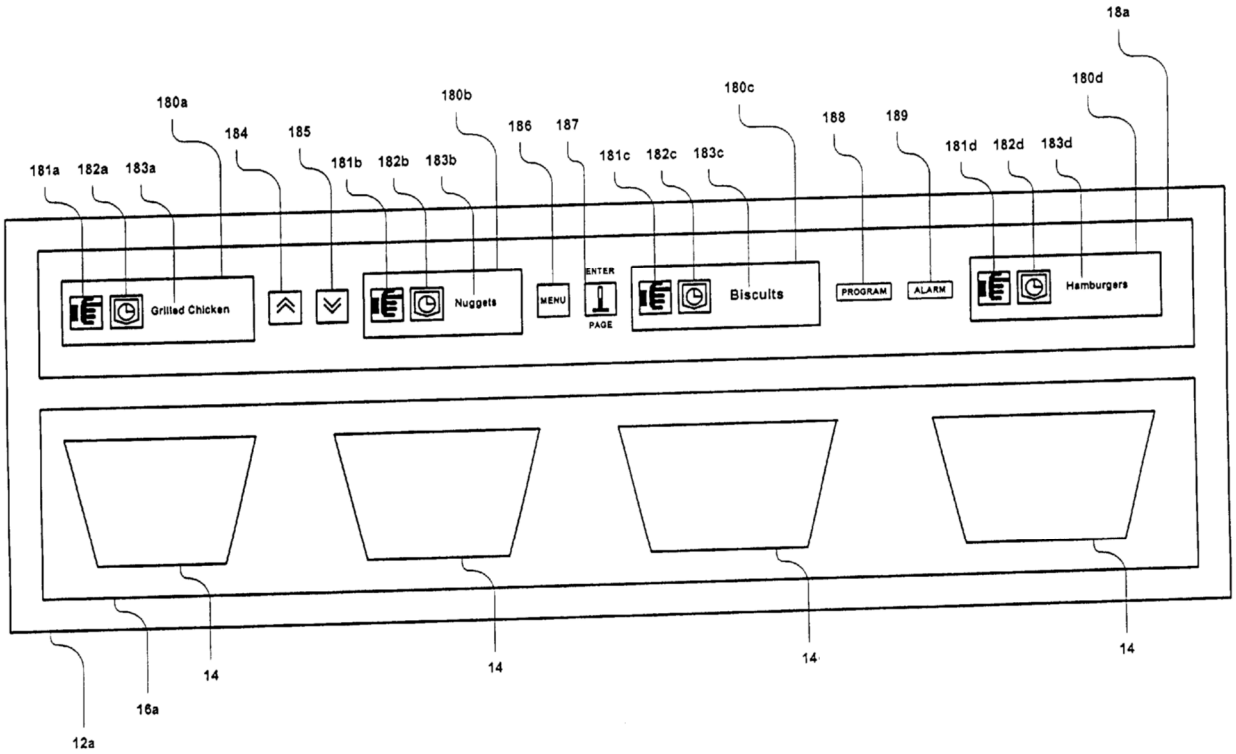


Fig. 5a

EX1019: Fig. 5a.

781. Fortmann'748 further teaches heating different zones to different temperatures. EX1010: ¶[0024] ("[i]n embodiments with multiple heat zones, the two or more infinite switches 210 may be calibrated to establish two or more heat zones of differing temperatures within the warming volume, to allow food products that require different warming temperatures to be simultaneously disposed within the cart").

782. It would have been obvious, per Jones, Fortmann'748, the IRHS Documents, and/or McMillan, to heat the food holding zones to different temperatures to accommodate customized heat settings for different types of food

received in each holding zone (e.g., the first, second, third, and fourth holding zones receive respective different first, second, third, and fourth food types) and to increase holding capacity for different types of cooked food to meet customer demands. EX1028: 30 ("[i]t is critically important that each of these 'heat zones' be set to the appropriate temperature for each type of food product"), 14 (example temperatures), 39 (example temperatures); EX1019: 1:17-45 (explaining "'fast food' restaurants compete to deliver food products as quickly as possible while preserving quality of the taste, consistency, and appearance of the food" and outlining "challenges" of "maintain[ing] a large volume of different food products" each "requir[ing] different storage temperatures"); EX1010: ¶[0024] ("establish two or more heat zones of differing temperatures within the warming volume, to allow food products that require different warming temperatures to be simultaneously disposed within the cart"); EX1006: 1 ("each compartment individually controlled").

783. This would have been nothing more than the use of a known technique (heating zones to different temperatures per Jones, Fortmann'748, IRHS Documents, and McMillan) to improve a similar device (Fortmann'748's cabinet) in the same way (independently operate the heaters of each zone to heat the zones to different temperatures).

784. As there would have been a high expectation of success modifying Fortmann'748's cabinet as discussed in Paragraphs 554-611 above (Ground 9 Section(A)(2)-(3)), the resulting capability to independently operate the heaters of each zone to heat the zones to different temperatures would have likewise been expected.

1.g: wherein a first bezel is set forward from the shelf by a space

785. The POSA would recognize that the prior art discloses food holding cabinets using a "first bezel is set forward from the shelf by a space."

786. As explained in Paragraphs 659-676 above (Ground 9 Section(A)(6)), each of Fortmann'197 (EX1014), the IRHS Documents (EX1005-EX1008), and Hartfelder (EX1013) teach the inclusion of timer bars or time bezels set forward from the shelf by a space. EX1005: 8; EX1006: 1-2; EX1007: 28, 32, 51; EX1013: Figs. 3, 4, 9; EX1014: 3:28-46, 4:18-37, Figs. 1-3, 5.

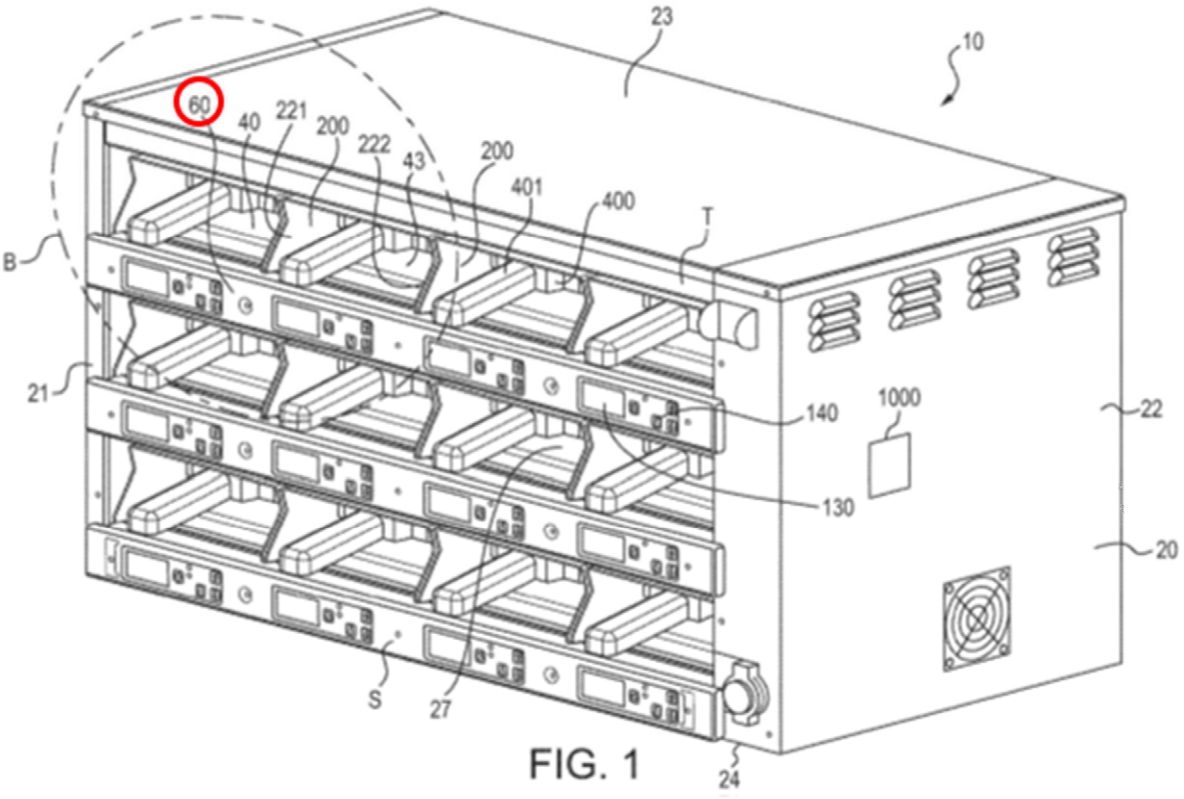


FIG. 1

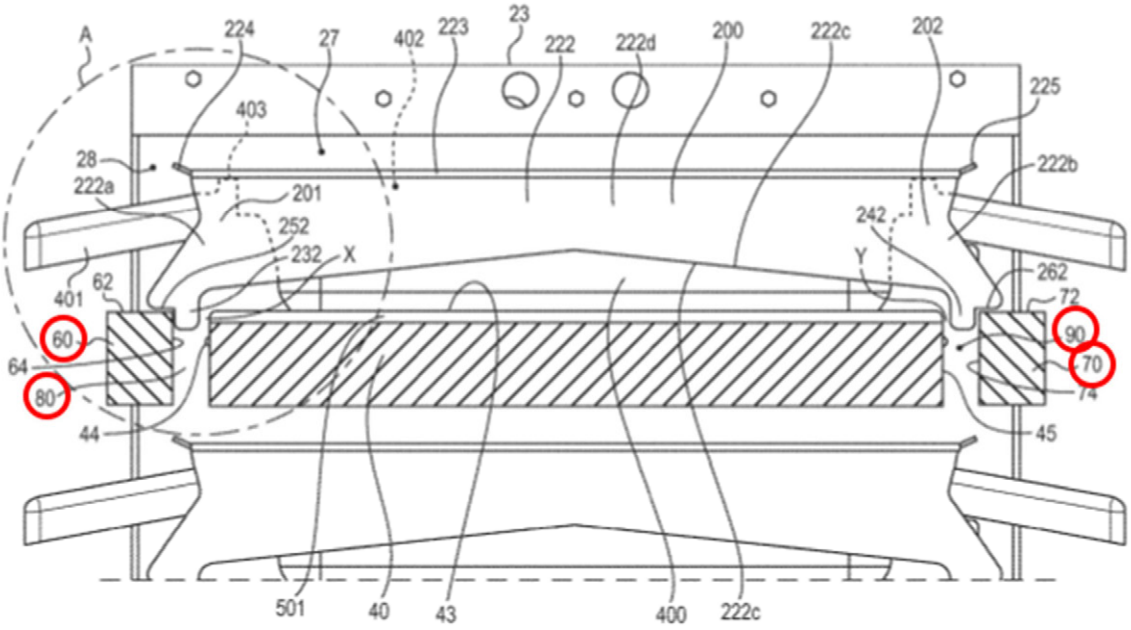
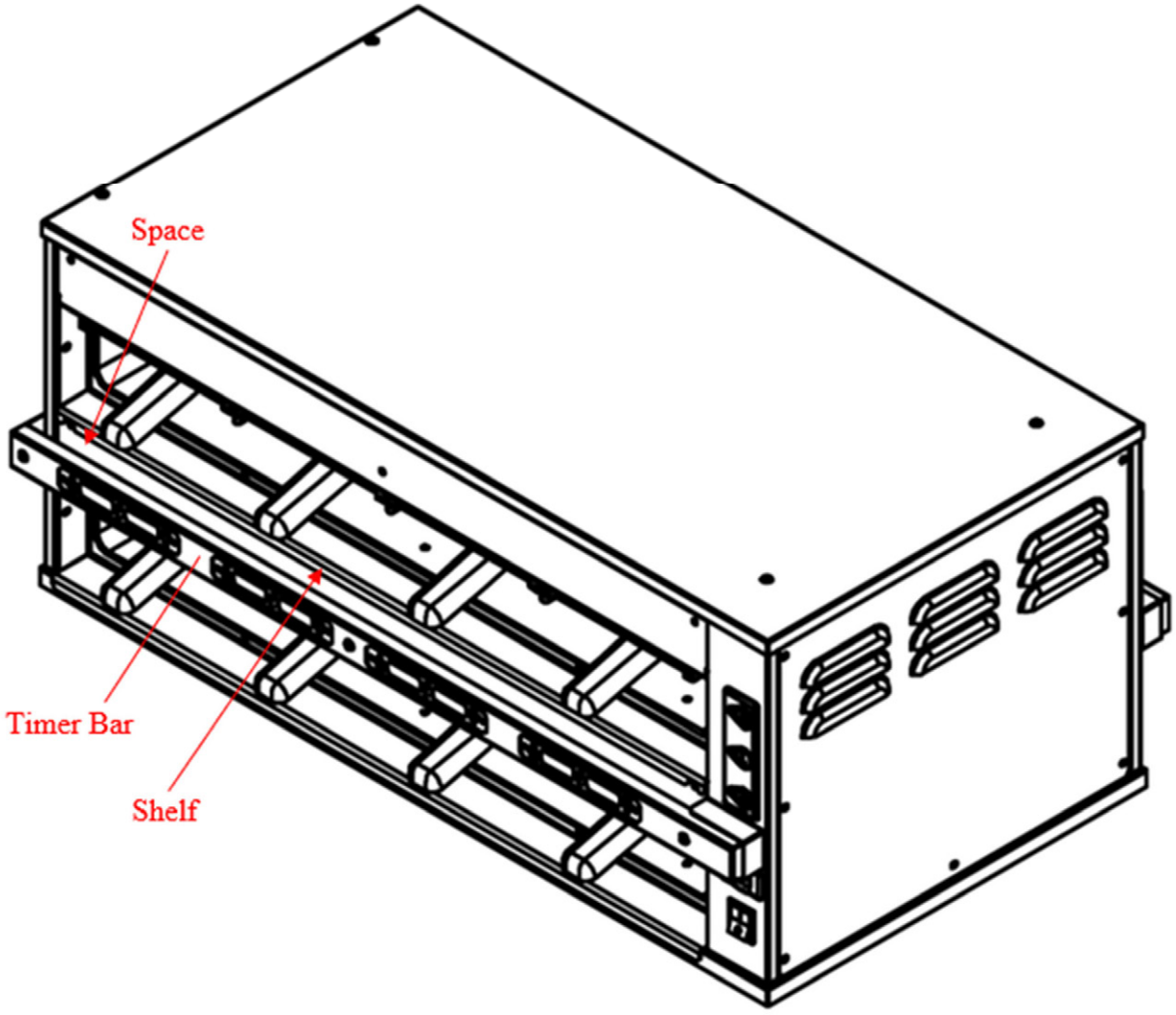
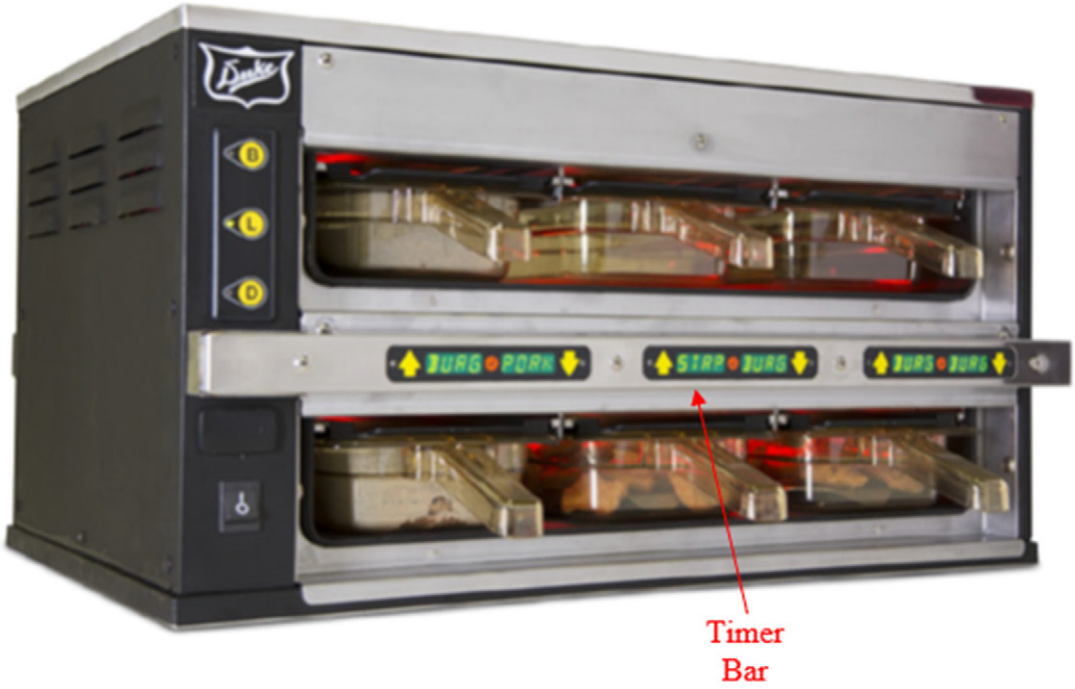


FIG. 5

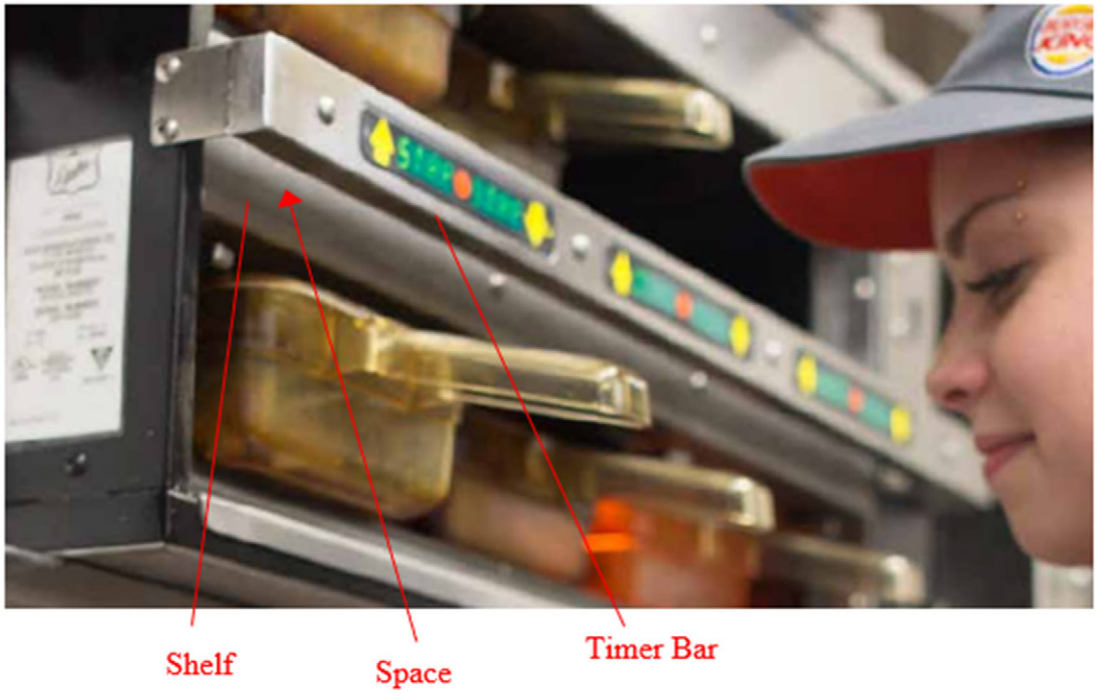
EX1014: Figs. 1 and 5 (annotated).



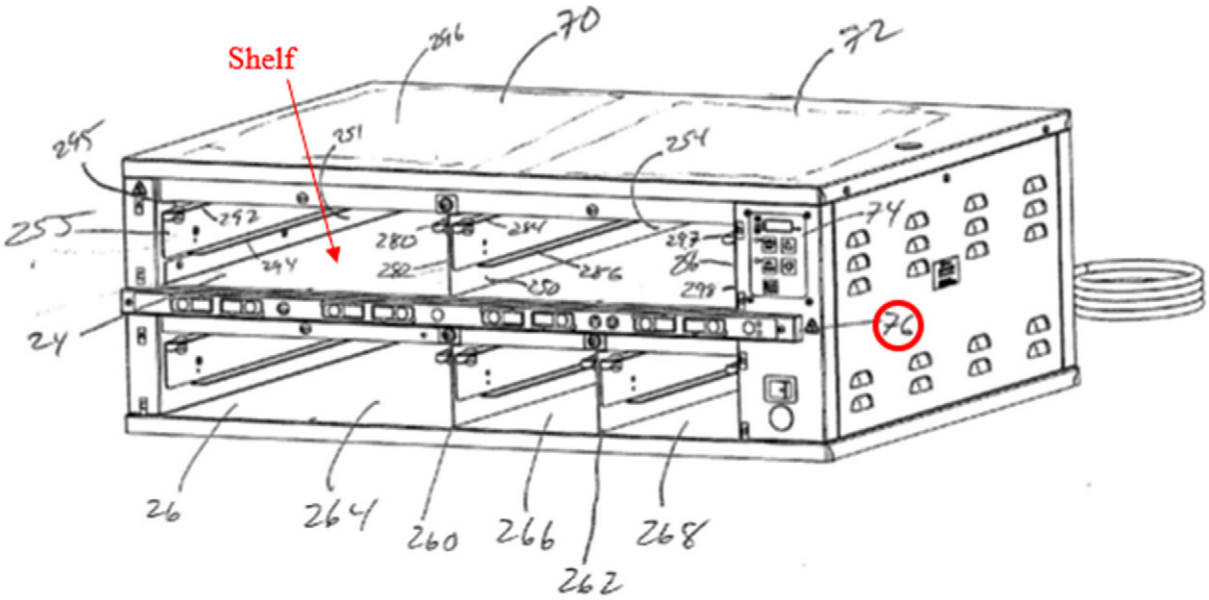
EX1005: 8 (annotated).

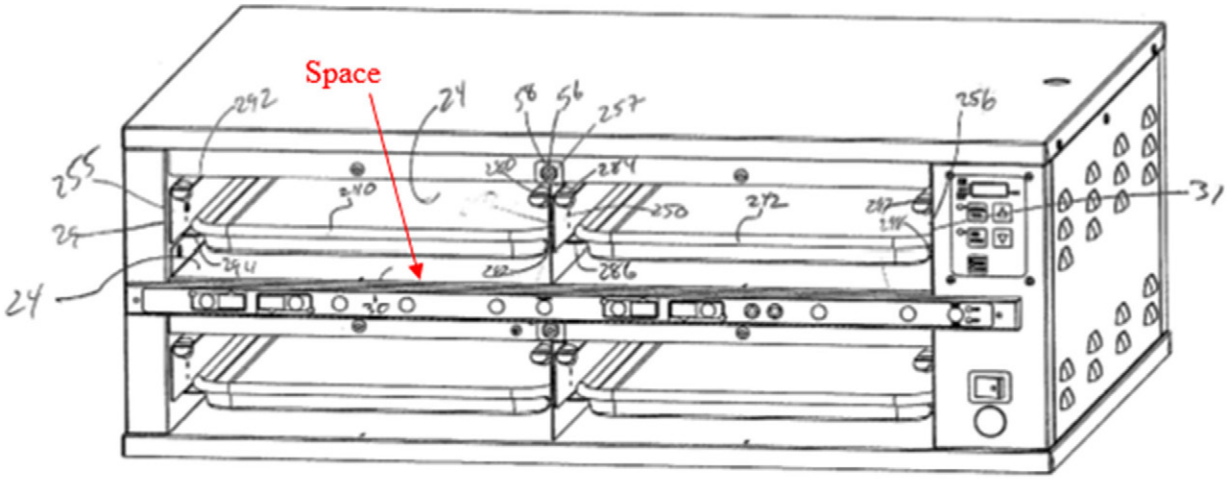


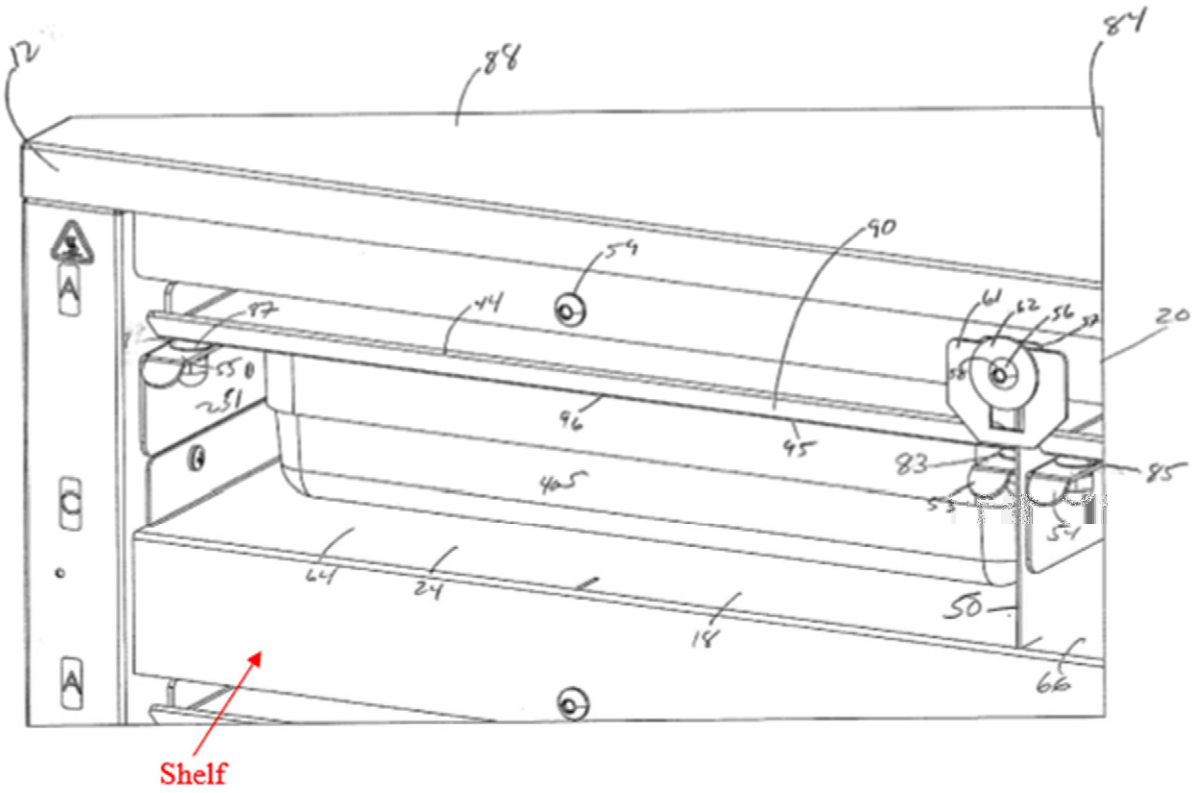
EX1006: 1-2 (annotated).



EX1007: 28 (annotated).


Shelf
70
72
74
76
24
26
255
264
260
266
262
268

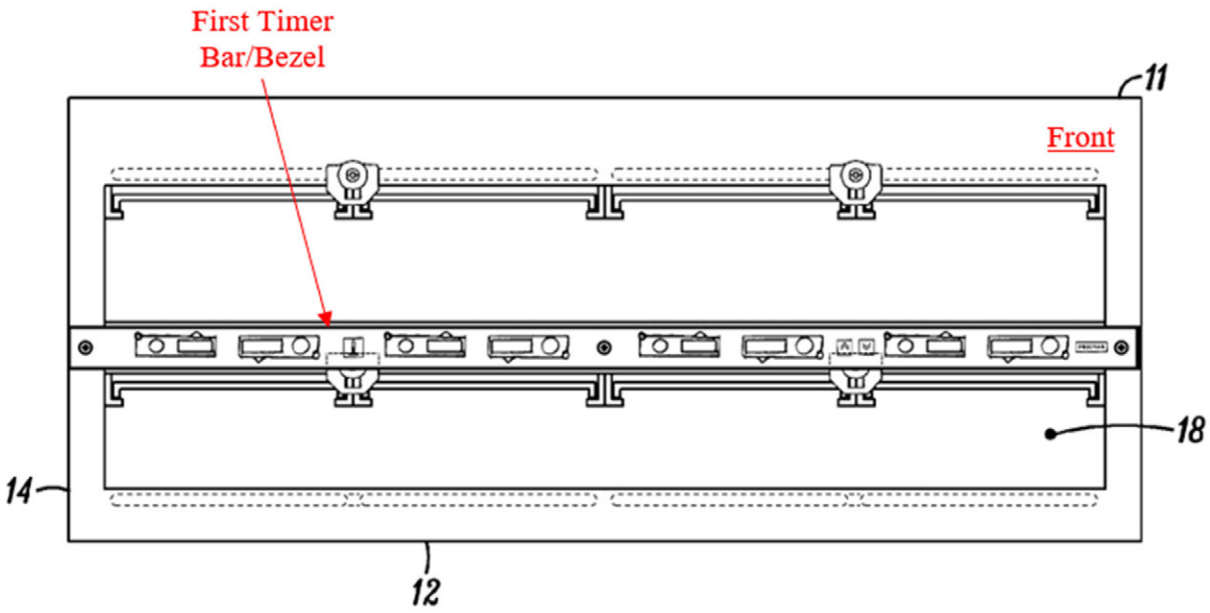

Space
24
255
31



EX1013: Figs. 3, 4, and 9 (annotated).

787. In modifying the multi-zone food holding bin of Fortmann'748 to add the timer bar/bezel of Fortmann'197 (EX1014), the IRHS Documents (EX1005-EX1008), and Hartfelder (EX1013), the added front timer bar/bezel would be spaced forward of the shelf and therefore a space would have been defined between the front timer bar/bezel and the front face (*e.g.*, the portion of the front face formed by the shelf).

788. A representation of the resulting modified cabinet of Fortmann'748 in a 2x4 configuration is demonstrated as follows:



EX1010: Fig. 2 (modified, annotated).

789. Accordingly, each limitation of Claim 1 is either disclosed in Fortmann'748 or would have been an obvious modification to the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, and Vaseloff. As such, the POSA would have found it obvious to arrive at the food holding bin as claimed in Claim 1.

C. Claim 2: the food holding bin of claim 1, wherein the space is configured to allow a latch to rotate from a locked position to an unlocked position to release lids held on lid holding ledges elevated above the substantially planar surface

790. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and

disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the claimed food holding bin of Claim 1.

791. The top panel (11) and each shelf (21) of Fortmann'748's cabinet (10) includes a cover or lid (40). EX1010: ¶[0017] ("[t]he plurality of shelves 21 may each include a removable and slidable cover 40 that is disposed in conjunction with and below each shelf 21 (with the exception of the bottom shelf 21, with a cover 40 also provided above the upper-most shelf)"), Figs. 1 and 6.

792. The lid (40) rests and slides along a track (48) above the planar surface. EX1010: ¶[0018] ("covers 40 are disposed onto the respective shelves 21 to be removable as necessary, by sliding the cover 40 from the shelf 21 by way of a track 48"), Fig. 3.

793. Thus, the tracks (48) are lid holding ledges.

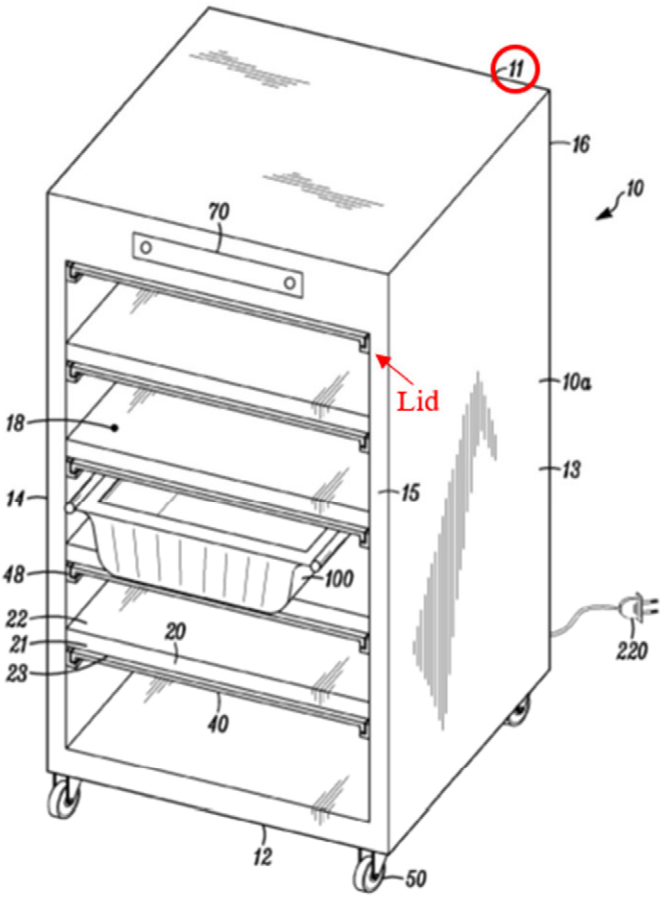


FIG. 1

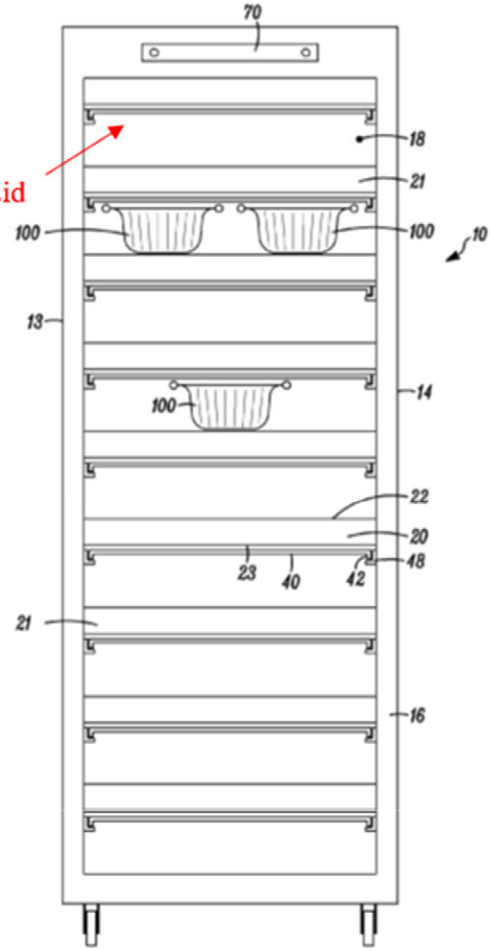


FIG. 6

EX1010: Figs. 1 and 6 (annotated).

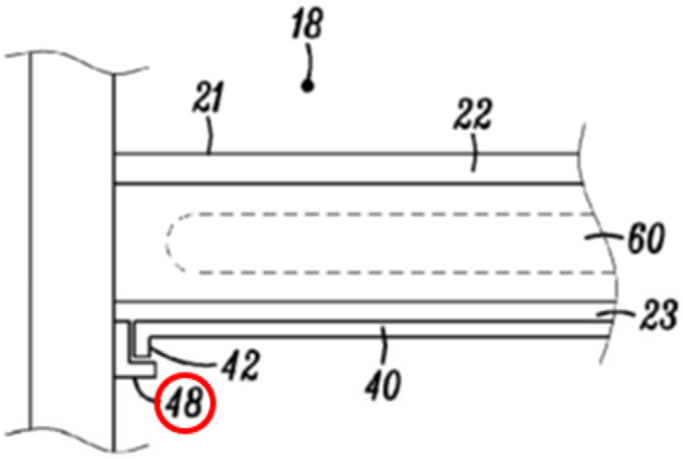


FIG. 3

EX1010: Fig. 3 (annotated).

794. As explained in Paragraphs 677-699 (Ground 9 Section(A)(7)), it would have been obvious to modify the Fortmann'748 cabinet such that it would have discrete lids and associated tracks, for each pan holding location/bay as taught by Jones, Fortmann'197, and the IRHS Documents. EX1012: ¶[0072], Fig. 1B; EX1014: 4:50-53, 7:31-32, Figs. 1-4; EX1005: 8; EX1006: 1-2; EX1007: 53, 58.

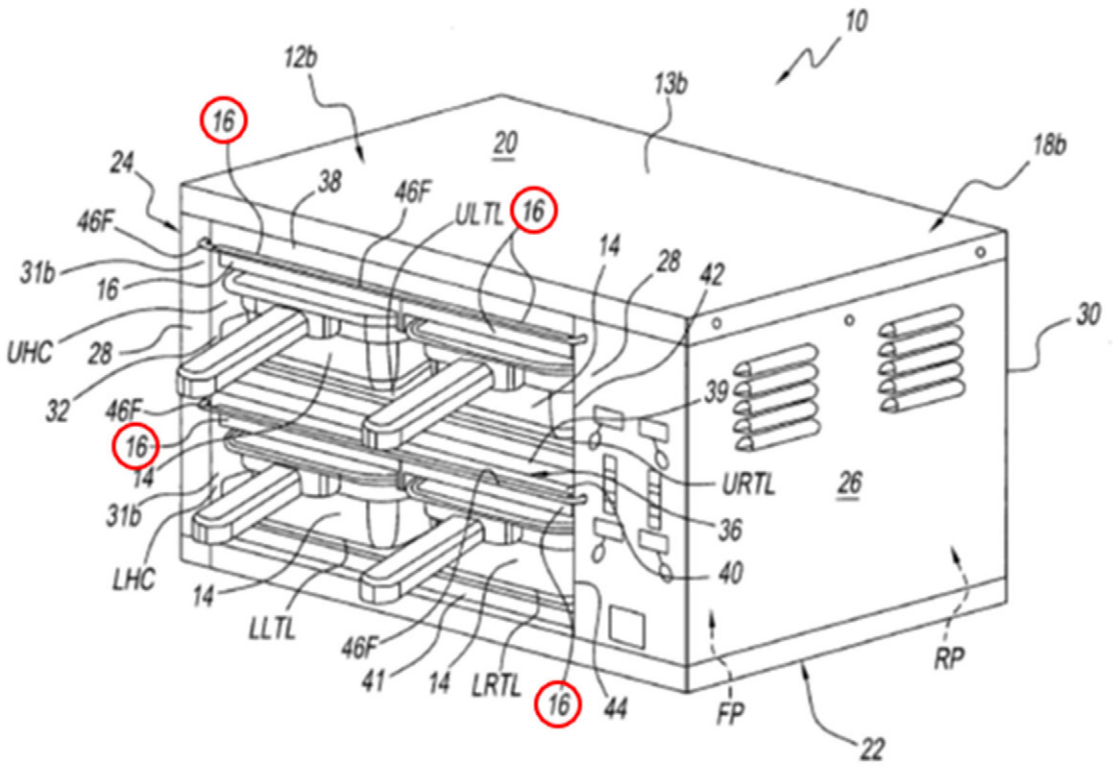


Fig. 1B

EX1012: Fig. 1B (annotated).

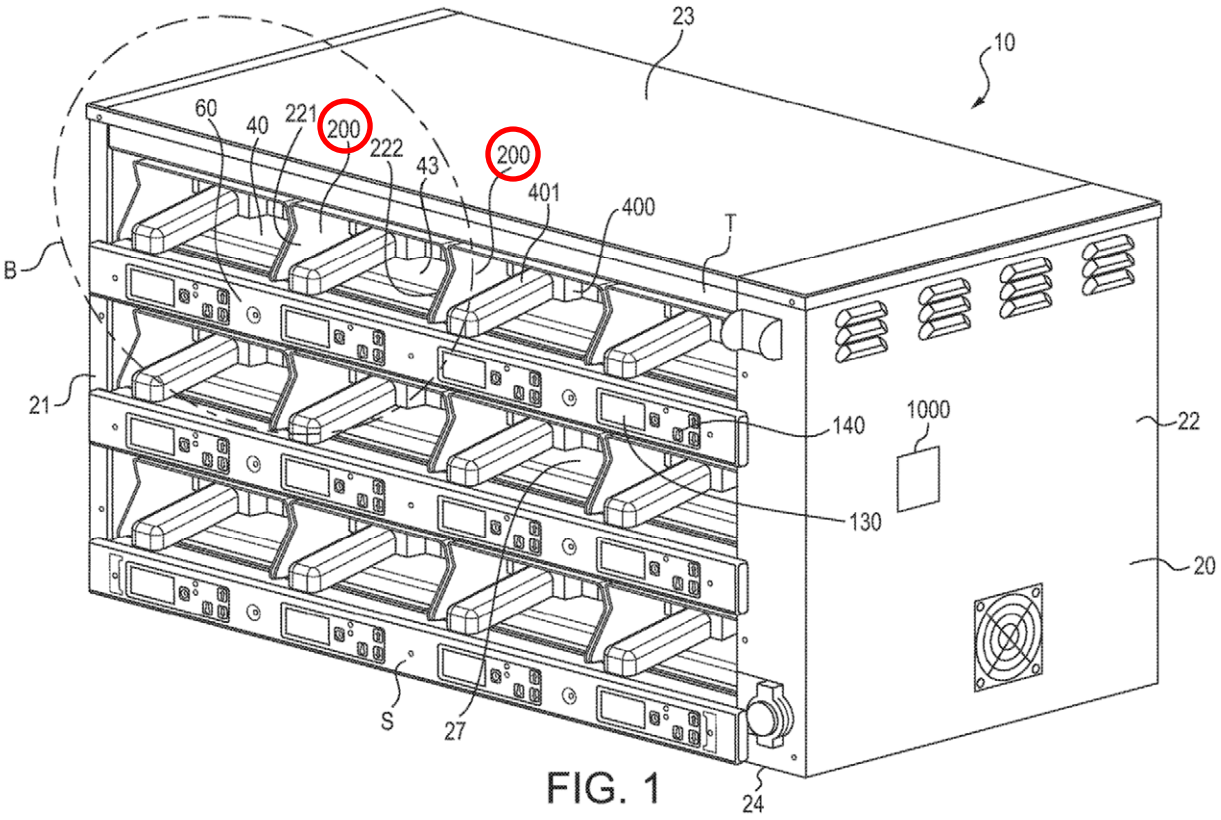
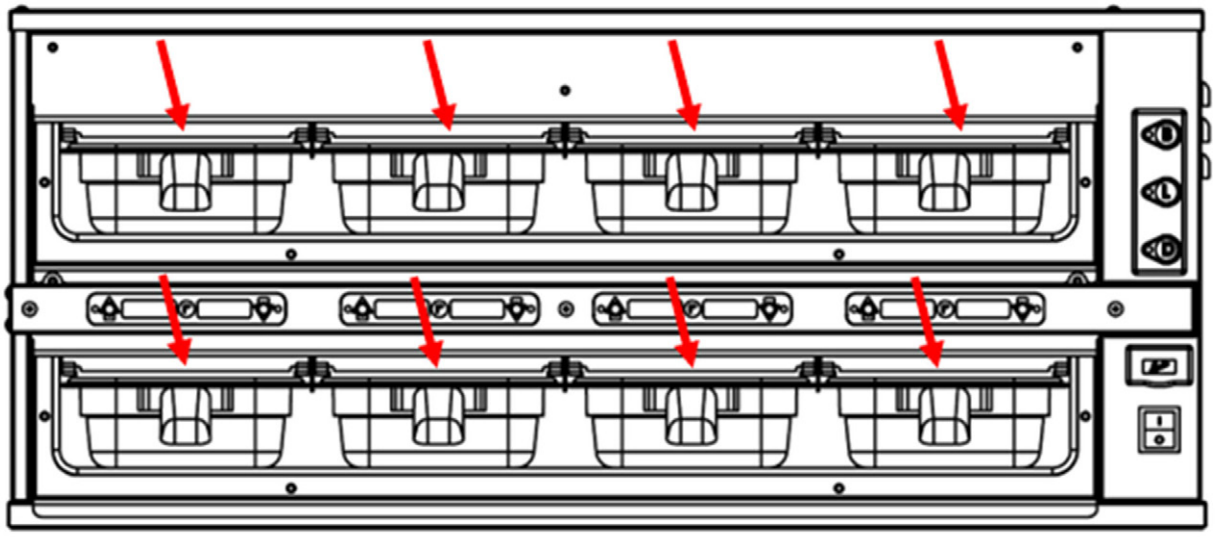


FIG. 1

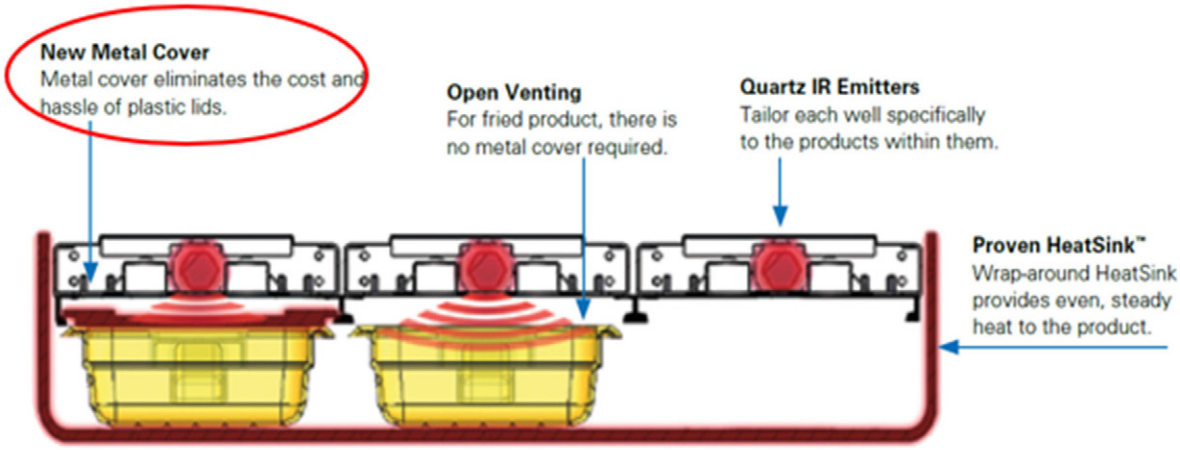
EX1014: Fig. 1 (annotated).



EX1005: 8 (annotated).

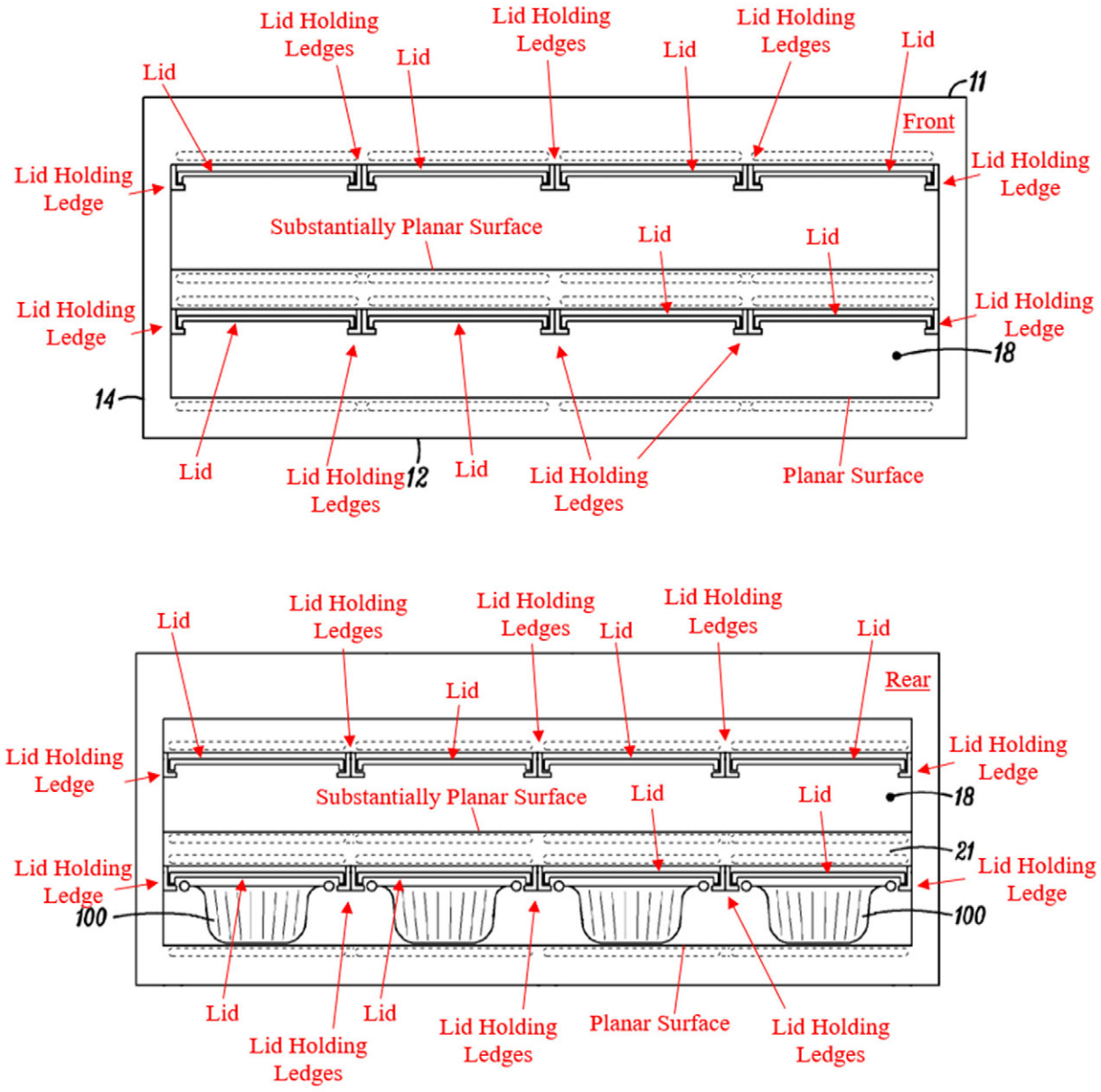


EX1006: 2 (annotated).



EX1007: 53 (annotated).

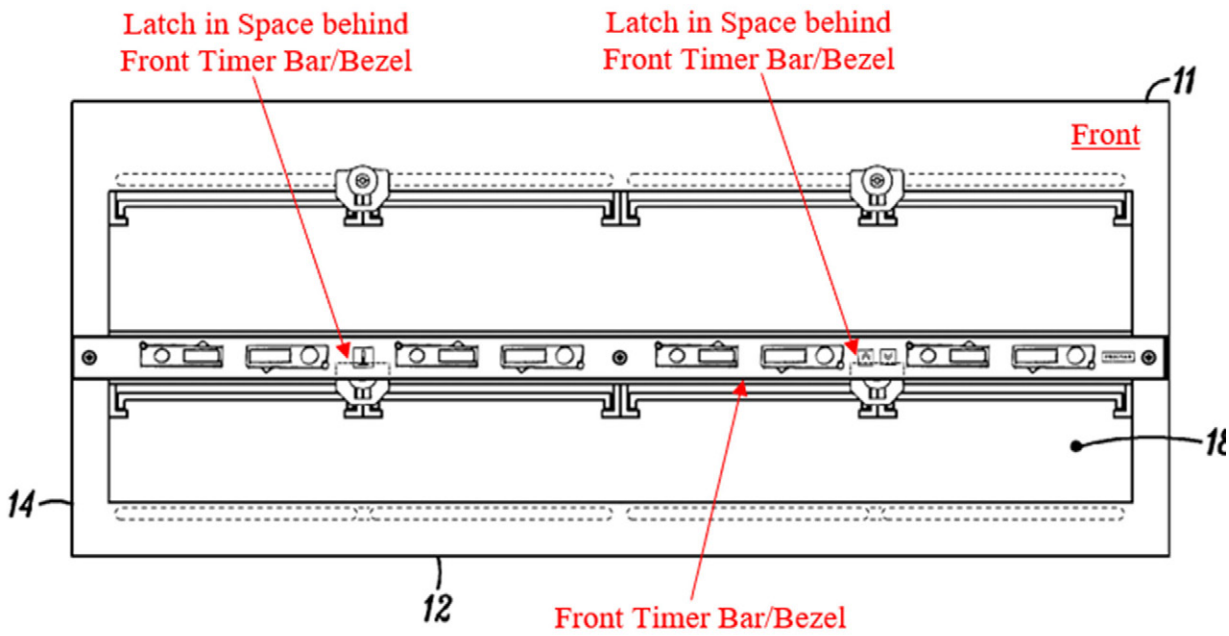
795. The resulting cabinet would have lids held on tracks (lid holding ledges) elevated above the substantially planar surface as demonstrated below:



EX1010: Figs. 2 and 6 (modified, annotated).

796. Under the modification with respect to Claim 1.g, the Fortmann'748 cabinet would have had a space between the front timer bar/bezel and the front face of the chassis.

797. It would have been further obvious to modify Fortmann'748's cabinet to incorporate Hartfelder's stop members (61) or Shei'099's stops (88) (*i.e.*, latches) in the space between the front timer bar and the front face (*e.g.*, the portion of the front face formed by the shelf) as discussed in Paragraphs 700-711 above (Ground 9 Section(A)(8)).



EX1010: Fig. 2 (modified, annotated).

798. Specifically, the location on the front face of the cabinet is consistent with where both Hartfelder and Shei'099 teach the latches would be positioned to engage and retain the lids. EX1013: Figs. 1 and 9; EX1017: Fig. 1.

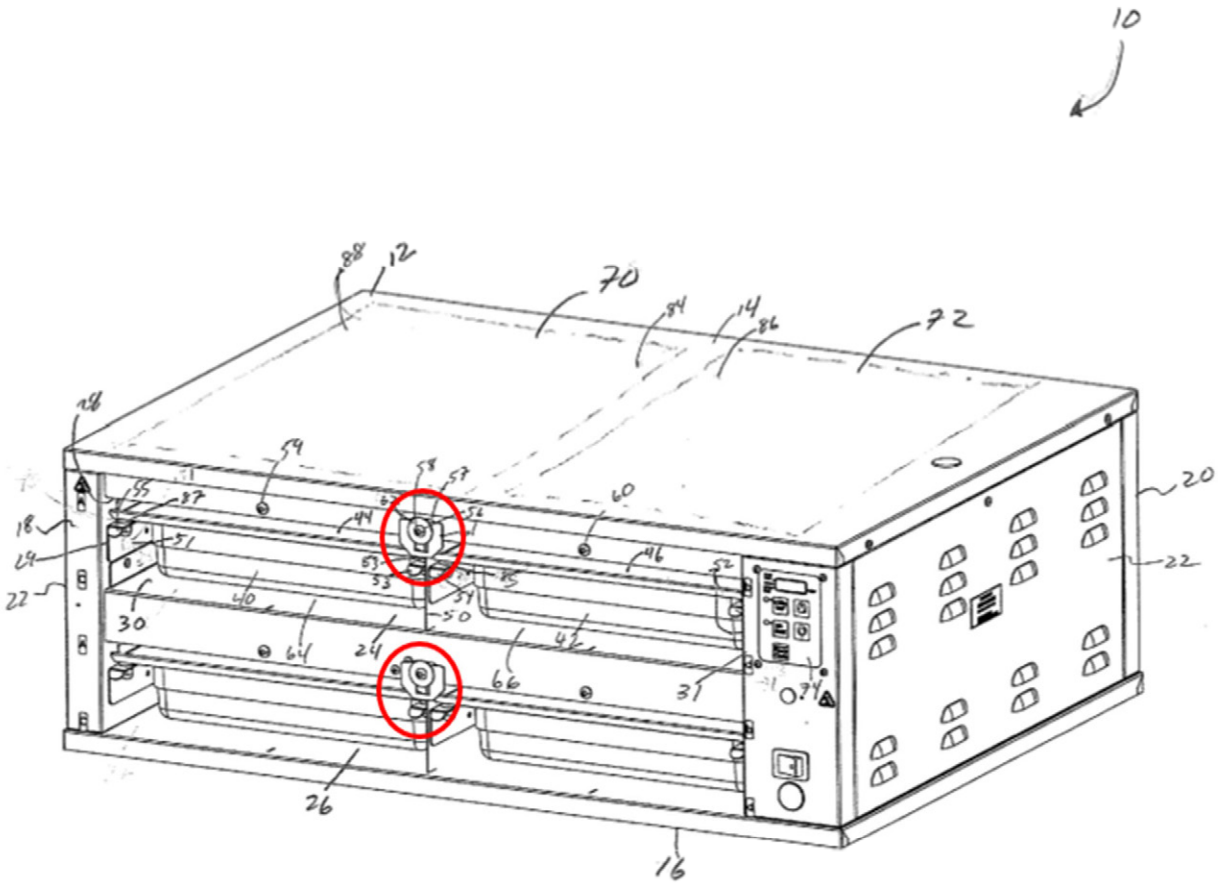
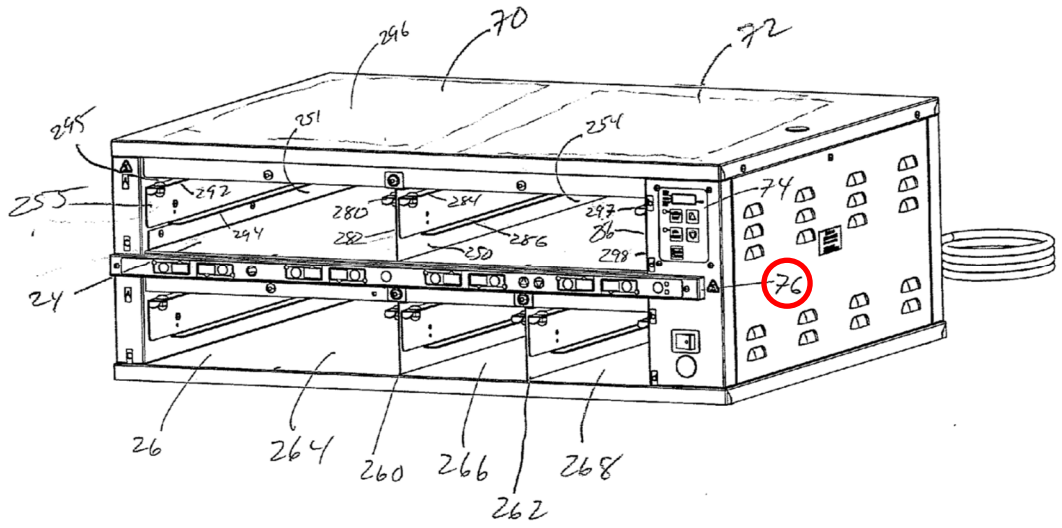

10
12
70
72
14
16
18
20
22
24
26
30
74

FIGURE 1


70
72
74
76
24
26
260
262
264
266
268

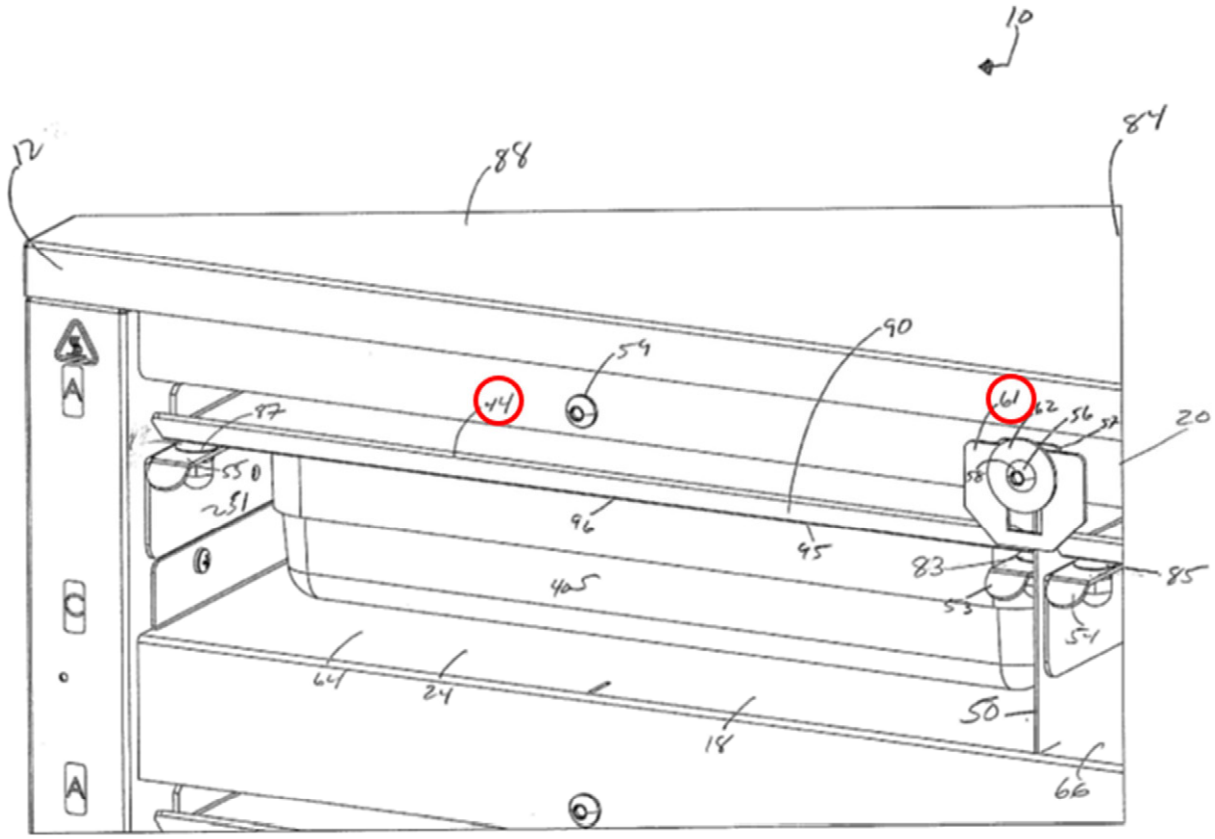


FIGURE 9

EX1013: Figs. 1, 3, and 9 (annotated).

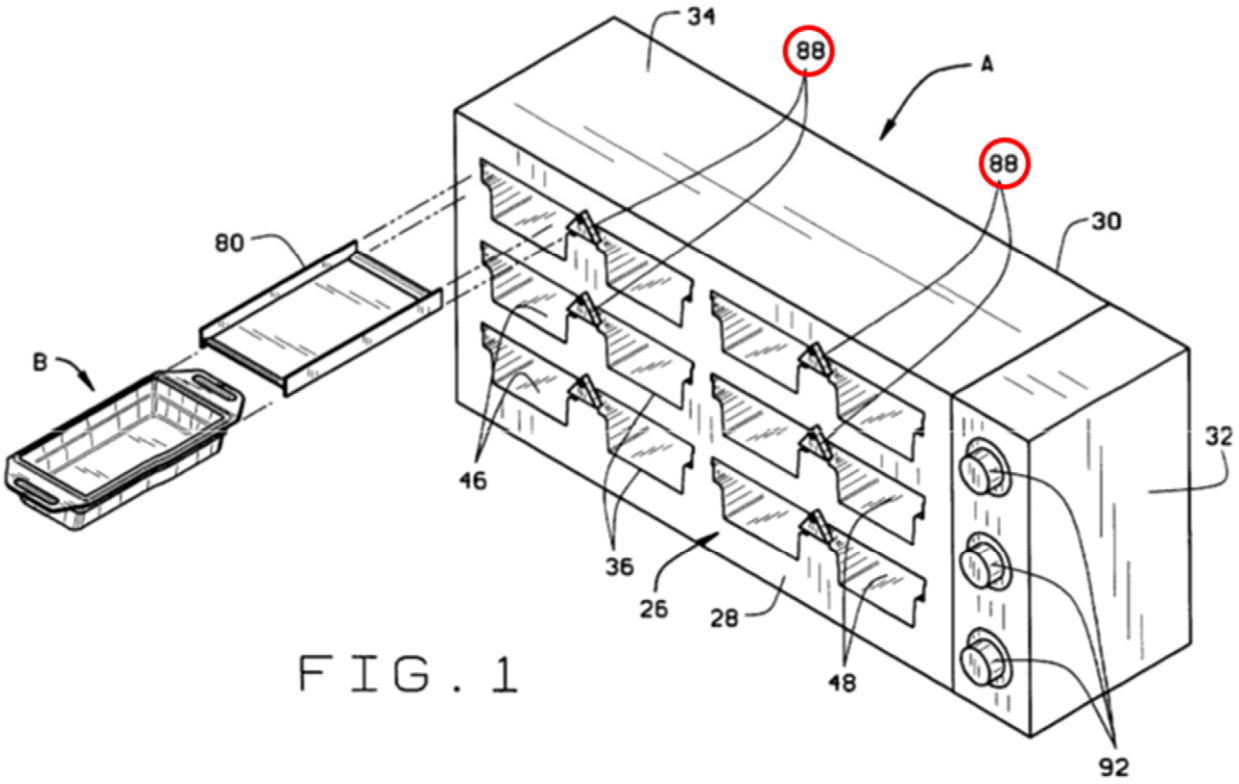


FIG. 1

EX1017: Fig. 1 (annotated).

799. And Hartfelder teaches this position of the stop members (61) in the presence of a control bar (76). EX1013: ¶[0039] ("controls and indicators may be arranged in on interface bar 76"), Figs. 3-5. While Hartfelder does not depict the stop members (61) within the same figures as the control bar (76), the fact that both features were addressed in the same reference suggests that such arrangements would be both compatible and desirable.

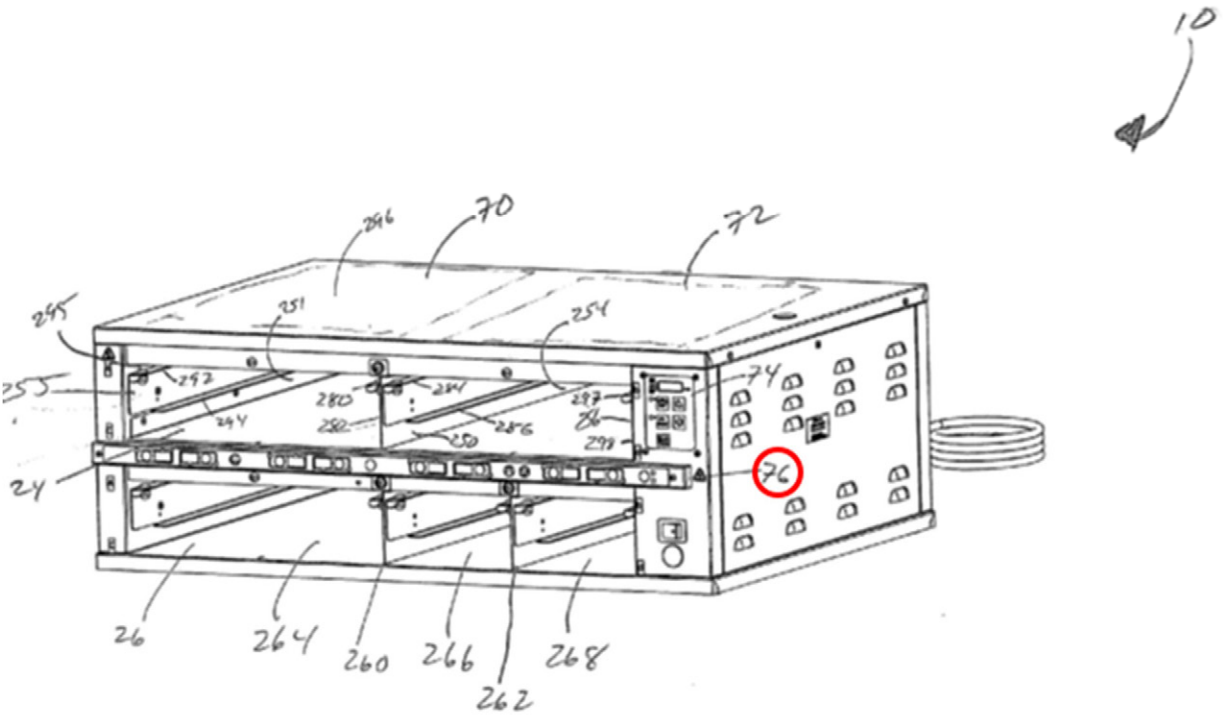


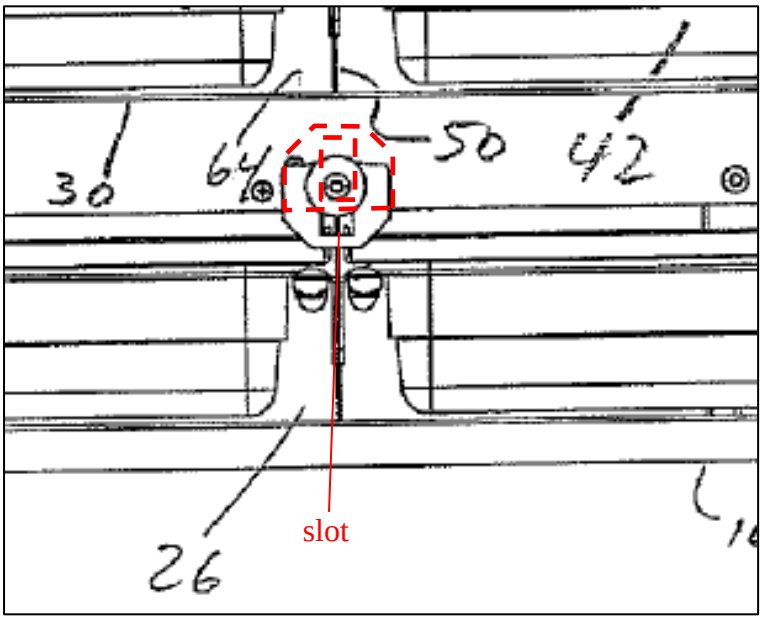
FIGURE 3

EX1013: Fig. 3 (annotated).

800. The POSA understands Hartfelder's stop members (61) are moveable between locked and unlocked positions.

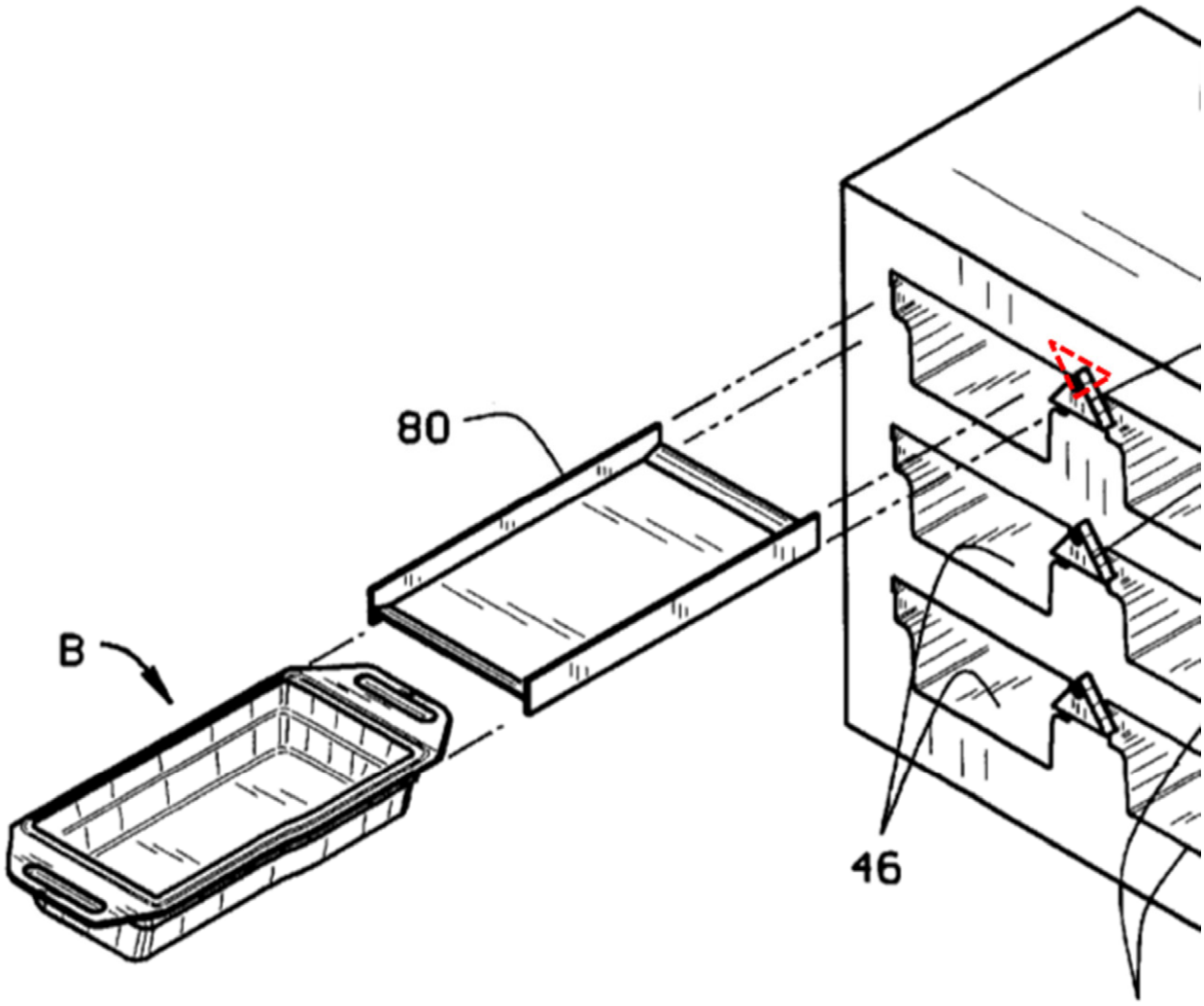
801. Specifically, the stop members (61) have a vertical slot, through which the fastener (56) extends to connect the stop member to the cabinet (12). The cutout is larger than the fastener (56), thereby allowing the stop member (61) to rotate between the locked position shown in Fig. 9 (in which the stop member is

positioned to engage the lid if the lid moves out of the compartment) and an unlocked position shown by the broken lines (in which the stop member is positioned to permit the lids to be removed from the compartment). Stop members (61) of this type rotate between locked and unlocked positions. EX1017: 6:9-32, Fig. 1.



EX1013: Fig. 2 (enlarged, annotated to show rotation of Hartfelder's stop member).

802. Likewise, Shei'099's stops (88) rotate between locked and unlocked positions. EX1017: 6:9-32.

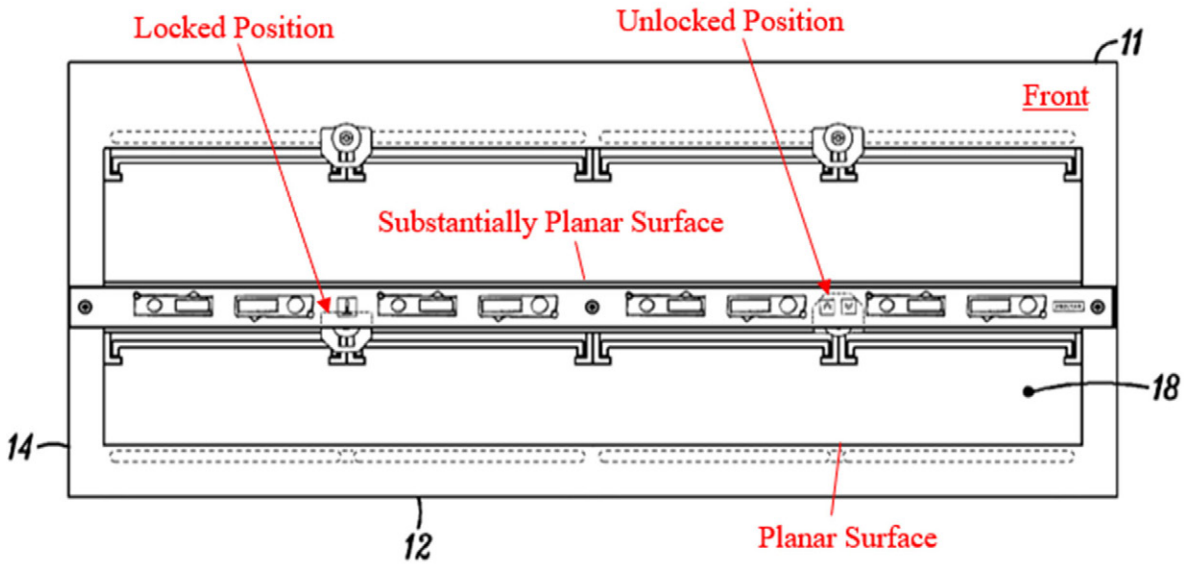


EX1017: Fig. 1 (enlarged, annotated).

803. While the above annotated images of Hartfelder and Shei'099 show the stops (latches) rotated 180-degrees from an at-rest position, the POSA understands the user/operator would pivot the stops in Hartfelder and Shei'099 as needed (e.g., 45-degrees) left or right to release the desired lid.

804. In modifying Fortmann'748's cabinet to incorporate both latches and timer bars/bezels, the latches would thus be located in the space behind the front timer bar and would rotate in the space between their locked and unlocked positions.

805. A representation of the resulting modified cabinet of Fortmann'748 in a 2x4 configuration is demonstrated as follows:



EX1010: Fig. 2 (modified, annotated).

806. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Hartfelder and/or Shei'099 to arrive at the food holding bin as claimed in Claim 2.

D. Claim 3: the food holding bin of claim 1, wherein the first bezel comprises dedicated displays and the dedicated display displays a temperature setting for a corresponding food holding bay

807. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, and/or Vaseloff to arrive at the claimed food holding bin of Claim 1.

808. The POSA would additionally recognize that the prior art discloses the additional limitation added in Claim 3 requiring the first comprise "dedicated displays" with the "dedicated display display[ing] a temperature setting for a corresponding food holding bay."

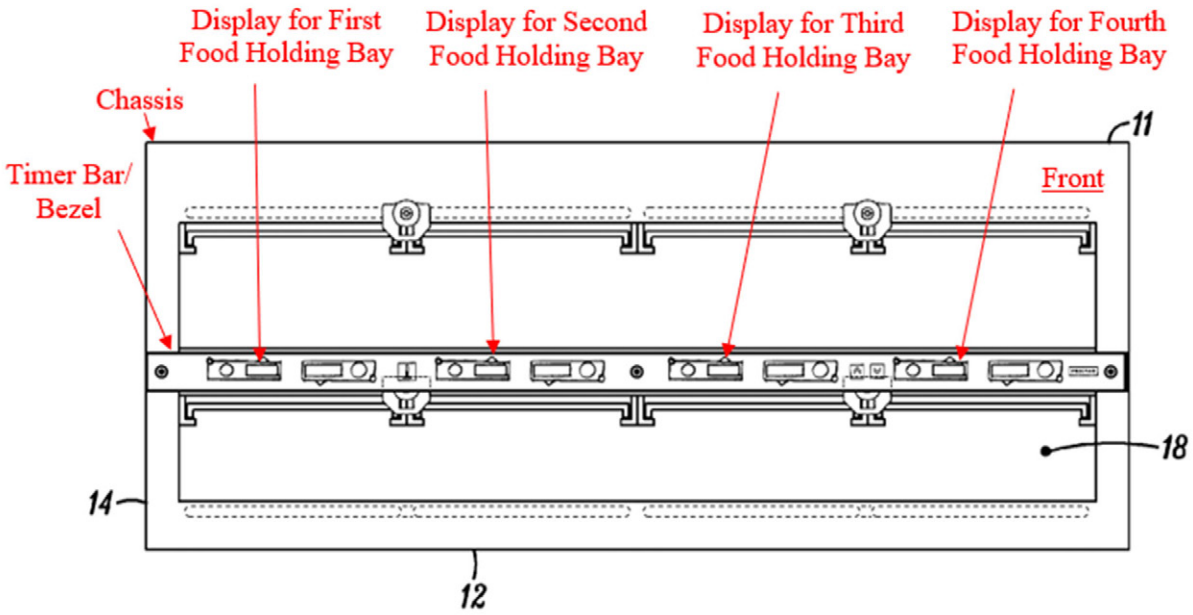
809. As explained in Paragraphs 659-676 above (Ground 9 Section(A)(6)), each of Fortmann'197 (EX1014), the IRHS Documents (EX1005-EX1008), and Hartfelder (EX1013) teach the inclusion of timer bars or time bezels.

810. It would have further been obvious for each timer bar to incorporate Vaseloff's display/control groups (*e.g.*, a display device, a timer status indicator, and a timer button) for each pan holding location (i.e. food holding bay) within the first, second, third, and fourth food holding zones for the reasons explained in Paragraphs 612-637 (Ground 9 Section(A)(4)).

811. Each Vaseloff display/control group would have a display device that displays the set temperature of each pan location (i.e. bay) per McMillan.

Paragraphs 638-658 (Ground 9 Section(A)(5)); EX1019: 10:30-32 ("[w]hen the temperature is set, the message display areas … present a numeric value indicating the current and/or set temperature").

812. A representation of the resulting modified cabinet of Fortmann'748 in a 2x4 configuration is demonstrated as follows:



EX1010: Fig. 2 (modified, annotated).

813. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in Claim 3.

E. Claim 4

4.a.1: the food holding bin of claim 1, wherein the first and second food holding compartments each have a second opening, uncovered and located at the rear face of the chassis

814. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the claimed food holding bin of Claim 1.

815. The POSA would recognize that Fortmann'748 discloses the multi-zone food holding bin "wherein the first and second food holding compartments each have a second opening, uncovered and located at the rear face of the chassis."

816. The chassis (10a) of Fortmann'748's cabinet (10) has an open back side (16) to allow pans (100) to pass into and out of the food holding compartments in the interior volume (18). EX1010: ¶[0014] ("[t]he warming cart 10 is configured with … an open back side 16 to allow one or more pans 100 to be quickly disposed within the cart 10 and the warming volume and removed from the cart 10 without operation of doors or other barriers found on conventional warming carts.… as shown in FIG. 6 the back side 16 is also open to allow pans 100 and the like to slide through the back side 16 into the warming volume 18").

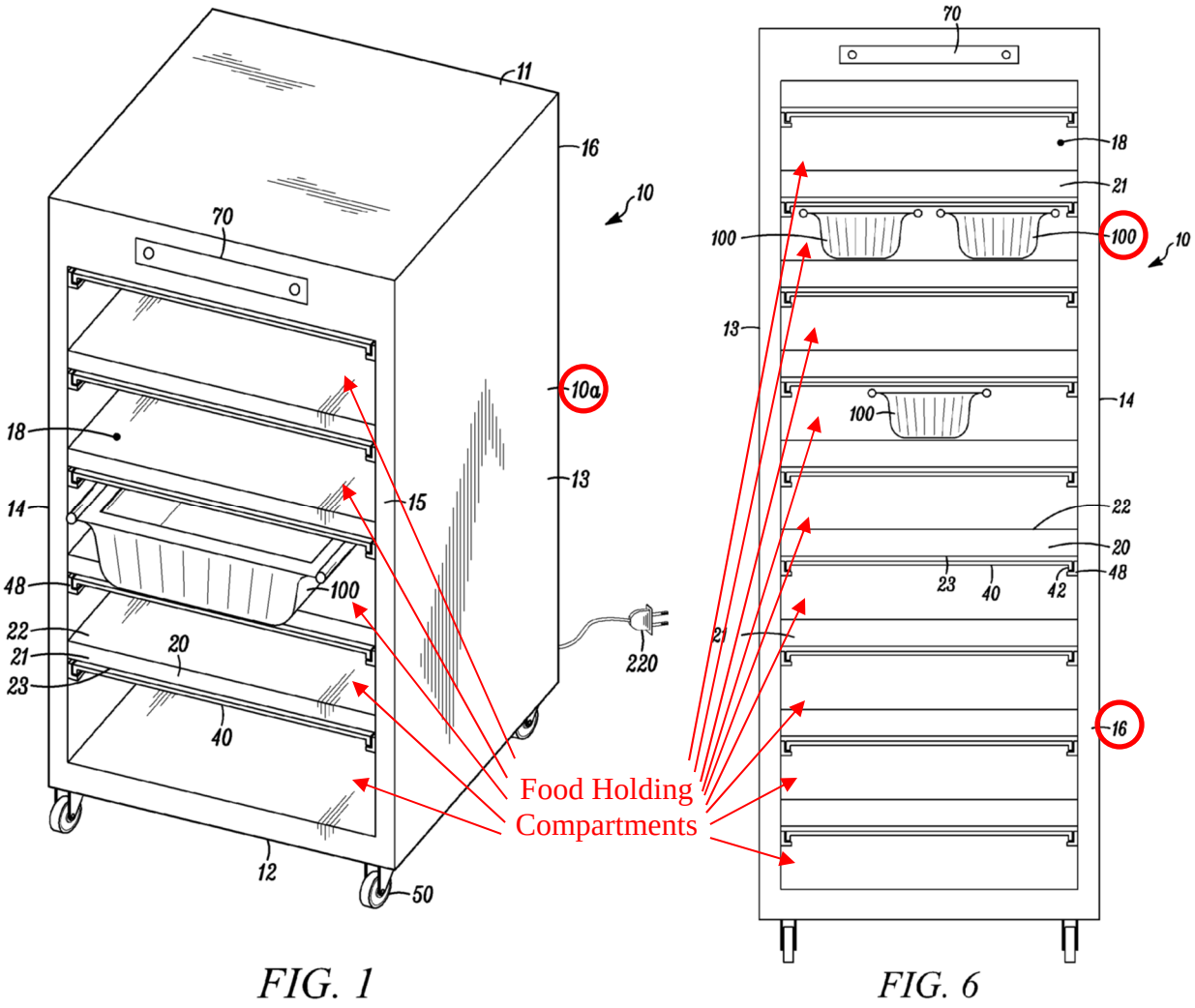
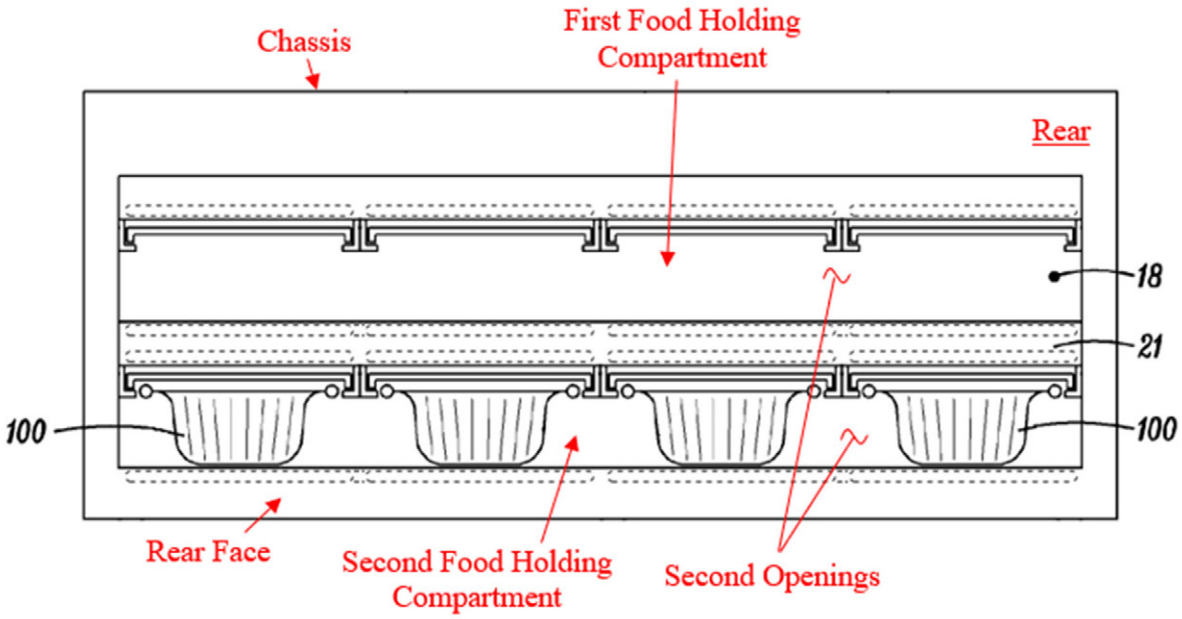


FIG. 1 FIG. 6

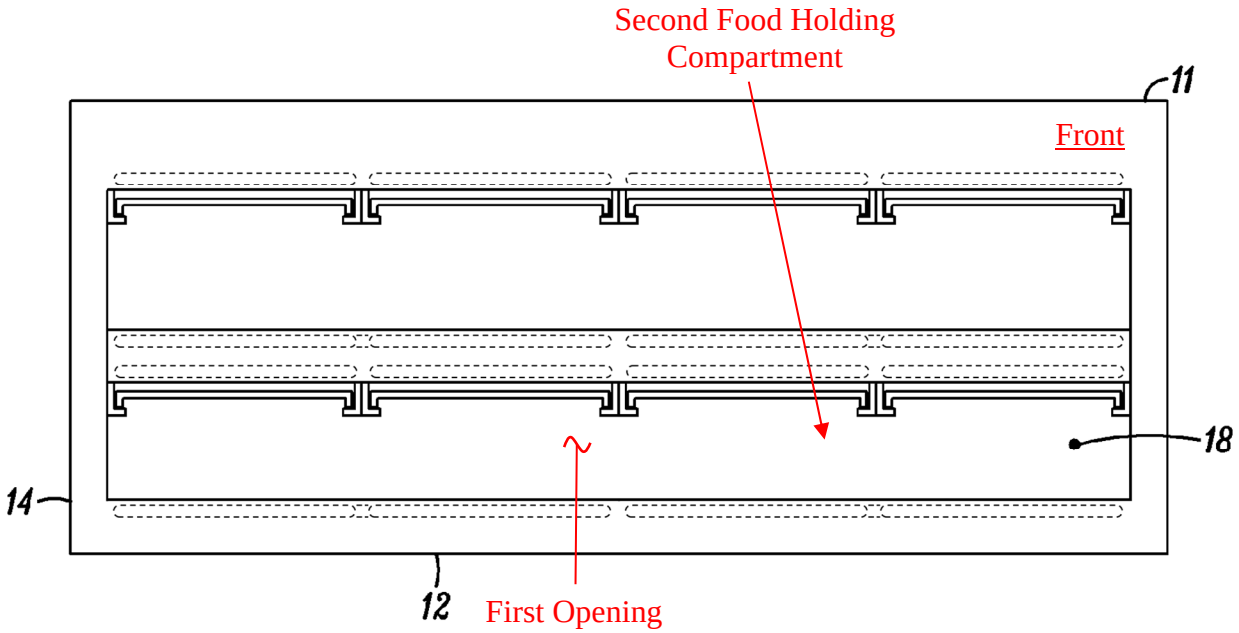
EX1010: Figs. 1 and 6 (annotated).

817. Both as disclosed in Fortmann'748 and as modified according to Paragraphs 542-730 above, the first and second food holding compartments each have an uncovered second opening at the rear face of the chassis.



EX1010: Fig. 6 (modified, annotated).

818. Notably, while not recited in the claim limitations of Claim 1, the second food holding compartment has a first opening on the front side of the chassis such that the uncovered opening at the rear face of the chassis is the second opening.



EX1010: Fig. 2 (modified, annotated).

4.a.2: the substantially planar bottom surface is configured to allow food items to be placed on the substantially planar surface through the first opening and removed from the planar and bottom surface from the second opening

819. The POSA would recognize that Fortmann'748 discloses that the substantially planar bottom surfaces of the first and second food compartments are "configured to allow food items to be placed on the substantially planar surface through the first opening and removed from the planar and bottom surface from the second opening."

820. The chassis (10a) of Fortmann'748's cabinet (10) has an open front side (15) and an open back side (16) to allow pans (100) to pass into and out of the

food holding compartments in the interior volume (18). EX1010: ¶[0014] ("[t]he warming cart 10 is configured with … an open back side 16 to allow one or more pans 100 to be quickly disposed within the cart 10 and the warming volume and removed from the cart 10 without operation of doors or other barriers found on conventional warming carts.… as shown in FIG. 6 the back side 16 is also open to allow pans 100 and the like to slide through the back side 16 into the warming volume 18").

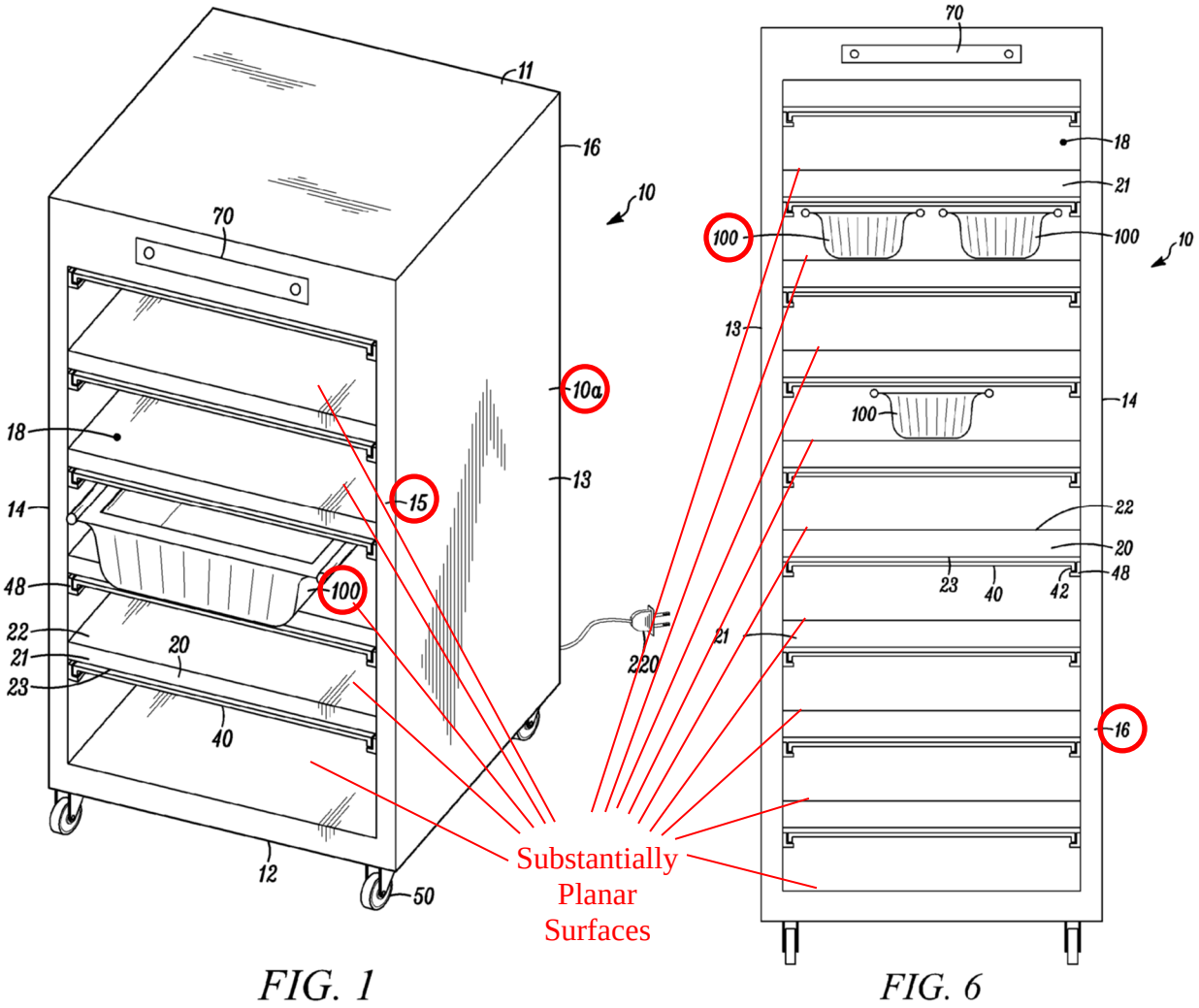
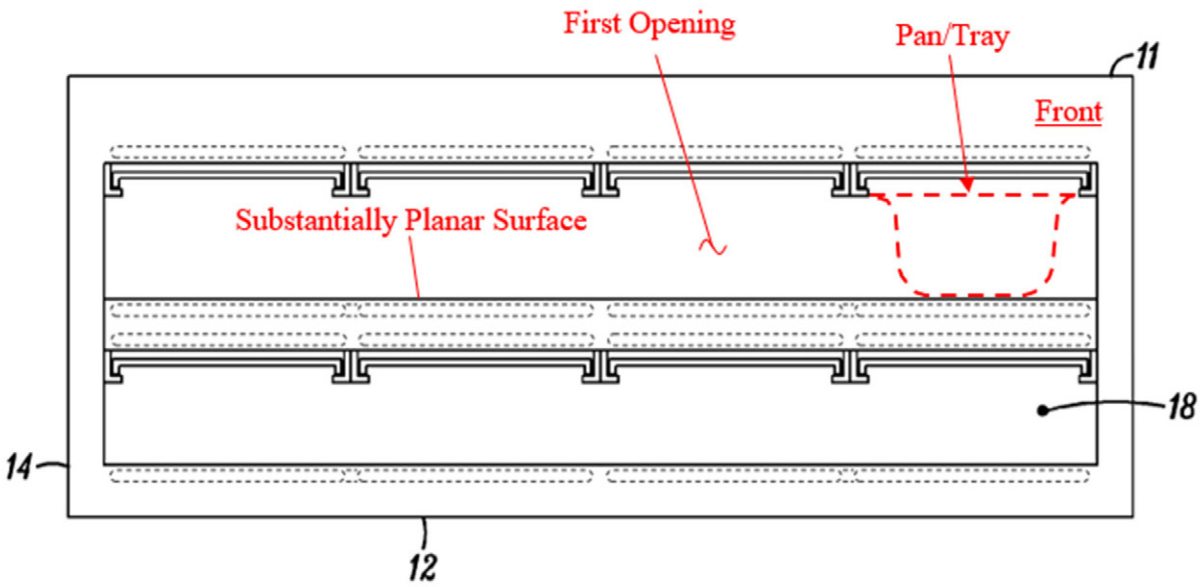
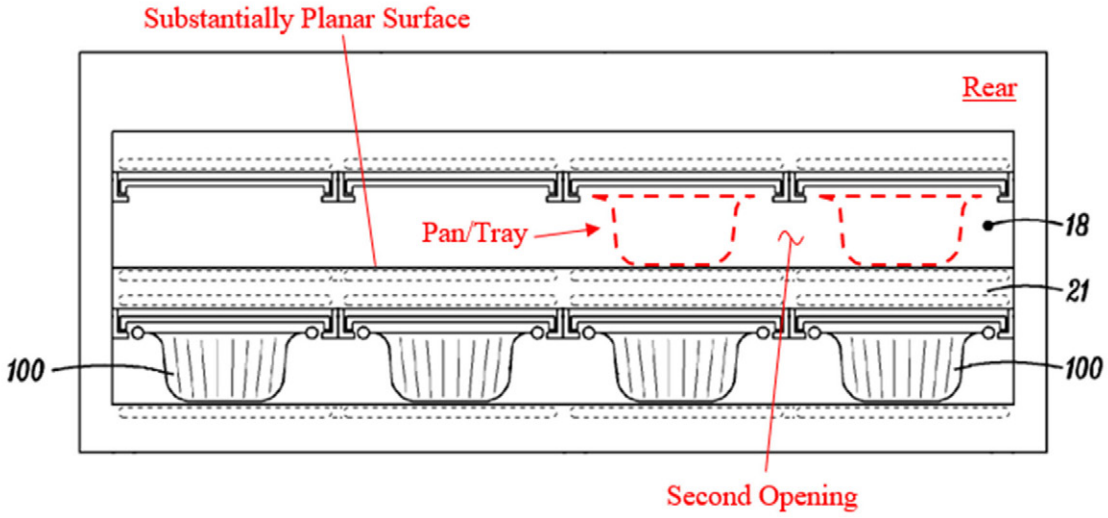


FIG. 1 FIG. 6

EX1010: Figs. 1 and 6 (annotated).

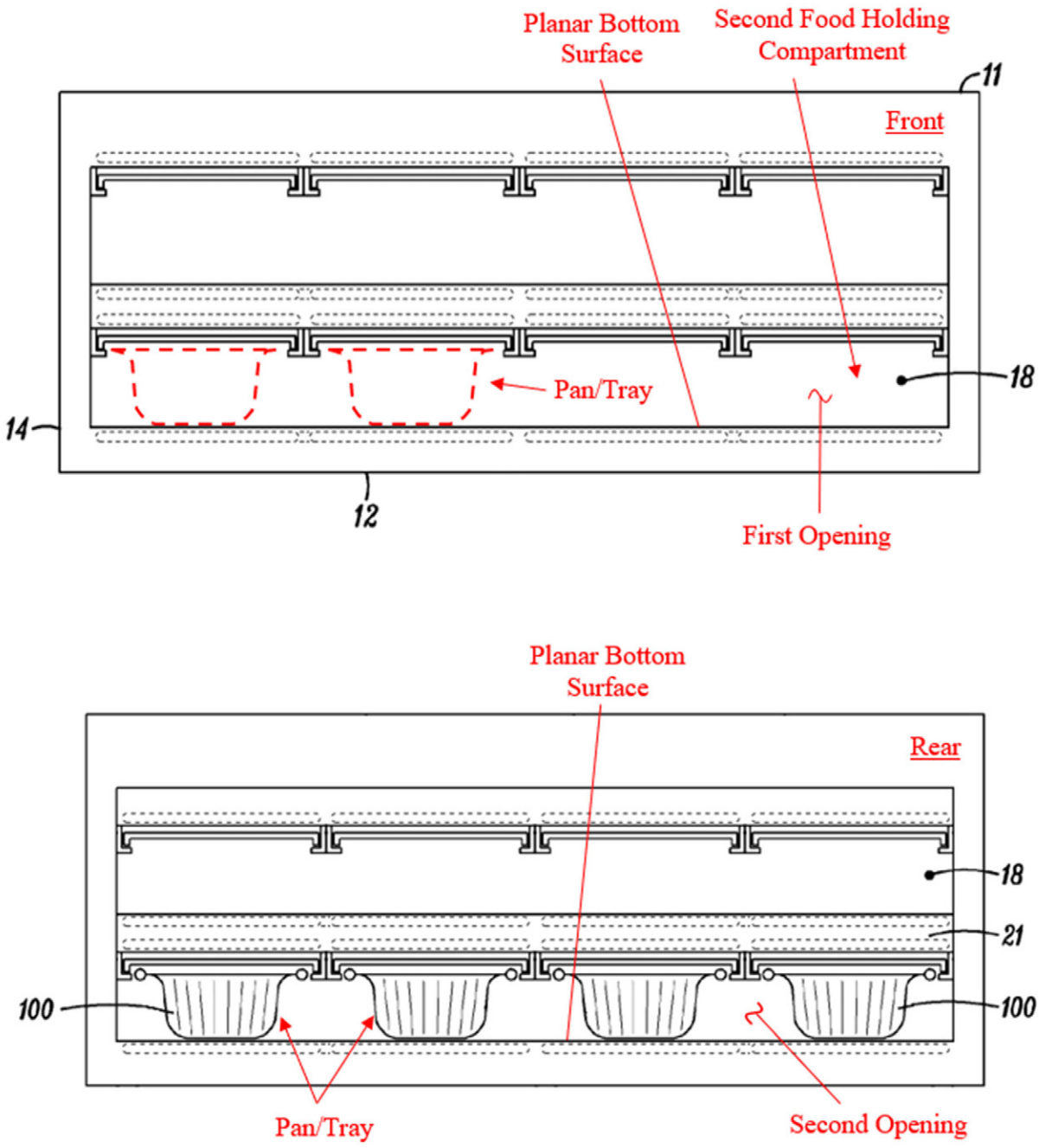
821. Both as disclosed in Fortmann'748 and as modified according to Paragraphs 542-730 above, the planar surface allows the food pans (100) to pass through the first opening of the fist food holding compartment to rest on the planar surface and to be removed from the planar surface through the second opening. EX1010: ¶[0015] ("the top surface 22 of the shelf 21 [is] spaced from a bottom surface 23 of a neighboring shelf 21 a distance to allow a conventional restaurant cooking pan 100 to be inserted therebetween"), ¶[0017] ("pan 100 that is placed onto the shelf 21").





EX1010: Figs. 2 and 6 (modified, annotated).

822. For the same reasons as the first food holding compartment, a planar bottom surface for the second food holding compartment allows food items to be placed on the planar bottom surface through the first opening of the second food holding compartment and removed from the planar bottom surface through the second opening of the second food holding compartment.



EX1010: Figs. 2 and 6 (modified, annotated).

823. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197,

McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in Claim 4.

F. Claim 5: the food holding bin of claim 4, wherein the first bezel is located proximate the front face of the chassis, the food holding bin further comprising a second bezel located proximate the opposing rear face of the chassis

824. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the claimed food holding bin of Claim 4.

825. The POSA would additionally recognize that the prior art discloses the additional limitation added in Claim 5 requiring "the first bezel is located proximate the front face of the chassis, the food holding bin further comprising a second bezel located proximate the opposing rear face of the chassis."

826. Fortmann'197's holding cabinet (10) has control bars (60) spaced forward of the shelves (40) and control bars (70) spaced rearward of the shelves. EX1014: 2:58-59, 3:28-30, 3:55-56, 4:18-37, Figs. 1-3 and 5.

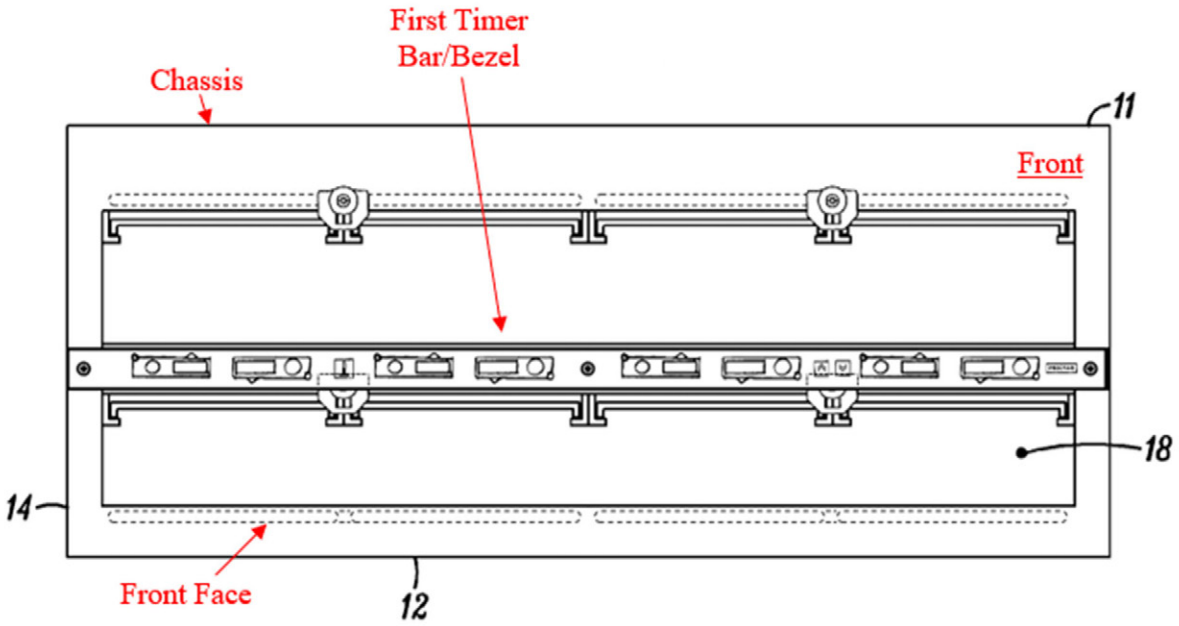
827. Similarly, the IRHS Documents teach a holding unit with front and rear control (timer) bars. EX1005: 4 ("Duke timer bar and control system"), 7, 20 ("TIMER BAR"), 25 ("FRONT TIMER BARS" and "REAR TIMER BARS"); EX1006: 1 ("[a]lphanumeric displays to indicate product description, temp and

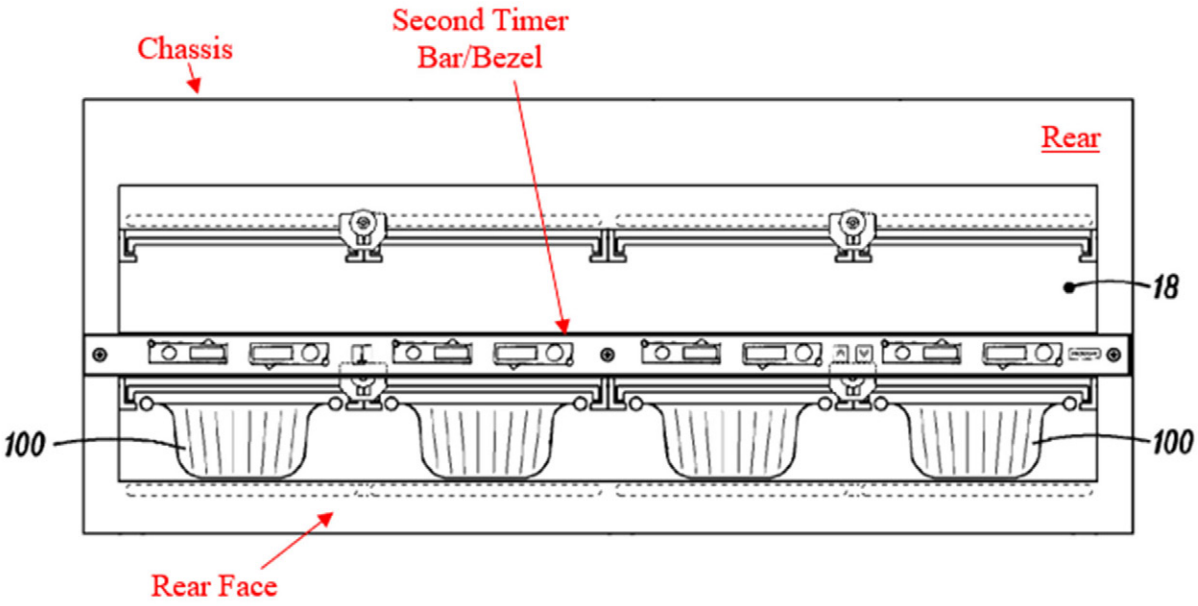
hold time"); EX1007: 51 ("more robust Duke timer bars"), 52, 54 ("Duke Timer Bar … Double-sided"), 56 ("Controls … Double").

828. As explained in Paragraph 659-676 above (Ground 9 Section(A)(6)), it would have been obvious to modify the multi-zone food holding bin of Fortmann'748 to add the timer bar/bezel of Fortmann'197 (EX1014) and the IRHS Documents (EX1005-EX1008) on both sides (front and rear) of the cabinet.

829. The resulting cabinet would have front and rear timer bars (front and rear bezels), wherein the front timer bar is proximate the front face of the chassis and the rear timer bar is proximate the rear face of the chassis as explained in Paragraphs 659-676 (Ground 9 Section(A)(6)).

830. A representation of the resulting modified cabinet of Fortmann'748 in a 2x4 configuration is demonstrated as follows:





EX1010: Figs. 2 and 6 (modified, annotated).

831. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in Claim 5.

G. Claim 7: the food holding bin of claim 1, wherein the substantially planar surface is substantially free of any dividing walls or other structure between the first, second, third, and fourth food holding bays

832. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the claimed food holding bin of Claim 1.

833. The POSA would additionally recognize that the prior art discloses the additional limitation added in Claim 7 further requiring that "the substantially planar surface is substantially free of any dividing walls or other structure between the first, second, third, and fourth food holding bays."

834. Both as disclosed in Fortmann'748 and as modified according to Paragraphs 542-730 above to specifically include first, second, third, and fourth food holding bays, the substantially planar surface is free of any dividing walls or other structures.

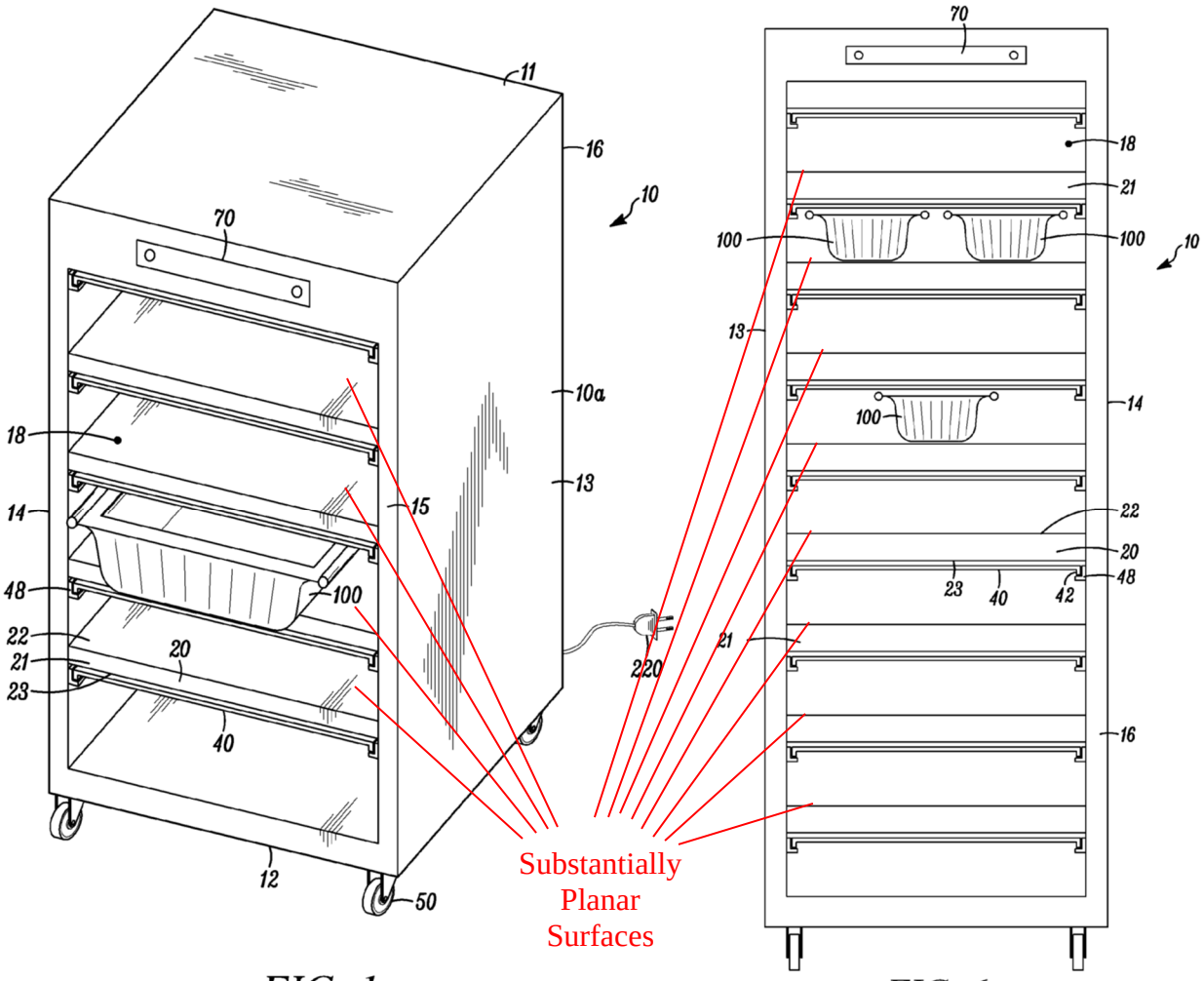
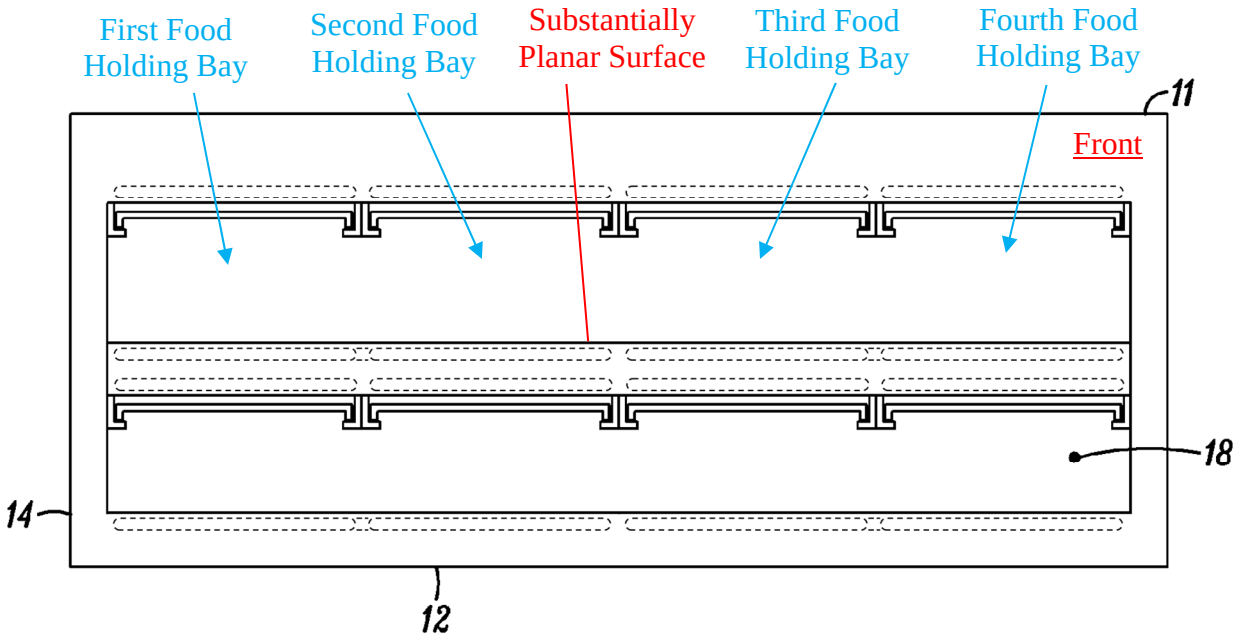
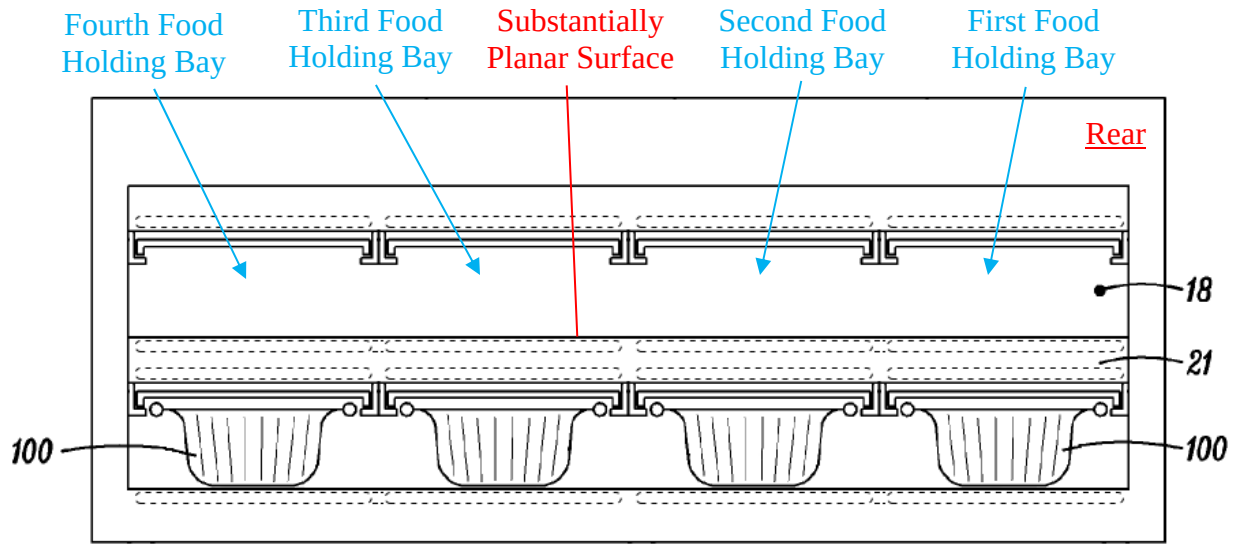


FIG. 1 FIG. 6

EX1010: Figs. 1 and 6 (annotated).





EX1010: Figs. 2 and 6 (modified, annotated).

835. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, and/or Vaseloff to arrive at the food holding bin as claimed in Claim 7.

H. Claim 8: the food holding bin of claim 1, wherein the first independently controllable heating element comprises a radiant heating source and the second independently controllable heating element provides heat energy through conduction

836. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the claimed food holding bin of Claim 1.

837. The POSA would additionally recognize that the prior art discloses the additional limitation added in Claim 8 further requiring that "the first independently controllable heating element comprises a radiant heating source and the second independently controllable heating element provides heat energy through conduction."

838. Fortmann'748 explains the heaters (60) overlying the compartments transfer heat to the pans (100) by radiation. EX1010: ¶[0019] ("[t]he remaining portion of heat generated by the heaters 60 disposed in conjunction with each shelf 21 may be transferred to the shelf 21 by radiation heat transfer."), ¶[0020] ("the pan 100 and the food product located within the pan 100 may receive heat from the shelf 21 disposed above the pan 100 due to radiation").

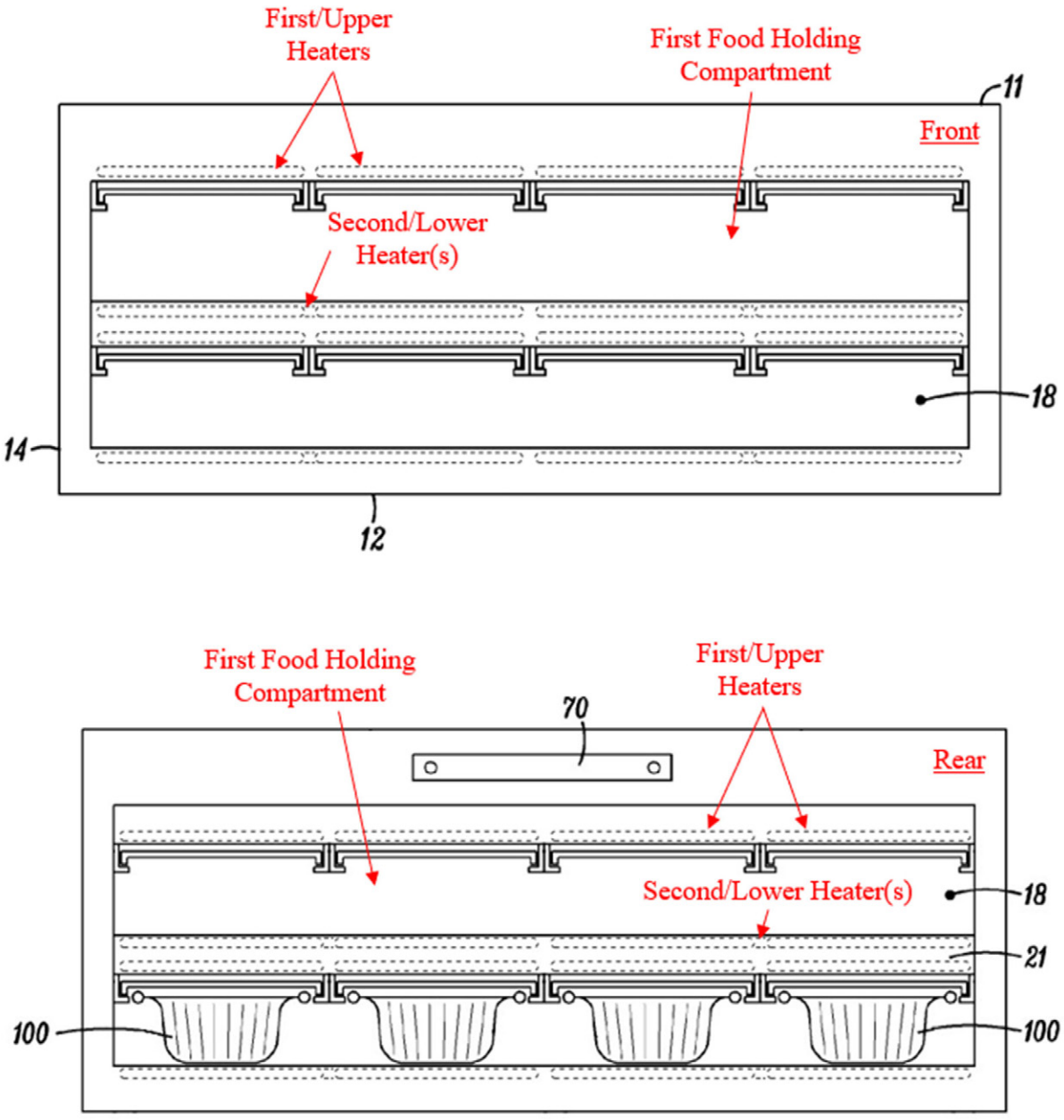
839. When modifying the heaters (60) of Fortmann'748, the POSA would follow the teachings of Fortmann'748 and have the upper heaters heat (e.g., via radiation, or conduction and radiation) the top panel and shelf, thereby heating the pans (100) disposed below by radiation. EX1010: ¶¶[0019]-[0020].

840. Because the tops of the pans (100) are spaced apart from the underside of the top panel and shelf (and thereby the upper heaters as well), the heat generated by the first/upper heaters will naturally heat the food pans by radiation, and the first/upper heaters would be a radiant heating source. Notably, radiation heat transfer would occur regardless of whether the lids are in contact with the underside of the shelf or spaced apart from the shelf. EX1010: ¶[0018].

841. Fortmann'748 also explains the heaters (60) contact the upper sheet forming the substantially planar surface upon which the pans (100) rest to heat the pan by conduction. EX1010: ¶[0019] ("the heater 60 makes surface contact with at least the upper sheet 22 forming the shelf 21 … such that a percentage of the heat generated by the heaters disposed in conjunction with each shelf 21 is transferred directly to the shelf by conductive heat transfer"), ¶[0020] ("a pan 100 disposed within the cart 10 may receive heat from [] the shelf 21 below the pan (by conduction and radiation)").

842. When modifying the heaters (60) of Fortmann'748, the POSA would follow the teachings of Fortmann'748 and have the second/lower heaters contact

the sheet forming the substantially planar surfaces the pan rest on to heat the pans by conduction. EX1010: ¶¶[0019]-[0020].



EX1010: Figs. 2 and 6 (modified, annotated).

I. Claim 9: the food holding bin of claim 1, wherein each food holding bay further comprises a dedicated lid holding shelf elevated above the substantially planar bottom surface in the first

food holding compartment, the dedicated lid holding shelf being configured to receive and store a lid for a food holding tray

843. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the claimed food holding bin of Claim 1.

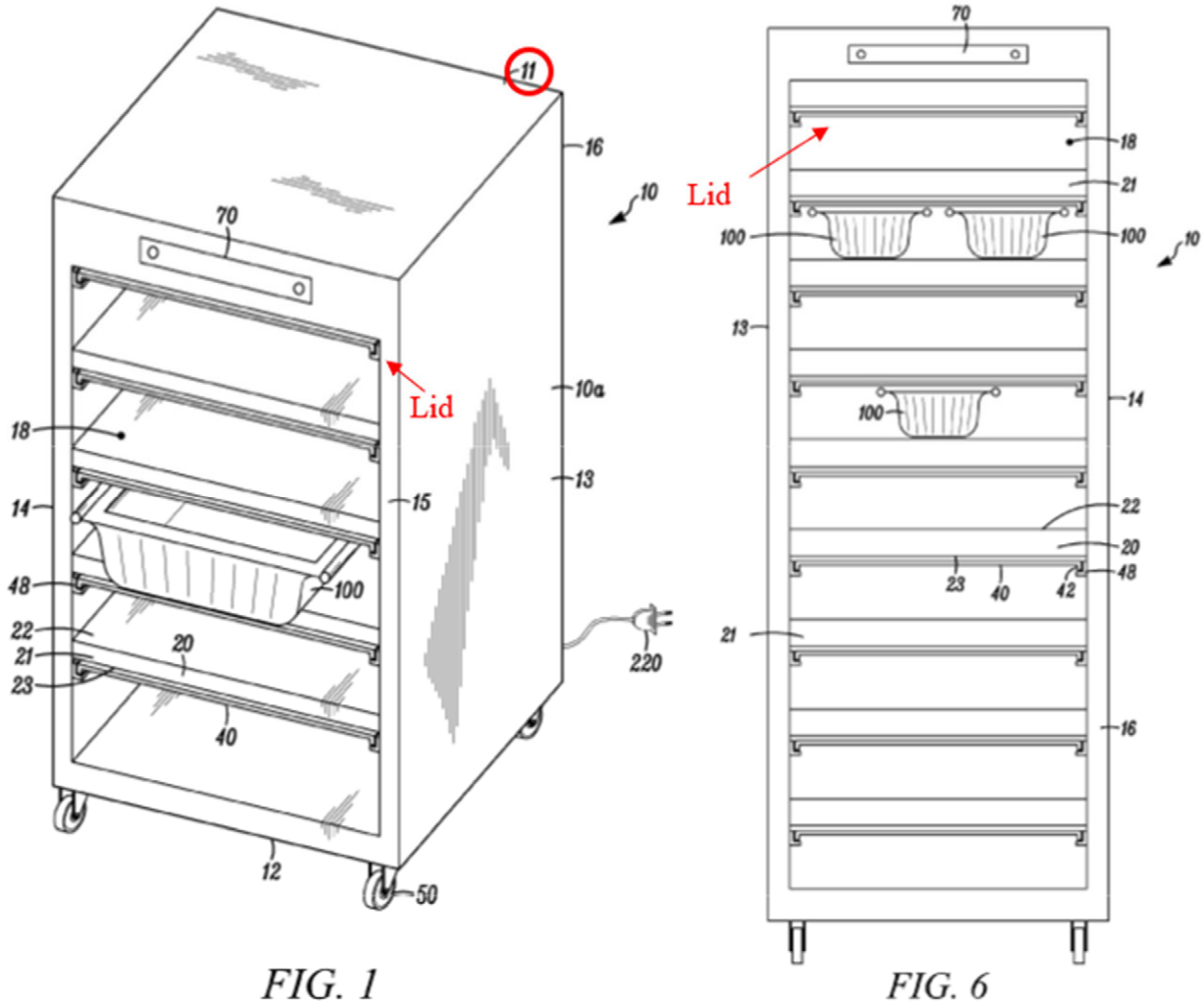
844. The POSA would additionally recognize that the prior art discloses the additional limitation added in Claim 9 further requiring that "each food holding bay further comprises a dedicated lid holding shelf elevated above the substantially planar bottom surface in the first food holding compartment, the dedicated lid holding shelf being configured to receive and store a lid for a food holding tray."

845. The top panel (11) and each shelf (21) of Fortmann'748's cabinet (10) includes a cover or lid (40). EX1010: ¶[0017] ("[t]he plurality of shelves 21 may each include a removable and slidable cover 40 that is disposed in conjunction with and below each shelf 21 (with the exception of the bottom shelf 21, with a cover 40 also provided above the upper-most shelf)"), Figs. 1 and 6. The lids are for the food pans/trays (100). EX1010: ¶[0017] ("The cover 40 is configured to provide a lid to each restaurant or hotel pan 100 that is placed onto the shelf 21").

846. The lid (40) rests and slides along a track (48) above the planar surface. EX1010: ¶[0018] ("covers 40 are disposed onto the respective shelves 21

to be removable as necessary, by sliding the cover 40 from the shelf 21 by way of a track 48"), Fig. 3.

847. Thus, the tracks (48) are lid holding shelves.



EX1010: Figs. 1 and 6 (annotated).

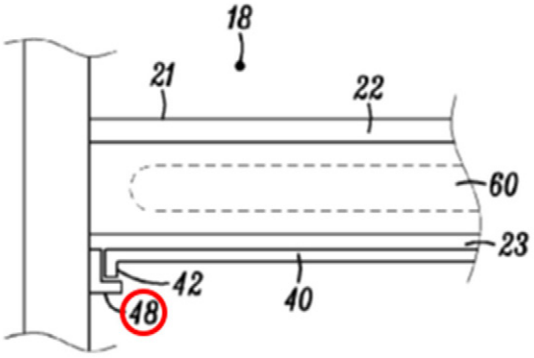


FIG. 3

EX1010: Fig. 3 (annotated).

848. As explained in Paragraphs 677-699 and 790-806 above (Ground 9 Section(A)(7) and Claim 2), it would have been obvious to modify the Fortmann'748 cabinet such that it would have discrete lids and associated tracks, for each pan holding location/bay as taught by Jones and the IRHS Documents.

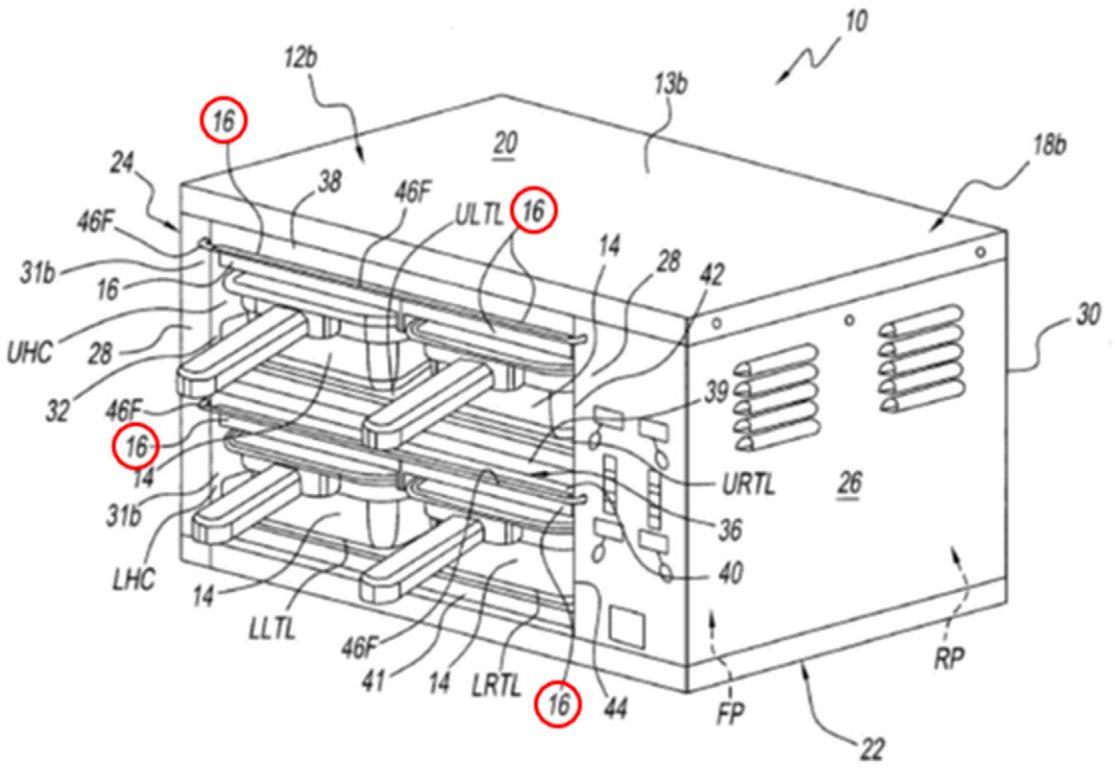
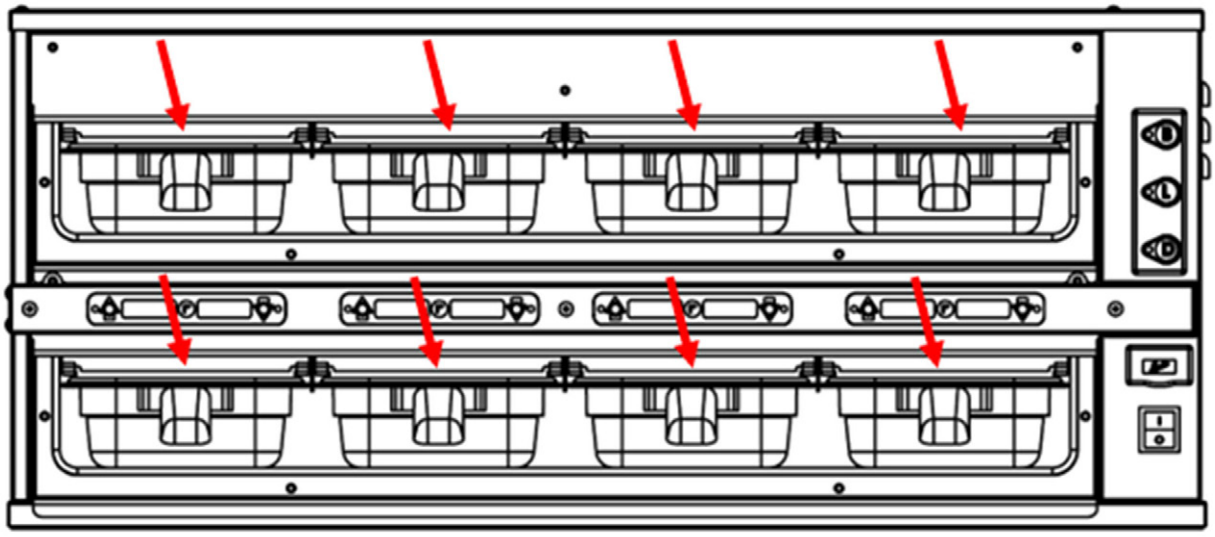


Fig. 1B

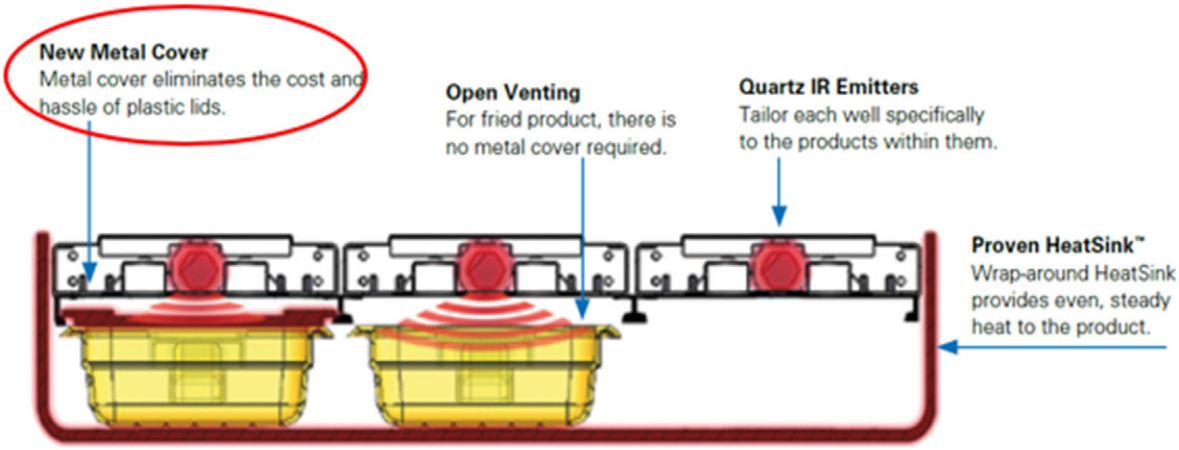
EX1012: Fig. 1B (annotated).



EX1005: 8 (annotated).



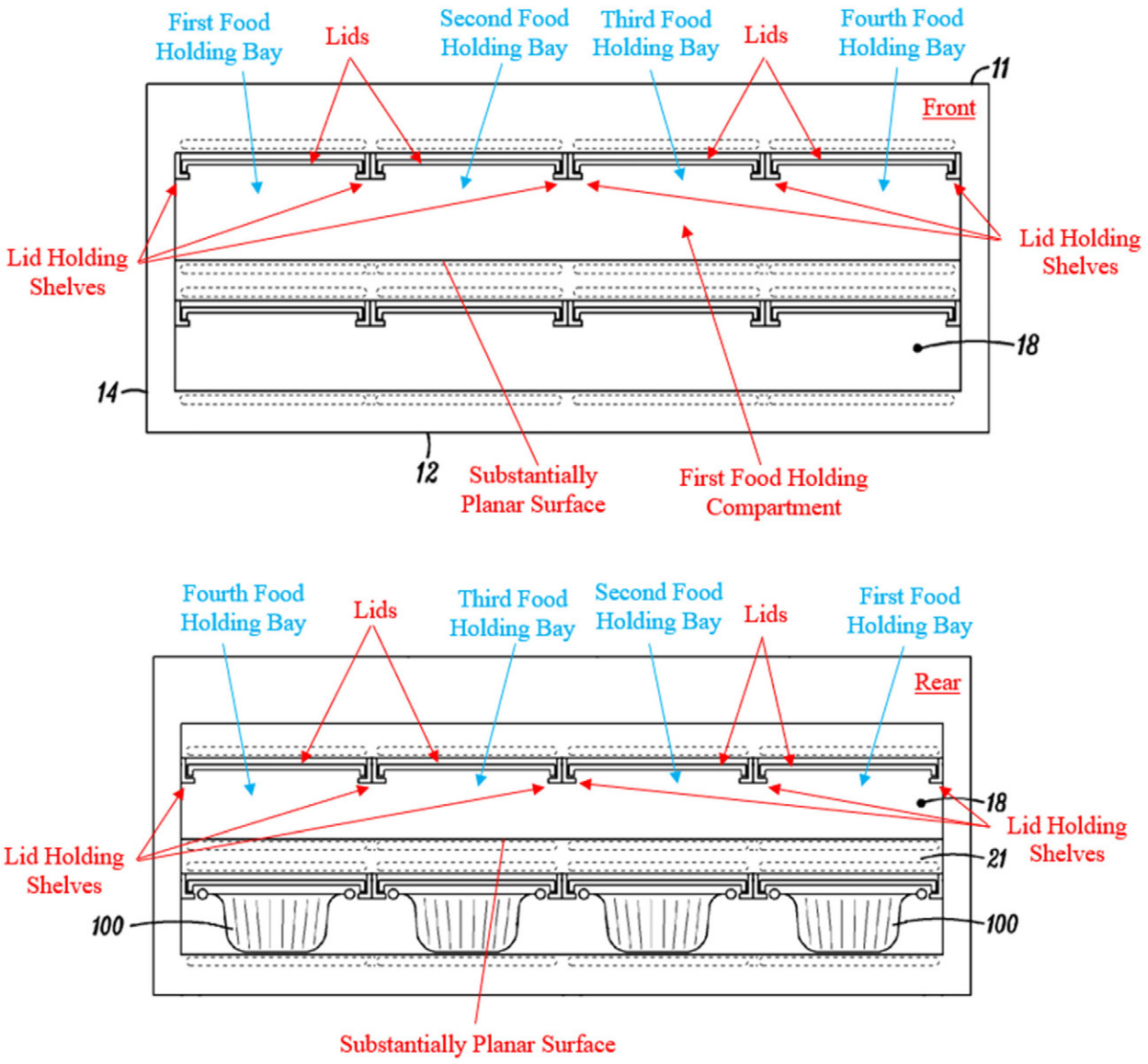
EX1006: 2 (annotated).



EX1007: 53 (annotated).

849. Accordingly, it would have been obvious to modify the Fortmann'748 cabinet to have dedicated tracks (lid holding shelves) for each food holding bay,

elevated above the substantially planar surface. Each track (lid holding shelf) receives and stores a lid.



EX1010: Figs. 2 and 6 (modified, annotated).

850. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197,

McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in Claim 9.

J. Claim 10: the food holding bin of claim 1, wherein the first independently controllable heating element is a radiant heating element

851. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the claimed food holding bin of Claim 1.

852. As already explained with respect to Claim 8, the POSA would recognize that the prior art discloses that "the first independently controllable heating element is a radiant heating element."

853. Fortmann'748 explains the heaters (60) overlying the compartments transfer heat to the pans (100) by radiation. EX1010: ¶[0019] ("[t]he remaining portion of heat generated by the heaters 60 disposed in conjunction with each shelf 21 may be transferred to the shelf 21 by radiation heat transfer."), ¶[0020] ("the pan 100 and the food product located within the pan 100 may receive heat from the shelf 21 disposed above the pan 100 due to radiation").

854. When modifying the heaters (60) of Fortmann'748, the POSA would follow the teachings of Fortmann'748 and have the upper heaters heat (e.g., via

radiation, or conduction and radiation) the top panel and shelf, thereby heating the pans (100) disposed below by radiation. EX1010: ¶¶[0019]-[0020].

855. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in Claim 10.

K. Claim 12: the food holding bin of claim 1, further comprising a food holding tray resting on the substantially planar surface

856. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the claimed food holding bin of Claim 1.

857. The POSA would additionally recognize that the prior art discloses the additional limitation added in Claim 12 further requiring "a food holding tray resting on the substantially planar surface."

858. Both as disclosed in Fortmann'748 and as modified according to Paragraphs 542-730 above, the food pans (100) rest on the substantially planar surface within the food holding zones. EX1010: ¶¶[0015] ("the top surface 22 of the shelf 21 being spaced from a bottom surface 23 of a neighboring shelf 21 a distance to allow a conventional restaurant cooking pan 100 to be inserted therebetween"), [0017] ("pan 100 that is placed onto the shelf 21"), Figs. 1 and 6.

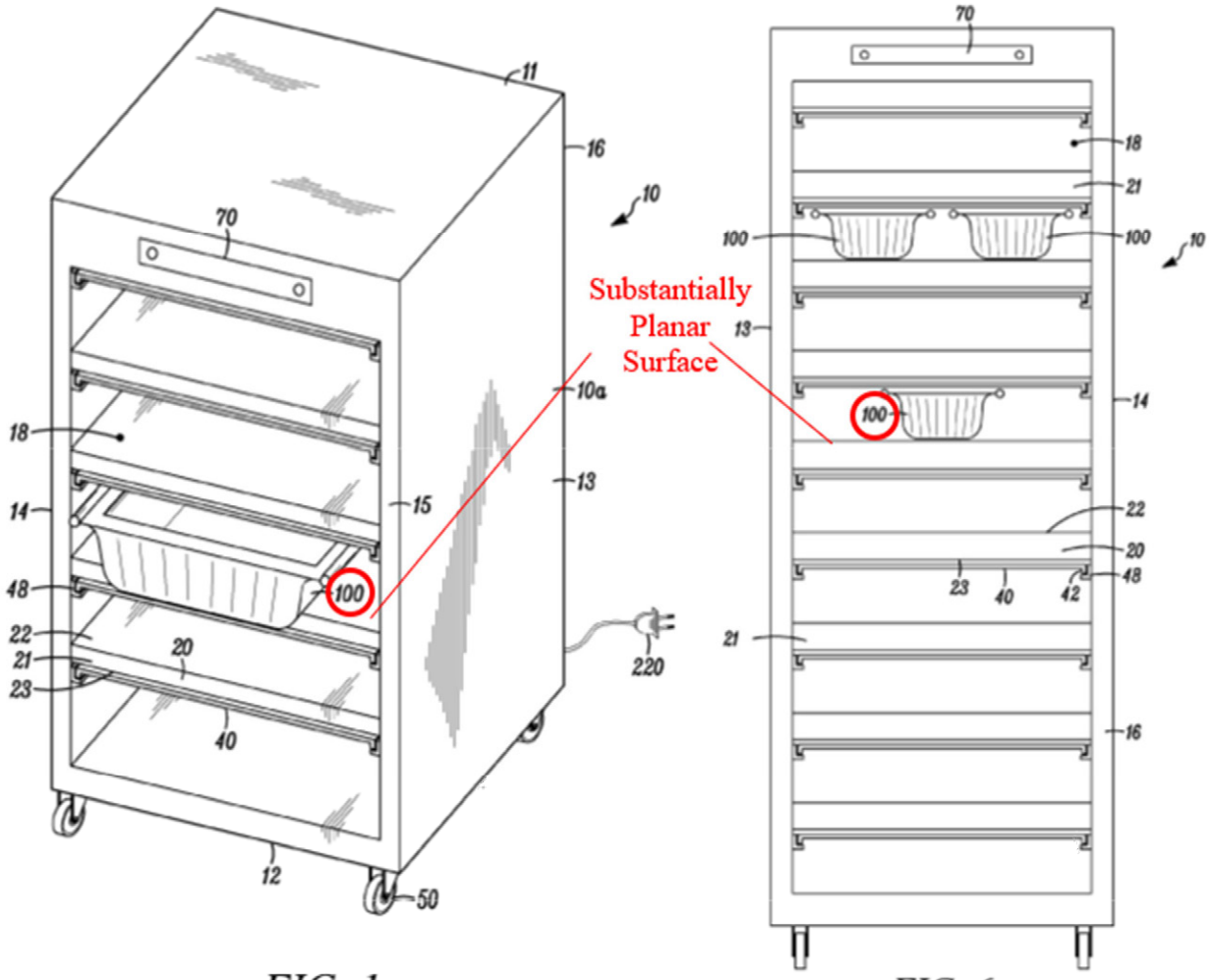
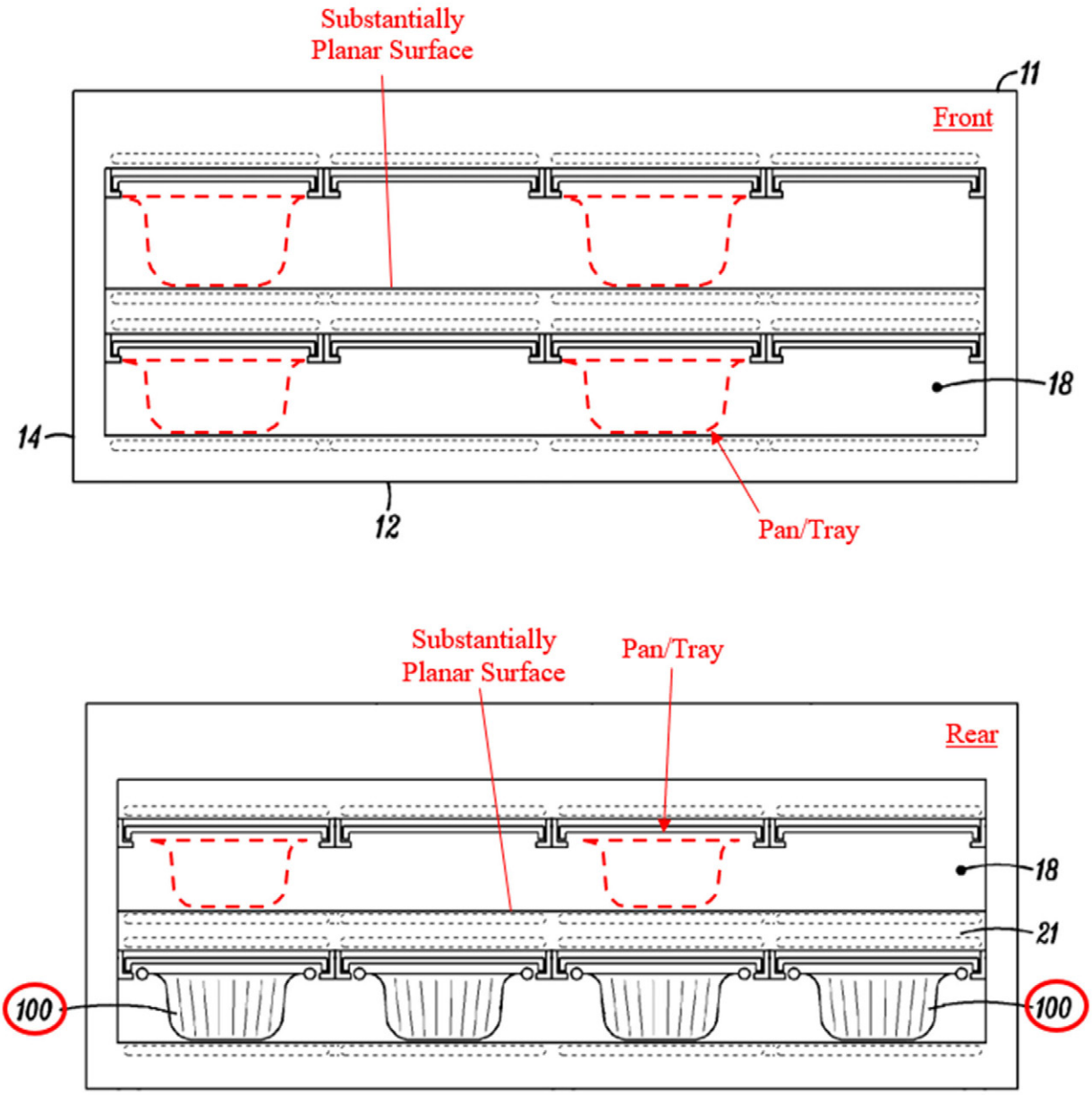


FIG. 1 FIG. 6

EX1010: Figs. 1 and 6 (annotated).



EX1010: Figs. 2 and 6 (modified, annotated).

859. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in Claim 12.

L. Claim 13: the food holding bin of claim 1, the first food holding zone and the second food holding zone being heated to different temperatures

860. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the claimed food holding bin of Claim 1.

861. The POSA would additionally recognize that the prior art disclose the additional limitation added in Claim 13 further requiring that "the first food holding zone and the second food holding zone be [] heated to different temperatures."

862. Fortmann'748's heaters are disclosed as being independently controllable relative to the heaters of other shelves "to establish two or more heat zones of differing temperatures within the warming volume [18]." EX1010: ¶¶[0019], [0021], [0024], [0027].

863. As discussed in Paragraphs 542-658 above (Ground 9 Section(A)(1-5)), the POSA would have found it obvious to incorporate multiple temperature zones per compartment as expressly taught by Jones (EX1012), Fortmann'197 (EX1014), the IRHS Documents (EX1005-1008), and McMillan (EX1019). According to this modification, Fortmann'748 cabinet could be adapted to have a

2x4 configuration in which each food holding zone would be independently controllable.

864. Also as explained in Paragraphs 591-611 above ((Ground 9 Section(A)(3)), the POSA would have found it obvious to implement independently controllable upper and lower heaters for its zones as expressly taught by Jones (EX1012), Fortmann'197 (EX1014), the IRHS Documents (EX1005-1008), and McMillan (EX1019).

865. As already discussed in Paragraphs 753-760, 768-770, and 772-784 above with respect to claim limitations 1.d.2, 1.e.2, and 1.f.2, it would have thus been obvious to modify the Fortmann'748 food holding cabinet such that the upper heating elements (*i.e.*, first and third heating elements) and the lower heating elements (*i.e.*, second and fourth heating elements) are independently controllable from one another via the controller. Thus, the first food holding zone has independently controllable first and second heating elements. *See supra* Paragraphs 753-760 (1.d.2). The second food holding zone has independently controllable third and fourth heating elements. *See supra* Paragraphs 768-770 (1.e.2).

866. Jones (EX1012) teaches customized temperature settings for each food type and that the temperature in the tray locations (zones) can be different based on the temperature presets for the particular types of food held in each location. EX1012: ¶[0098] ("assigns the holding parameters, top and bottom

temperature … to the product name, so wherever the product name is displayed, the holding parameters follow", and "temperature settings for the top and bottom heater that are set to the product name and no matter how many locations have the same product name displayed [1 location up to all locations]"), Fig. 19 ("Select Product Name to be held in Display Location. Each display may have the same Product Name, or all different Product Names … Heating system maintains Top and Bottom Preset Temps for Product Names").

867. The IRHS Documents similarly teach to customize temperature settings by food type and teach holding zones having different food types. EX1006: 1 ("[c]ustom heat settings for food product"); EX1005: 4 ("[t]his new technology allows you to precisely control the environment in each pan, allowing customized settings for each food product"), 16 ("each food product has a tailored HeatSink temperature and InfraRed pulse rate"); EX1007: 51 ("each food product has tailored settings to control the thermal path of the food, leading to optimal quality, consistency and extended hold"), 53 ("[p]recise holding for each product in an optimized environment tailored to that product"). The temperature settings for each pan location/heating zone are independent of the other food product types being held in the other pan locations/zones. EX1005: 25 ("1/2 ROW HEAT (2 Wells)"); EX1006: 1 ("independent well flexibility"); EX1007: 53 ("[t]otal well

independence allows freedom in product placement in the IRHS" and "[t]ailor each well specifically to the products within them").



EX1007: 12.

868. Likewise, McMillan teaches heating different zones to different temperatures. EX1019: 4:45-52 ("each of the heater plates 27a, 27b may include customizable heating elements arranged such that different portions of the passageway 16a may be set to different temperatures. In this way, the temperature of each passageway may be maintained according to the number and types of food product to be stored. For example, the passageway 16 a may be set to store four different types of food products at four different temperatures").

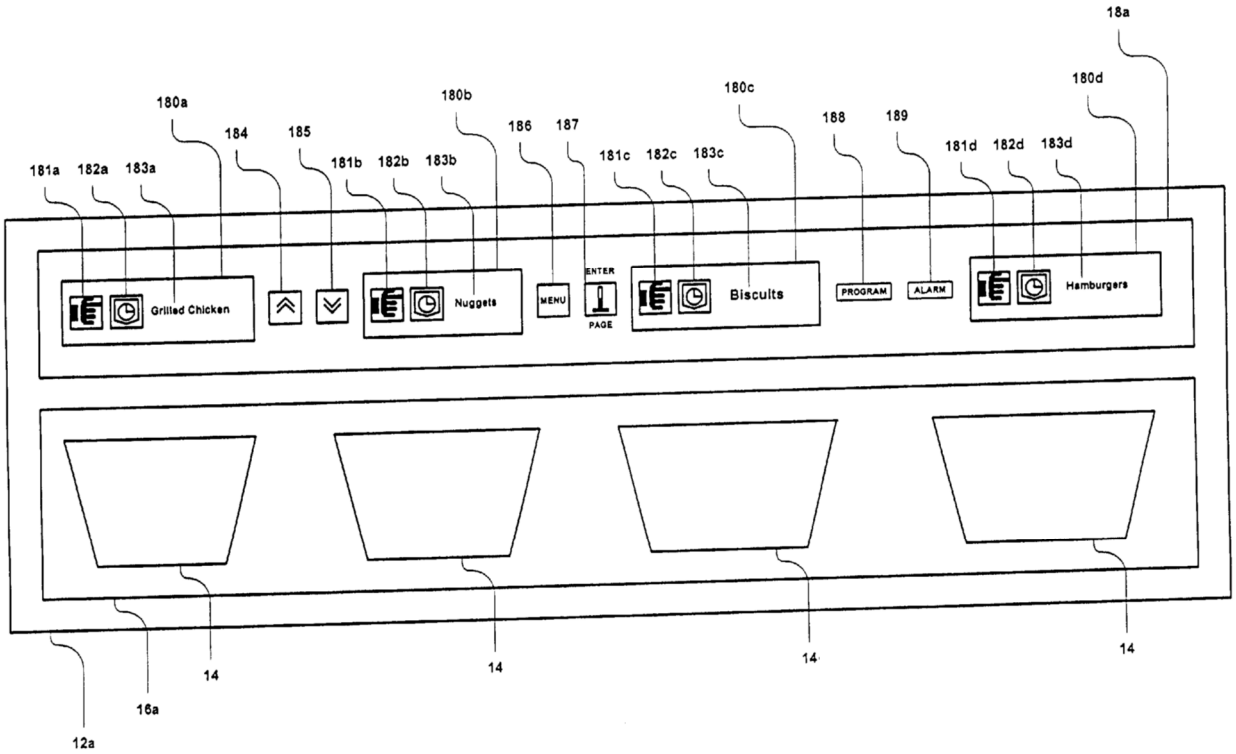


Fig. 5a

EX1019: Fig. 5a.

869. Fortmann'748 further teaches heating different zones to different temperatures. EX1010: ¶[0024] ("[i]n embodiments with multiple heat zones, the two or more infinite switches 210 may be calibrated to establish two or more heat zones of differing temperatures within the warming volume, to allow food products that require different warming temperatures to be simultaneously disposed within the cart").

870. Accordingly, as explained above in Paragraphs 772-784, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS

Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in Claim 13.

M. Independent Claim 21

21.P-21.f.2

871. Limitations 21.P-21.f.2 of independent claim 21 are identical to limitations 1.P-1.f.2 of independent claim 1.

872. For the reasons set forth in Paragraphs 731-784 (1.P-1.f.2), the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in claim limitations 21.P-21.f.2.

21.g.1: further comprising a second food holding compartment disposed below the first food holding compartment within the chassis, the second food holding compartment being defined by the first side panel, the second side panel, and the shelf

873. The POSA would recognize that Fortmann'748 discloses "a second food holding compartment disposed below the first food holding compartment within the chassis, the second food holding compartment being defined by the first side panel, the second side panel, and the shelf."

874. The chassis (10a) of Fortmann'748's cabinet (10) has an interior volume (18) for the food pans (100). EX1010: ¶[0014], Figs. 1 and 6.

875. The cabinet (10) includes a plurality of shelves (21) dividing the interior volume (18) into a plurality of food holding compartments. EX1010:

¶[0015] ("a shelf 21 that is fixed to the right and left sides 14, 13 of the body 10 a, with the top surface 22 of the shelf 21 being spaced from a bottom surface 23 of a neighboring shelf 21 a distance to allow a conventional restaurant cooking pan 100 to be inserted therebetween"), Figs. 1 and 6.

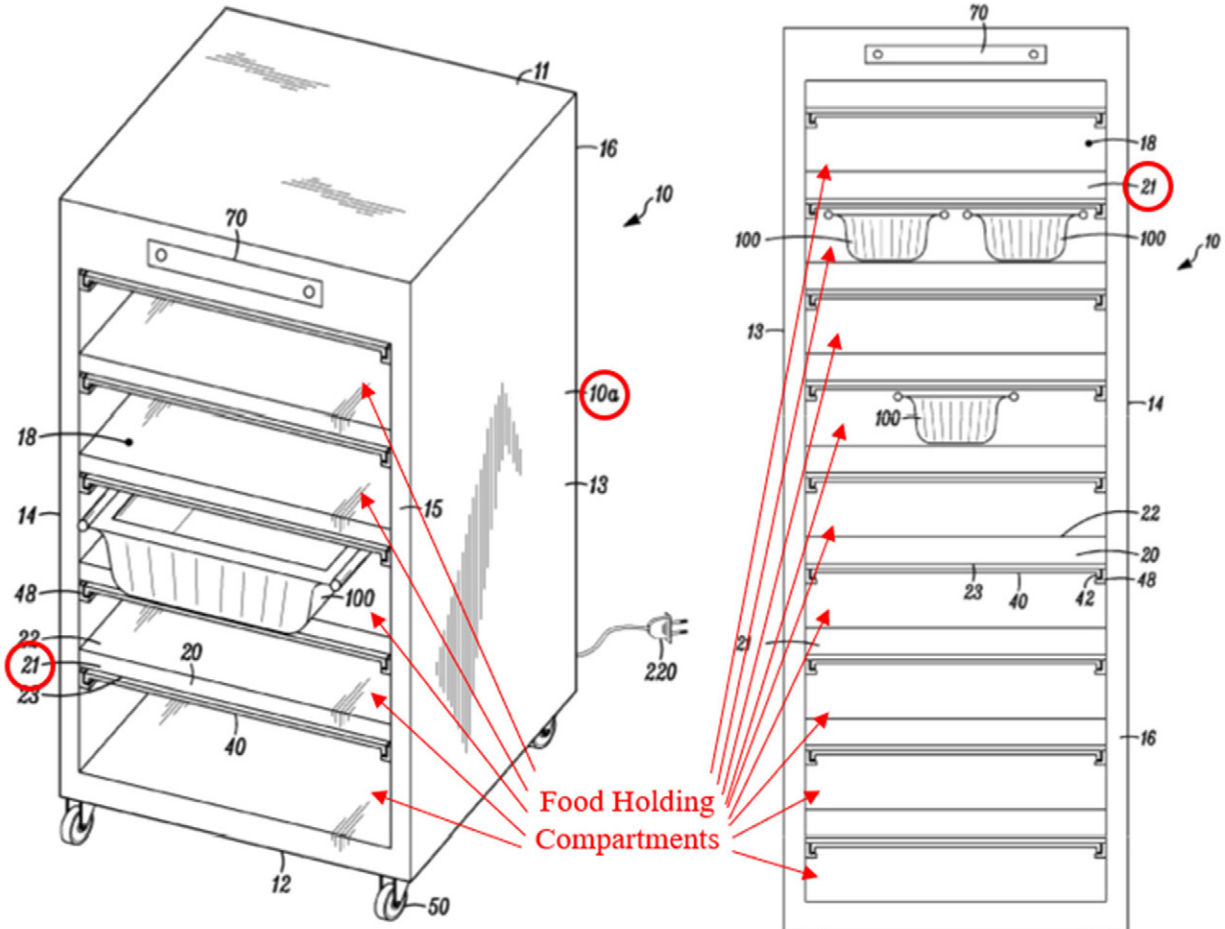
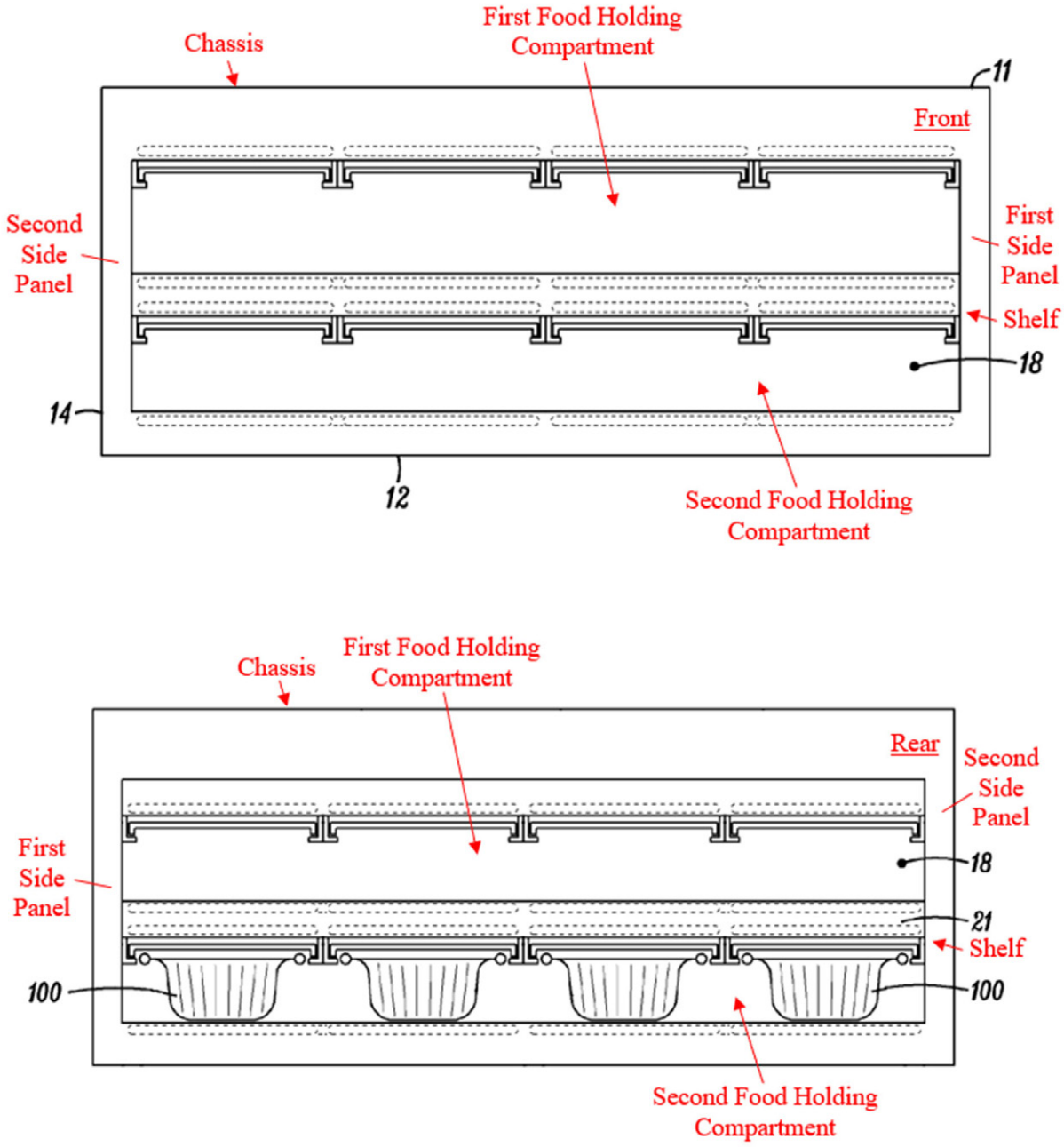


FIG. 1 FIG. 6

EX1010: Figs. 1 and 6 (annotated).

876. In adapting the Fortmann'748 cabinet to a 2x4 configuration as discussed at Paragraphs 542-553 above, the chassis (10a) of the cabinet would still

have a second food holding compartment within the chassis disposed below the first food holding compartment and defined by the first side panel (13), the second side panel (14), and the shelf (21).



EX1010: Figs. 2 and 6 (modified, annotated).

21.g.2: the second food holding compartment having a first opening, the first opening of the second food holding compartment being configured to allow food items to be placed into and removed from the food holding compartment

877. The POSA would recognize that Fortmann'748 discloses the second food holding compartment as having "a first opening" and that this "first opening" is "configured to allow food items to be placed into and removed from the first food holding compartment."

878. The second food holding compartment has a first opening. This first opening is larger than the food pans and allows the food pans, and thus food contained therein, to pass therethrough to be placed into and removed from the first food holding compartment. EX1010: ¶[0014] ("[t]he warming cart 10 is configured with an open front side 15 … to allow one or more pans 100 to be quickly disposed within the cart 10 and the warming volume and removed from the cart 10 without operation of doors or other barriers found on conventional warming carts. As shown in FIGS. 1, 2, 4, and 5 the front side 15 is open to allow pans 100, trays, pizza boxes and the like to slide through the open front side 15 and within the warming volume 18 of the cart"), ¶[0015] ("the top surface 22 of the shelf 21 being spaced from a bottom surface 23 of a neighboring shelf 21 a distance to allow a conventional restaurant cooking pan 100 to be inserted therebetween"), ¶[0017] ("food products disposed within the pan 100"), ¶[0024] ("tray 100"), Figs. 1 and 6.

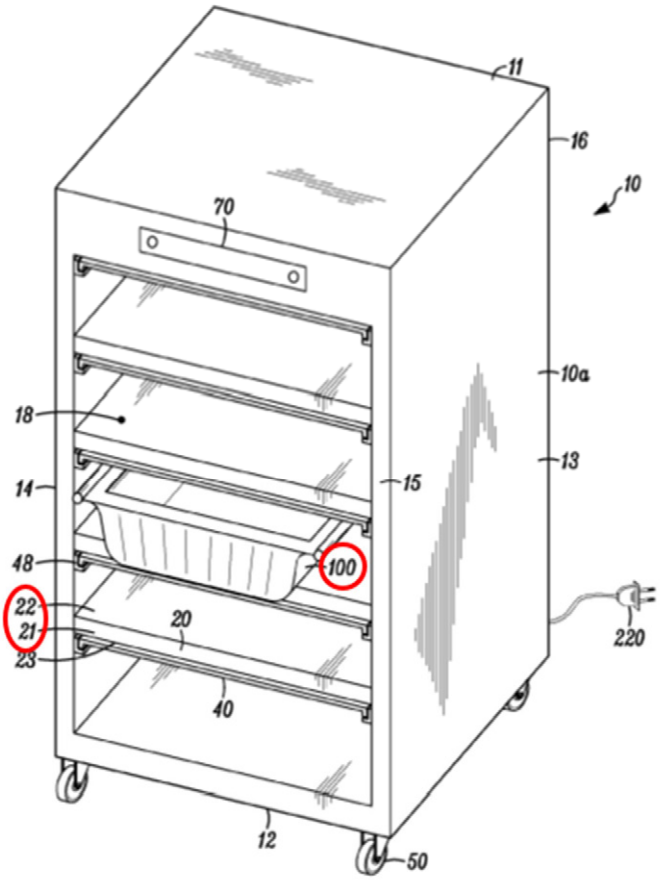
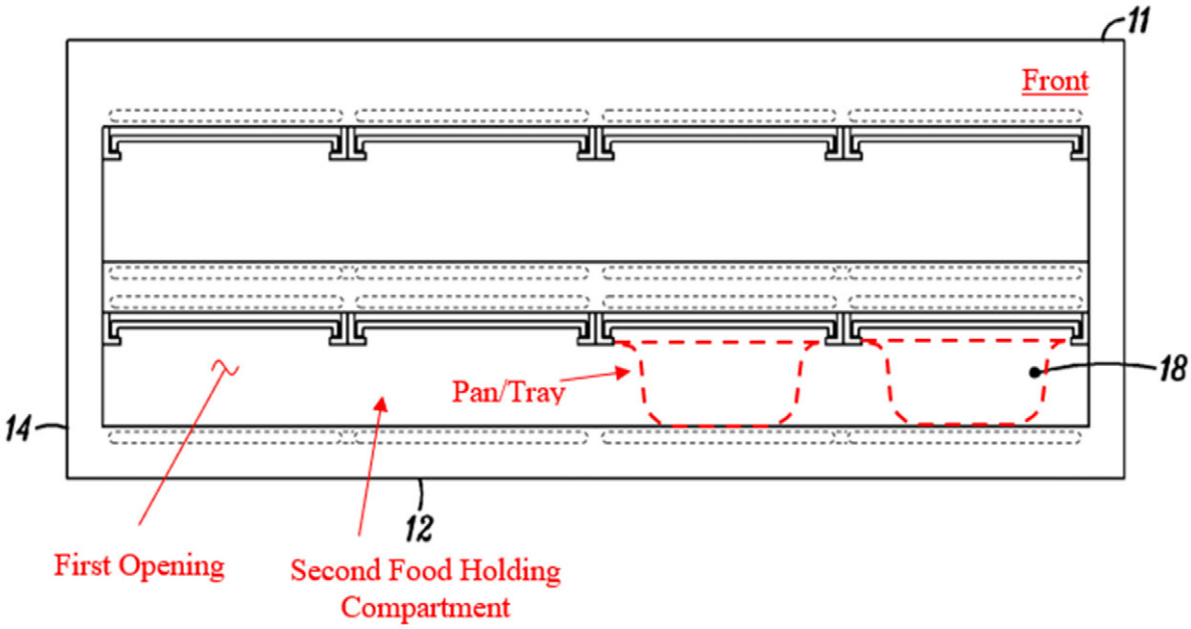


FIG. 1

EX1010: Fig. 1 (annotated).

879. This teaching would likewise hold true for the Fortmann'748 cabinet as modified according to Paragraphs 542-730 above as shown in the modified rendering below.



EX1010: Fig. 2 (modified, annotated).

21.h: a controller operatively coupled to the second heating element and to the fourth heating element, the controller being configured to independently operate the second heating element and the fourth heating element

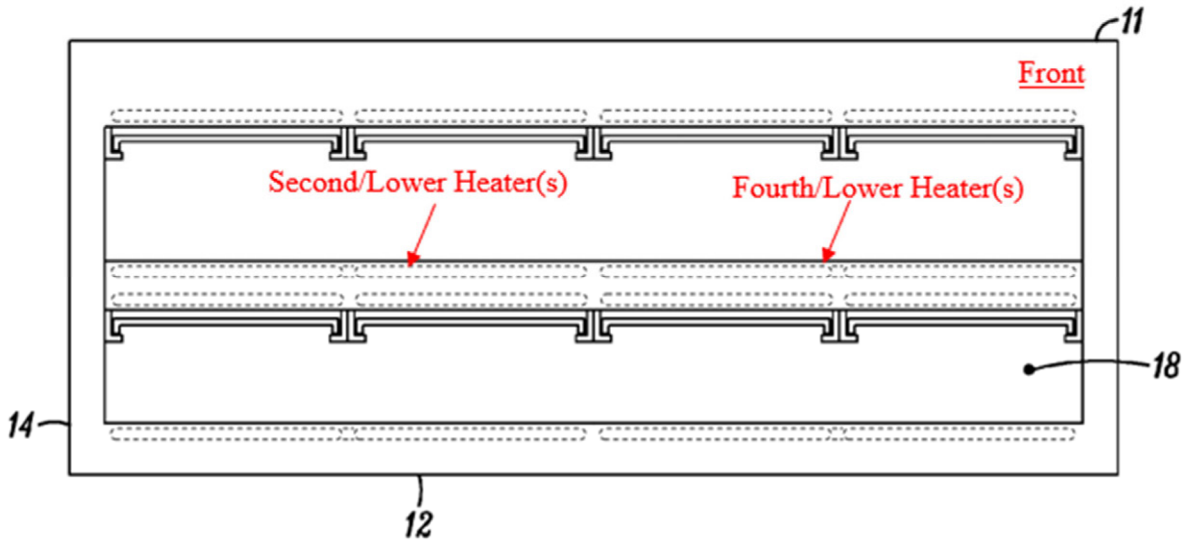
880. Fortmann'748's control system has a "controller [that] selectively provide[s] or secure[s] current to the one or more heaters 60 disposed within each zone to control the temperature of the zone" and is in communication with the input device. EX1010: ¶[0027] ("control system 200 may include or communicate with an input device for the user to select a desired temperature within the specific … heat zone").

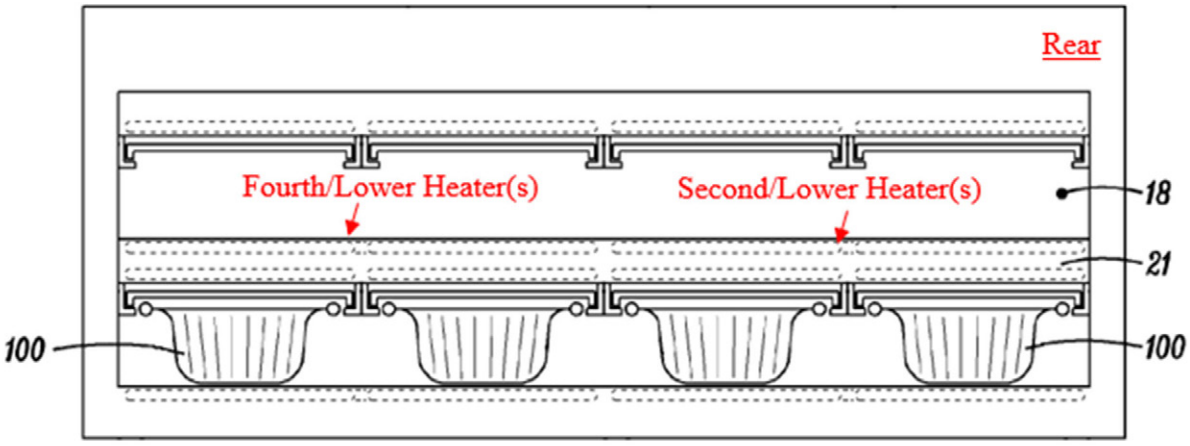
881. As discussed above in Paragraphs 554-658 (Ground 9 Section(A)(2)-(5)), it would have been obvious to modify Fortmann's controller to be operatively coupled to Vaseloff's display/control groups and the added McMillan controls

(user interface), and each heater (e.g., second and fourth heaters). EX1010: ¶[0027]; EX1026: 2:17-20; EX1019: 6:15-19.

882. In making the modifications, it would have been obvious for Fortmann'748's controller to have the capability to independently operate each heater to independently control the food holding temperature associated with each food holding zone. *See* Paragraphs 554-658 (Ground 9 Sections(A)(2)-(5)).

883. As explained in Paragraphs 554-658, 753-760, 768-770, and 772-784 (Ground 9 Sections(A)(2)-(5)), (1.d.2), (1.e.2), and (1.f.2)), as modified, it would have been obvious for Fortmann'748's control system (*e.g.*, controller) to have the capability of operating the lower heaters of each food holding zone (i.e. second and fourth heating elements) independently to control its respective food holding temperature.





EX1010: Figs. 2 and 6 (modified, annotated).

21.i.1: wherein the shelf is located between the first and second food holding compartments, the shelf comprises a first side and a second side, the first side facing into the first food holding compartment, the second side facing into the second food holding compartment

884. The POSA would recognize that Fortmann'748 discloses that "the shelf is located between the first and second food holding compartments, the shelf comprises a first side and a second side, the first side facing into the first food holding compartment, the second side facing into the second food holding compartment."

885. Fortmann'748's shelves (21) are located between the food holding compartments. EX1010: ¶[0015], Figs. 1 and 6.

886. Each shelf (21) has a top side (22) facing the food holding compartment above the shelf (*i.e.*, a first food holding compartment) and a bottom side (23) facing

the lower food holding compartment (*i.e.*, a second food holding compartment). EX1010: ¶[0015] ("with the top surface 22 of the shelf 21 being spaced from a bottom surface 23 of a neighboring shelf 21"), Figs. 1 and 6.

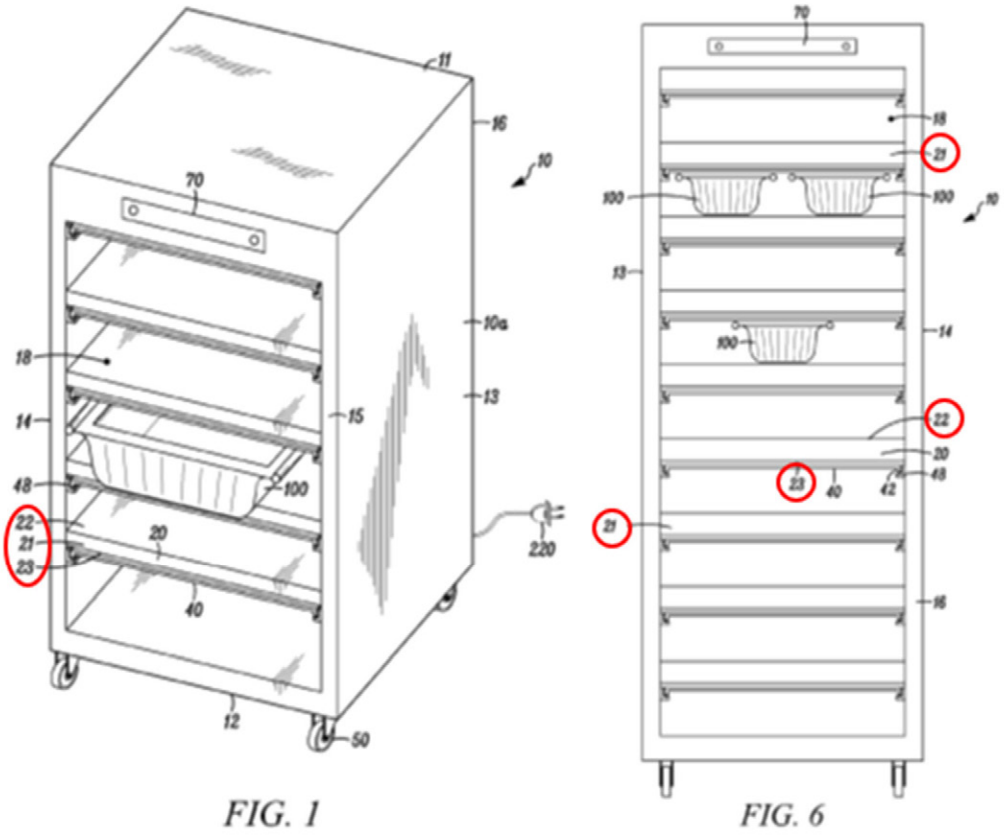
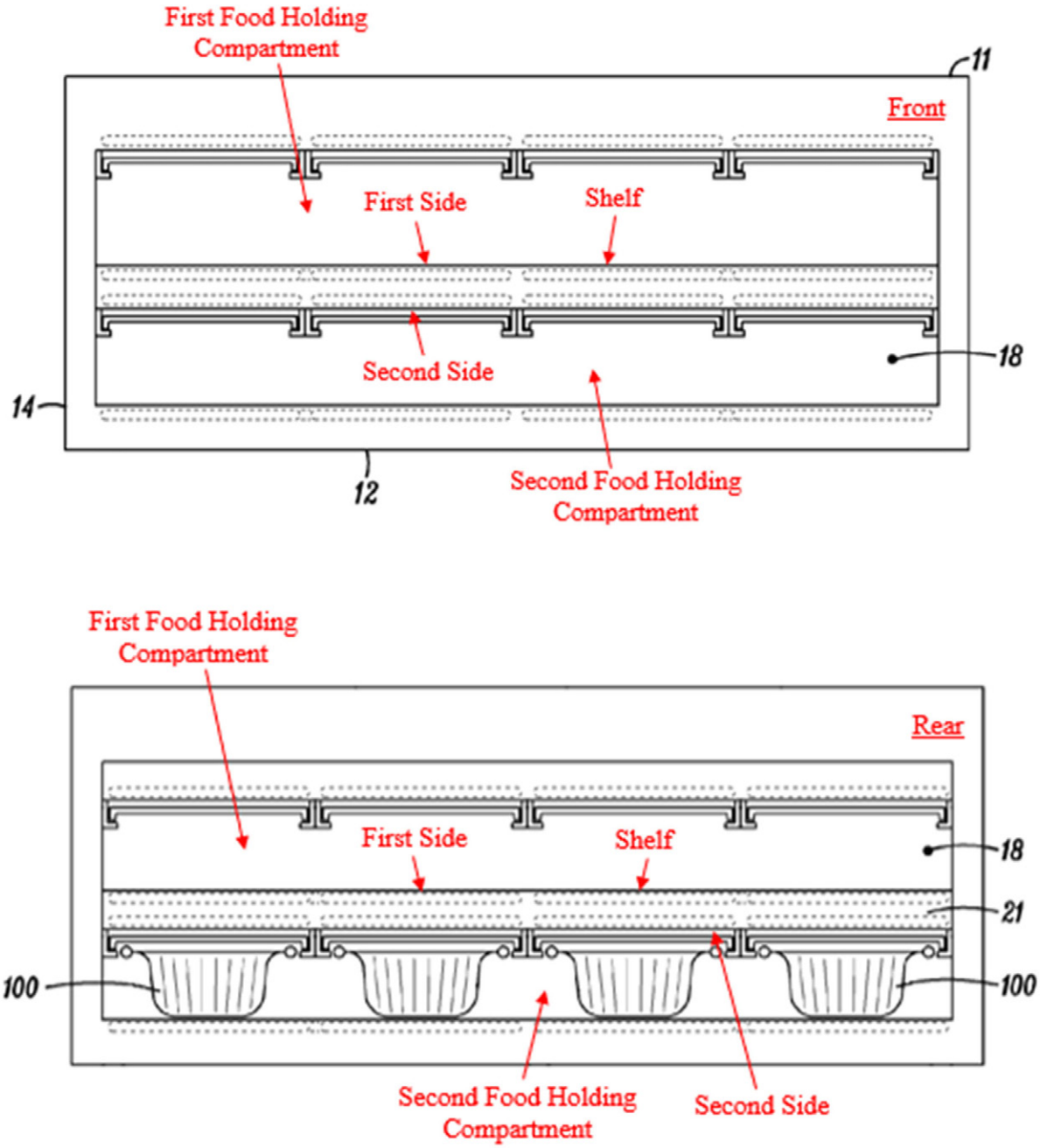


FIG. 1 FIG. 6

EX1010: Figs. 1 and 6 (annotated).

887. In adapting the Fortmann'748 cabinet to a 2x4 configuration as discussed at Paragraphs 542-553 above (Ground 9 Section(A)(1)), the shelf (21) of the cabinet would be between the first and second food holding compartments and include a first side facing the first food holding compartment and a second side facing the second food holding compartment.



EX1010: Figs. 2 and 6 (modified, annotated).

21.i.2: the second and fourth heating elements are disposed in the shelf and in thermal communication with the first side

888. Fortmann'748's shelf (21) is made of two planar sheets or plates (22, 23). EX1010: ¶[0019] ("the shelves 21 may include two planar sheets of thin material (such as stainless steel) that form an envelope for the heater 60 to be disposed therebetween").

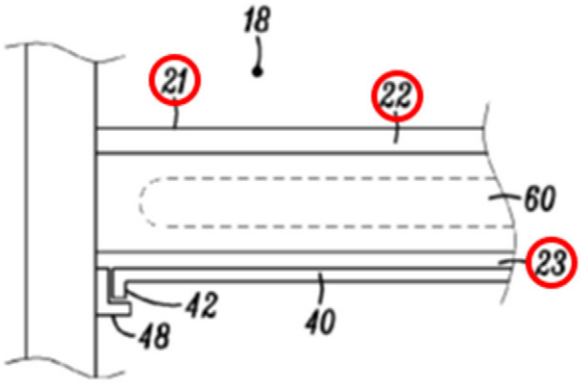


FIG. 3

EX1010: Fig. 3 (annotated).

889. Fortmann'748 explains the sheets (22, 23) are made of "stainless steel," which is a thermally conductive material. EX1010: ¶[0019].

890. The upper plate (22) forms the first side of the shelf and is thus in thermal communication with the first side.

891. Fortmann'748's heaters (60) are between the two planar sheets (22, 23) in the shelf (21). EX1010: ¶[0019].

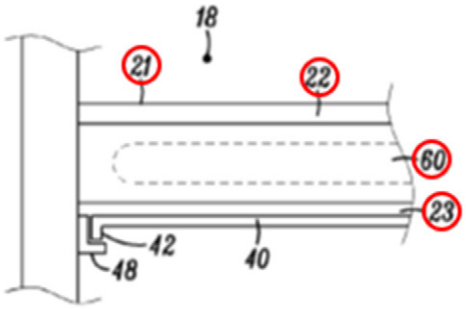


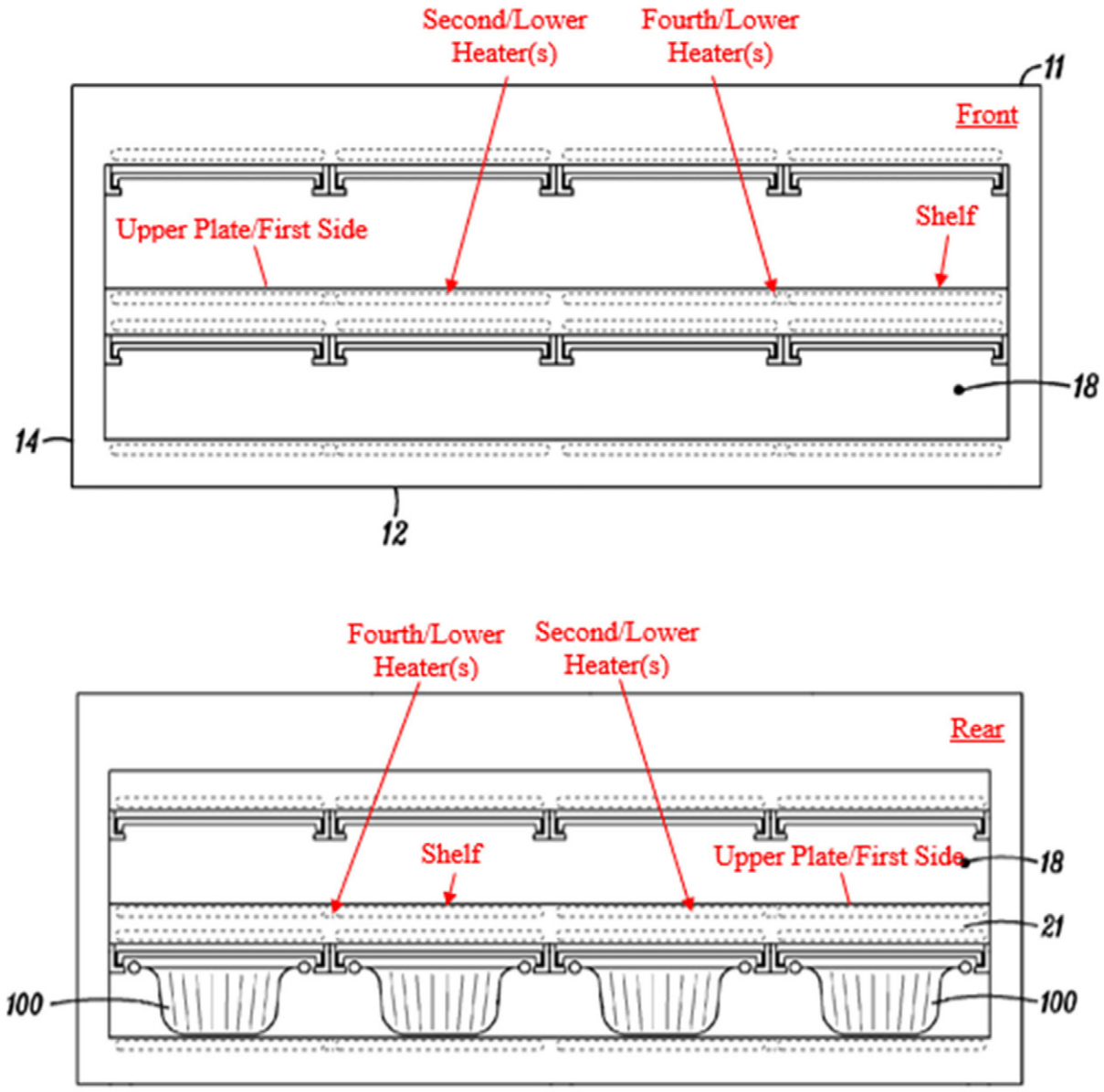
FIG. 3

EX1010: Fig. 3 (annotated).

892. The heaters (60) are in contact with the upper sheet (22) so that the heaters are in thermal communication via conduction to the sheet. EX1010: ¶[0019] ("the heater 60 makes surface contact with at least the upper sheet 22 forming the shelf 21 … such that a percentage of the heat generated by the heaters disposed in conjunction with each shelf 21 is transferred directly to the shelf by conductive heat transfer").

893. In modifying the Fortmann'748 cabinet by expanding to the food holding compartment to have multiple food holding zones in view of Jones (EX1012), Fortmann'197 (EX1014), the IRHS Documents (EX1005-1008), and McMillan (EX1019) as discussed in Paragraph 554-590 (Ground 9 Section(A)(2)), the POSA would continue to follow the teachings of Fortmann'748 and have the lower heaters (*e.g.*, the second and fourth heating elements) in the shelf contact the

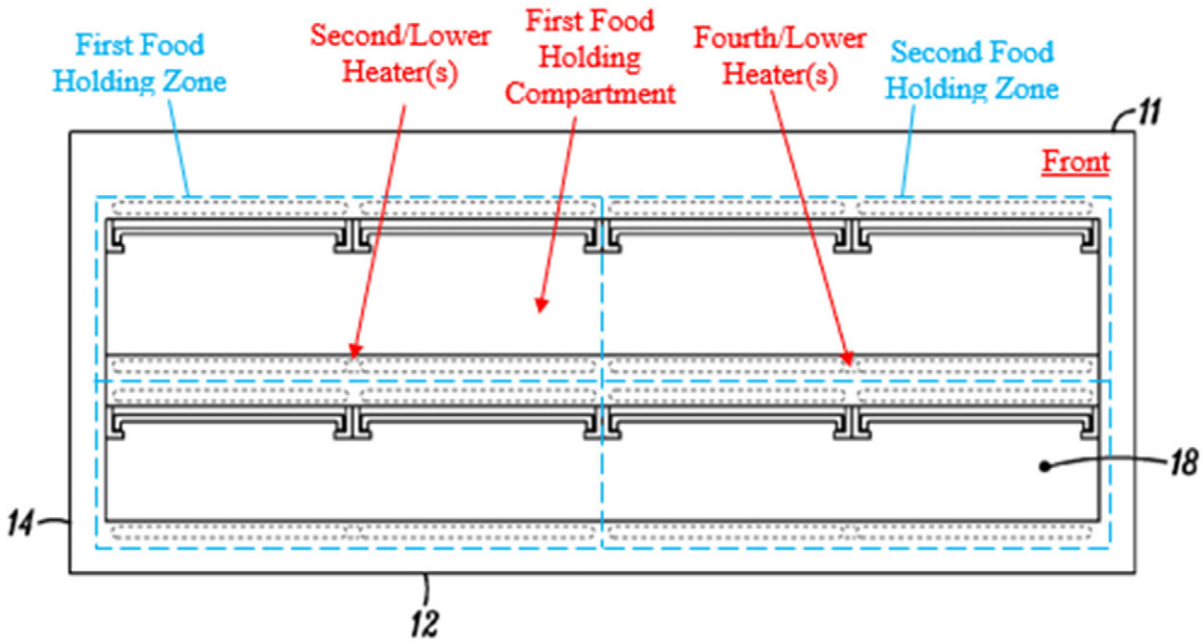
upper sheet to be in conductive thermal communication with the upper sheet/first side. EX1010: ¶¶[0019]-[0020].

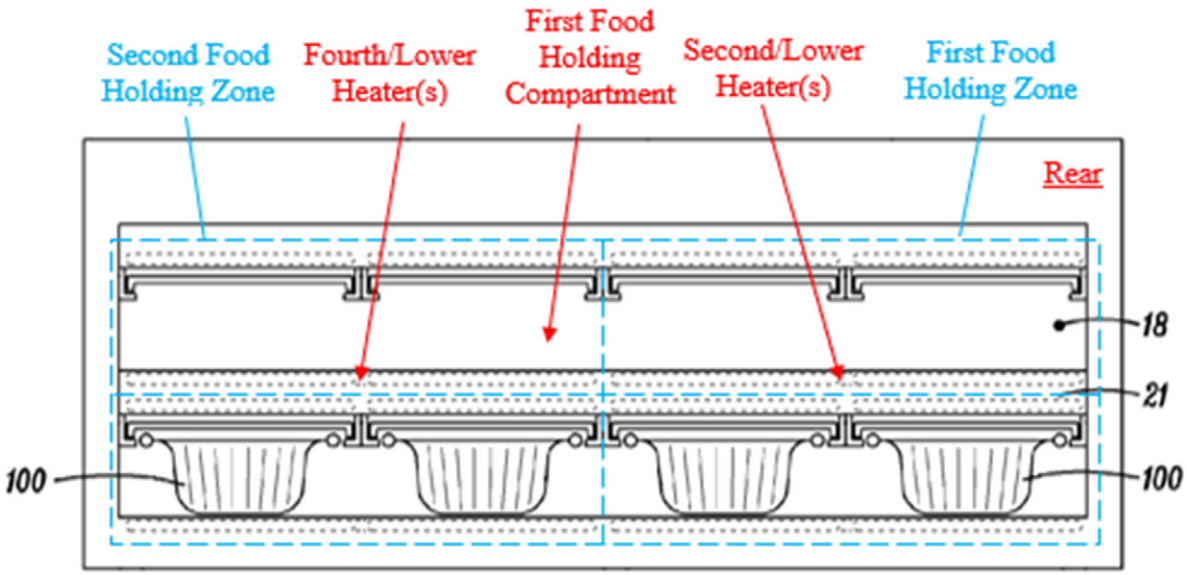


EX1010: Figs. 2 and 6 (modified, annotated).

21.i.3: the second and fourth heating elements being capable of providing different amounts of heat energy into the first and second food holding zones of the first food holding compartment

894. As modified in Paragraphs 554-611, 772-784 above (Ground 9 Section(A)(2)-(3) and (1.f.2))), the first/upper compartment's lower heating elements (e.g., the second and fourth heating elements) would have been independently controllable from one another via Fortmann'748's controller.





EX1010: Figs. 2 and 6 (modified, annotated).

895. Different setpoint temperature settings would correspond to different amounts of heat energy. Thus, the second and fourth heating elements would be capable of providing different amounts of heat energy into the first and second food holding zones to maintain the zones at different setpoint temperatures. Paragraphs 772-784 ((1.f.2)).

896. Having the lower heating elements in the shelf (i.e. second and fourth heating elements) output different amounts of heat energy would be a natural result of the first and second food holding zones receiving different kinds of food requiring different bottom temperatures. *See supra* Paragraphs 860-870 (Claim 13).

897. For example, if the first food holding zone receives pans of cooked eggs and the second food holding zone receives pans of bacon, the lower heating

element in the first food holding zone (i.e. second heating element) would output less heat energy for warming eggs than the lower heating element in the second food holding zone (i.e. fourth heating element) for warming bacon. EX1028: 39 (teaching 180°F for eggs and 200°F for bacon).

21.j.1: wherein the shelf comprises an upper thermally conductive plate, a lower thermally conductive plate, a fifth heating element, and a sixth heating element

898. As explained in Paragraphs 884-893 above ((21.i.1) and (21.i.2)), Fortmann'748's shelf (21) is made of two planar sheets or plates (22, 23). EX1010: ¶[0019] ("the shelves 21 may include two planar sheets of thin material (such as stainless steel) that form an envelope for the heater 60 to be disposed therebetween").

899. Fortmann'748 explains the plates (22, 23) are made of "stainless steel," which is a thermally conductive material. EX1010: ¶[0019].

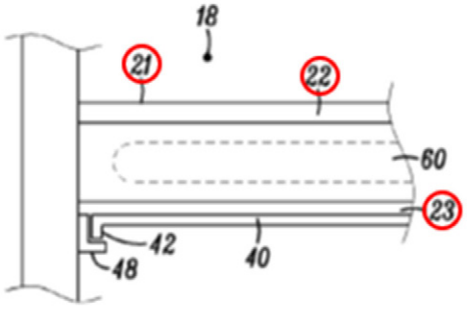
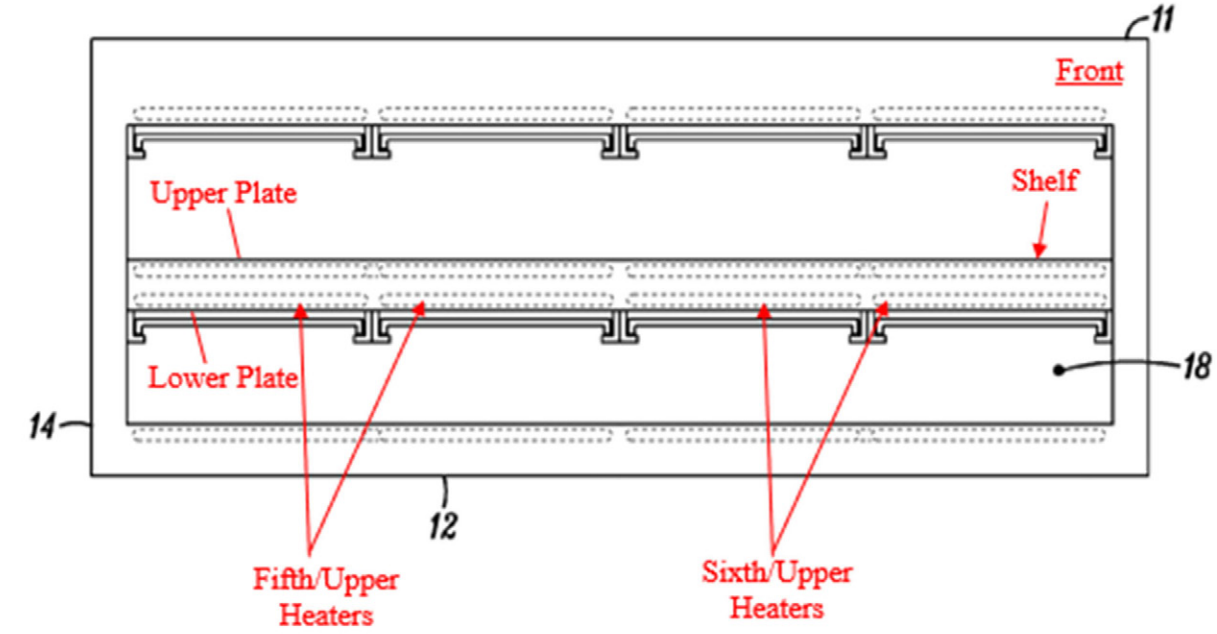
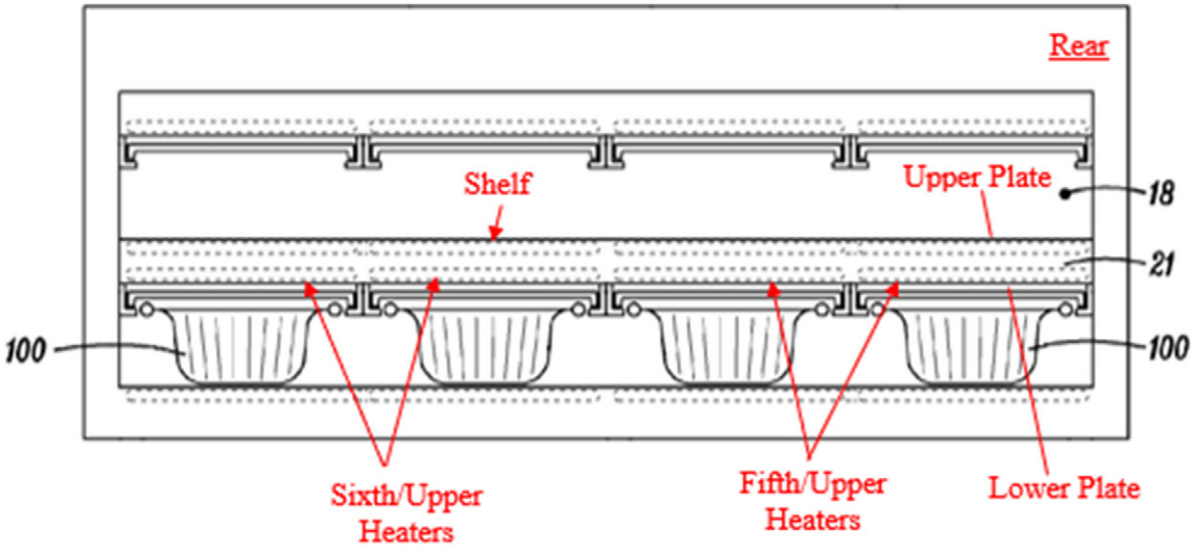


FIG. 3

EX1010: Fig. 3 (annotated).

900. As modified in Paragraphs 554-590 (Ground 9 Section(A)(2)), Fortmann'748's heaters would have been duplicated in the shelf such that the shelf includes upper heaters (e.g., the fifth and sixth heaters) for heating the second food holding compartment. EX1010: ¶¶[0019]-[0020].





EX1010: Figs. 2 and 6 (modified, annotated).

21.j.2: the fifth and sixth heating elements being disposed between the upper thermally conductive plate and the lower thermally conductive plate

901. As explained in Paragraphs 884-887 above (21.i.2), Fortmann'748's shelf (21) is made of two thermally conductive sheets or plates (22, 23) with heaters (60) disposed between the two planar plates. EX1010: ¶[0019].

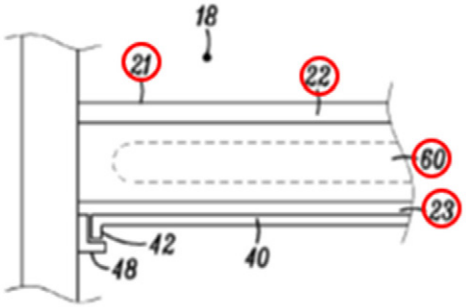
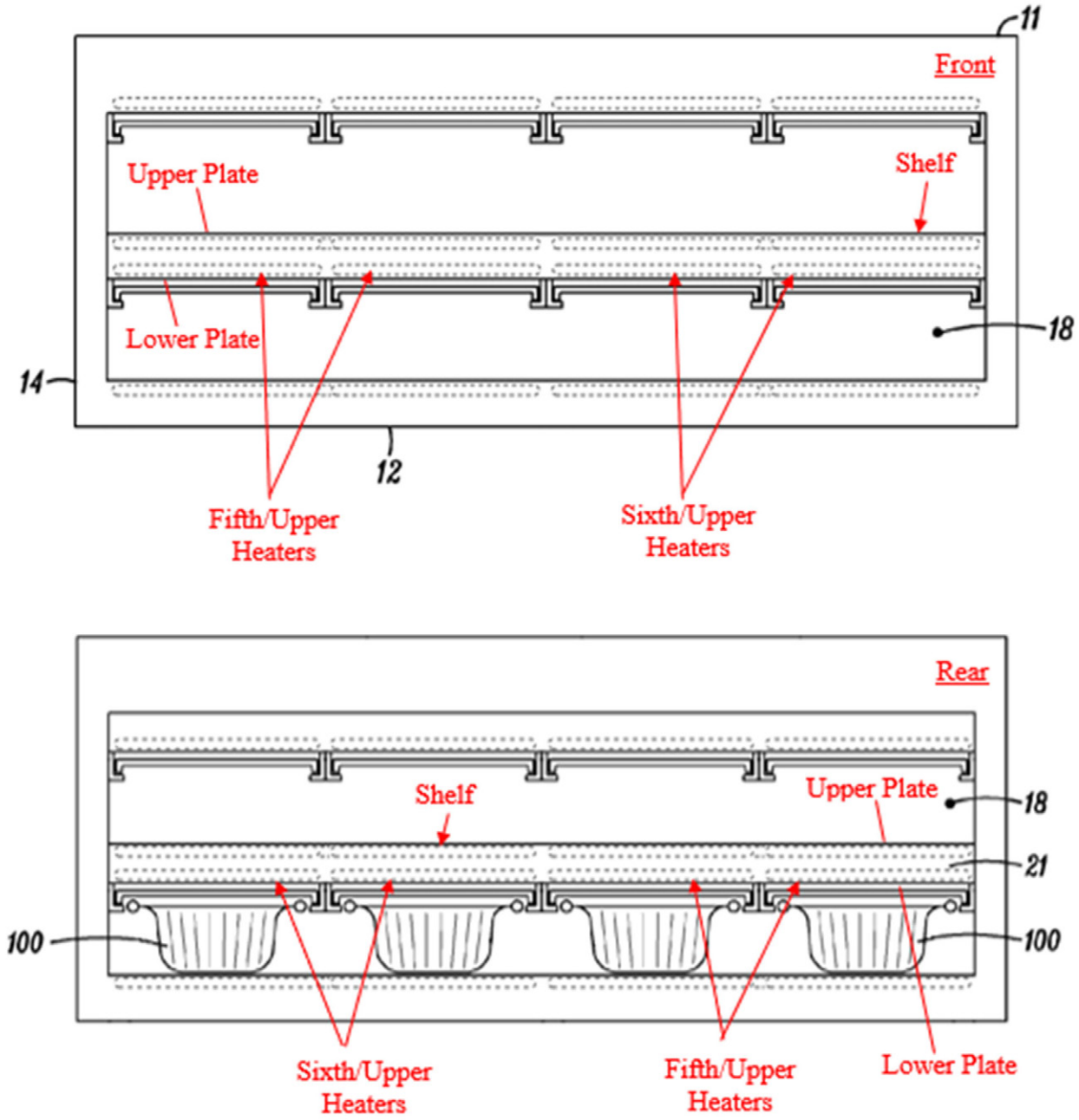


FIG. 3

EX1010: Fig. 3 (annotated).

902. In modifying the Fortmann'748 cabinet by expanding to the food holding compartment to have multiple food holding zones and independent upper and lower heaters in view of Jones (EX1012), Fortmann'197 (EX1014), the IRHS Documents (EX1005-1008), and McMillan (EX1019) as discussed in Paragraph 542-730, the POSA would continue to follow the teachings of Fortmann'748 and dispose the upper heaters (e.g., the fifth and sixth heating elements) between the upper and lower thermally conductive plates. EX1010: ¶¶[0019]-[0020].



EX1010: Figs. 2 and 6 (modified, annotated).

21.j.3: the second and fourth heating elements being in thermal communication with the upper thermally conductive plate and the

fifth and sixth heating elements being in thermal communication with the lower thermally conductive plate

903. Fortmann'748's heaters (60) are between the two planar sheets (22, 23) in the shelf (21). EX1010: ¶[0019] ("the shelves 21 may include two planar sheets of thin material (such as stainless steel) that form an envelope for the heater 60 to be disposed therebetween").

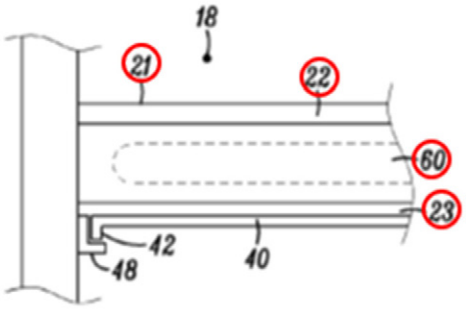
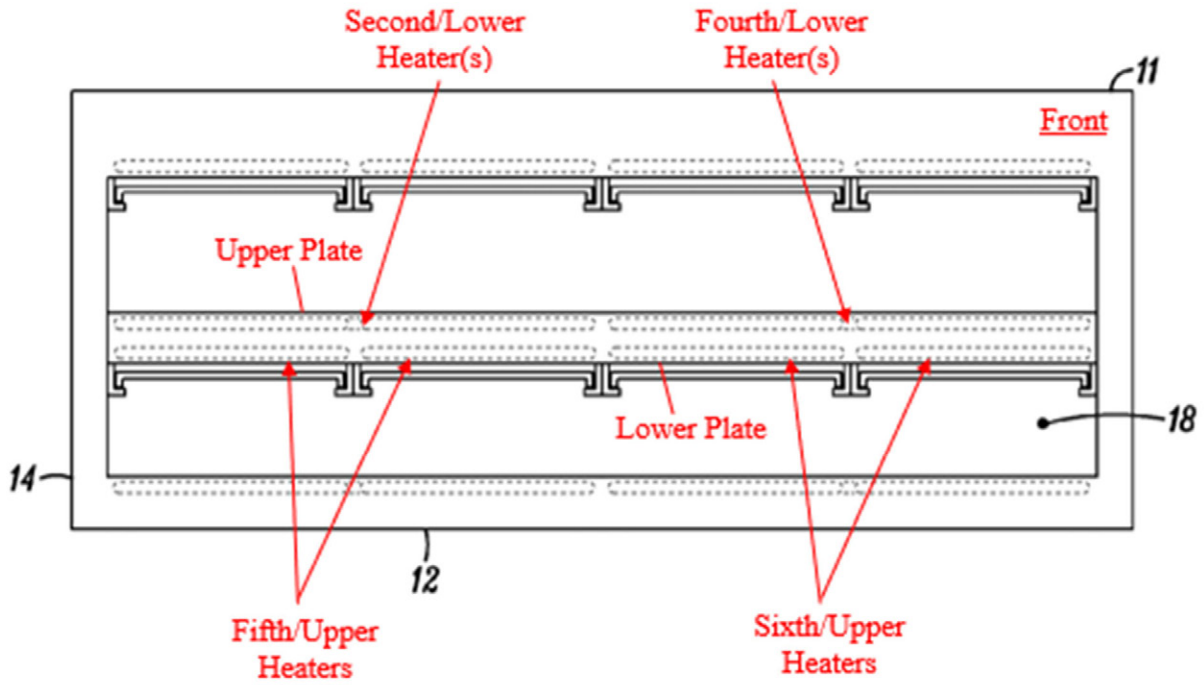


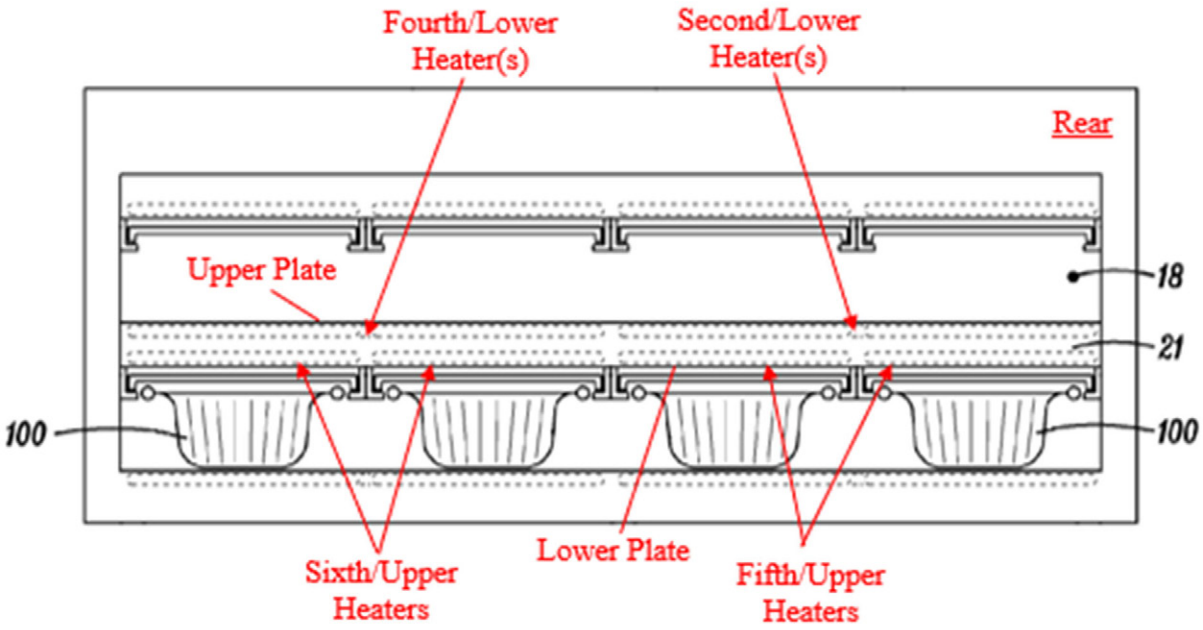
FIG. 3

EX1010: Fig. 3 (annotated).

904. The heaters (60) are in contact with the upper and lower sheets (22, 23) so that the heaters are in thermal communication via conduction to the sheets. EX1010: ¶[0019] ("the heater 60 makes surface contact with at least the upper sheet 22 forming the shelf 21 (and also the heater 60 may contact the lower sheet 23 forming the shelf 21) such that a percentage of the heat generated by the heaters disposed in conjunction with each shelf 21 is transferred directly to the shelf by conductive heat transfer").

905. In modifying the Fortmann'748 cabinet by expanding to the food holding compartment to have multiple food holding zones and independent upper and lower heaters in view of Jones (EX1012), Fortmann'197 (EX1014), the IRHS Documents (EX1005-1008), and McMillan (EX1019) as discussed in Paragraph 542-658 (Grund 9 Sections(A)(1)-(5)), the POSA would continue to follow the teachings of Fortmann'748 and have the lower heaters (e.g., the second and fourth heaters) for the first food holding compartment contact the upper sheet and be in conductive thermal communication with the upper heaters (e.g., the fifth and sixth heaters) for the second food holding compartment contact the lower sheet and be in conductive thermal communication with the lower sheet. EX1010: ¶¶[0019]-[0020].





EX1010: Figs. 2 and 6 (modified, annotated).

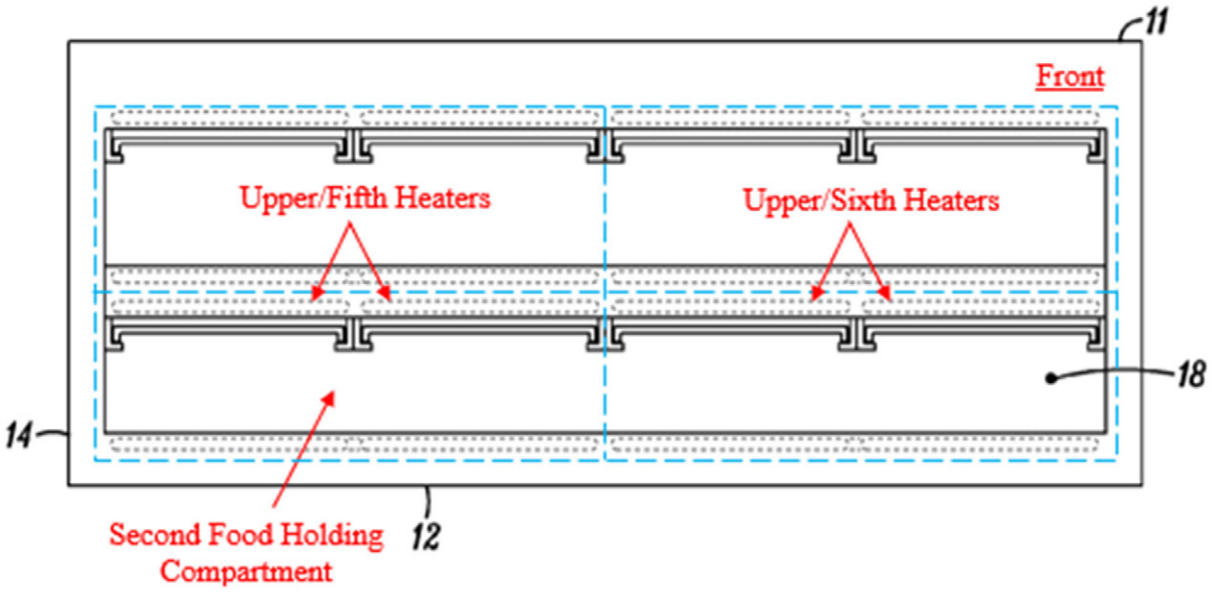
21.j.4: the fifth and sixth heating elements providing heat energy into the second food holding compartment

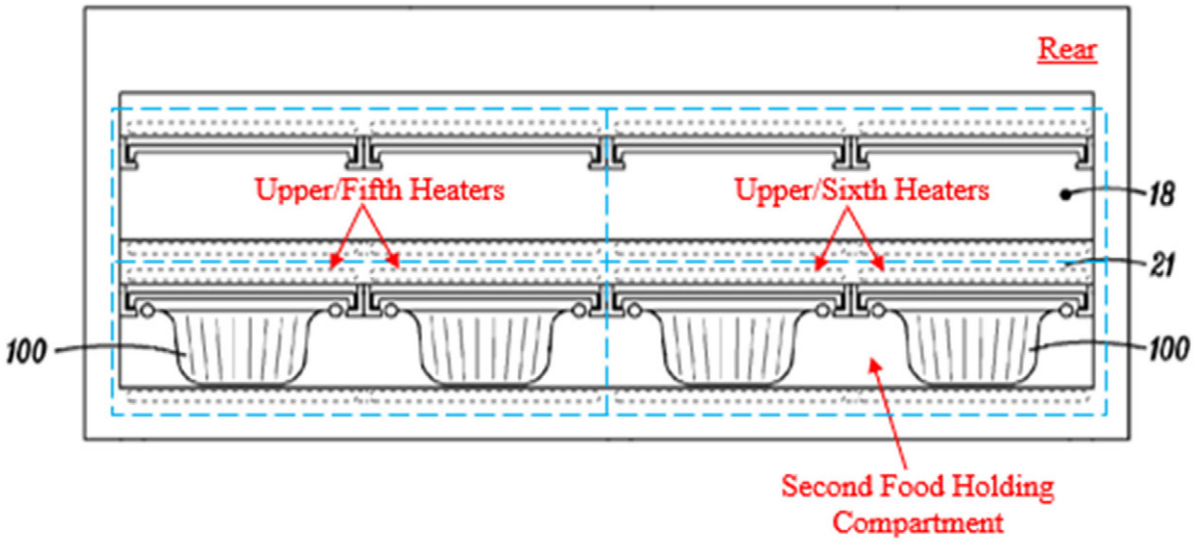
906. Fortmann'748 explains the heaters (60) overlying the compartments transfer heat to the pans (100) by radiation. EX1010: ¶[0019] ("[t]he remaining portion of heat generated by the heaters 60 disposed in conjunction with each shelf 21 may be transferred to the shelf 21 by radiation heat transfer."), ¶[0020] ("the pan 100 and the food product located within the pan 100 may receive heat from the shelf 21 disposed above the pan 100 due to radiation").

907. In modifying the Fortmann'748 cabinet by expanding to the food holding compartment to have multiple food holding zones and independent upper and lower heaters in view of Jones (EX1012), Fortmann'197 (EX1014), the IRHS Documents (EX1005-1008), and McMillan (EX1019) as discussed in Paragraph

554-611 (Ground 9 Sections(A)(2)-(A)(3)), the POSA would continue to follow the teachings of Fortmann'748 and have the upper heaters (e.g., the fifth and sixth heating elements) heat (e.g., via radiation, or conduction and radiation) the top panel and shelf, thereby heating the pans (100) disposed below by radiation. EX1010: ¶¶[0019]-[0020].

908. Because the tops of the pans (100) are spaced apart from the underside of the top panel and shelf (and thereby the upper heaters as well), the heat generated by the upper heaters will naturally provide heat energy into the second food holding compartment and heat the food pans by radiation. Notably, radiation heat transfer would occur regardless of whether the lids are in contact with the underside of the shelf or spaced apart from the shelf. EX1010: ¶[0018].





EX1010: Figs. 2 and 6 (modified, annotated).

909. Accordingly, each limitation of Claim 21 is either disclosed in Fortmann'748 or would have been an obvious modification to the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder. As such, the POSA would have found it obvious to arrive at the food holding bin as claimed in Claim 21.

N. Claim 22: The food holding bin of claim 21, wherein an insulative material is provided between the second and the fifth heating elements

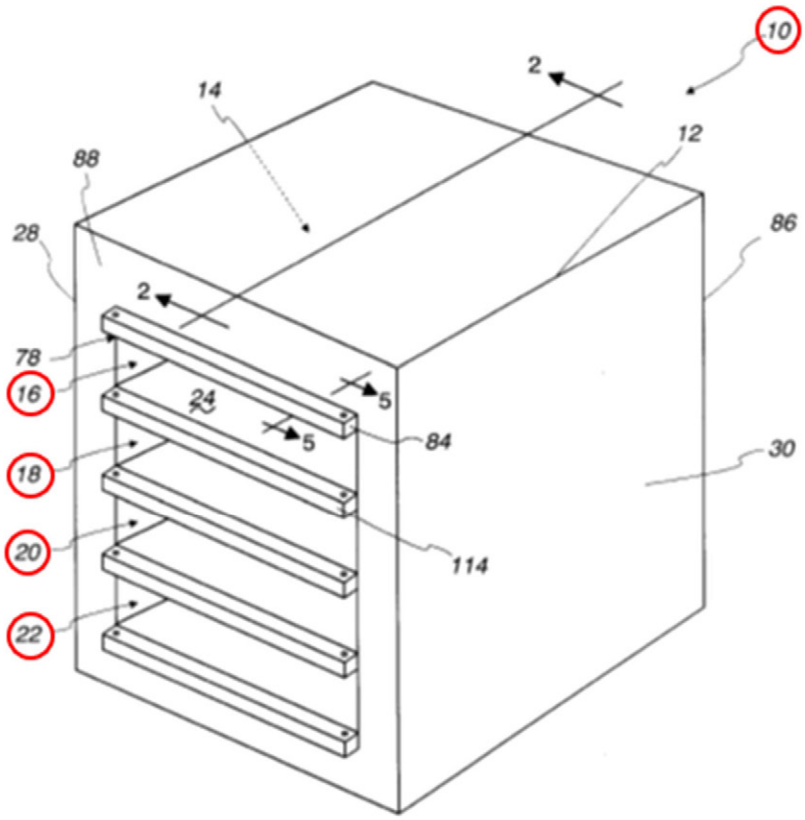
910. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the claimed food holding bin of Claim 21.

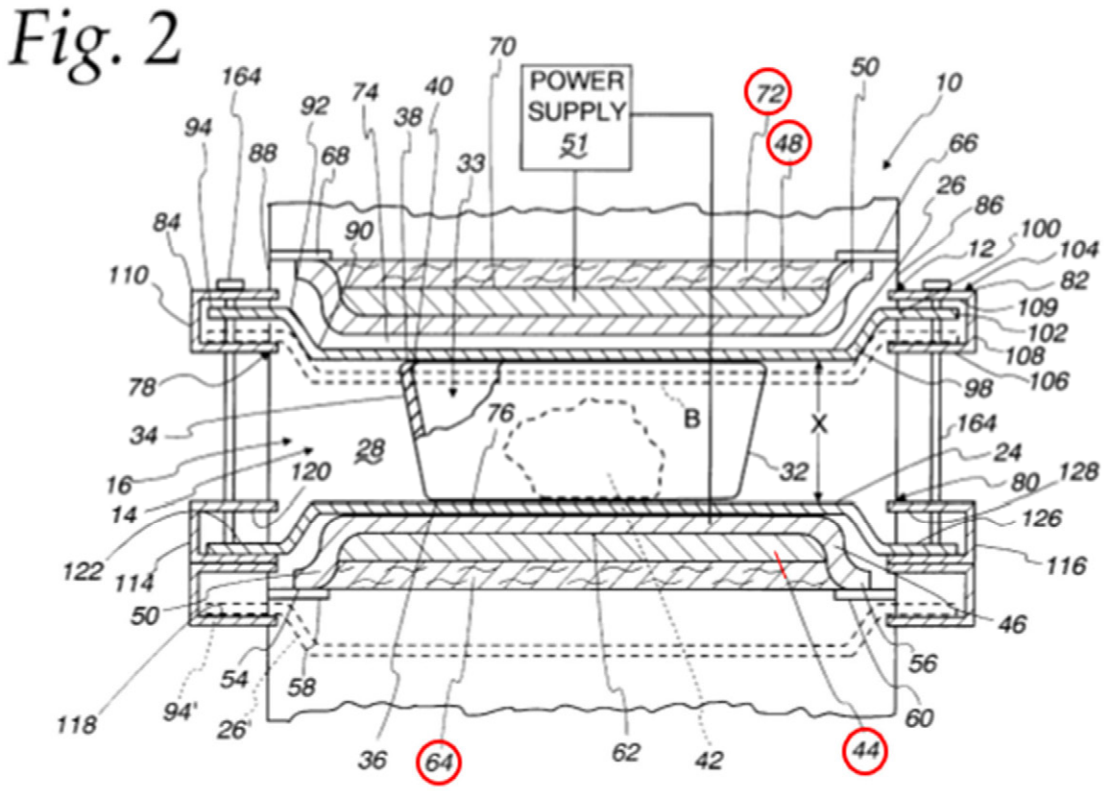
911. The POSA would additionally recognize that the prior art taught providing insulating material within the shelf between the heating elements.

912. Similar to Fortmann'748, the system (10) of Fortmann'967 has a plurality of vertically stacked food treatment spaces (16, 18, 20, 22) that receive a receptacle or tray (32) of food. EX1018: 3:64-65, 4:4-11, Fig. 2.

913. Each food treatment space (16, 18, 20, 22) of Fortmann'967 has two heaters (44, 48) which heat the top and bottom of the receptacle (32). EX1018: 4:22-26 ("a heater 44, which conducts heat through a heat sink 46 to the bottom wall 24, and a separate heater 48 which conducts heat through a heat sink 50 to the top wall 26"), Fig. 2

Fig. 1



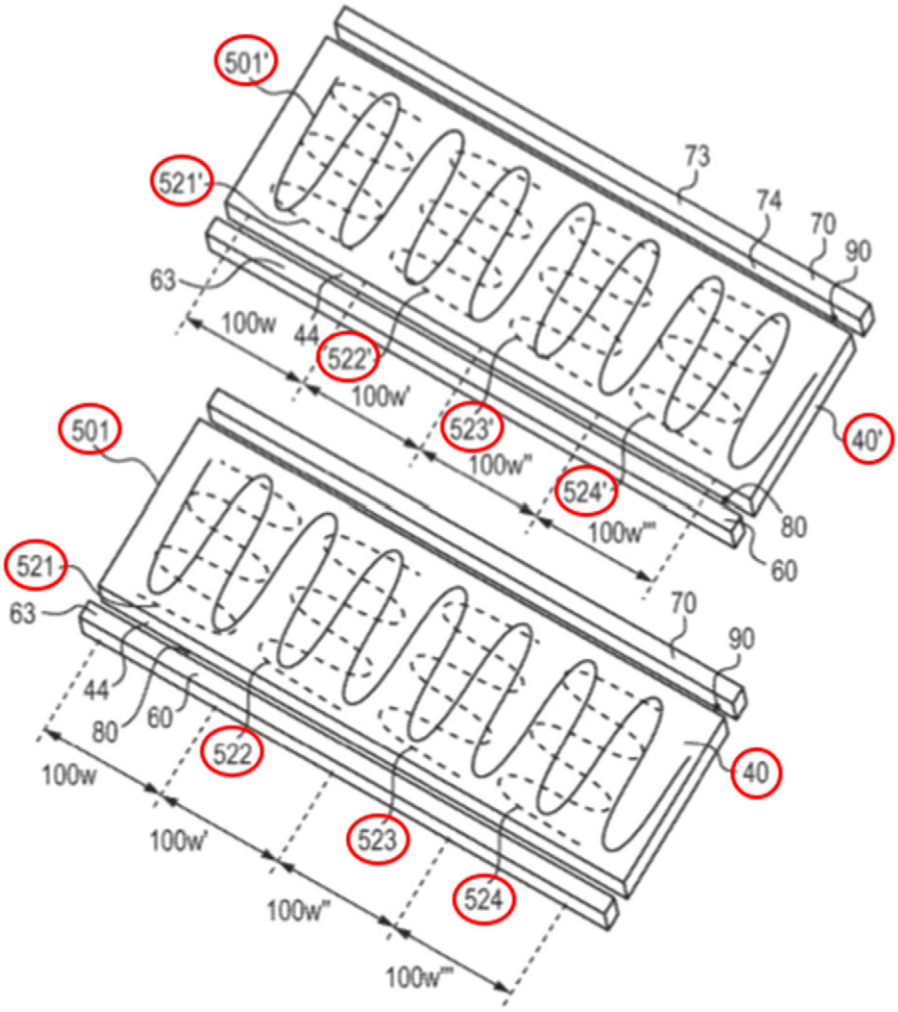


EX1018: Figs. 1 and 2 (annotated).

914. Each heater (44, 48) is backed by insulation (64, 72), which directs the heat from the heaters into the food treatment space (16, 18, 20, 22). EX1018: 4:33-38 ("An insulation layer 64 fills the space 62 beneath the heater 44.… The heater 48 is nested in a space 70 defined by the heat sink 50 and covered by an insulation layer 72."), Fig. 2.

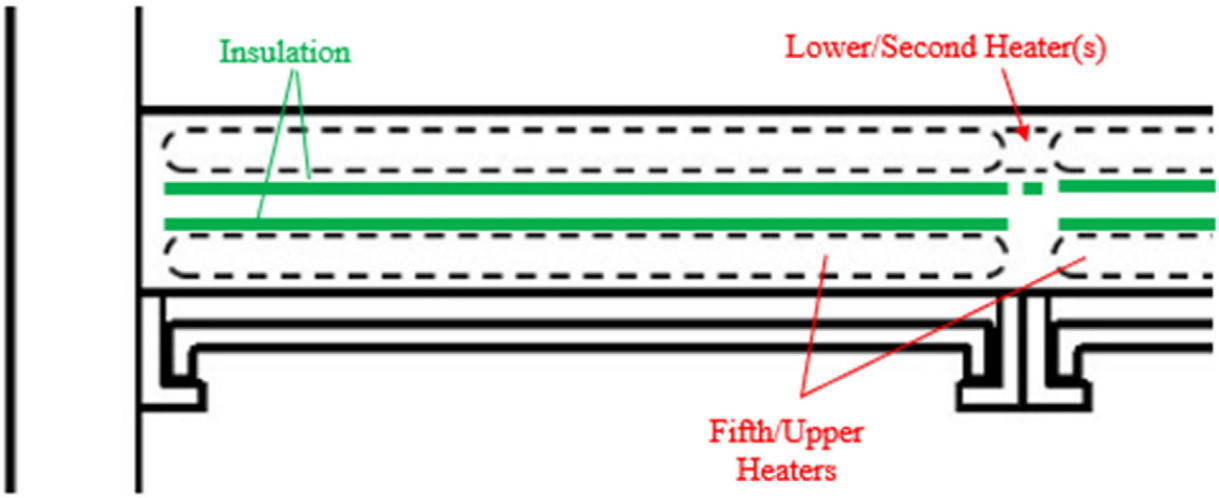
915. Similarly, Fortmann'197 explains that "***insulation*** may be provided between the upper heaters 521, 522, 523, 524 in a plate 40 and the lower heater 501 in the same plate, so that the heat generated by the respective heater travels

generally through the surface of the plate 40 proximate to the plate and not in the direction of the other heater within the plate 40." EX1014: 9:32-37, Fig. 10.

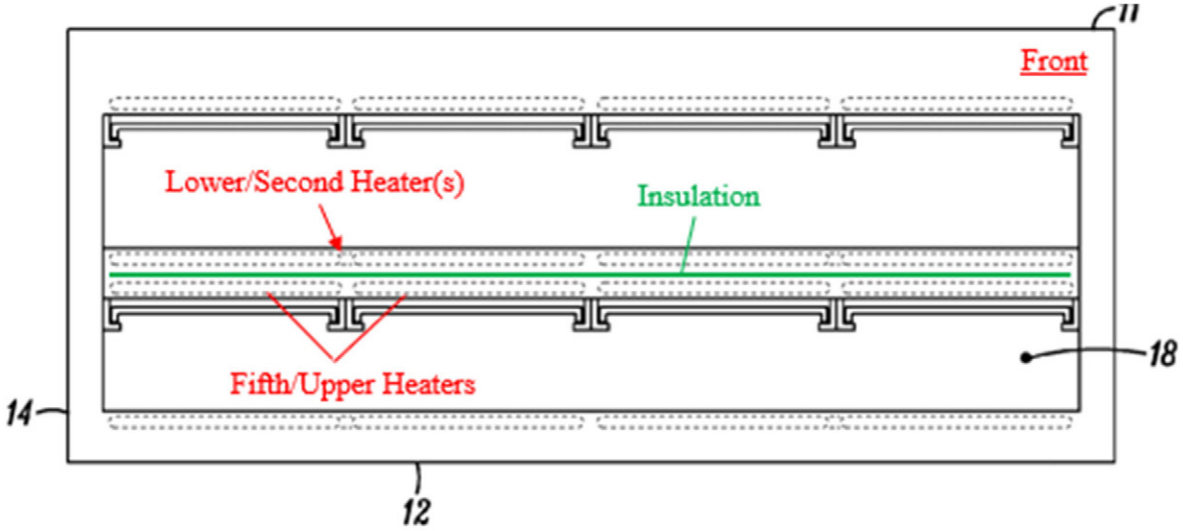


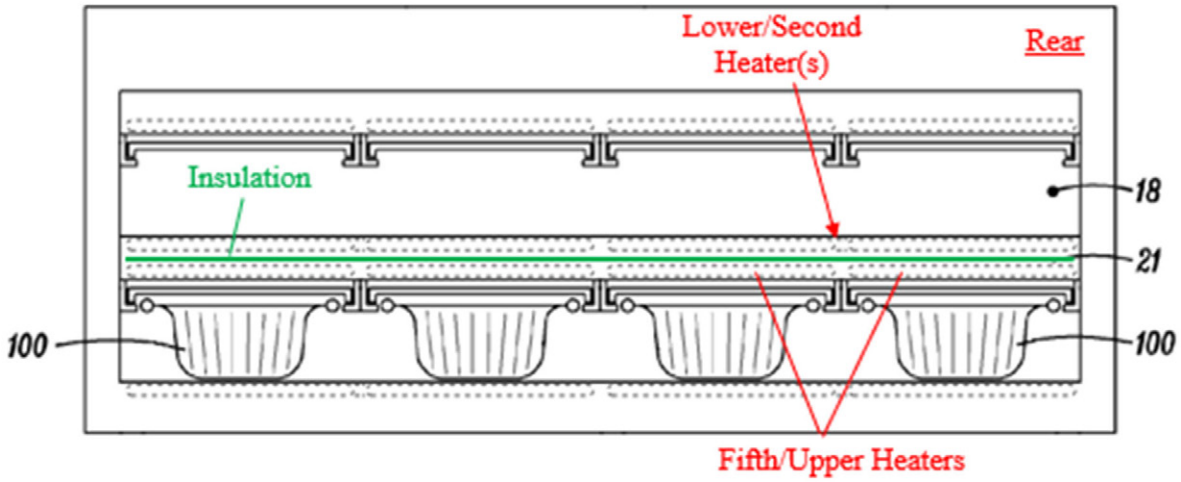
EX1014: Fig. 10 (annotated).

916. As explained in Paragraph 712-730 (Ground 9 Section(A)(9)), it would have been obvious to modify the Fortmann'748 cabinet to have insulation in the shelf arranged between the upper and lower heaters (e.g., the lower/second and upper/fifth heaters).

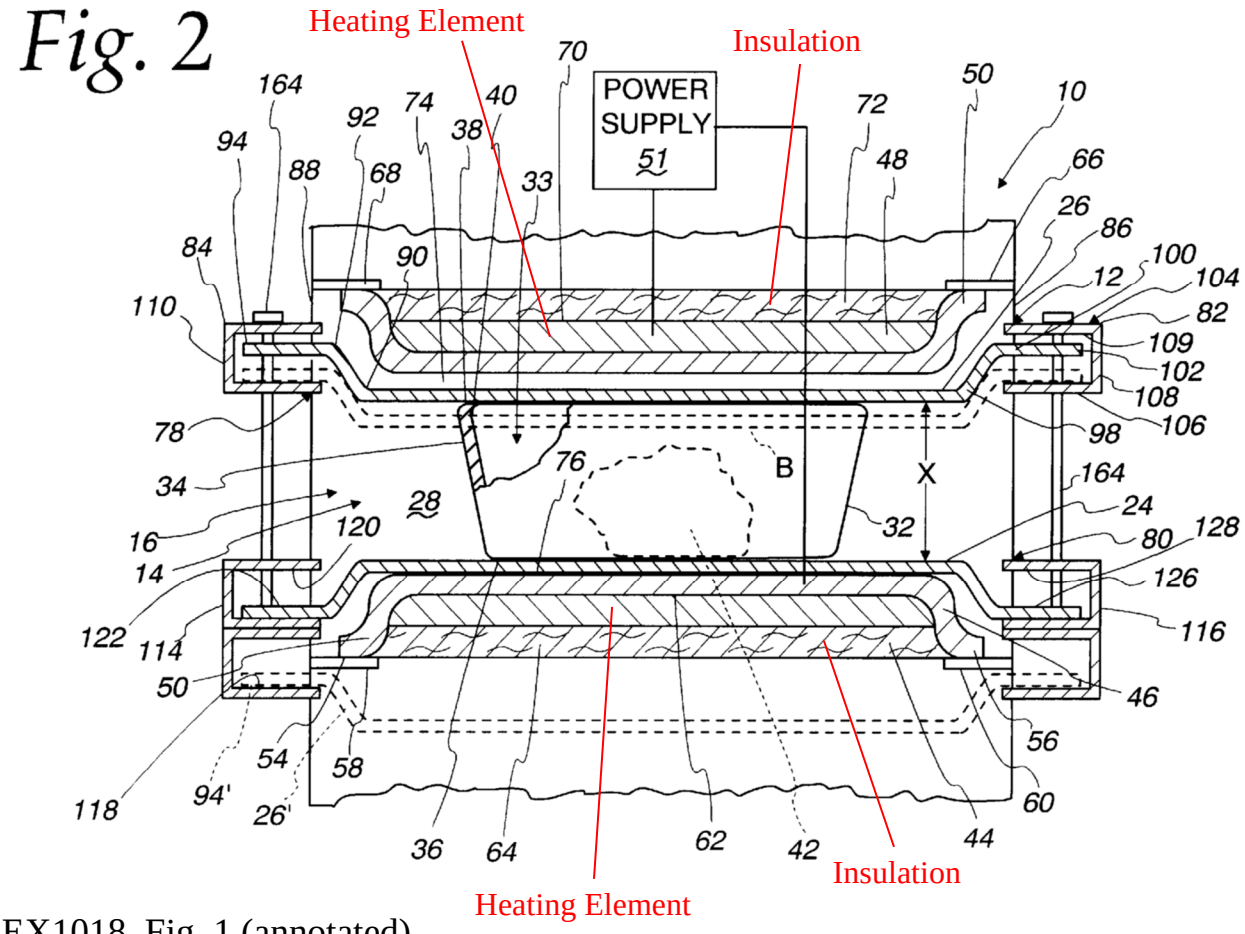


EX1010: Fig. 2 (modified, annotated, enlarged).





EX1010: Figs. 2 and 6 (modified, annotated).



EX1018. Fig. 1 (annotated).

917. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Hartfelder, and/or Fortmann'967 to arrive at the food holding bin as claimed in Claim 22.

O. Claim 23:

23.a.1: The food holding bin of claim 21, wherein the first and second food holding compartments each have a second opening, uncovered and located at the rear face of the chassis

918. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the claimed food holding bin of Claim 21.

919. The additional "wherein the first and second food holding compartments each have a second opening, uncovered and located at the rear face of the chassis" limitation added in Claim 23.a.1 is identical in claim scope to the limitation added in Claim 4.a.1.

920. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in this limitation as explained in Paragraphs 814-818 above.

23.a.2: the substantially planar bottom surface is configured to allow food items to be placed on the substantially planar surface

through the first opening and removed from the planar and bottom surface from the second opening

921. The additional "the substantially planar bottom surface is configured to allow food items to be placed on the substantially planar surface through the first opening and removed from the planar and bottom surface from the second opening" limitation added in Claim 23.a.2 is identical in claim scope to the limitation added in Claim 4.a.2.

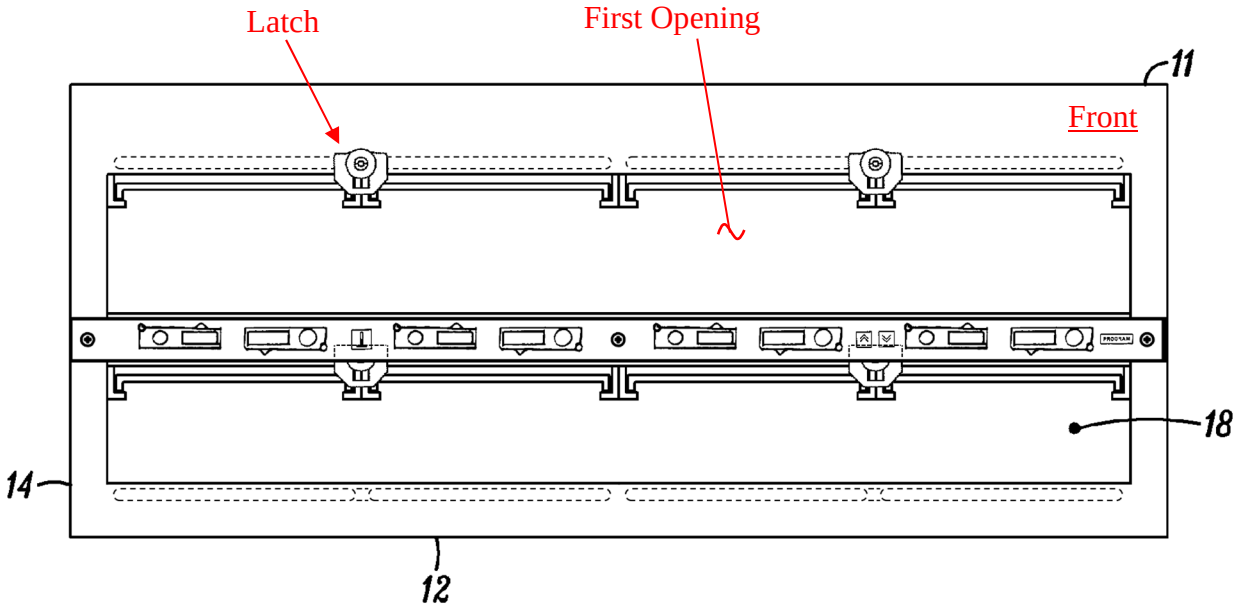
922. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in this limitation as explained in Paragraphs 819-823 above.

P. Claim 24: the food holding bin of claim 21, comprising a rotatable latch disposed adjacent the first opening

923. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the claimed food holding bin of Claim 21.

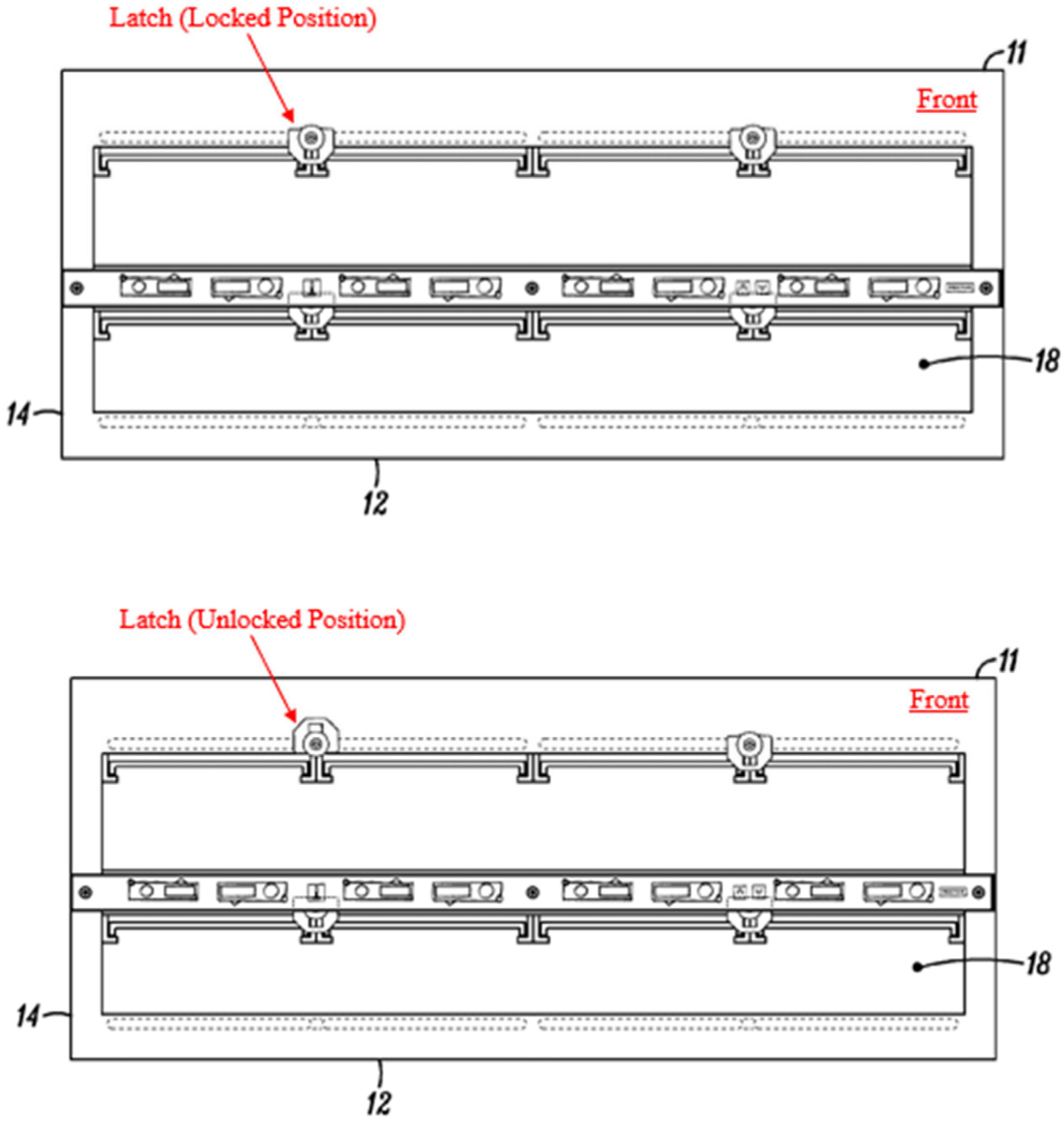
924. The POSA would additionally recognize that the prior art discloses the additional limitation added in Claim 24 requiring "a rotatable latch disposed adjacent the first opening."

925. It would have been obvious to further modify Fortmann'748's cabinet to incorporate Hartfelder's stop members (61) or Shei'099's stops (88) (*i.e.*, latches) adjacent the first opening as explained in Paragraphs 700-701 (Ground 9 Section(A)(8)).



EX1010: Fig. 2 (modified, annotated).

926. As explained in Paragraphs 790-806 (Claim 2) above, Hartfelder's stop members (61) and Shei'099's stops (88) (*i.e.*, latches) are rotatable between a locked position and unlocked position. EX1013: Fig. 2; EX1017: 6:9-32, Fig. 1; EX1016: ¶[0043], Fig. 1. Accordingly, the latch would be rotatable between a locked (first) position and unlocked (second) position when incorporated into the modified Fortmann'748 cabinet.



EX1010: Fig. 2 (modified, annotated).

927. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197,

McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in Claim 25.

Q. Claim 26: the food holding bin of claim 21, wherein the substantially planar surface is substantially free of any dividing walls or other structure between the first, second, third, and fourth food holding bays

928. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the claimed food holding bin of Claim 21.

929. The additional "wherein the substantially planar surface is substantially free of any dividing walls or other structure between the first, second, third, and fourth food holding bay" limitation added in Claim 26 is identical in claim scope to the limitation added in Claim 7.

930. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in this limitation as explained in Paragraphs 832-835 above.

W. Claim 27: the food holding bin of claim 21, wherein the first independently controllable heating element comprises a radiant

heating source and the second independently controllable heating element provides heat energy through conduction

931. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the claimed food holding bin of Claim 21.

932. The additional "wherein the first independently controllable heating element comprises a radiant heating source and the second independently controllable heating element provides heat energy through conduction" limitation added in Claim 27 is identical in claim scope to the limitation added in Claim 8.

933. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in this limitation as explained in Paragraphs 836-842 above.

S. Claim 28:

28.a: the food holding bin of claim 21, wherein each food holding bay further comprises a dedicated lid holding shelf elevated above the substantially planar bottom surface in the first food holding compartment, the dedicated lid holding shelf being configured to receive and store a lid for a food holding tray

934. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and

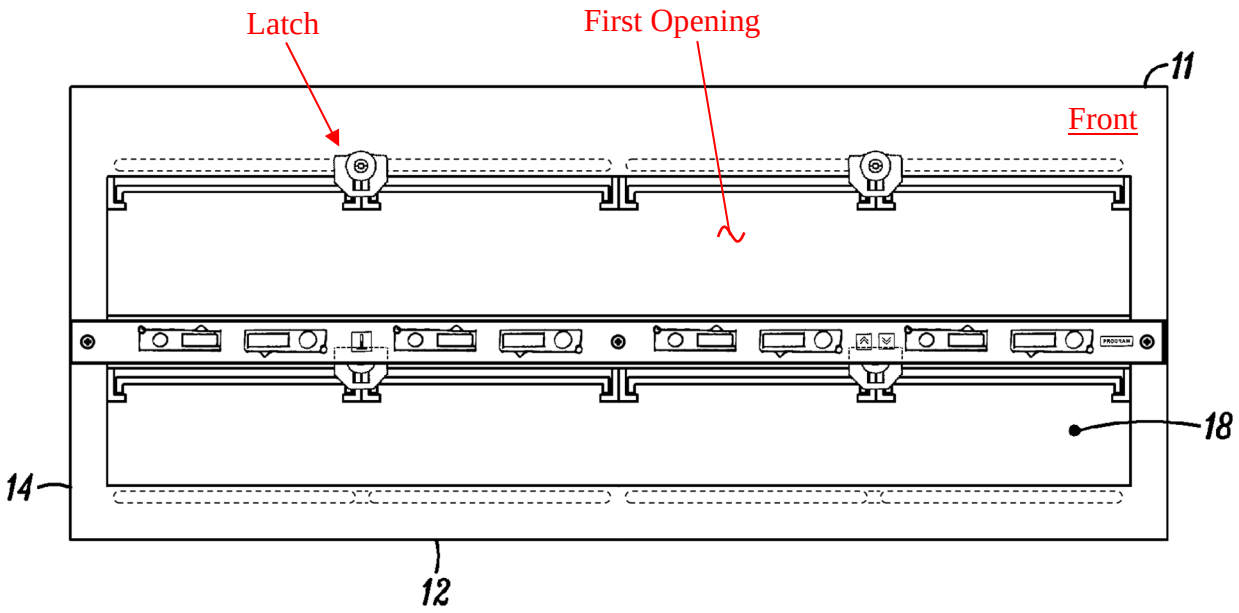
disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the claimed food holding bin of Claim 21.

935. The additional "wherein each food holding bay further comprises a dedicated lid holding shelf elevated above the substantially planar bottom surface in the first food holding compartment, the dedicated lid holding shelf being configured to receive and store a lid for a food holding tray" limitation added in Claim 28 is identical in claim scope to the limitation added in Claim 9.

936. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in this limitation as explained in Paragraphs 843-850 above.

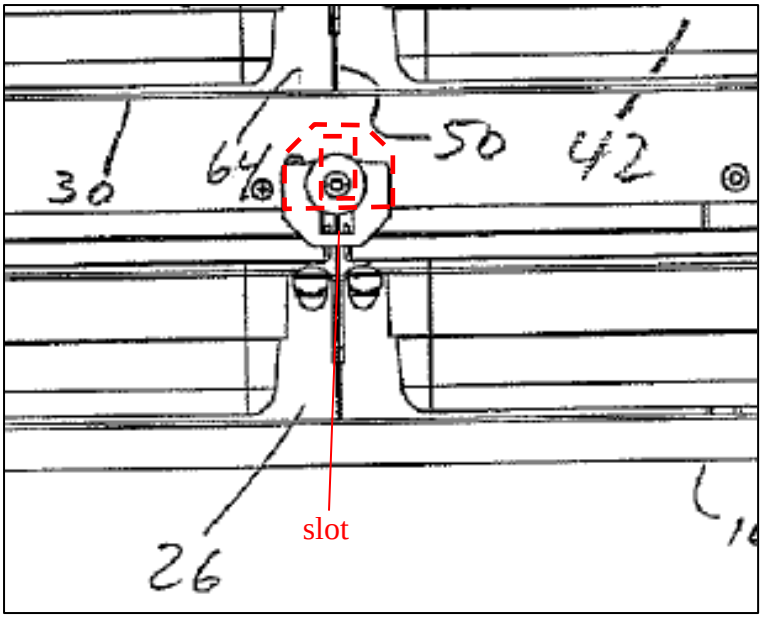
28.b.1: wherein a rotatable latch disposed adjacent the first opening is rotatable between a locked position in which the latch prevents a lid from being removed from the lid holding shelf, and an unlocked position in which the latch allows removal of a lid from the lid holding shelf

937. As explained in Paragraphs 700-711, 790-806, and 923-927 above (Ground 9 Section(A)(8), Claim 2 and Claim 24), it would have been obvious to further modify Fortmann'748's cabinet to incorporate Hartfelder's stop members (61) or Shei'099's stops (88) (*i.e.*, latches) adjacent the first opening.

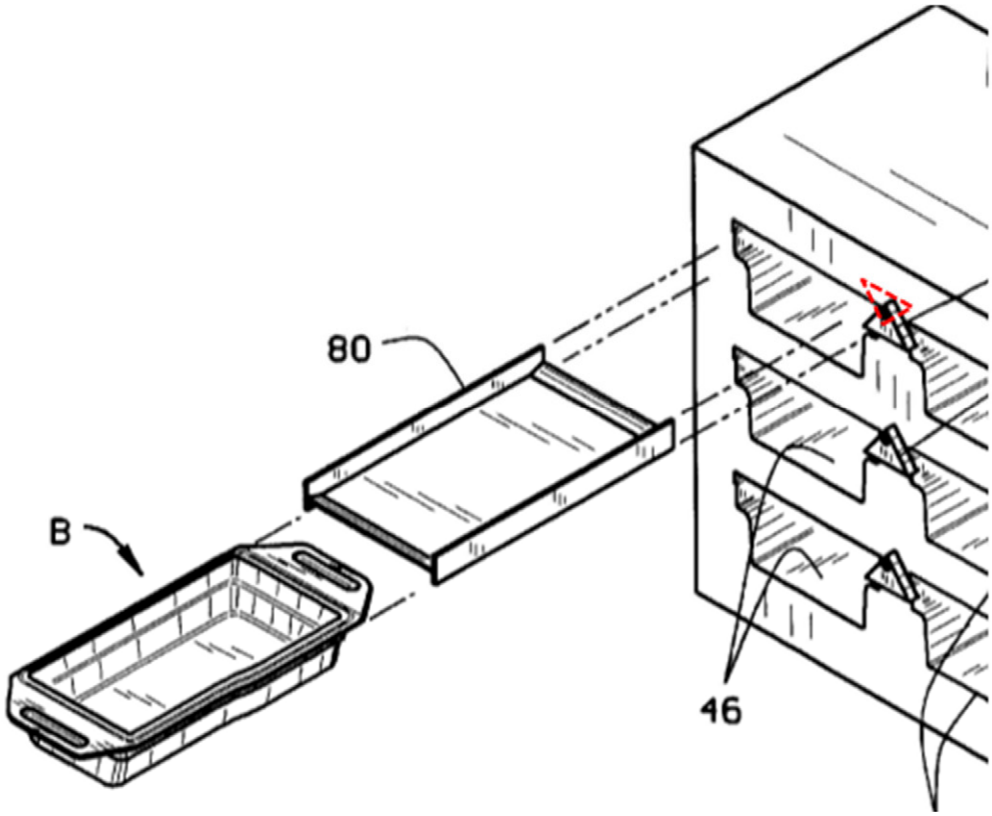


EX1010: Fig. 2 (modified, annotated).

938. As explained in Paragraphs 700-711, 790-806, and 923-927 above (Ground 9 Section(A)(8), Claim 2 and Claim 24), Hartfelder's stop members (61) and Shei'099's stops (88) (*i.e.*, latches) are rotatable between a locked position and unlocked position. EX1013: Fig. 2; EX1017: 6:9-32, Fig. 1; EX1016: ¶[0043], Fig. 1.

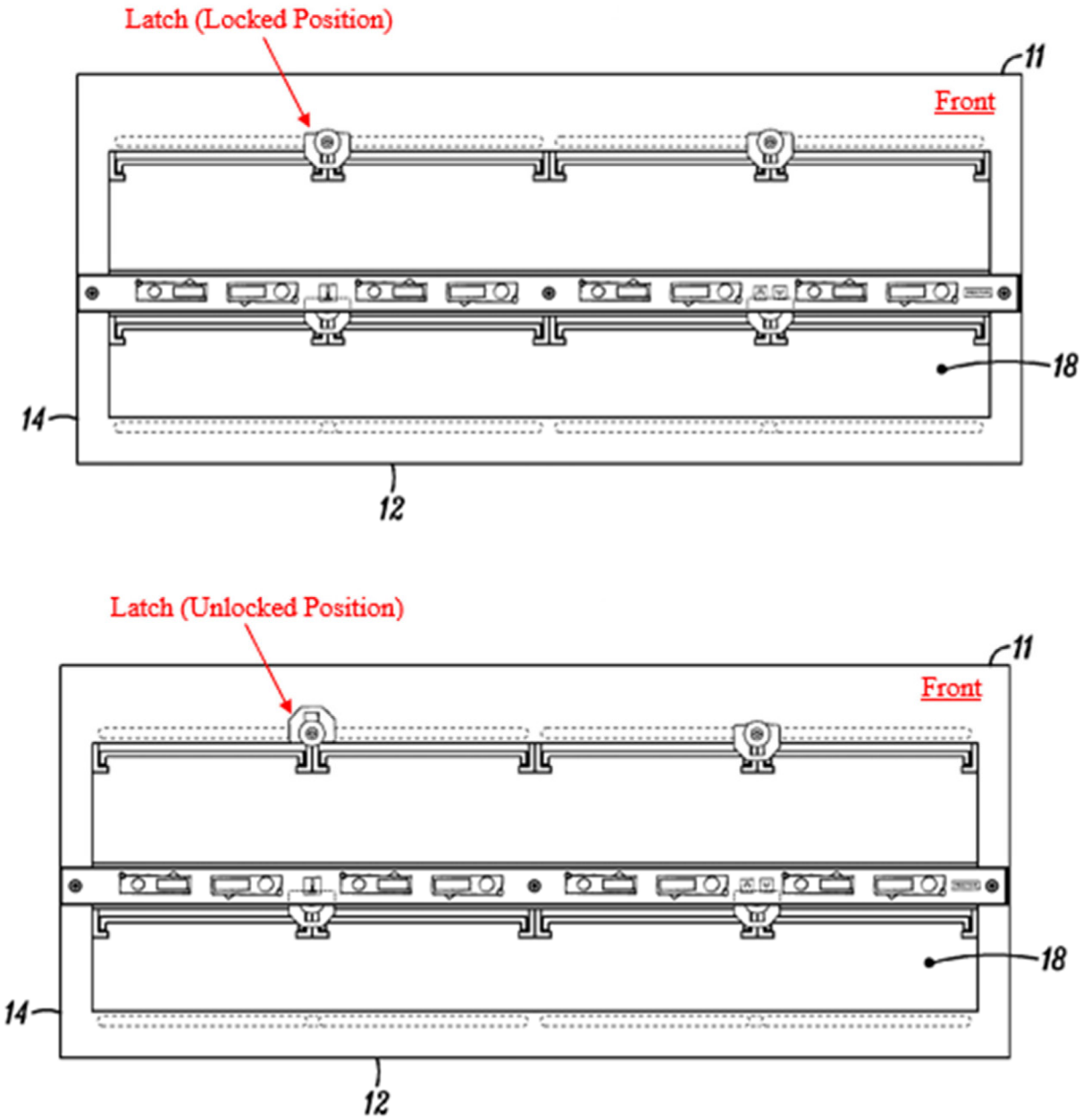


EX1013: Fig. 2 (enlarged, annotated to show rotation of Hartfelder's stop member).



EX1017: Fig. 1 (enlarged, annotated).

939. Accordingly, the latch would be rotatable between a locked position and unlocked position when incorporated into the modified Fortmann'748 cabinet. In the locked position, the latch would prevent removal of the lid. EX1013: ¶[0058] ("[a]s best shown in FIG. 9, when tray 40 is withdrawn from sub-compartment 64 of heating compartment 24, front turned-up edge 90 of cover 64[sic], acting as an engagement edge, engages stop member 61. The engagement of engagement edge 90 with stop member 61 arrests the movement of cover 44. As the movement of cover 44 is arrested, cover 44 is retained upon within sub-compartment 64 while tray 40 is withdrawn"); EX1017: 6:19-21 ("[t]he free apices of the stops 88 lie beyond the ends of the vertical legs 82 for the covers 80 and retain the covers 80 in the upper regions of the heat sinks 46"). In the unlocked position, the latch is rotated (e.g., 45-degrees, 180-degrees (as annotated below)) to allow removal of the lid from the lid holding shelf. EX1013: Fig. 9; EX1017: 6:9-32 ("the stop 88 … is pivoted away from the opening 36 at that heat sink 46 so as to no longer block the opening 36. While the stop 88 is held away from the opening 36, the cover 80 is removed"), Fig. 1.



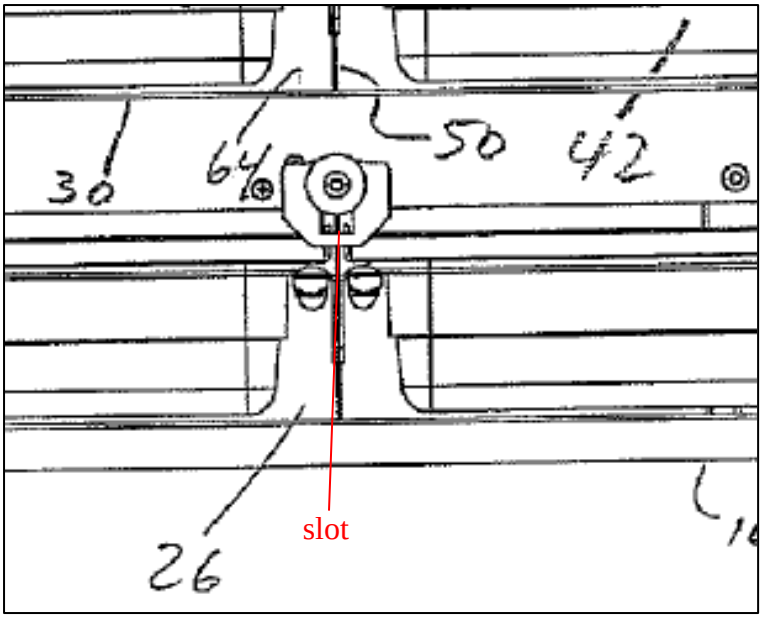
EX1010: Fig. 2 (modified, annotated).

28.b.2: the latch being biased to the locked position by gravity

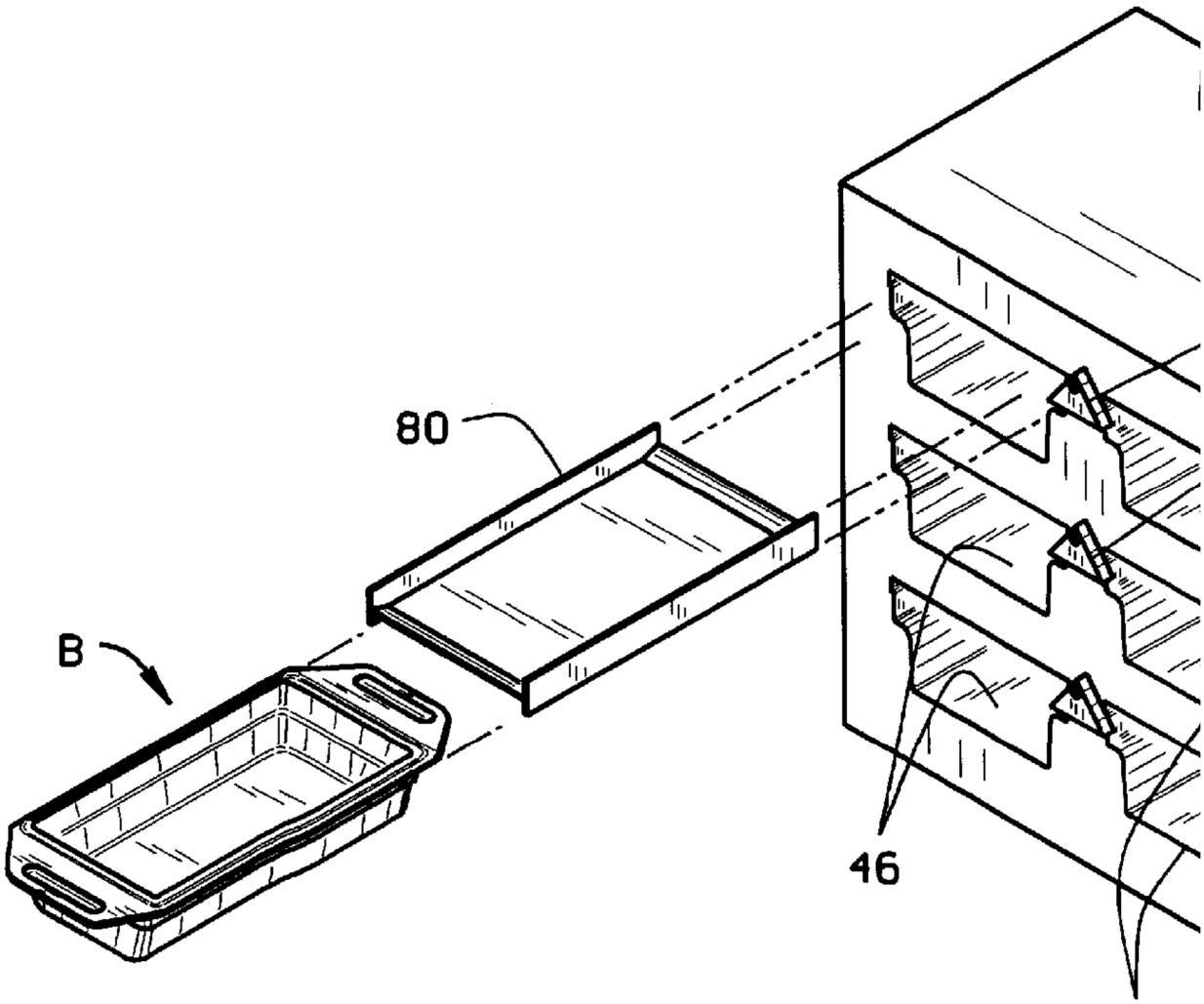
940. As explained immediately above, the latch would have been rotatable between a locked position and unlocked position. EX1013: Fig. 9; EX1017: 6:9-32, Fig. 1; EX1016: ¶[0043], Fig. 1. Accordingly, the latch would be rotatable

between a locked (first) position and unlocked (second) position when incorporated into Fortmann'748's cabinet.

941. For both Hartfelder's stop members (61) and Shei'099's stops (88) (*i.e.*, latches), gravity would bias these latches into the locked position by pulling and/or rotating the latch until the latch's center of gravity is disposed below the fastener. EX1013: Fig. 9; EX1017: 6:9-32 ("Once the cover 80 is fully within the heat sink 44, the stop 88 is released, and it assumes its normal position, blocking the end of the opening 36 and thereby retaining the cover 80 in the heat sink 46"), Fig. 1, *see also supra* Paragraphs 700-711 (Ground 9 Section(A)(8)). For Hartfelder's stop member (61) (latch), the slot results in the fastener being positioned adjacent the top of the stop member, resulting in most of the mass of the stop member (e.g., center of gravity) being below the fastener, thereby biasing the fastener into the locked position. The mass of the stop member (61) moves the stop member downward relative to the fastener, thereby positioning the fastener at the end of the slot. Similarly, the triangle shape of Shei'099's stop (88) (latch), with the fastener being located at one of the triangle's vertices, results in most of the stop's mass (e.g., center of gravity) being disposed below the fastener (the center of gravity of the stop is spaced apart from the fastener). This arrangement biases the stop toward the locked position.

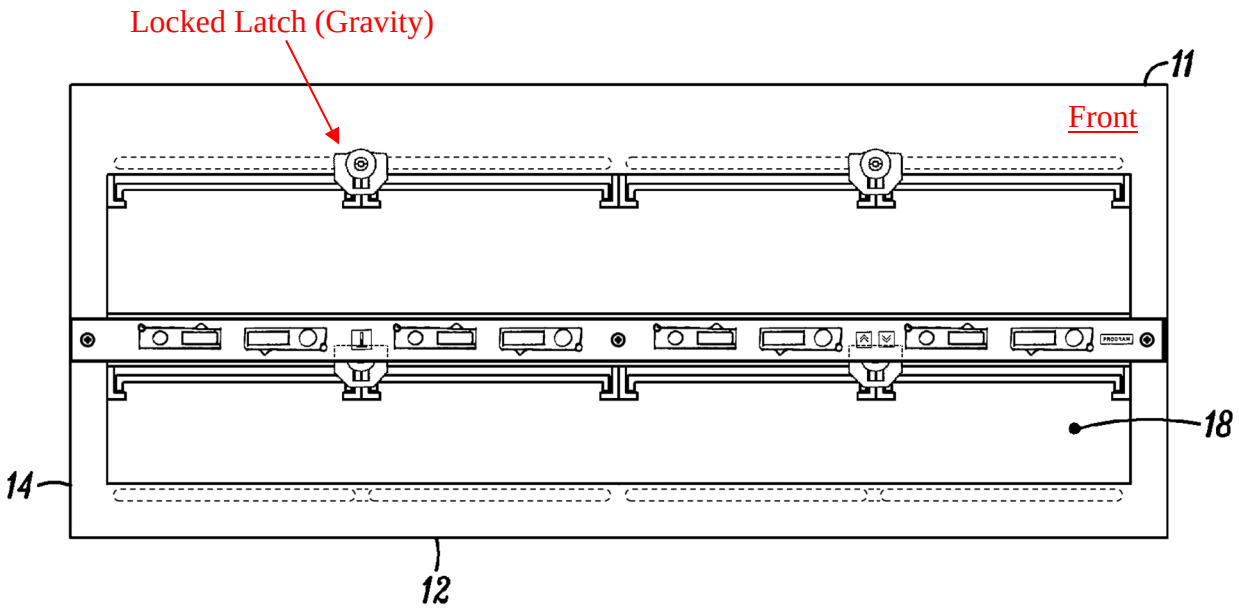


EX1013: Fig. 2 (enlarged, annotated).



EX1017: Fig. 1 (enlarged).

942. Accordingly, each limitation of Claim 28 is either disclosed in Fortmann'748 or would have been an obvious modification to the multi-zone food holding bin of Fortmann'748 in view the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Hartfelder and/or Shei'099 to arrive at the food holding bin as claimed in Claim 28.



EX1010: Fig. 2 (modified, annotated).

XIII. GROUND 10: Claims 6, 11, and 25 Would Have Been Obvious Over Fortmann'748 in view of the IRHS Documents, Jones, Fortmann'197, Fortmann'967, McMillan, Vaseloff, Hartfelder, Shei'099, Veltrop, and/or Shei'155

A. Claim 6: the food holding bin of claim 1, wherein both the first and second independently controllable heating elements comprise a resistive wire

943. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the claimed food holding bin of Claim 1.

944. Fortmann'748 does not describe the construction of its heaters (60) but explains the heaters are in "electrical communication" with the control system. EX1010: ¶[0004].

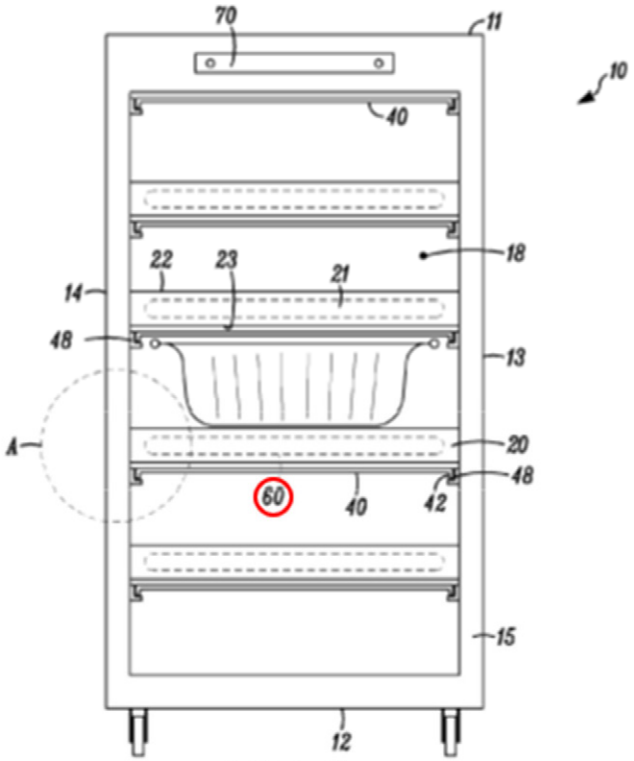


FIG. 2

EX1010: Fig. 2 (annotated).

945. While Fortmann'748 is silent as to the construction of the heating elements, the POSA would additionally recognize that other prior art references disclose the additional limitation added in Claim 6 further requiring the independently controllable heating elements "comprise a resistive wire."

946. For example, Veltrop teaches a food holding cabinet (10) with shelves (52) having heaters in the form of electrically-resistive heater wire (67). EX1022:

¶¶[0010], [0025] ("[i]n another embodiment of the shelf 52, an electrically-insulated, electrically-resistive heater wire 67 is also sandwiched between the plates 51 and 53"), Fig. 2.

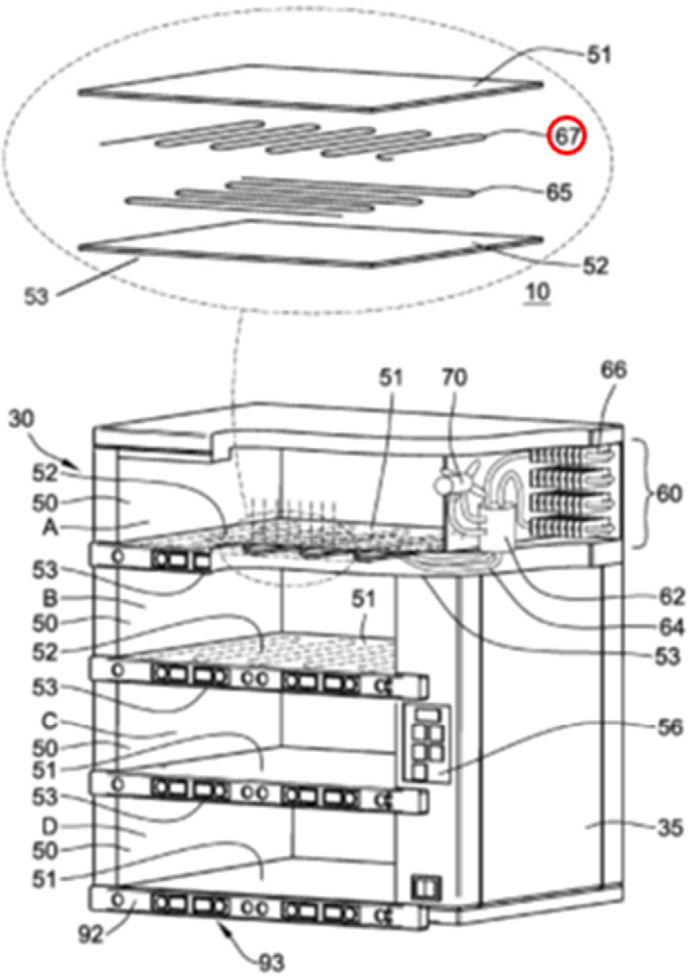


FIG. 2

EX1022: Fig. 2 (annotated).

947. It would have been obvious to have Fortmann'748's heaters (e.g., the first/upper and second/lower independently controllable heating elements)

comprise an electrically-resistive heater wire in view of Veltrop to generate the heat for the compartments.

948. While Fortmann'748 does not describe how its heaters generate heat, the POSA would understand Veltrop's electrically-resistive heater wire (67) is a suitable source of heat for the heaters of food warming cabinets like Fortmann'748's cabinet. EX1022: ¶[0025] ("when the wire 67 temperature rises due to an electric current flow, it provides heat energy into the plates 51 and/or 53, to which the wire 67 is thermally coupled to").

949. Further, Veltrop's electrically-resistive heater wire (67) is electrically controlled, thus enabling Fortmann'748's control system (*e.g.*, controller) to operate it. EX1022: ¶[0025].

950. This would have been nothing more than specifying the use of a known technique (electrically-resistive heater wire of Veltrop) with a similar device (a food warming cabinet with generically recited heaters of Fortmann'748) in the same way (electrically-resistive heater wire to heat compartments containing food).

951. There would have been a high expectation of success given that Fortmann'748's heaters—though not specifically identified as being electrically-resistive heater wire heaters—are disclosed as being electrically controlled and Fortmann'748 and Veltrop are both food warming cabinets.

952. When implementing this modification, each heater (60) of Fortmann'748's modified cabinet (10) would comprise Veltrop's electrically-resistive heater wire.

953. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Hartfelder, and/or Veltrop to arrive at the food holding bin as claimed in Claim 6.

B. Claim 11: the food holding bin of claim 1, wherein at least one substantially planar surface comprises aluminum

954. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the claimed food holding bin of Claim 21.

955. Fortmann'748 teaches that its first planar surface (22) of the shelf (21) and the second planar surface of the bottom panel (12) are made of stainless steel. EX1010: ¶[0019] ("the shelves 21 may include two planar sheets of thin material (such as stainless steel)"); Paragraphs 747-750, 901-902 (((1.c.3) and (21.j.1)).

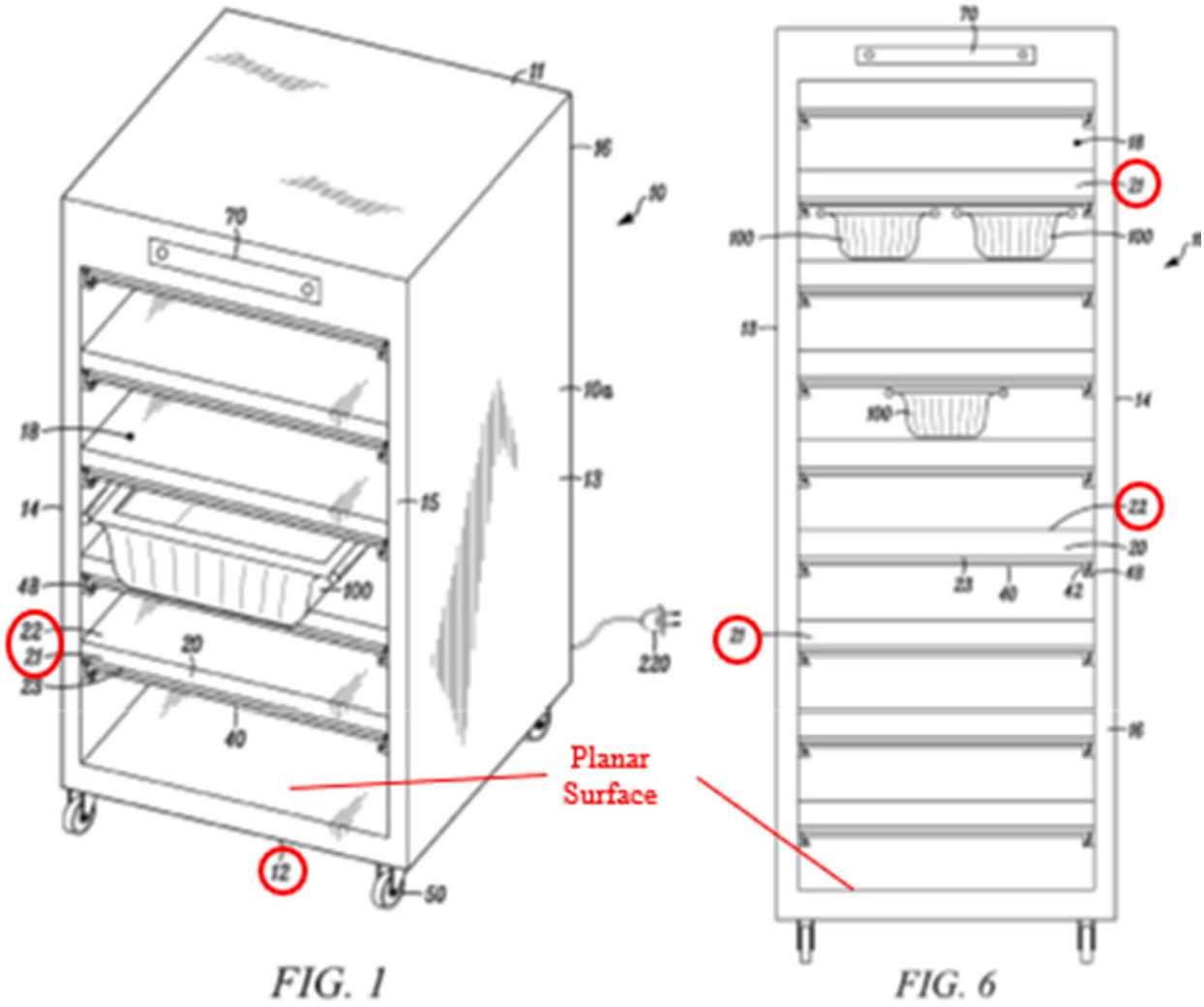


FIG. 1 FIG. 6

EX1010: Figs. 1 and 6 (annotated).

956. While Fortmann'748 teaches the use of stainless steel, the POSA would additionally recognize that other prior art references disclose the additional limitation added in Claim 11 further requiring that "the substantially planar surface comprises aluminum."

957. For example, Veltrop (EX1022) teaches the upper plates (51) of its shelves (52) are made of aluminum. EX1022: ¶[0023] ("thermally-conductive plates 51 and 53 are preferably made of aluminum,"), Fig. 2.

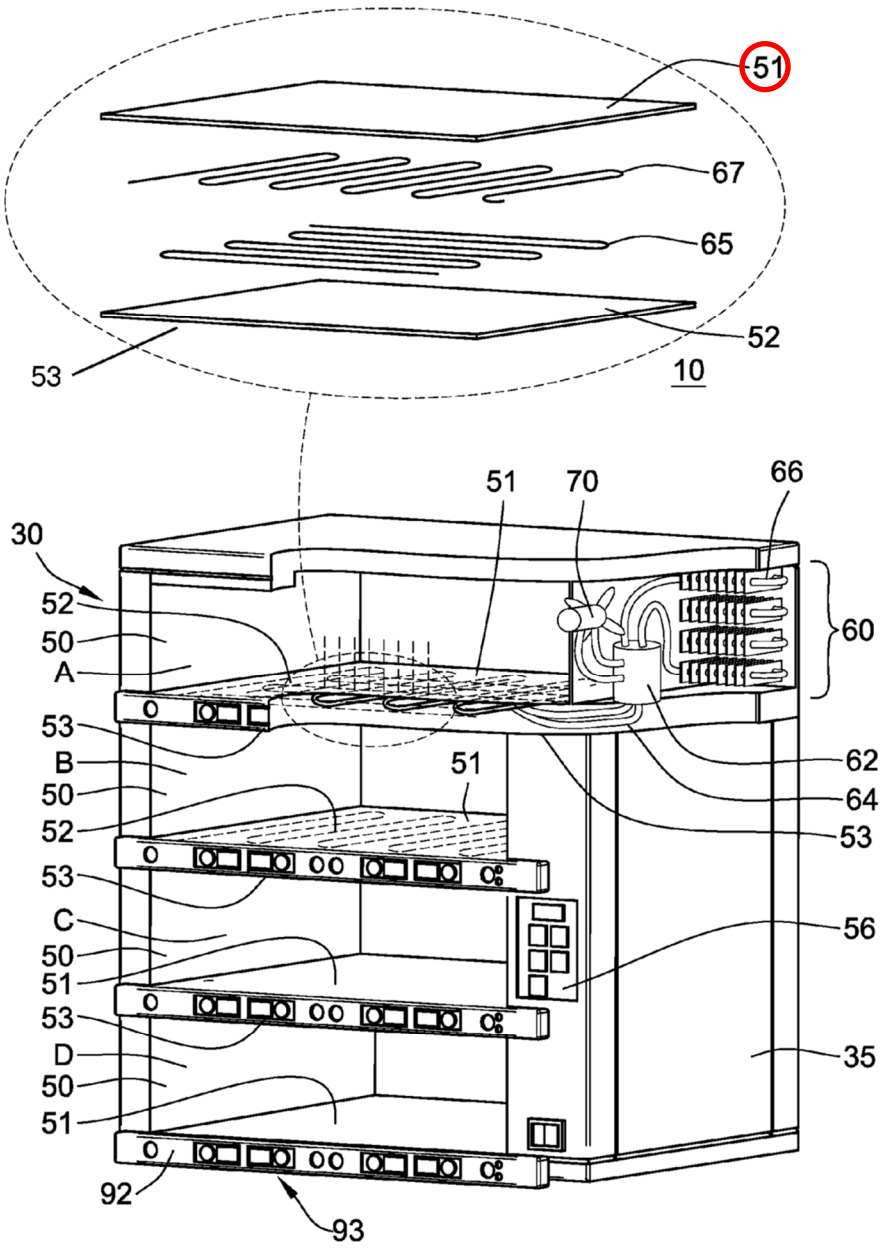
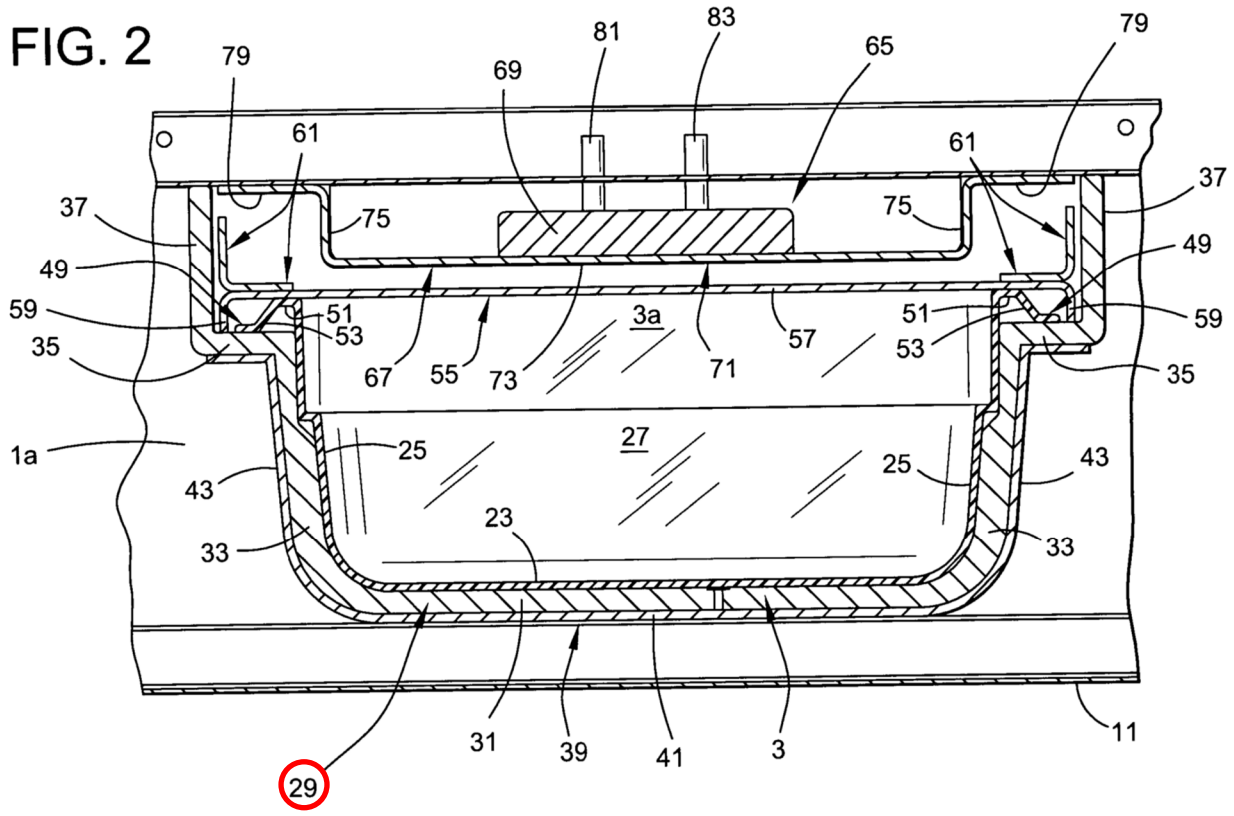


FIG. 2

EX1022: Fig. 2 (annotated).

958. Shei'155 likewise teaches constructing its heat sink (29) out of aluminum. EX1016: ¶[0039] ("heat sink 29, which is made of aluminum").



EX1016: Fig. 2 (annotated).

959. It would have been obvious to make the upper plates of Fortmann'748's shelf and bottom panel out of aluminum as taught by Veltrop and/or Shei'155 because aluminum is a preferred material for such structures and "conducts heat well." EX1017: 3:32-33; EX1022: ¶[0023]; EX1020: ¶¶[0021]-[0023] (in the context of individually controllable heating zones A-C across a shelf (21), disclosing that "shelves 21 are preferably made from thermally conductive

materials such as aluminum, copper or steel, so that the temperature of the food holding compartments 23 can be maintained by the transfer of heat from the shelf 21 into the compartment"); EX1021: ¶¶[0020]-[0022] (in the context of individually controllable heating zones A-C across a shelf (21), disclosing that "shelves 21 are preferably made from thermally conductive materials such as aluminum, copper or steel, so that the temperature of the food holding compartments 23 can be maintained by the transfer of heat from the shelf 21 into the compartment").

960. Further, the use of aluminum, instead of heavier materials such as glass and stainless steel, would reduce the weight of the unit (making it easier to ship) and reduce cost.

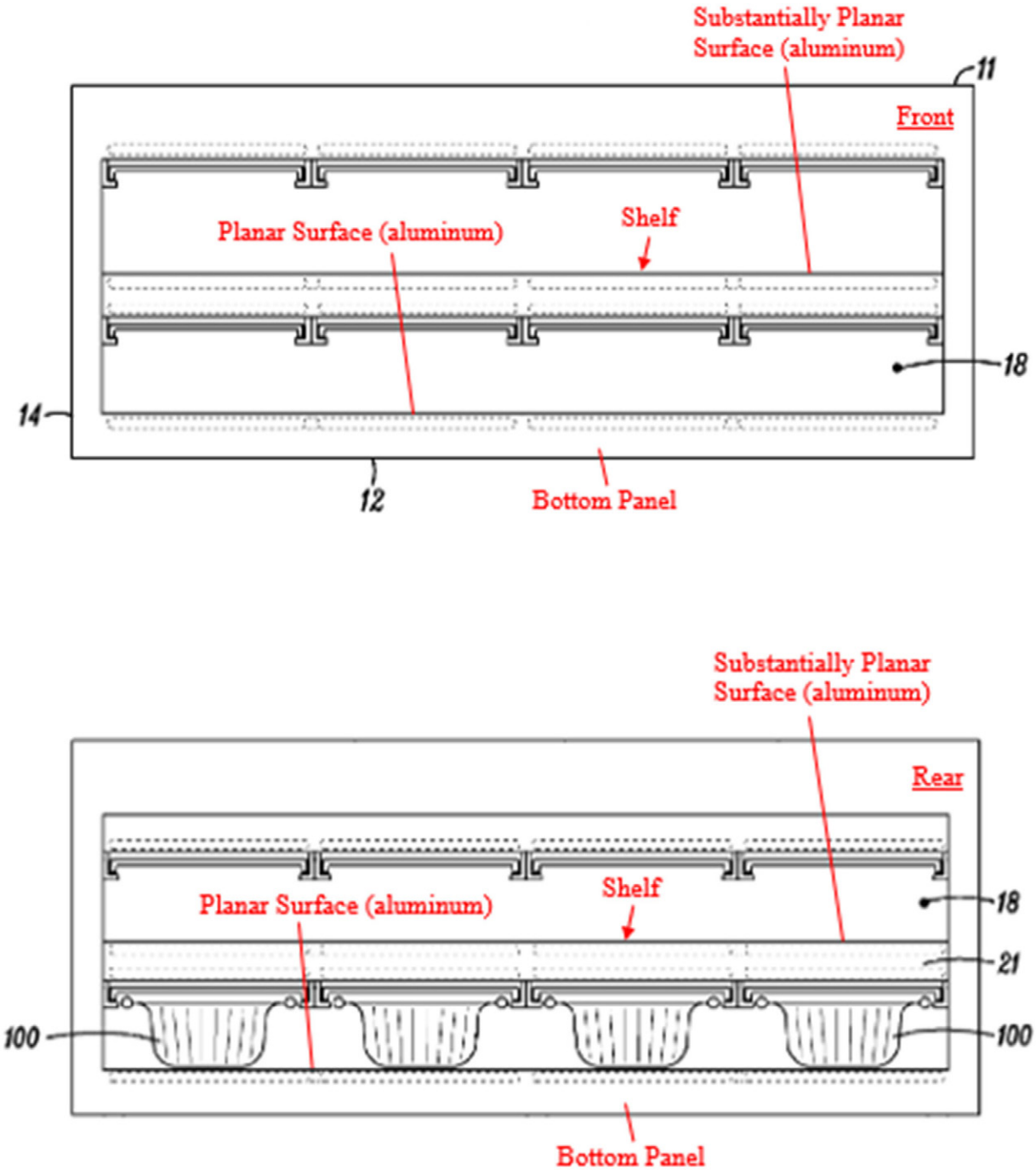
961. This would have been nothing more than the use of a known technique (aluminum from Veltrop and Shei'155) to improve a similar device (the construction of Fortmann'748) in the same way (the use of a thermally conductive material for supporting food tray/pans for localized heating).

962. There would have been a high expectation of success given (1) each of Fortmann'748, Veltrop, and Shei'155 are food warming cabinets, (2) the well-known suitability of aluminum in the art for heat sinks, including heat sinks with zoned heating. EX1006: 1 ("Anodized aluminum HeatSink"); EX1007: 53 ("HeatSink"); EX1016: ¶[0039] ("heat sink 29, which is made of aluminum");

EX1020: ¶[0021] (“shelves 21 are preferably made from thermally conductive materials such as aluminum, copper or steel, so that the temperature of the food holding compartments 23 can be maintained by the transfer of heat from the shelf 21 into the compartment”); EX1021: ¶[0020] (“shelves 21 are preferably made from thermally conductive materials such as aluminum, copper or steel, so that the temperature of the food holding compartments 23 can be maintained by the transfer of heat from the shelf 21 into the compartment”); EX1022: ¶[0023] (“thermally-conductive plates 51 and 53 are preferably made of aluminum”).

963. In making this modification, the upper plates (22) of the shelf (21) and the bottom panel (12) of Fortmann’748’s modified cabinet would be made of aluminum. The upper plate (22) of the shelf (21) forms the substantially planar surface of the first/upper food holding compartment and the upper plate of the bottom panel (12) forms of a planar surface of the second/bottom food holding compartment.

964. A representation of the resulting modified cabinet of Fortmann’748 in a 2x4 configuration is demonstrated as follows:



EX1010: Figs. 2 and 6 (modified, annotated).

965. The fact that the heatsinks span multiple heating zones which may have different temperature setpoints would not have discouraged the POSA from using thermally conductive materials generally, or aluminum more specifically.

966. As demonstrated by U.S. Publication No. 2011/0114618 ("Chung"), the POSA knew that heat sinks with multiple heating zones could be made of aluminum. EX1020: ¶¶[0021]-[0023]. Specifically, the shelves (21) of Chung were made of aluminum despite that each of its shelves (21) was divided into three separately controlled temperature zones (A, B, C). EX1020: ¶[0021]; EX1020: ¶[0022] ("[t]emperature control of the separate zones A, B and C is accomplished by using separate temperature control elements in each zone, and which are thermally coupled preferentially to one zone over the others. By way of example, zone A in a first shelf has a heater embedded in the shelf and centered in the "A" zone. It therefore provides most of its heat output into the A zone.").

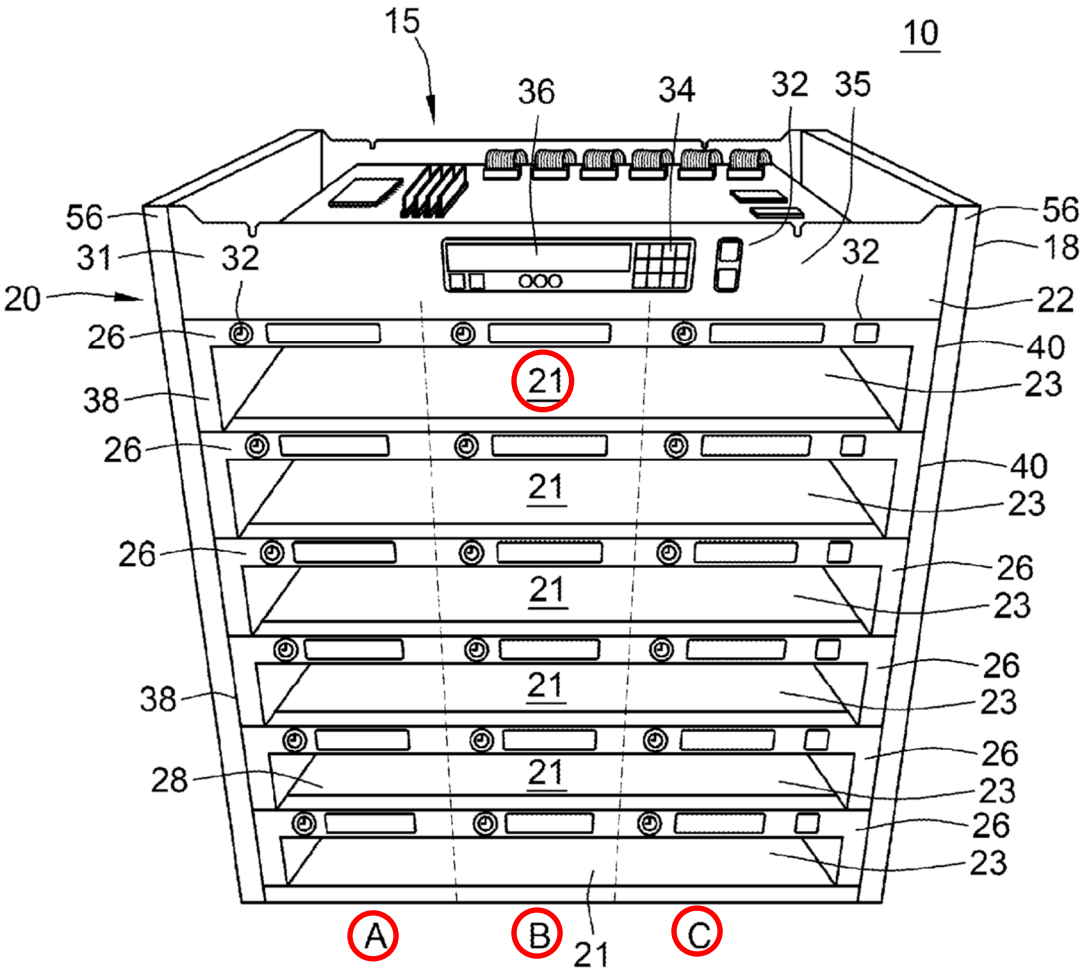


FIG. 2

EX1020: Fig. 2 (annotated).

967. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Veltrop, Hartfelder, and/or Shei'155 to arrive at the food holding bin as claimed in Claim 11.

C. Claim 25: the food holding bin of claim 21, wherein both the first and second independently controllable heating elements comprise a resistive wire

968. As discussed above, the POSA would have found it obvious to modify the multi-zone food holding bin of Fortmann'748 in view of the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the claimed food holding bin of Claim 21.

969. The additional "wherein both the first and second independently controllable heating elements comprise a resistive wire" limitation added in Claim 26 is identical in claim scope to the limitation added in Claim 6.

970. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Veltrop, Hartfelder, and/or Shei'155 to arrive at the food holding bin as claimed in Claim 25.

XIV. GROUND 11: Claims 14-16, 18-20, and 29 Would Have Been Obvious Over Fortmann'748 in view of IRHS Documents, Jones, Fortmann'197, Fortmann'967, McMillan, Vaseloff, Hartfelder, Shei'099, and/or Prince Castle

A. Independent Claim 14

14.P-14.f.2

971. Limitations 14.P-14.f.2 of independent claim 14 are identical to limitations 1.P-1.f.2 of independent claim 1.

972. For the reasons set forth in Paragraphs 731-784 (1.P-1.f.2), the POSA would have found it obvious to combine the teachings and disclosures of the IRHS

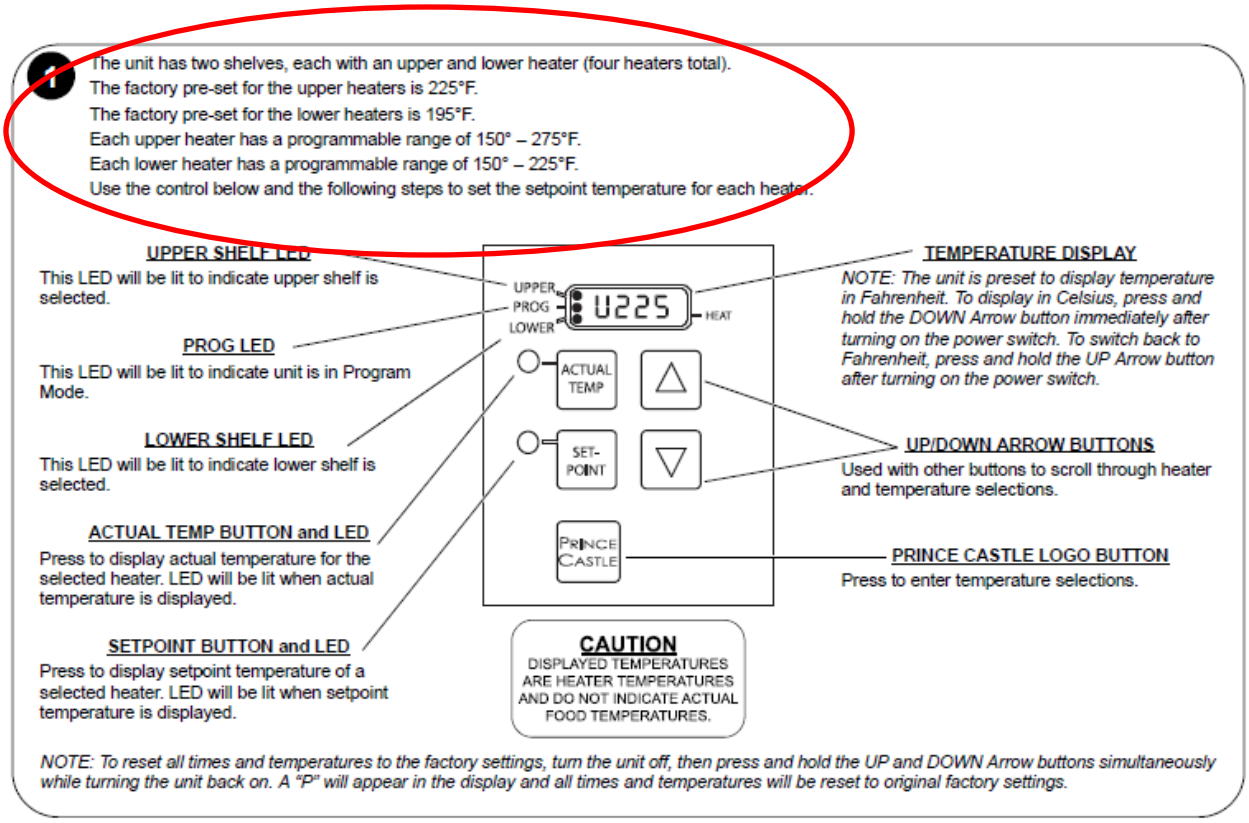
Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in claim limitations 14.P-14.f.2.

14.g: wherein the first independently controllable heating element is adapted to output more heat energy than the second heating element

973. As explained in Paragraphs 591-611, 753-760 above (Ground 9 Section(A.3) and (1.d.2)), it would have been obvious to modify the Fortmann'748 cabinet such that the upper and lower heating elements are independently controllable from one another via the controller.

974. Prince Castle (EX1009) further teaches that it would be desirable for the controller to have the capability of operating the upper heating elements to output more heat energy than the lower heating elements.

975. Specifically, Prince Castle teaches a Product Holding Bin where each compartment has "an upper and lower heater." EX1009: 22, 40.



EX1009: 40 (annotated).

976. The 2006 and 2010 Operation Manuals of Prince Castle both explain that the maximum programmable temperature is greater for the upper heaters than for the lower heaters (275°F v. 225°F). EX1009: 22, 40.

977. Moreover, Prince Castle teaches upper heating elements set or adapted to output more heat energy as a factory preset. EX1009: 22 ("[t]he factory pre-set for the upper heaters is 225°F", and "[t]he factory pre-set for the lower heaters is 195°F."), 40 (same). The maximum setting of the upper heaters is 275°F and the maximum setting of the lower heaters is 225°F. EX1009: 22, 40.

978. Notably, higher temperatures mean more heat energy. Having the upper radiant heating elements operate at a higher setpoint temperature than the lower heating elements means the upper radiant heating elements are outputting more heat energy to maintain the higher temperature than the lower heating elements.

979. It would have been obvious to have each upper heating element of the Fortmann'748's modified cabinet be adapted to output more heat energy than each lower heating element of Fortmann'748's modified cabinet (higher setpoint temperature, higher maximum temperature setting, and/or higher wattage rating) in view of Prince Castle. Given that it was well known and taught to customize upper and lower heating for each food product (*see* Paragraphs 591-611 above (Ground 9 Section(A)(3)), adapting (e.g., setting) the upper heating elements to output more heat energy than the lower heating elements would have been an obvious design choice from a set of finite, predictable solutions (upper heat greater than lower heat, upper heat equal to lower heat, or upper heat less than lower heat).

980. When modifying Fortmann'748 to have independently controllable upper and lower heaters, it would have been desirable for the upper heating elements for the food holding zone to be adapted to output more heat energy than the lower heating elements to overcome several issues.

981. Each upper (*e.g.*, first) heating element of Fortmann'748 is in surface contact with the sheet/plate at the top of the compartment. EX1010: ¶[0019] ("the heater 60 may contact the lower sheet 23"). These heating element heat the sheet/plate at the top of the compartment, which in turn heats the food in the pans via radiation. EX1010: ¶[0020] ("the pan 100 and the food product located within the pan 100 may receive heat from the shelf 21 disposed above the pan 100 due to radiation").

982. The upper (*e.g.*, first) heating elements are spaced apart from the food. Because radiant energy intensity drops significantly as distance increases (even over a few inches), the upper (*e.g.*, first) heating elements must output much more heat energy than the lower (*e.g.*, second) heating elements (with nearly 100% of the heat energy being transferred by direct conduction) to ensure enough radiant energy "hits" the food.

983. In addition, as food sits, moisture evaporates from the surface, which creates a cooling effect. The upper (*e.g.*, first) heating elements have to provide enough energy to counteract this surface cooling and keep the top of the food at a warm temperature. Moreover, the bottom heat would be kept lower just to maintain internal temperature, while the upper (*e.g.*, first) heating elements do the heavy lifting of maintaining surface temperature and texture (keeping fried foods crispy, for example).

984. Additionally, upper radiant heat energy radiates in all directions. As such, a portion of that heat energy is lost to the surrounding air and the structure of the holding unit. This loss of energy is compensated for by operating the upper (*e.g.*, first) heating elements at higher heat energy output levels.

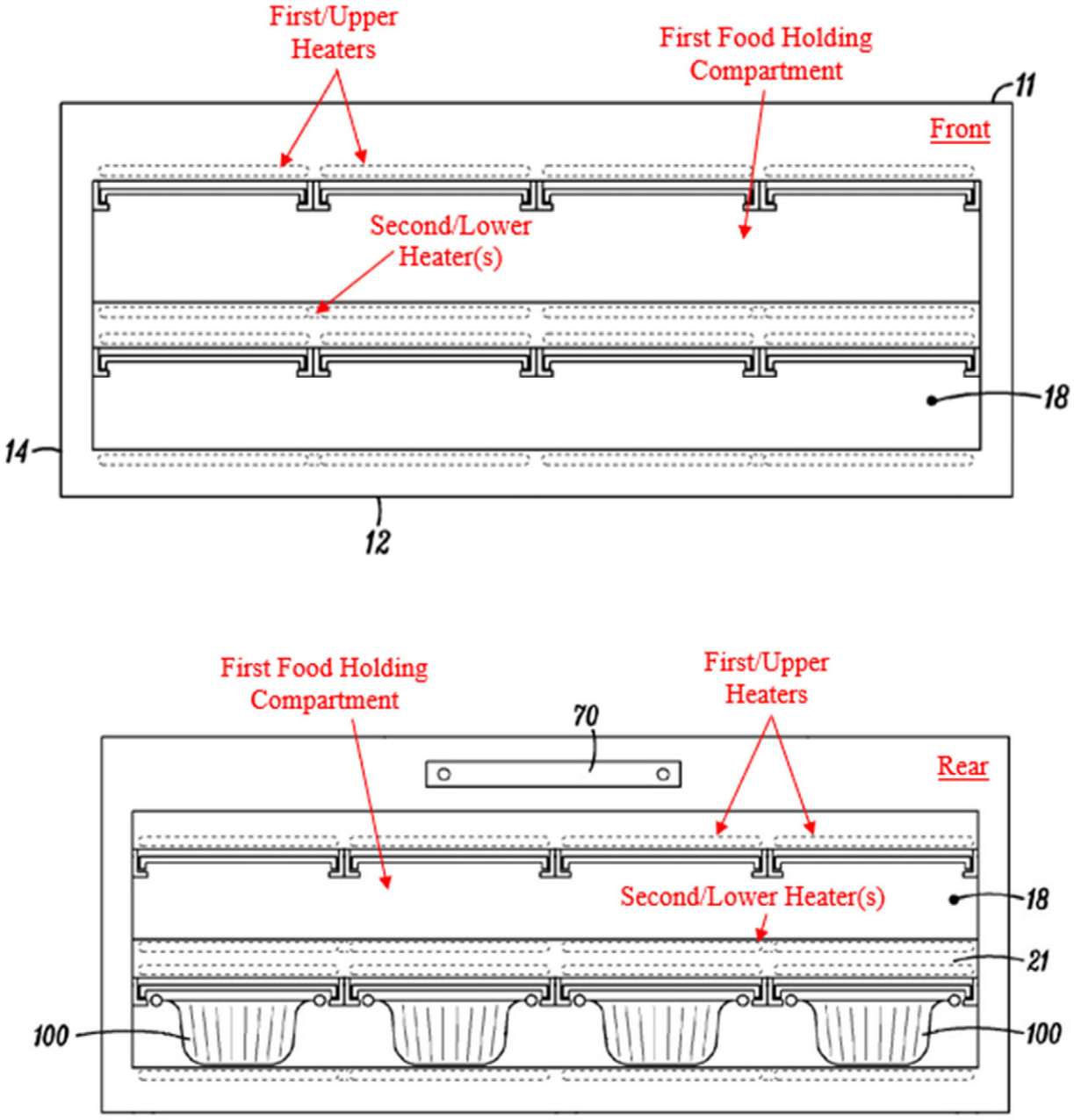
985. This would also allow more direct heat on the top of the food to "provide optimum environment" while "minimiz[ing] temperature distribution from top to bottom." EX1006: 1 ("Upper IR emitters provide optimum environment for holding of all fried foods resulting in extended hold time, moist protein, and crispy breading" and "[d]ual technology heating to reduce temperature variance from top to bottom"); EX1007: 10 ("Tailor each well specifically to the products within them, providing unlimited flexibility per well"), 51 ("deliver a consistently hot pan of product, from top to bottom").

986. The POSA would have been further motivated to have the capability to set the upper (*e.g.*, first) heating elements to output more heat energy than the lower (*e.g.*, second) heating elements and/or "to re-crisp breaded (fried) food, to melt cheese on fries, to melt cheese on burger patties, to brown grilled food products, and/or to brown burger patties" with the upper (*e.g.*, first) heating elements. *See e.g.*, EX1027: ¶[0021].

987. Accordingly, it would have been obvious to adapt the Fortmann'748 cabinet such that each upper (*e.g.*, first) heating element would output more heat energy than the lower (*e.g.*, second) heating elements in view of Prince Castle.

988. This would have been nothing more than the application of a known technique (upper heaters outputting more heat energy than lower heaters per Prince Castle) to improve a similar device (Fortmann'748's cabinet) in the same way (higher setpoint temperatures for upper heaters relative to lower heaters). Once the Fortmann'748 cabinet is modified to have independently controllable upper and lower heaters—which itself had a high expectation of success implementing—the POSA would have had a high expectation of success in providing the capability of operating the upper (*e.g.*, first) heating elements to output more heat energy than the lower (*e.g.*, second) heating elements.

989. In implementing this modification, each upper (*e.g.*, first) heating element of the modified Fortmann'748 cabinet would be adapted to output more heat energy than each lower heating element via having a higher setpoint temperature, higher maximum temperature setting, and/or higher wattage rating.



EX1010: Figs. 2 and 6 (modified, annotated).

990. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197,

McMillan, Vaseloff, Hartfelder, and/or Prince Castle to arrive at the food holding bin as claimed in Claim 14.

B. Claim 15

15.a.1: The food holding bin of claim 14, wherein the first and second food holding compartments each have a second opening, uncovered and located at the rear face of the chassis

991. As discussed above, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Hartfelder, and/or Prince Castle to arrive at the food holding bin as claimed in Claim 14.

992. The additional "wherein the first and second food holding compartments each have a second opening, uncovered and located at the rear face of the chassis" limitation added in Claim 15.a.1 is identical in claim scope to the limitation added in Claim 4.a.1.

993. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Hartfelder, and/or Prince Castle to arrive at the food holding bin as claimed in this limitation as explained in Paragraphs 814-818 above.

15.a.2: the substantially planar bottom surface is configured to allow food items to be placed on the substantially planar surface

through the first opening and removed from the planar and bottom surface from the second opening

994. The additional "the substantially planar bottom surface is configured to allow food items to be placed on the substantially planar surface through the first opening and removed from the planar and bottom surface from the second opening" limitation added in Claim 15.a.2 is identical in claim scope to the limitation added in Claim 4.a.2.

995. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Hartfelder, and/or Prince Castle to arrive at the food holding bin as claimed in this limitation as explained in Paragraphs 819-823 above.

C. Claim 16: The food holding bin of claim 14, comprising a rotatable latch disposed adjacent the first opening.

996. As discussed above, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Hartfelder, and/or Prince Castle to arrive at the food holding bin as claimed in Claim 14.

997. The additional "a rotatable latch disposed adjacent the first opening" limitation added in Claim 16 is identical in claim scope to the limitation added in Claim 24.

998. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Hartfelder, and/or Prince Castle to arrive at the food holding bin as claimed in this limitation as explained in Paragraphs 923-927 above.

D. Claim 18: the food holding bin of claim 14, wherein the substantially planar surface is substantially free of any dividing walls or other structure between the first, second, third, and fourth food holding bay

999. As discussed above, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Hartfelder, and/or Prince Castle to arrive at the food holding bin as claimed in Claim 14.

1000. The additional "wherein the substantially planar surface is substantially free of any dividing walls or other structure between the first, second, third, and fourth food holding bay" limitation added in Claim 18 is identical in claim scope to the limitation added in Claim 7.

1001. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Hartfelder, and/or Prince Castle to arrive at the food holding bin as claimed in this limitation as explained in Paragraphs 832-835 above.

E. Claim 19: The food holding bin of claim 14, wherein the first independently controllable heating element comprises a radiant

heating source and the second independently controllable heating element provides heat energy through conduction

1002. As discussed above, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Hartfelder, and/or Prince Castle to arrive at the food holding bin as claimed in Claim 14.

1003. The additional "wherein the first independently controllable heating element comprises a radiant heating source and the second independently controllable heating element provides heat energy through conduction" limitation added in Claim 19 is identical in claim scope to the limitation added in Claim 8.

1004. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Hartfelder, and/or Prince Castle to arrive at the food holding bin as claimed in this limitation as explained in Paragraphs 836-842 above.

F. Claim 20:

20.a: the food holding bin of claim 14, wherein each food holding bay further comprises a dedicated lid holding shelf elevated above the substantially planar bottom surface in the first food holding compartment, the dedicated lid holding shelf being configured to receive and store a lid for a food holding tray

1005. As discussed above, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones,

Fortmann'197, McMillan, Vaseloff, Hartfelder, and/or Prince Castle to arrive at the food holding bin as claimed in Claim 14.

1006. The additional "wherein each food holding bay further comprises a dedicated lid holding shelf elevated above the substantially planar bottom surface in the first food holding compartment, the dedicated lid holding shelf being configured to receive and store a lid for a food holding tray" limitation added in Claim 20.a is identical in claim scope to the limitation added in Claim 9.

1007. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Hartfelder, and/or Prince Castle to arrive at the food holding bin as claimed in this limitation as explained in Paragraphs 843-850 above.

20.b.1: wherein a rotatable latch disposed adjacent the first opening is rotatable between a locked position in which the latch prevents a lid from being removed from the lid holding shelf, and an unlocked position in which the latch allows removal of a lid from the lid holding shelf

1008. The additional "wherein a rotatable latch disposed adjacent the first opening is rotatable between a locked position in which the latch prevents a lid from being removed from the lid holding shelf, and an unlocked position in which the latch allows removal of a lid from the lid holding shelf" limitation added in Claim 20.b.1 is identical in claim scope to the limitation added in Claim 28.b.1.

1009. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Hartfelder, and/or Prince Castle to arrive at the food holding bin as claimed in this limitation as explained in Paragraphs 937-939 above.

20.b.2: the latch being biased to the locked position by gravity

1010. The additional "the latch being biased to the locked position by gravity" limitation added in Claim 20.b.2 is identical in claim scope to the limitation added in Claim 28.b.2.

1011. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Hartfelder, and/or Prince Castle to arrive at the food holding bin as claimed in this limitation as explained in Paragraphs 940-942 above.

G. Claim 29:

29.a: the food holding bin of claim 21, further comprising: a first bezel is set forward from the shelf by a space

1012. As discussed above, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in Claim 21.

1013. The additional "further comprising: a first bezel is set forward from the shelf by a space" limitation added in Claim 29.a is identical in claim scope to the limitation added in Claim 1.g.

1014. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in this limitation as explained in Paragraphs 785-789 above.

29.b: a rotatable latch disposed adjacent the first opening;

1015. The additional "a rotatable latch disposed adjacent the first opening" limitation added in Claim 29.b is identical in claim scope to the limitation added in Claim 24.

1016. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in this limitation as explained in Paragraphs 923-927 above.

29.c: wherein each food holding bay further comprises a dedicated lid holding shelf elevated above the substantially planar bottom surface in the first food holding compartment, the dedicated lid holding shelf being configured to receive and store a lid for a food holding tray

1017. The additional "wherein each food holding bay further comprises a dedicated lid holding shelf elevated above the substantially planar bottom surface

in the first food holding compartment, the dedicated lid holding shelf being configured to receive and store a lid for a food holding tray" limitation added in Claim 29.c is identical in claim scope to the limitation added in Claim 9.

1018. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, and/or Hartfelder to arrive at the food holding bin as claimed in this limitation as explained in Paragraphs 843-850 above.

29.d: wherein the first independently controllable heating element is adapted to output more heat energy than the second heating element

1019. The additional "wherein the first independently controllable heating element is adapted to output more heat energy than the second heating element" limitation added in Claim 29.d is identical in claim scope to the limitation added in Claim 14.g.

1020. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Hartfelder, and/or Prince Castle to arrive at the food holding bin as claimed in this limitation as explained in Paragraphs 973-990 above.

XV. GROUND 12: Claim 17 Would Have Been Obvious Over Fortmann'748 in view of IRHS Documents, Jones, Fortmann'197, Fortmann'967, McMillan, Vaseloff, Hartfelder, Shei'099, Veltrop, Shei'155, and/or Prince Castle

A. Claim 17: the food holding bin of claim 14, wherein both the first and second independently controllable heating elements comprise a resistive wire

1021. As discussed above, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, McMillan, Vaseloff, Hartfelder, and/or Prince Castle to arrive at the food holding bin as claimed in Claim 14.

1022. The additional "wherein both the first and second independently controllable heating elements comprise a resistive wire" limitation added in Claim 17 is identical in claim scope to the limitation added in Claim 6.

1023. Accordingly, the POSA would have found it obvious to combine the teachings and disclosures of the IRHS Documents, Jones, Fortmann'197, Fortmann'967, McMillan, Vaseloff, Hartfelder, Shei'099, Veltrop, Shei'155, and/or Prince Castle to arrive at the food holding bin as claimed in this limitation as explained in Paragraphs 943-953 above.

XVI. Fortmann'197 is Supported by its Provisional Application

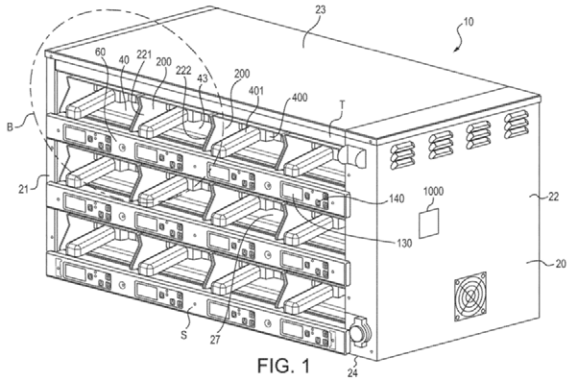
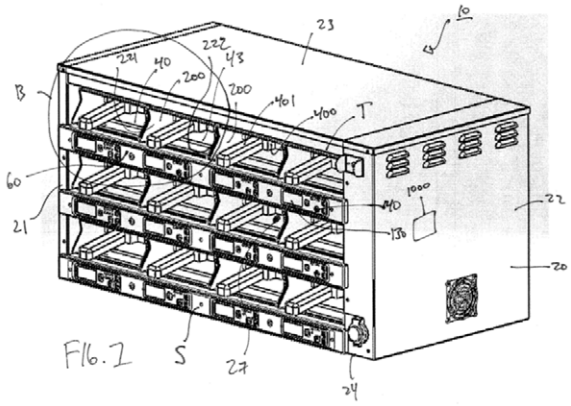
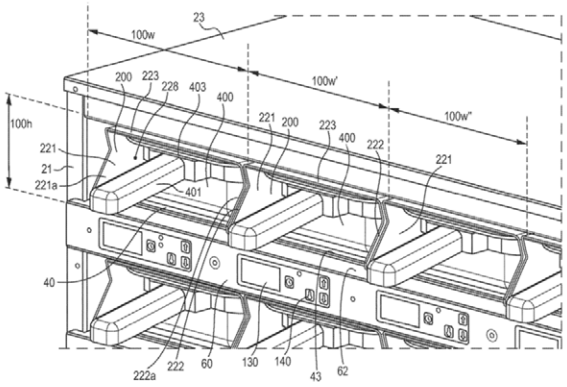
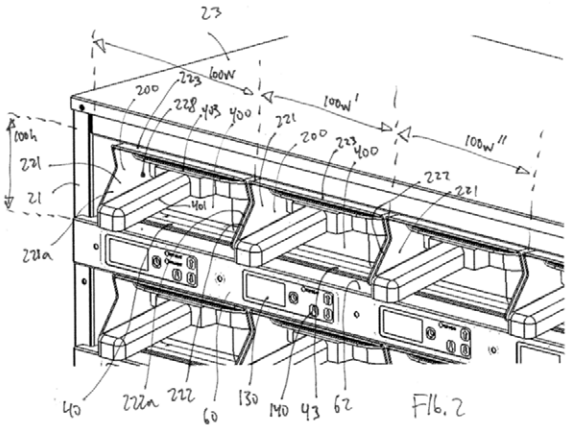
1024. I understand that the non-provisional application that issued as Fortmann'197 was filed after the earliest priority date of the '002 Patent. I also understand that Fortmann'197 claims priority to U.S. Provisional App. No.

62/193,992 ("the '992 Provisional"; EX1023), filed July 17, 2015, before the earliest priority date of the '002 Patent.

1025. I have been informed that because Fortmann'197 is relying on the filing date of its provisional application (the '992 Provisional) to qualify as prior art against the '002 Patent, the provisional application must describe the subject matter in Fortmann'197 used in the invalidity positions herein.

1026. In my opinion, the '992 Provisional describes the subject matter in Fortmann'197 forming the prior art invalidity positions described herein. The Fortmann'197's written description is essentially identical to the written description of the '992 Provisional. *compare* EX1014: 1:13-10:9 with EX1023: ¶¶[0001]-[0055].

1027. In addition, the figures between Fortmann'197 and the '992 Provisional are generally identical. *compare* EX1014: Figs. 1-10 with EX1023: Figs. 1-10). A select sampling of these corresponding figures is provided below, which shows the figures being nearly identical (the main difference being the use of hand drawn reference numbers in the '992 Provisional):

Fortmann'197 Figures	'992 Provisional Figures
 FIG. 1	 F16.1
 FIG. 2	 F16.2

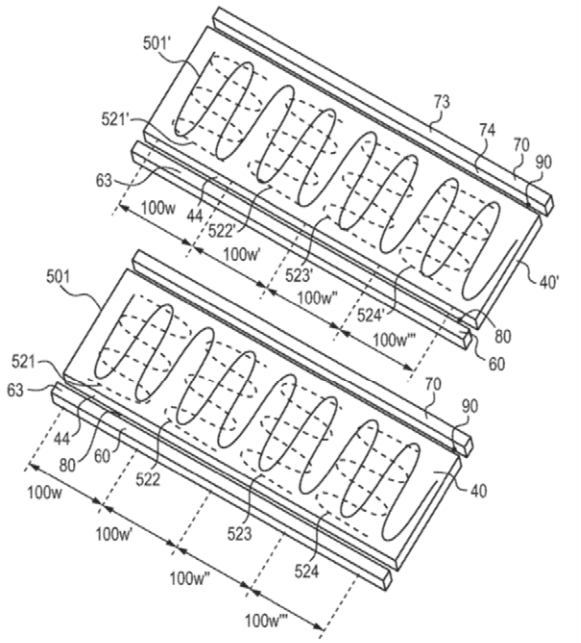


FIG. 10

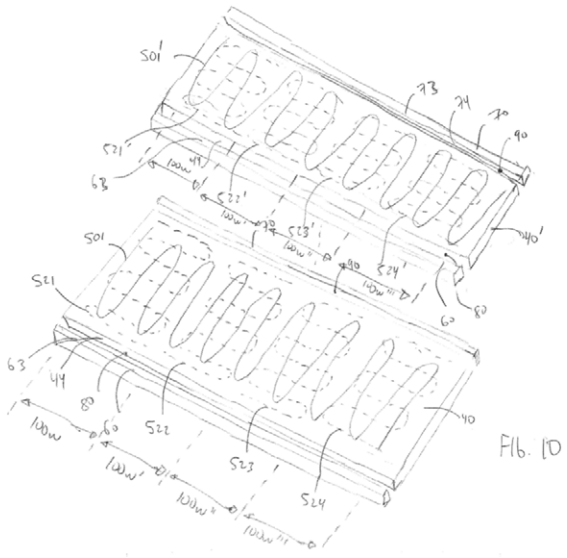


FIG. 10

1028. Therefore, in my opinion, the '992 Provisional describes the subject matter relied upon in Fortmann'197 establishing the invalidity positions described herein.

1029. In signing this declaration, I recognize that the declaration will be filed as evidence in a contested case before the Patent Trial and Appeal Board of the United States Patent and Trademark Office. I also recognize that I may be subject to cross examination in this post grant review and that cross examination will take place within the United States. If cross examination is required of me, I will be available for any such cross examination.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of July, 2026.

By Glenn Vallee: 