

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BABY GENERATION, INC., d/b/a MOCKINGBIRD;
EVENFLO COMPANY, INC.; and
MONAHAN PRODUCTS, LLC, d/b/a UPPABABY,
Petitioner,

v.

BABY JOGGER, LLC,
Patent Owner.

IPR2025-01120
Patent 11,878,729

**PETITIONER'S NOTICE OF INTENT TO DESIGNATE
SCOTT P. AMY, A PROVISIONALLY RECOGNIZED PTAB ATTORNEY,
AS BACKUP COUNSEL UNDER 37 CFR § 42.10(c)(2)**

EXHIBIT LIST

Exhibit	Description
EX1001	Declaration of Douglas S. Prairie, P.E.
EX1002	U.S. Provisional Patent Application No. 61/119,920 File History
EX1003	U.S. Patent Application Publication No. 2010/0140902 ("Zehfuss")
EX1004	U.S. Patent No. 8,955,869
EX1005	U.S. Patent No. 9,403,550
EX1006	U.S. Provisional Patent Application No. 62,311,224 File History
EX1007	U.S. Patent No. 9,944,305
EX1008	U.S. Patent No. 10,730,543
EX1009	U.S. Patent No. 11,192,568
EX1010	U.S. Patent No. 11,731,682
EX1011	U.S. Patent No. 11,577,771
EX1012	U.S. Patent No. 11,505,231
EX1013	U.S. Patent No. 11,878,729 ("729 Patent")
EX1014	U.S. Patent Application No. 12/631,375 File History
EX1015	U.S. Patent Application No. 14/261,558 File History
EX1016	U.S. Patent Application No. 14/597,420 File History
EX1017	U.S. Patent Application No. 15/225,326 File History
EX1018	U.S. Patent Application No. 15/912,901 File History
EX1019	U.S. Patent Application No. 16/832,429 File History
EX1020	U.S. Patent Application No. 16/903,292 File History

EX1021	U.S. Patent Application No. 17/876,492 File History
EX1022	U.S. Patent Application No. 17/877,323 File History
EX1023	U.S. Patent Application No. 18/051,053 File History
EX1024	U.S. Patent Application No. 18/448,417 File History
EX1025	Samuel J. Sewell, <i>The History of Children's and Invalids' Carriages</i> , J. OF THE ROYAL SOC'Y OF ARTS, Vol. 71, No. 3694 (Sep. 7, 1923)
EX1026	U.S. Patent No. 405,600
EX1027	U.S. Patent No. 510,355
EX1028	RESERVED
EX1029	U.S. Patent No. 4,191,397
EX1030	U.S. Patent No. 6,513,827
EX1031	Declaration of Hollie Schultz
EX1032	Declaration of Greg Allen
EX1033	U.S. Patent No. 7,641,216
EX1034	U.S. Patent No. 4,398,748
EX1035	U.S. Patent Application Publication No. 2008/0238042
EX1036	RESERVED
EX1037	U.S. Patent No. 6,086,087
EX1038	Contours Options Tandem Stroller Instruction Sheet
EX1039	French Publication FR2615155A1
EX1040	U.S. Patent No. 6,209,892 ("Schaaf")
EX1041	EP Patent Application Publication No. EP0980810

EX1042	U.S. Patent No. D514,036
EX1043	Evenflo CitiTour Manual
EX1044	U.S. Patent No. 6,045,145
EX1045	U.S. Patent No. 5,794,951
EX1046	Comparison of Specifications of U.S. Patent Application No. 12/631,375 and U.S. Patent Application No. 15/225,326
EX1047	Plaintiff Baby Jogger, LLC’s Opening Claim Construction Brief
EX1048	U.S. Patent Application Publication No. 2009/0127810 (“Dotsey”)
EX1049	U.S. Provisional Application No. 60/988,635 File History
EX1050	U.S. Patent Application Publication No. 2007/0194545 (“Van Dijk”)
EX1051	U.S. Patent No. D593,459 (“Liao”)
EX1052	U.S. Patent Application Publication No. 2007/0126206
EX1053	Certified English Translation of TW Design Patent No. D129880
EX1054	Merriam-Webster, Parallel, https://www.merriam-webster.com/dictionary/parallel (last visited Feb. 21, 2025)
EX1055	<i>McGraw-Hill Dictionary of Scientific and Technical Terms</i> (6th ed. 2003), Definition of “parallel”
EX1056	<i>Barron’s Dictionary of Mathematics Terms</i> (3d ed. 2009), Definition of “parallel”
EX1057	Second Amended Complaint in <i>Baby Jogger, LLC v. Evenflo Company, Inc.</i> , No. 24-723-GBW (D. Del.)
EX1058	First Amended Complaint in <i>Baby Jogger, LLC v. Baby Generation, Inc. d/b/a Mockginbird</i> , No 24-725-GBW (D. Del.)

EX1059	Baby Jogger’s Infringement Contentions for U.S. Patent No. 11,505,231 in <i>Baby Jogger, LLC v. Monahan Products, LLC d/b/a UPPAbaby</i> , No. 1:24-cv-11582-ADB (D. Mass)
EX1060	U.S. Patent No 6,767,028 (“Britton”)
EX1061	Baby Jogger’s Infringement Contentions for the ’729 Patent in <i>Baby Jogger, LLC v. Monahan Products, LLC d/b/a UPPAbaby</i> , No. 1:24-cv-11582-ADB (D. Mass)
EX1062	Declaration of Scott P. Amy in Support of Petitioner’s Notice of Intent to Designate a Provisionally Recognized PTAB Attorney as Backup Counsel Under 37 CFR § 42.10(c)(2)

Pursuant to the Board's Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response authorizing the filing of this notice (Paper 6), Petitioner Baby Generation, Inc., d/b/a Mockingbird; Evenflo Company, Inc.; and Monahan Products, LLC, d/b/a UPPAbaby respectfully notifies the Board of its intent to designate Scott P. Amy, a provisionally recognized PTAB attorney, as back-up counsel under 37 CFR § 42.10(c)(2) in IPR2025-01120. Patent Owner seeks the counsel of Mr. Amy due to his experience representing Petitioner in related patent matters and his familiarity with the legal, substantive, and technical issues involved in this proceeding. Mr. Amy satisfies the requirements of a provisionally recognized PTAB attorney eligible for automatic *pro hac vice* admission. *See* 37 CFR § 42.10(c)(2)(i). He has been previously recognized *pro hac vice* in PTAB proceedings, and he has not subsequently been denied permission to appear *pro hac vice* in any proceeding.

The registered practitioner who will serve as lead counsel in this proceeding is Joseph W. Staley (Reg. No. 60,732).

The most recent prior proceedings in which Mr. Amy was recognized *pro hac vice* by order of the PTAB pursuant to a motion of the type described in 37 CFR § 42.10(c)(1) were IPR2017-00159, IPR2017-00770, IPR2017-00915, IPR2018-00707, and IPR2018-00708.

This notice is also accompanied by a certification in the form of a declaration executed by Mr. Amy (EX1062). In the declaration, Mr. Amy attests to satisfying all requirements set forth by the Board for *pro hac vice* recognition of a provisionally recognized PTAB attorney. EX1062. ¶¶2, 12; *see also id.*, ¶3-11. Mr. Amy specifically attests that:

1. He is a member in good standing of the State of Georgia (EX1062, ¶3);
2. He has no suspensions or disbarments from practice before any court or administrative body (*id.*, ¶4);
3. None of his applications for admission to practice before any court or administrative body has ever been denied (*id.*; ¶5);
4. No sanctions or contempt citations has ever been imposed by any court or administrative body on Mr. Amy (*id.*, ¶6);
5. He has read and will comply with the Office Patent Trial Practice Guide and the Board's Rules of Practice for Trials set forth in 37 CFR part 42 (*id.*, ¶7);
6. He will be subject to the USPTO Rules of Professional Conduct set forth in 37 CFR §§ 11.101 et seq. and disciplinary jurisdiction under 37 CFR § 11.19(a) (*id.*, ¶8);
7. He identifies all other proceedings before the Office for which he has applied to appear *pro hac vice* in the last three years (*id.*, ¶9-10);

8. He has legal familiarity with the subject matter at issue in the proceeding (*id.*, ¶10).

Petitioner therefore submits that Mr. Amy has satisfied all requirements to be deemed admitted *pro hac vice* in this proceeding.

Dated: September 5, 2025

Respectfully submitted,

/Joseph W. Staley/

Joseph W. Staley

Reg. No. 60,732

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e)(4), I hereby certify that on September 5, 2025, I caused a copy of the foregoing Petitioner's Notice of Intent to Designate Scott P. Amy, a Provisionally Recognized PTAB Attorney, as Backup Counsel under 37 CFR § 42.10(c)(2) to be served via electronic mail at the following addresses:

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