UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EVENFLO COMPANY, INC.,
Petitioner,

v.

BABY JOGGER II, LLC,
Patent Owner.

IPR2025-01122 and IPR2025-01140

Patents 11,731,682 and 11,577,771

Declaration of Kimberly Cameron, Ph.D., P.E.

TABLE OF CONTENTS

I, Kimberly Cameron, hereby declare as follows:

I. INTRODUCTION

1. I am over the age of 18 and am competent to submit this declaration. The statements and opinions herein are based on my personal knowledge and upon my background, education, research, training, and experience relating to the subject matter discussed.

2. I have been retained by Meunier Carlin & Curfman LLC (MCC) on behalf of Patent Owner Baby Jogger to offer technical opinions relating to Baby Jogger's Patent Owner Responses in two *inter partes* Review (IPR) Petitions filed by Petitioner Evenflo: IPR2025-01122 (the 1122 IPR) and IPR2025-01140 (the 1140 IPR) challenging the validity of Patents 11,731,682 (the 682 patent) and 11,577,771 (the 771 patent), respectively.

3. When referring to the '682 and '771 patents collectively, I use the term "Challenged Patents." When referring to the 1122 IPR and 1140 IPR Petitions collectively I refer to them as the Petitions.

A. Background and Qualifications

4. A detailed description of my professional qualifications, including a listing of my specialties, expertise, and professional activities is contained in my curriculum vitae, which I understand is being filed in these proceedings as Exhibit 2012. Below is a short summary of my professional qualifications.

5. I am a Principal Engineer at Engineering Systems Incorporated ("ESi"), a leading scientific and engineering firm. I specialize in mechanical engineering, materials science and metallurgy, and have extensive experience with materials evaluation, mechanical design, mechanical testing, stress analysis, failure analysis, fatigue analysis, and fracture mechanics. I have also consulted on the design and manufacturability of various consumer products. In particular, I have extensive experience with consumer products, including those for children. I have consulted on the design of various bounce chairs for children, strollers, scooters, infant carriers, car seats, and various reclining and camping chairs.

6. I graduated with high honors from Princeton University with a degree in Mechanical Engineering and minors in Materials Science, Applied Mathematics, and Engineering Physics. I have also received a doctorate in Mechanical Engineering with a minor in Materials Science and Engineering from Stanford University. I have received numerous awards including fellowships from the Department of Defense, the National Science Foundation, and Lucent Technologies. I am a Registered Professional Engineer in both Mechanical Engineering and Metallurgy in the State of California. I am also a registered patent agent.

B. Information relied upon

7. In forming the opinions expressed in this declaration, I have reviewed and considered the documents identified in the Petitioner's and Mr. Prairie's Exhibit Lists in each IPR proceeding, as well as the Petitions themselves. I also reviewed a transcript of the cross-examination of Mr. Prairie. Copies of these documents were provided to me by counsel at Meunier Carlin & Curfman LLC. To the extent I am provided with additional documents and information in this proceeding, including any expert declarations, I may offer further opinions. In forming my opinions, I have also relied on my education and experience.

II. LEGAL STANDARDS

8. The section below sets forth certain legal standards that have been provided to me by Baby Jogger's attorneys. I understand that the issues presented in this *inter partes* review must be considered in view of particular legal standards. Baby Jogger's attorneys have explained the basic principles of patent law as set forth below for analyzing whether a patent is valid, and I am relying on these legal standards to guide my analysis.

A. Scope of an *Inter Partes* Review

9. I understand that, in this case, the grounds for institution include only allegations that the challenged claims are obvious. I further understand that the scope of issues which are to be considered in an *inter partes* review are limited to

what has been presented in those grounds disclosed in the Petition on which it requested the Board institute review.

B. Claim Construction

10. I have been informed by counsel that the claim construction standard to be employed by the Board in an *inter partes* review follows *Phillips v. AWH Corp.*, 415 F.3d 1303 (Fed. Cir. 2005) (en banc).

11. I understand that a patent may include two types of claims, independent claims and dependent claims. I understand that an independent claim stands alone and includes only the limitations it recites. I understand that a dependent claim depends from an independent claim or another dependent claim. I understand that a dependent claim includes all the limitations that it recites in addition to the limitations recited in the claim (or claims) from which it depends.

12. In comparing the challenged claims to the prior art, I have carefully considered the patent and its file history in light of the understanding of a person of skill at the time of the invention.

13. I understand that to determine how a person of ordinary skill would have understood a claim term, one should look to sources available at the time of the alleged invention that show what a person of skill in the art would have understood disputed claim language to mean. It is my understanding that this may include what is called "intrinsic" evidence as well as "extrinsic" evidence.

14. I understand that, in construing a claim term, one should primarily rely on intrinsic patent evidence, which includes the words of the claims themselves, the remainder of the patent specification, and the prosecution history. I understand that extrinsic evidence, which is evidence external to the patent and the prosecution history, may also be useful in interpreting the patent claims when the intrinsic evidence itself is insufficient. I understand that extrinsic evidence may include principles, concepts, terms, and other resources available to those of skill in the art at the time of the invention.

15. I understand that the claims of the patent define the scope of the rights conferred by the patent. I understand that because the claims point out and distinctly claim the subject matter which the inventors regard as their invention, claim construction analysis must begin with and is focused on the claim language itself. I understand that the context of the term within the claim as well as other claims of the patent can inform the meaning of a claim term. For example, because claim terms are normally used consistently throughout the patent, how a term is used in one claim can often inform the meaning of the same term in other claims. Differences among claims or claim terms can also be a useful guide in understanding the meaning of particular claim terms.

16. I understand that a claim term should be construed not only in the context of the particular claim in which the disputed term appears, but in the

context of the entire patent, including the entire specification. I understand that because the specification is a primary basis for construing the claims, a correct construction must align with the specification.

17. With regard to extrinsic evidence, I understand that all evidence external to the patent and prosecution history, including expert and inventor testimony, dictionaries, and learned treatises, can also be considered. For example, technical dictionaries may indicate how one of skill in the art used or understood the claim terms. However, I understand that extrinsic evidence is considered to be less reliable than intrinsic evidence.

C. Obviousness

18. I have been informed that a claimed invention is invalid if it would have been obvious to a person having ordinary skill in the art (POSA) before the effective filing date of the claimed invention. A claimed invention is obvious if a POSA would have been motivated to combine or modify one or more prior art references to achieve the claimed invention. Obviousness is determined by looking at the claimed subject matter as a whole through the eyes of a POSA at the time the claimed invention was made.

19. Therefore, a claim is not obvious if the combined references fail to teach or suggest at least one element of the claim. Further, a claim is not obvious if

there is no suggestion or motivation to combine the references or some articulated reasoning with a rational underpinning to support the combination of references.

20. A claim is not proved obvious merely by demonstrating that each of the elements was independently known in the prior art. Most, if not all, inventions rely on building blocks long since uncovered, and claimed discoveries almost of necessity will likely be combinations of what is already known. It is important to identify whether a reason existed at the time of the invention that would have prompted a POSA in the relevant field to combine the known elements in the way the claimed invention does. In assessing obviousness, one should consider the distortion caused by hindsight bias, guard against slipping into the use of hindsight, be cautious of arguments that rely upon hindsight or after-the-fact reasoning, and avoid the temptation to read into the prior art the teachings of the invention at issue.

21. The following factors must be evaluated to determine whether a petitioner has met its burden of proof that a claimed invention is obvious:

- the scope and content of the prior art relied upon by the petitioner;
- the difference or differences, if any, between each claim of the patent and the prior art;
- the level of ordinary skill in the art at the time the invention of the patent was made; and
- various secondary considerations of nonobviousness.

See Graham v. John Deere Co., 383 U.S. 1, 17-18 (1966).

22. Secondary considerations, sometimes called "objective indicia," include the invention's commercial success, commercial acquiescence (*i.e.*, licensing), a long felt but unresolved need, the failure of others, skepticism by experts, praise by others, teaching away by others, recognition of a problem, laudatory statements by the infringer, and copying of the invention by competitors.

23. I understand that dependent claims include all the limitations of the independent claim they are based on. Therefore, if a reference or combination of references fails to properly disclose, teach, or suggest a limitation of an independent claim, they also fail to do so when that limitation is deemed incorporated into all the dependent claims. Thus, I have been informed and understand that if an independent claim is found valid, every claim which depends from the independent claim is also valid.

D. Claiming Priority

24. I have been informed that for a claim in a later-filed application to be entitled to the filing date of an earlier application, the earlier application must comply with the written description requirement. I understand that to mean the patent application must contain a written description of the invention and of the manner and process of making and using it.

25. To meet this requirement, the disclosure of the earlier application, the parent, does not need to describe the claimed subject matter in precisely the same terms used in the claim. The disclosure simply must convey, with reasonable clarity, to one of skill in the art that the inventor possessed the later-claimed subject matter at the time the parent application was filed.

26. I also understand that the level of detail required to satisfy the written description requirement varies depending on the nature and scope of the claims and on the complexity and predictability of the relevant technology. Some factors that are relevant to evaluate the adequacy of disclosure include the existing knowledge in the particular field, the extent and content of the prior art, the maturity of the science or technology, and the predictability of the aspect at issue.

III. THE CHALLENGED PATENTS

27. The Challenged Patents related to a stroller system with a modular seating arrangement. *See, e.g.*, EX1010, claim 1; EX1011, claim 1 (reciting a "stroller convertible from a single seat configuration to a double seat configuration without increasing its footprint.").

28. Claim 1 of the '682 Patent recites, among other things, a stroller frame comprising a handle portion and a front end portion, first and second seat attachment adapters spaced from and coupled to respective seat attachment housings by respective attachment frame members, and first and second seats that,

when connected to the frame, are arranged in an inline descending configuration along the stroller frame. EX1010, claim 1. Claims 2-16 depend from claim 1 and add further limitations directed to the structural relationships between the seats, adapters, housings, and frame members. EX1010, claims 2-16.

29. Claim 1 of the ’771 Patent recites, among other things, a stroller convertible from a single seat configuration to a double seat configuration comprising (1) a frame with a handle portion and foldable support members extending in a parallel, spaced relationship and substantially within a plane that runs diagonally from the handle portion towards the front end portion of the frame; (2) a first seat releasably connected to the frame at a first vertical position that is closer to the handle portion than the front end portion, the first seat being connectable to the frame in either a forward or backward facing position. Claim 1 further recites that the frame receives an optional second seat assembly to form the double seat configuration. That second seat assembly comprises (i) right and left seat attachments disposed along the right and left support members of the frame, respectively, at a second vertical position that is lower than the first vertical position and closer to the front end portion than the handle portion; and (ii) a second seat connectable to the right and left seat attachments in either a forward or backward facing position. The two seats, when connected to the frame, are

arranged in an inline descending configuration substantially along the plane of the frame.

30. The patents claim priority through a series of continuation applications, including a continuation-in-part application, ultimately tracing their priority back to a non-provisional application filed December 4, 2009 (the "2009 Non-Provisional," EX1003) and a provisional application filed December 4, 2008 (the "2008 Provisional," EX1002).

31. Like Mr. Prairie, I have reviewed the patents and their file histories (including their predecessor applications), although I do not provide a detailed account of these documents here. Where I believe it is particularly relevant, I discuss them in my testimony below.

IV. PERSON HAVING ORDINARY SKILL IN THE ART

32. The Challenged Patents identify their technical field as relating to "children's stroller systems," particularly "a removable seat attachment for a stroller" to support items such as "a stroller seat, a baby seat, a bassinet, a pram, a car seat, or a baby carrier." Based on that identification, my review of the cited prior art documents, and my own experience, in my opinion a POSA in this field of strollers, baby carriers, or similar products would have a degree in mechanical engineering, industrial design, or a related field of study as well as expertise and/or advanced knowledge regarding baby products or baby strollers.

33. I have reviewed Mr. Prairie's opinion about the level of skill in the art. *E.g.*, 1140 IPR EX1001 ¶ 36. While my formulation is different than his, I do not believe that the difference between our expressions about the level of skill of a POSA would have any material difference on the outcome; my opinions expressed in my testimony would be the same under Mr. Prairie's formulation.

V. CLAIM CONSTRUCTION

A. "Handle Portion" (both patents)

34. I have been instructed by counsel to use the following construction for the term "handle portion" in both patents, as proposed by Petitioner: A "handle portion" is the portion of the frame coupled to the left and right upper tube support frame. The opinions I offer below in these proceedings will apply this construction as directed.

35. The Challenged Patents describe an example embodiment with a *handle portion* "having a first end coupled to the left upper tube support frame 81c and a distal second end coupled to the right upper tube support frame 81c." EX1010, 8:65-67; *see also* EX1011, 9:1-4. The patents further explain that "the left upper tube support frame 81c, handle 81d, and right upper tube support frame 81c can be made from a single unitary piece of material, such as a single piece of bent, hollow-core metal or plastic tubing" or "can be separate pieces of the same or different material that are coupled to one another." EX1010, 9:10-17; EX1011,

9:15-21. A handle is also depicted in multiple figures. *See, e.g.,* EX1010, Figs. 1, 3, 8A; *see also* EX1011, Figs. 1, 3, 8A.

B. First and second seats "arranged in an inline descending configuration [substantially] along the" stroller frame" (both patents)

36. Claim 1 of the '682 Patent recites that, "when connected to the frame, [the first seat and the second seat] are arranged in an inline descending configuration along the stroller frame." EX1010, claim 1. Similarly, claim 1 of the '771 Patent recites that, "when connected to the frame, [the first seat and the second seat] are arranged in an inline descending configuration substantially along the plane of the frame." EX1011, claim 1. In my opinion, the phrase "inline descending configuration" in both claims is anchored to the structural relationship between the seats and the frame—specifically, the points at which each seat physically connects to the frame via its "seat attachment adapter" ('682 Patent) or "seat attachment" ('771 Patent).

37. In my opinion, this reading follows naturally from the specification and the claim structures as a whole. The '682 Patent and '771 Patent disclosures are organized around the interface between the seats, the seat attachment adapters, and the seat attachment housings. *See, e.g.,* EX1010, Figs. 3, 8A; EX1011, Figs. 3, 8A; EX1010, 4:18-5:3 ("[A]ttachment portions 17 can allow a seat attachment such as the seat attachment for converting the single stroller 10 to a double

stroller."); EX1011, 4:10-5:6 (same). The specifications describe the seat attachment adapters/seat attachments as structural intermediaries that define how and where each seat is positioned on the frame. *See, e.g.,* EX1010, 10:27-31 ("[S]eat attachment adapter 84 is configured to have a first end that is removably coupled to the frame 81 and/or seat attachment housing and a distal second end that is configured to be removably coupled to a second stroller seat 85."); EX1011, 10:31-35 (same). For example, in the '682 Patent, the seat attachment adapters are coupled to the seat attachment housings, and the seat attachment adapters in turn connect to the seats. *See* EX1010, 10:27-31. Similarly, in the '771 Patent, the seat attachments are coupled to the frame, and the seat attachments in turn connect to the seats. *See* EX1011, 10:31-35. The position of each seat on the stroller is therefore determined by where the seat attaches to the frame via its seat attachment adapter/seat attachment—not by where an occupant's body happens to rest within the seat, which is not a meaningful reference point. Likewise, the position of each seat on the stroller is not determined by the seat's bottom, which is arbitrary and not anchored to the structural relationship between the seats and the frame.

38. The '682 Patent dependent claims confirm this focus on structural mounting points. For example, claims 2 through 5 of the '682 Patent are directed to the structural relationship between the seats, the seat attachment adapters, and the seat attachment housings. EX1010, claims 2-5. Likewise, claims 5 through 8 of the

’771 Patent are directed to the structural relationship between the seats, seat attachments, and the frame. A POSA reading the ’682 Patent’s claim 1 (“inline descending configuration along the stroller frame”) and the ’771 Patent’s claim 1 (“inline descending configuration substantially along the plane of the frame”) in the context of these dependent claims and the specification would understand that the relevant configuration is defined by the structural mounting points—the locations where the seats physically connect to the seat attachment adapters/seat attachments—not by occupant positioning.

39. This construction is also consistent with how a POSA would interpret “when connected to the frame” and “along the stroller frame”/“along the plane of the frame.” The phrase “when connected to the frame” directs the POSA to where each seat attaches to the frame (i.e., the connection between the seat and the seat attachment adapter/seat attachment). Thus, the ’682 Patent’s “inline descending configuration along the stroller frame” and the ’771 Patent’s “inline descending configuration substantially along the plane of the frame” describe a configuration in which the structural connection points progress downwards along the frame—the first seat’s connection point is at a higher vertical position on the frame than the second seat’s connection point. Any other reading would divorce the phrase “along the stroller frame”/“along the plane of the frame” from the frame itself.

C. "connectable to the frame in either a forward or backward facing position" (771 patent claim 1, element [1.4])

40. Reviewing the disclosure of the '771 Patent and its priority documents (the 2008 Provisional and 2009 Nonprovisional applications), a POSA would immediately recognize that the figures show, and the text describes, seats that are reversible. For example, Fig. 8C illustrates two seats (86 and 85) both facing backward—in the direction of the rear wheels and handle. Then Fig. 8D illustrates the same type of seat 86 turned around facing forward—in the direction of the front wheels. Fig. 8A shows a mixture of forward and backward facing seats: Seat 86 faces forward, and seat 85 faces backward.[1]

41. The '771 Patent specification discloses: "the first stroller seat 86 may be adjustable from a forward-facing configuration to a rearward-facing configuration and vice-versa," and "the second stroller seat 85, when coupled to the corresponding removable seat attachment adapters 84, can be adjustable from a forward-facing configuration to a rearward-facing configuration and vice-versa."

[1] Fig. 3 also shows an embodiment with *both* seats facing forward.

EX1011, 10:10-19. Figures 8C and 8D of the patent show the same seat 86 facing each orientation.

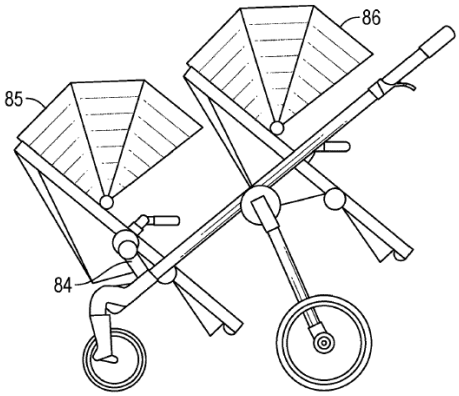


FIG. 8C

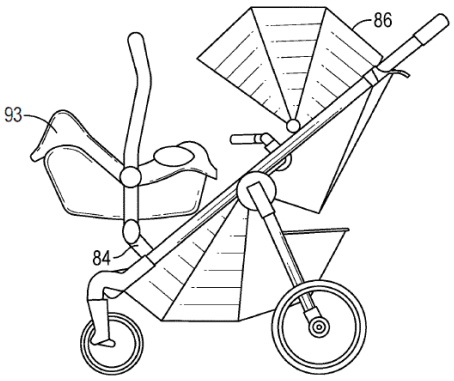


FIG. 8D

42. The 2009 Nonprovisional, incorporated into the '771 Patent, also describes Fig. 8 as showing "[s]troller seat 86 … in the forward facing configuration and second stroller seat 85 is shown in a backward facing configuration," while Fig. 9A shows "stroller seat 86 may be removed *and replaced in a backward facing* configuration." EX1003 ¶ [0045]. The specification also states the second seat support element 89 also "allows the seat to be easily removed and reconfigured to a different orientation." *Id.*

43. Although Mr. Prairie appeared to have difficulty in recognizing these figures as disclosing reversible seats during his cross-examination (EX2100, 81:18-87:19), I immediately recognize that they show seats facing in both directions. I believe a POSA would easily do so as well.

44. In my opinion, a POSA would understand claim 1 reciting the seats are "connectable to the frame in either a forward or backward facing position" to

mean the claim requires the seats can be changed from a forward-facing configuration to a backward/rearward-facing configuration—not merely that that the seats can be connected to the frame in one of a forward or rearward facing position without being able to be connected to the frame in the opposite facing position.

45. In other words, a POSA would *not* understand the claim to merely require the seats face only one of the recited directions. That simply makes no sense within the claim or in the context of the specification and figures—which repeatedly show and describe changing the orientation is a feature of the patent. I therefore disagree with Mr. Prairie's opinion that "forward or backward facing position[s]" are "alternative" configurations encompassed by the claims as he asserts in his testimony directed to the '771 Patent. 1140 IPR EX1001 ¶ 311.

VI. EFFECTIVE PRIORITY DATE OF THE CHALLENGED CLAIMS

46. I understand from counsel that Petitioner has challenged the effective filing date of the claims by arguing that the claims are not entitled to the benefit of the filing date of the 2008 Provisional. Specifically, Petitioner contends that certain claim terms lack written description support in the pre-2016 disclosures and that those terms are therefore entitled to an effective filing date no earlier than the 2016 CIP. I have been asked to provide my opinion as to whether a POSA would find written description support in the 2008 Provisional application for the terms that

the Petitioner contends are not entitled to an effective priority date before the 2016 CIP application (i.e., that they are *not* disclosed in the 2008 Provisional and 2009 Non-Provisional).

47. I have reviewed the 2008 Provisional and the 2009 Non-Provisional and, in my opinion, the 2008 Provisional discloses the same features as the 2009 Non-Provisional.

48. The 2008 Provisional and 2009 Non-Provisional contain minor labeling and terminological differences that are not material to any disputed claim term in these proceedings. For example, the 2009 Non-Provisional added reference numerals 18 and 19 to Figure 1 to separately call out the cylindrical recess and locking slot on attachment portion 17—features that were already described in the 2008 Provisional's specification. *See* EX1002 ¶ [0025] ("The attachment portion 21 may be inserted into a cylindrical recess of the connector portion 17" of stroller 10 of Figure 1 to secure the attachment and convert the single stroller into a double stroller, as shown in Figure 3."); EX1003, ¶ [0035] ("The connector portion 21 may be inserted into a cylindrical recess 18 of the attachment frame member 17 of stroller 10 of FIG. 1 to secure the seat attachment and convert the single stroller into a double stroller, as shown in FIG. 3."). Similarly, the 2008 Provisional's "connector portions 17" became "attachment frame members 17" in the 2009 Non-Provisional, and the 2008 Provisional's "attachment portions 21" became

"connector portions 21"—a swap of the labels that does not change the described structure or function. Other minor variations, such as "seat attachment portion 84" (EX1002, ¶ [0034]) versus "seat support portion 84" (EX1003 ¶ [0044]), are likewise equivalent designations for the same structural element.

49. In all material respects, the specifications and figures are substantively identical. Both describe the same structural components, the same connection mechanisms, the same embodiments, and the same configurations. A POSA reading the 2008 Provisional and 2009 Non-Provisional would understand the same invention is disclosed in both. Mr. Prairie appears to share this opinion because in his discussion of the applications in his testimony, he agrees that the figures and descriptions of the two applications are "very similar, including both "Embodiment[s] A" and "B," as he referred to them. 1122 IPR EX1001 ¶ 102; *see also id.* ¶¶ 99-104; 1140 IPR EX1001 ¶¶ 107-108, 113 (describing the figures and description as "largely a carry-over" from the [2008 Provisional]").

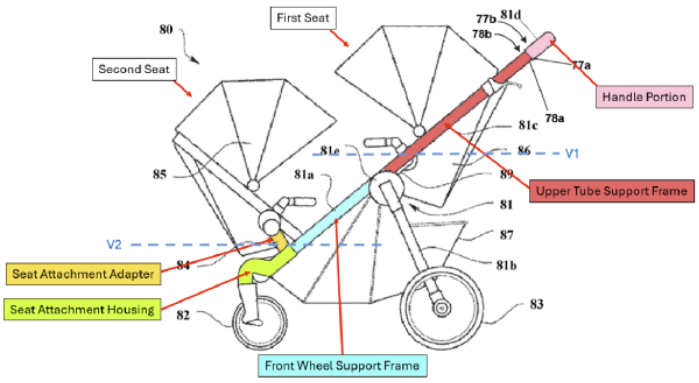
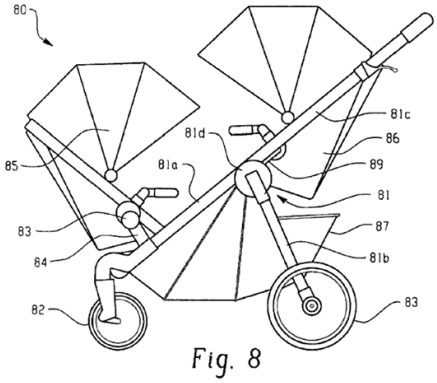
A. "Handle portion" (both patents)

50. In my opinion, and applying Petitioner's proposed construction as instructed, a "handle portion" is plainly disclosed in the 2008 Provisional and the 2009 Non-Provisional. As noted above in the section discussing the plain meaning of "handle portion," a handle is an easily recognized stroller component. It is the structure at the upper rear of the stroller frame that allows the caregiver to grip and

push the stroller. In my opinion, a POSA examining any stroller—whether in person, in a photograph, or in an engineering drawing—could identify the handle portion.

51. Figures 1, 3, 5, 8, and 9A-9F of the 2008 Provisional (EX1002) and the 2009 Non-Provisional (EX1003) depict this structure. In each figure, the upper rear portion of the stroller frame is visible at the top of the illustration, forming the structure that a user would grasp. A POSA would recognize this structure as the "handle portion" of the stroller frame, without any need for the specification to use those particular words.

52. As I understand, Petitioner contends that the pre-2016 filings do not disclose a "handle portion" because the 2016 Provisional relabeled certain structures. In my opinion, a POSA would not interpret the 2016 Provisional relabeling as changing the fundamental structure disclosed. Rather, a POSA would understand that notwithstanding the labeling, Fig. 8A of the '682 Patent and '771 Patent is the same figure as Fig. 8 of the 2009 Non-Provisional—the underlying stroller structure depicted is identical. I have reproduced Petitioner's annotated Fig. 8A from the '682 Patent and Fig. 8 of the 2009 Non-Provisional below. *See also* 1140 Pet. 18-19.

Pet. 12 (showing Petitioner's annotated Fig. 8A of the '682 Patent).	EX1003.
 FIGURE 8A	 Fig. 8

53. In my opinion, Fig. 8A of the '682 Patent depicts the same stroller as Fig. 8 of the 2009 Non-Provisional. In my opinion, a POSA would recognize a "handle portion" in Fig. 8.

54. Multiple figures, such as Fig. 3 of the 2008 Provisional and Fig. 3 of the 2009 Non-Provisional, show a structure at the upper rear of the frame that is coupled to left and right upper frame portions. A POSA viewing these figures would recognize the handle portion regardless of what labels were applied. I have reproduced Fig. 3 of the 2009 Non-Provisional below as a reference.

EX1003.

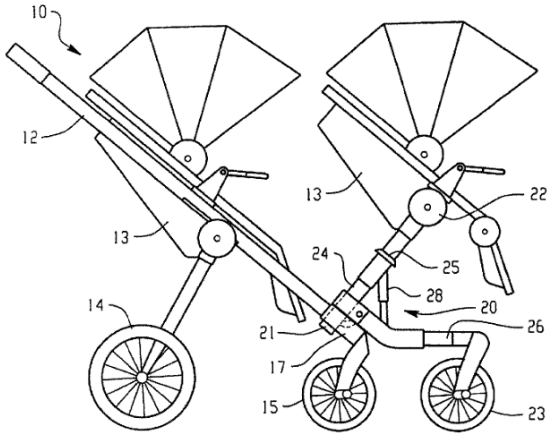
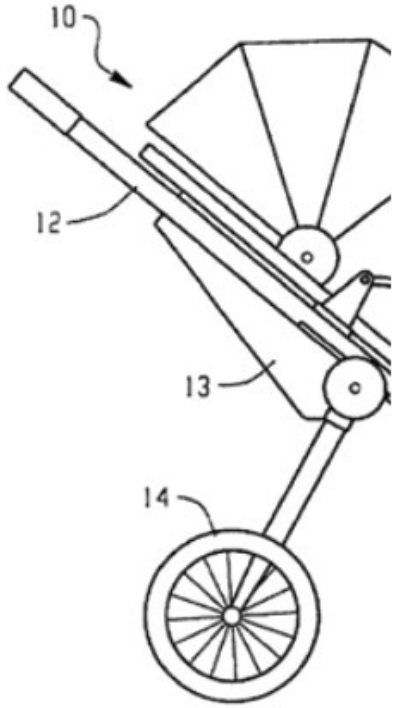
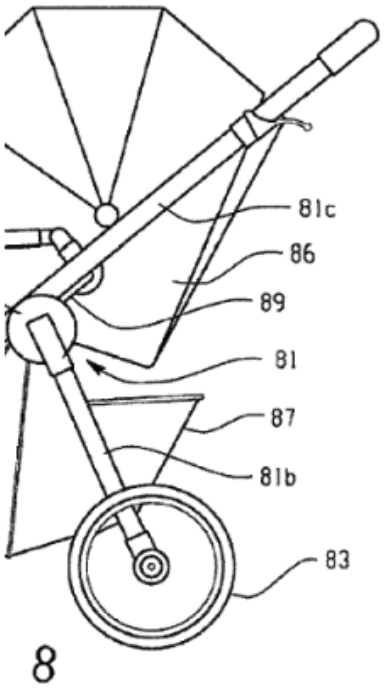


Fig. 3

55. Fig. 3 illustrates stroller 10 having "frame 12." EX1003 ¶ [0049]. In my opinion, a POSA would recognize that the upper rear portion of "frame 12" includes "left and right upper tube support frame[s]." I also believe a POSA would recognize that the upper rear portion of "frame 12" includes a portion of frame "coupled to" the "left and right upper tube support frame[s]."

56. A POSA would recognize these same structures in Fig. 8 of the 2008 Provisional and 2009 Non-Provisional because the upper rear structures depicted in Fig. 3 and Fig. 8 are nearly the same. I have reproduced portions of Fig. 3 and Fig. 8 to illustrate these similarities.

EX1003, Fig. 3 (cropped).	EX1003, Fig. 8 (cropped).
	

57. Accordingly, my opinion is that the 2008 Provisional and 2009 Non-Provisional provide written description support for the term "handle portion," as used in both patents.

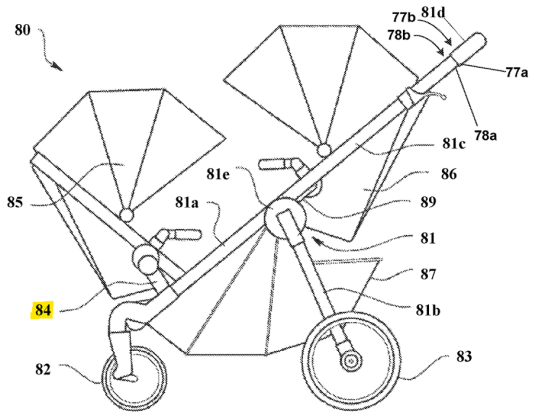
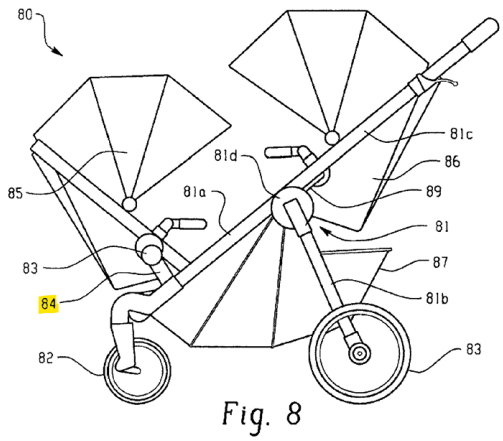
B. "Seat attachment adapters" and "seat attachment housings" (Claim 1 of the '682 Patent)

58. In my opinion, a POSA would understand that the pre-2016 filings disclose what the '682 Patent calls "seat attachment adapters" and "seat attachment housings." These are not new structures introduced in the 2016 Provisional, they are the same physical components, albeit identified with different labels, shown

and described in the 2008 Provisional and 2009 Non-Provisional. I explain my basis for each component below.

1. Seat attachment adapter

59. Element 84 in the '682 Patent—the "seat attachment adapter"—is the same element 84 in the 2008 Provisional, which is called the "seat attachment portion." EX1002 ¶¶ [0034], [0036]; *see also* EX1003 ¶ [0044] (referring to element 84 as "seat attachment portion," "seat support portion" or "seat support element"). I have highlighted 84 in the reproduced Fig. 8A of the '682 Patent and Fig. 8 of the 2009 Non-Provisional below to demonstrate that the figures depict the same underlying structure.

EX1010.	EX1003.
 FIGURE 8A	 Fig. 8

60. Beyond the visual correspondence in these figures, the textual descriptions confirm the equivalence. The 2008 Provisional describes element 84 as a "seat attachment portion" that is "connected to the stroller 80 front wheel

support frame" and "comprises a seat connector 88." EX1002 ¶ [0036]; *see also* EX1003 ¶¶ [0030]-[0032]. The '682 Patent describes element 84 as a "seat attachment adapter" that is "coupled to" the front wheel support frame and comprises a "seat connector." EX1010, 11:57-59, 12:9-21. In my opinion, a POSA comparing these descriptions would recognize that they describe the same physical component performing the same function. *Compare* EX1003 ¶ [0046], *with* EX1010, 10:31-33, 11:67-12:2, 12:9-10; *see also* EX1002 ¶¶ [0034], [0036]. The only difference is the labeling.

2. Seat attachment housing

61. The "seat attachment housing" of the '682 Patent corresponds to what the 2008 Provisional calls "connector portions 17." *See* EX1002 ¶ [0020]; *see also* EX1003 ¶¶ [0020]-[0022]; *id*. Figs. 1, 2, 8. Both documents describe the same function: a receiving structure on the stroller frame into which the adapter's connector portion inserts. *Compare* EX1010, 10:2-5, 10:24-31, 11:38-54, 13:53-55, *with* EX1002 ¶¶ [0020], [0022], [0025], [0034], [0036]; *see also* EX1003 ¶¶ [0030], [0032], [0034]-[0035], [0048]. A POSA would recognize that the '682 Patent simply gave a new name—"seat attachment housing"—to a structure already disclosed and depicted in the pre-2016 filings.

3. Adapter-housing relationship

62. In my opinion, the structural relationship between the seat attachment adapter and the seat attachment housing is also disclosed in the pre-2016 filings. The 2008 Provisional describes various "attachments" including a "seat attachment" with an "attachment portion 21" and "seat attachment portion [84]" (the adapter), and "connector portions 17" (the housing) including embodiments with a "cylindrical recess" into which the "attachment portion 21 [of the seat attachment] may be inserted." *See, e.g.,* EX1002 ¶¶ [0009]-[0011], [0023]-[0025], [0028], [0036]; *id*. Figs. 1-8; *see also* EX1003 ¶¶ [0035]-[0036], [0039], [0047]. Figs. 1 and 8 of the 2008 Provisional depict "connector portions 17" in both the single-seat and double-seat embodiments, confirming that the same receiving structures appear across configurations. *See* EX1003 ¶¶ [0030] (referring to element 17 as "attachment frame members 17"), [0043], [0046]; *id.*, Figs. 1, 8; *see also* EX1002 ¶¶ [0020], [0025], [0033], [0036]; *id*., Figs. 1, 8. A POSA examining these figures would recognize the same structural relationship claimed in the '682 Patent: an adapter (element 84) coupled to a housing (element 17).

EX1003.

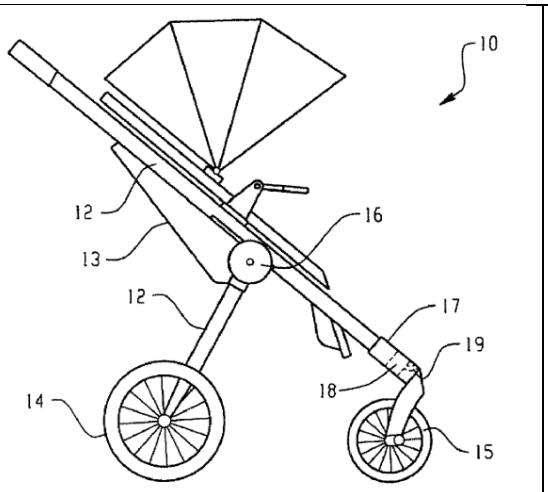


Fig. 1

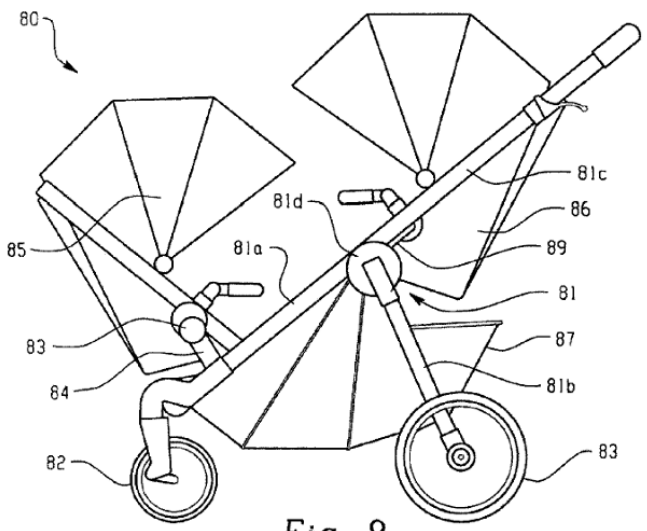


Fig. 8

4. Prosecution history

63. The prosecution history of the 2009 Non-Provisional independently confirms my conclusions. Figs. 10 and 11 were added to the 2009 Non-Provisional during prosecution. EX1014, 222. I have been instructed by counsel to assume that the Examiner found these figures do not constitute new matter. I have reproduced Figs. 10 and 11 below.

EX1014, 233-234.

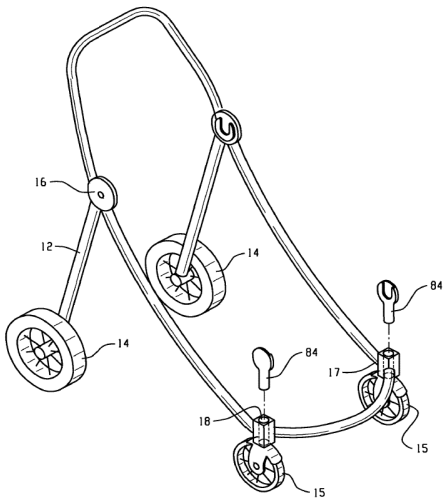


Fig. 10

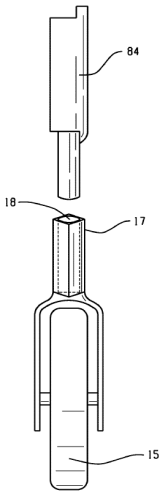


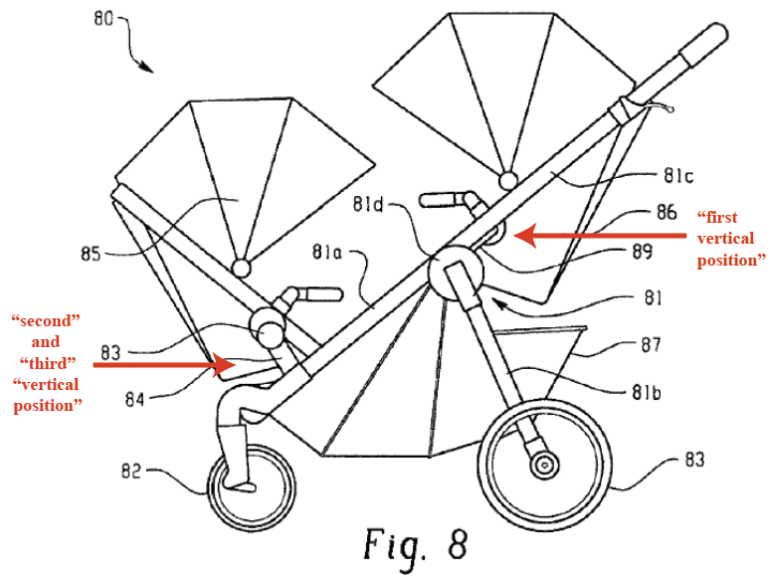
Fig. 11

64. Fig. 10 depicts a stroller frame with attachment frame member 17 and seat support element 84. *See* EX1014, 221-222, 233-234. Fig. 11 depicts seat support element 84 inserting into slot 18 of attachment frame member 17. *See* EX1014, 154; EX1003 ¶ [0034]. In my opinion, a POSA would understand these figures as disclosing an example of the adapter-housing relationship disclosed in the specification of the '682 Patent. Specifically, the depiction of attachment frame member 17 and seat support element 84 in Figs. 10 and 11 is consistent with how those same elements were described and depicted in the 2008 Provisional (see my discussion above). The Examiner's acceptance of these figures as not constituting new matter confirms that the adapter-housing relationship was already present in the original disclosure—exactly as a POSA would understand.

C. First/second/third "vertical position[s]" (Claim 1 of the '682 Patent)

65. In my opinion, the three vertical positions recited in the claims of the '682 Patent are visible in Figures 8 and 9A-9F of the pre-2016 filings. For example, a POSA would understand Fig. 8 of the 2009 Non-Provisional to disclose: (1) stroller seat 86 connected to the upper rear of the frame (the first vertical position) and (2) seat support elements (or seat attachment adapters) 84 coupled to attachment frame members 17 at a position below the first seat (the second and third vertical positions). EX1003 ¶¶ [0030], [0045], [0046], [0048]; *see also* EX1002 ¶¶ [0020], [0035]-[0037]; *id*., Figs. 1, 8. A POSA examining these figures would readily identify the three vertical positions.

EX1003 (annotated).



66. Accordingly, my opinion is that the 2008 Provisional and 2009 Non-Provisional provide written description support for the recited "first vertical

position," "second vertical position," and "third vertical position" in claim 1 of the '682 Patent.

D. Foldable support members "substantially within a plane" (Claim 1 of the '771 Patent)

67. Claim 1 of the '771 Patent recites that the frame comprises "left and right foldable support members extending from the handle portion towards a front end portion of the frame, the foldable support members extending in a parallel, spaced relationship and *substantially within a plane* that runs diagonally from the handle portion towards the front end portion of the frame." EX1011, claim 1. The claim further recites that the inline descending configuration of the seats is "substantially along the plane of the frame." In my opinion, the 2008 Provisional and 2009 Non-Provisional disclose the concept of a "substantially" planar frame.

68. Fig. 8 of the 2008 Provisional and the 2009 Non-Provisional shows a stroller with a folding mechanism. In the annotated version below, I have shaded the frame 81 green and the folding mechanism 81d orange. In my opinion, a POSA would understand that any frame containing a folding mechanism—joints, pivots, hinges—will not be mathematically perfectly planar when in the deployed configuration. There will be deviations at the joint locations, where structural members transition from one angular orientation to another. Thus, in one sense, the term "substantially" in the claim accounts for this inherent reality. It signals that the frame members extend generally within a geometric plane, while

acknowledging the minor deviations that are inherent in any real-world folding structure.

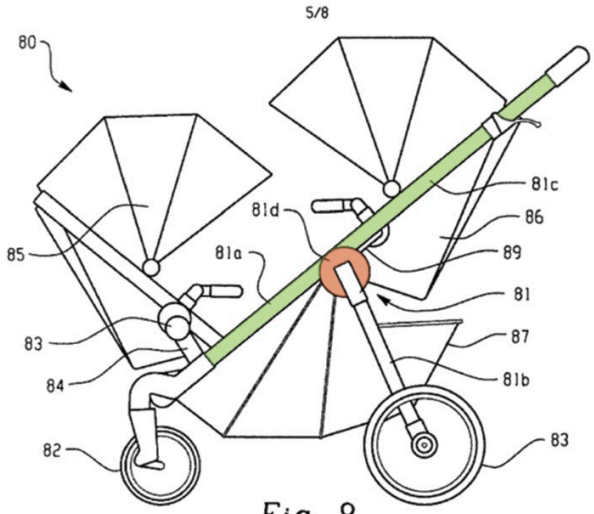


Fig. 8

69. Additionally, even if the figure in the 2008 Provisional (and 2009 Nonprovisional) did only *literally* show a "strictly planar" frame as Petitioner suggests, a POSA would understand it to disclose more than such a limited configuration. A POSA understands that patent application figures like Fig. 8, present a schematic view of a stroller in accordance with the disclosure—they are not photographs of a specific physical embodiment. Not every *possible* version, iteration, or embodiment of the disclosure is presented, nor is it required to be.

70. As noted above, the level of detail required to satisfy the written description requirement varies depending on the nature and scope of the claims and on the complexity and predictability of the relevant technology. See ¶ 26 above (identifying factors). As both Mr. Prairie and I acknowledge, the POSA would have

not only an engineering degree but also experience in the field. See ¶ 32 above; 1140 EX1001 ¶ 36 ("at least two years of product design experience and/or industry experience with juvenile products). The complexity of simple mechanical products like a stroller frame is relatively low and the predictability relatively high. And specifically as it relates to the figures here, a POSA would recognize that a strictly planar illustration of the support members inherently discloses some variation "substantially within a plane." There is no technical challenge to make a non-strictly planar alignment.

71. Additionally, Fig. 10—which I understand was added during prosecution of the 2009 Non-Provisional—shows support members that deviate slightly from the geometric plane. In my opinion, this figure constitutes affirmative visual disclosure of foldable support members that are "substantially within" a plane, because the slight curvature is a kind of deviation that "substantially" encompasses, as illustrated below. While the curvature means portions of the frame deviate slightly from the geometric plane, the frame members still extend *substantially* within the plane.

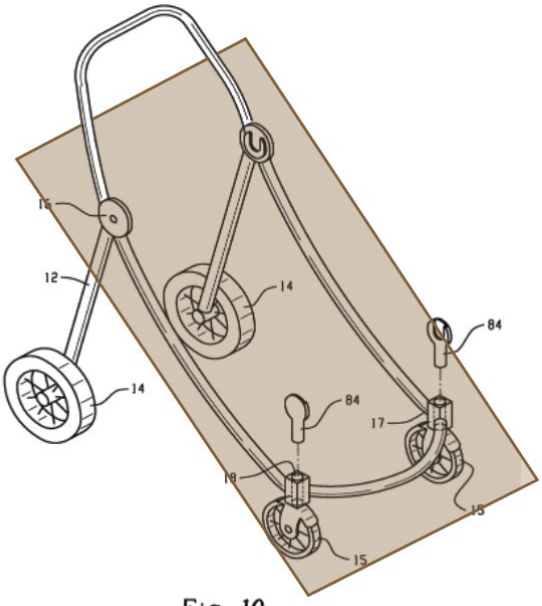


Fig. 10

72. Accordingly, my opinion is that the 2008 Provisional and 2009 Nonprovisional applications provide written description support for the foldable support members being "substantially within a plane" as recited in claim 1 of the '771 Patent.

E. My views on the contrary opinions of Petitioner's expert

73. In my opinion, the opinions expressed by Petitioner's expert, Mr. Prairie, regarding the priority analysis are flawed for the reasons discussed below. *See* EX1001 ¶¶ 174-187, 188-217, 191-193, 196, 198, 202-204, 353-424.

74. Overall, Mr. Prairie applies fundamentally different analytical standards when assessing what the pre-2016 filings disclose versus what Liao discloses. In my opinion, a POSA applying a single, consistent standard would

conclude that the pre-2016 filings support the claims of the ’682 and ’771 Patents, and that Liao does not teach those claims.

75. With respect to the pre-2016 filings, Mr. Prairie concludes “there is no disclosure” of “‘seat attachment adapters’ or ‘seat attachment housings.’” *See* EX1001 ¶¶ 188-198. But as I explained above, the 2008 Provisional describes seat attachment adapter 84—which it calls the “seat attachment portion”—with detailed functional descriptions and multiple annotated figures showing how seat attachment portion 84 connects to the stroller frame. *See, e.g.,* EX1002 ¶¶ [0023]-[0025], [0028], [0034], [0036]. The 2008 Provisional also describes “connector portions 17” (the housings) with a “cylindrical recess” along with the insertion relationship between the connector portion and the recess. *See, e.g.,* EX1002 ¶¶ [0023]-[0025], [0036]. The structures are identified by number, their spatial relationships are described in text, and their physical configurations are shown in figures across multiple embodiments. *See, e.g.,* EX1002, Figs. 1, 8; *id.* ¶¶ [0023]-[0025], [0028], [0036]. A POSA reviewing this level of detail would recognize these as disclosures of the same structures the ’682 Patent later called “seat attachment adapters” and “seat attachment housings.”

76. In my opinion, Mr. Prairie’s failure to analyze these kinds of similarities demonstrates that he applied a terminology-matching approach when conducting his priority analysis of the ’682 Patent—treating the absence of the

’682 Patent’s specific labels as dispositive rather than considering what the pre-2016 filings what is reasonably conveyed to a POSA, actually or inherently. When analyzing Liao, however, Mr. Prairie shifts from a terminology-matching approach to a structural-inference approach. There, he finds that Liao discloses structures corresponding to the claimed “seat attachment adapters” and “seat attachment housings” by inferring structural relationships from Liao’s drawings—identifying “latches” pivotally coupled to “adapters” and a “slot configured to receive a latch pin.” *See* EX1001 ¶ 381.

77. In my opinion, if a POSA were to apply a structural-inference approach when analyzing Liao, as Mr. Prairie does, then the POSA would also apply a structural-inference approach when reviewing the pre-2016 disclosures, rather than applying a terminology-matching approach as Mr. Prairie appears to do.

VII. ROLICKI GROUNDS

78. Both Petitions contend that the challenged claims are obvious over Rolicki (EX1047). I offer the following opinions, from the perspective of a POSA, about how she would have understood the disclosures of Rolicki.

A. If Rolicki is not prior art, then Ground 1 of both Petitions does not render the challenged claims obvious

79. It is my understanding that Rolicki (EX1047) was filed March 14, 2013, and claims priority to a provisional application dated January 7, 2013. EX1047, cover. As discussed above, in my opinion, both the ’682 Patent and the

’771 Patent are entitled to priority to the December 4, 2008 filing date of the 2008 Provisional (EX1002) and the December 4, 2009 filing date of the 2009 Non-Provisional (EX1003). *See* Section VI above. I understand that if that is the case, then Rolicki does not qualify as prior art. And accordingly, I do not believe that Petitioner has shown the claims unpatentable as obvious over Rolicki.

B. Rolicki does not teach or suggest reversible seats (’771 Patent Ground 1)

80. As discussed above in Section V.C., I disagree with Mr. Prairie’s (apparent) opinion that the phrase “either forward or backward facing position” means that disclosing only forward-facing discloses or teaches the limitation. Rather, the claim requires seats that are adjustable from a forward-facing configuration to a rearward-facing configuration and vice-versa.

81. Petitioner and Mr. Prairie both appear to concede that Rolicki does not disclose such reversible seats. See 1140 Pet. 37 (“This claim requires the first seat connect in “either the forward or backward facing position,” not that it be reversible. Since Rolicki Fig. 2 discloses the seat attached in the forward position, this limitation is met.”); EX1001 ¶ 311 (stating his opinion that Rolicki “meets *one*

of the claimed alternatives").[2] I agree that Rolicki discloses only forward-facing seats and does disclose not any backward-facing seats. Accordingly, it cannot disclose or teach reversible seats that can be adjusted from forward-facing to rearward-facing.

82. I understand that Petitioner alternatively argues that Rolicki "incorporates by reference" another document, WO 2012/075157 (WO 157), which the Petition contends discloses "a similar seat connector"—similar to what, they do not say—and discloses "seats connected in both the rear facing position and front facing position." 1140 Pet. 37 (citing EX1050 (WO 157), Fig. 9, and Mr. Prairie's declaration ¶ 312). Mr. Prairie, in turn, does not cite *any* specific figure or other disclosure in EX1050, but he nevertheless declares that WO 157 discloses "seats connectable in the rear facing configuration" and that a POSA would have understood the seat connectors "allow the seats to be connectable in both a forward and reverse fashion." Even if these unsupported (or under-supported) statements are true, that a reference discloses a "rear facing" seat does not mean that the

[2] During his cross-examination, Mr. Prairie affirmed his belief that Rolicki's figures "show a forward condition." And when asked to confirm that Rolicki does *not* "show the seats in a backward configuration," he responded by saying, "It doesn't need to ….". EX2100, 74:18-75:21.

reference discloses or teaches seats that are adjustable from a forward-facing configuration to a rearward-facing configuration (i.e., reversible seats) as required by ’771 Patent claim 1.

83. Reviewing WO 157, I do see that Fig. 9—the only embodiment or disclosure of the reference specifically identified by either Petitioner or Mr. Prairie—depicts a stroller with one seat facing forward and one seat facing backward, as illustrated below. EX1050, PDF Page 39 of 53.

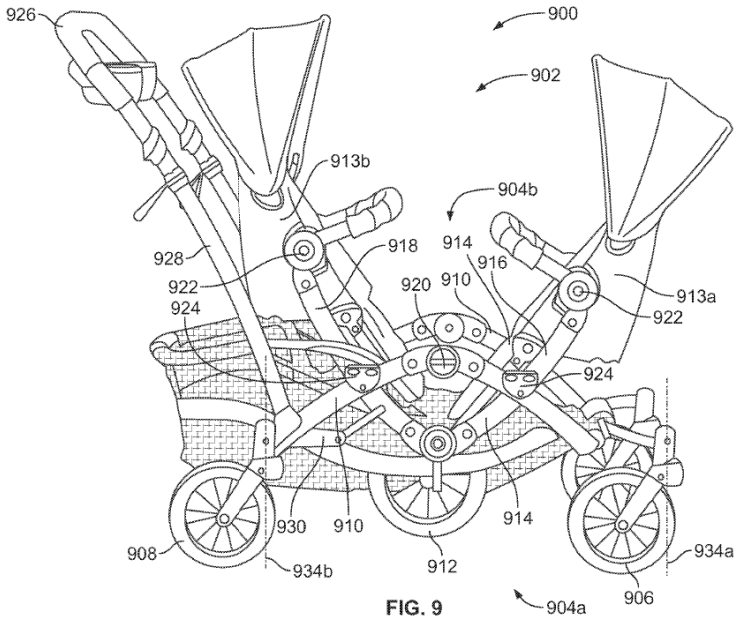


FIG. 9

84. WO 157 describes Fig. 9 as “a side view of an example tandem stroller disclosed herein having an example intermediate wheel.” EX1050 ¶[0012]. WO 157 further discloses: “To support one or more seats 913a, 913b, each of the first and second side frame assemblies 904a, 904b includes a seat frame support 914. … To removably couple the seats 913a, 913b to the seat frame support 914,

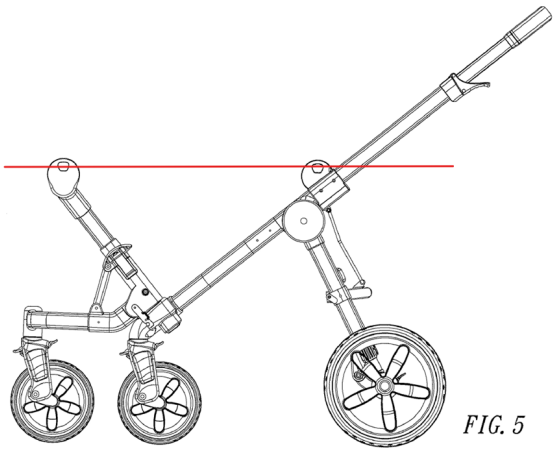
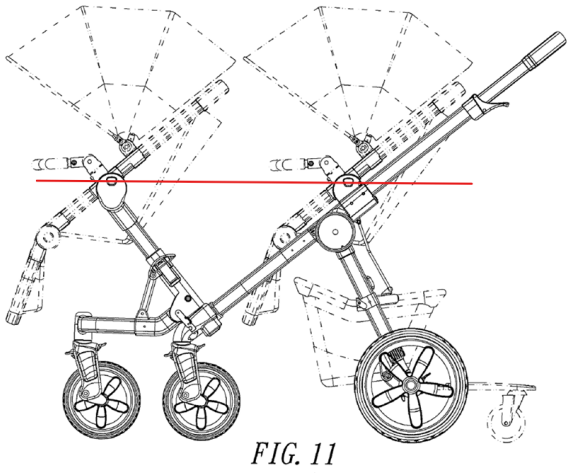
the seat frame support 914 employs hubs 922. The hubs 922 receive or engage with a mating hub or surface of the seats 913a, 913b via, for example, a bayonet connection to couple the seats 913a, 913b to the frame 902." EX1050 ¶ [0063]. Importantly, the discussion of the tandem stroller with the "example intermediate wheel" does not say that the seats are adjustable from a forward-facing configuration to a rearward-facing configuration. While WO 157 discloses that its seats are attached to "hubs 922" that may engage with via "a bayonet connection" to couple the seats to the frame, there is no further description of those hubs and no disclosure that the hub or bayonet connection to the mating hub would be reversible—WO 157 is completely silent that question. In the absence of that specific disclosure, a POSA would understand that bayonet-type connections are typically implemented with orientation-constraining features. Accordingly, in my opinion Figure 9 of WO 157 does not cure the failure of Rolicki to disclose or teach reversible seats.

VIII. LIAO GROUNDS ('682 PATENT GROUNDS 2-3)

85. As I understand it, the 1122 IPR includes two Grounds of unpatentability relying on the Liao design patent. 1122 Pet. 56, 80.

86. In my opinion, Liao does not disclose that its first and second seats are "arranged in an inline descending configuration along the stroller frame" as required by claim 1 of the '682 Patent. *See* EX1010, claim 1.

87. Liao's figures show both seats connecting to the stroller frame at approximately the same vertical height. Figs. 5 and 11 are particularly instructive. *See* EX1048, Figs. 5, 11.

EX1048, Fig. 5 (annotated).	EX1048, Fig. 11 (annotated).
	

88. These figures show the connection points—where each seat interfaces with the frame via Petitioner's "adapters"—are at the same vertical level. Likewise, the seats are generally level. Liao's remaining figures confirm the same geometry. *See* EX1048, Figs. 8-13. Throughout these figures, the two seats are mounted at the same vertical height. Therefore, in my opinion, a POSA reviewing Liao without the benefit of the '682 Patent would not perceive the "inline descending configuration" of claim 1 of the '682 Patent.

89. Furthermore, in my opinion, there is no basis in Liao for Mr. Prairie's use of "where an infant's buttocks would be generally located" (EX1001 ¶ 385) as a reference point for identifying an "inline descending configuration."

IX. GOTTING AND BRITAX ('771 PATENT GROUND 2)

90. The 1140 Petition contends that the '771 Patent claims are unpatentable as obvious over the combination of Gotting and Britax. I disagree. Because this section of my declaration addresses a ground *only* present in the 1140 Petition, all citations to the Petition and Mr. Prairie's declaration (Pet. or EX1001) will be to the documents in that proceeding.

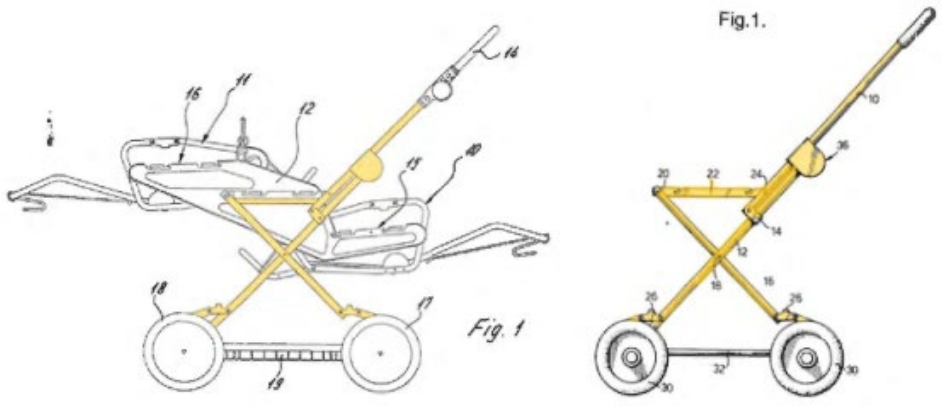
A. Overview of Gotting and Britax

91. Gotting discloses a stroller frame that, upon removal of a single seat from the base frame, can receive a set of adapters 12 onto which two seats can then be mounted. The one-seat configuration does not expressly appear in the figures of Gotting.

92. Petitioner and Mr. Prairie contend that Gotting (EX1041) and Britax (EX1048) have the same Applicant, "Britax-Teutonia Kinderwagenfabrik GmbH," and they illustrate[] the same frame and folding mechanism." Pet. 62; EX1001 ¶ 400. Thus, Mr. Prairie testified that Gotting and Britax "share[]" the underlying frame such that, if one removed the adapters 12 from Gotting's stroller, one would be left with Britax stroller frame to which a single seat could then be attached. EX2100, 175:20-176:17.

93. Having reviewed both references, I also believe that a POSA would understand Britax and Gotting, which were filed by the same applicant a little over

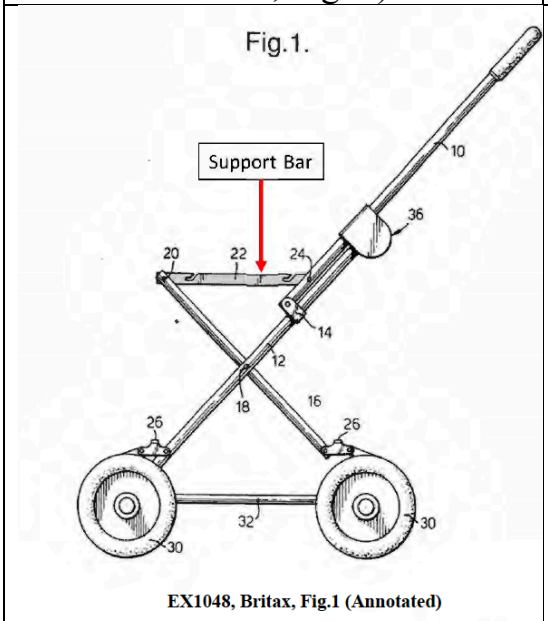
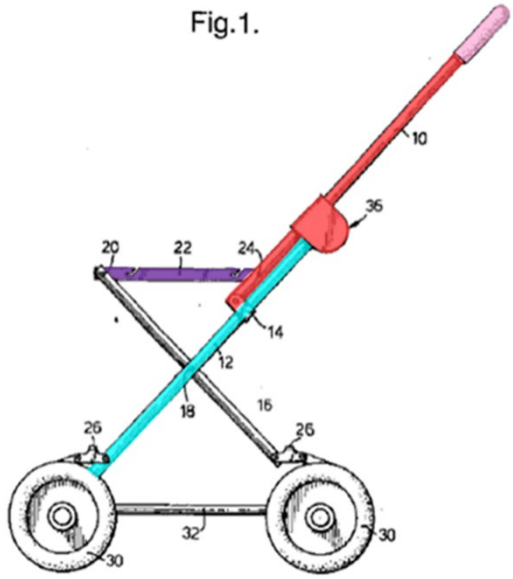
a year apart, disclose the same underlying stroller frame to which one or—in accord with the teachings of Gotting—two child seats can be attached. See also EX1001 ¶ 481 ("Gotting appears to be a follow-on development from Britax, incorporating a substantially similar chassis design while extending functionality through the addition of an adapter assembly that supports two removable seats."); Pet. 121 (describing the "common chassis"). While Gotting does not expressly reference Britax, Gotting does state its "stroller can also be used for just one child. The *frame advantageously remains the same for this*." EX1041 ¶ [0007]. Thus, Britax effectively discloses a single-seat configuration for the stroller frame of both Britax and Gotting. *See* Petitioner's annotated comparison of the references below. EX1001 ¶ 481.



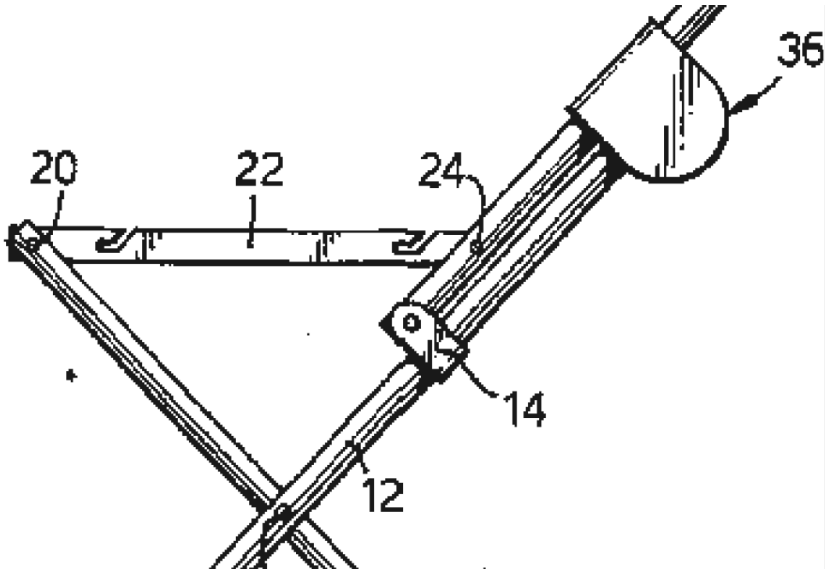
EX1041, Fig. 1; EX1048, Fig. 1

94. Figure 1 of Britax shows the frame (i.e., without Gotting's adapter 12). Petitioner acknowledges that in Britax, the horizontal frame member 22 that extends from pin 20 to pin 24 and that the middle section 12c of the adapter 12

engages the horizontal frame member 22. EX1001 ¶ 445; *see also* Britax, 3:5-10. Below on the left, I show Petitioner's annotation of Britax Figure 1, labeling frame member 22 as a support bar, which is distinct from the foldable support members. Below on the right, I provide an annotated version of Britax Figure 1 using the same colors for the (alleged) foldable support members (red and blue) and the handle (pink) that Petitioner uses for the corresponding parts of Gotting. *See* Pet. 61, 63; EX1001 ¶ 402 (page 210). In my annotation, I have additionally highlighted the horizontal "support bar" or frame member 22 (purple).

Pet. 76; EX1001 ¶ 446 (Petitioner's annotation of EX1048, Fig. 1).	My colorized Britax Fig. 1.
 EX1048, Britax, Fig.1 (Annotated)	 EX1048, Britax, Fig. 1

95. In a single seat configuration shown in Britax, a POSA would understand that the seat would connect to the frame via this horizontal frame member 22, or "support bar" as the Petitioner refers to it, using the slots that are visible in the below version of Figure 1, magnified to show the frame member 22.



96. Turning now to Gotting's "stroller for twins or siblings" (EX1041, at 1, Title field 54), Gotting discloses that to provide a double stroller configuration, "two adapters 12," onto which two seats are attached at connecting points 15 and 16, "are attached to the frame by locking elements … in the conventional manner." EX1041 ¶ [0011]. The same horizontal frame member/support bar 22 is present in Gotting and extends between the same two pins. And Gotting Figure 1 shows how adapter 12 is connected and locked to the horizontal frame member (22)—the same location as the single seat was connected in the one-seat configuration of the stroller. As Petitioner and Mr. Prairie agree, this is how and where a POSA would

understand the adapter 12 is mounted to the frame. *See* Pet. 74-76; EX1001 ¶¶ 446-448 ("Britax provides a clear view of the slots of the support bar without the adaptor attached. … In Gotting, the slots of the support bar engage with … 'adapter 12' to removably connect the adapter 12 to the frame ….").

97. In other words, to use adapter 12, the single seat must first be removed, because the adapter is attached at the same position as (and using the same structures as) the single seat in the single seat configuration. I have reproduced below the original Fig.1 of Gotting below.

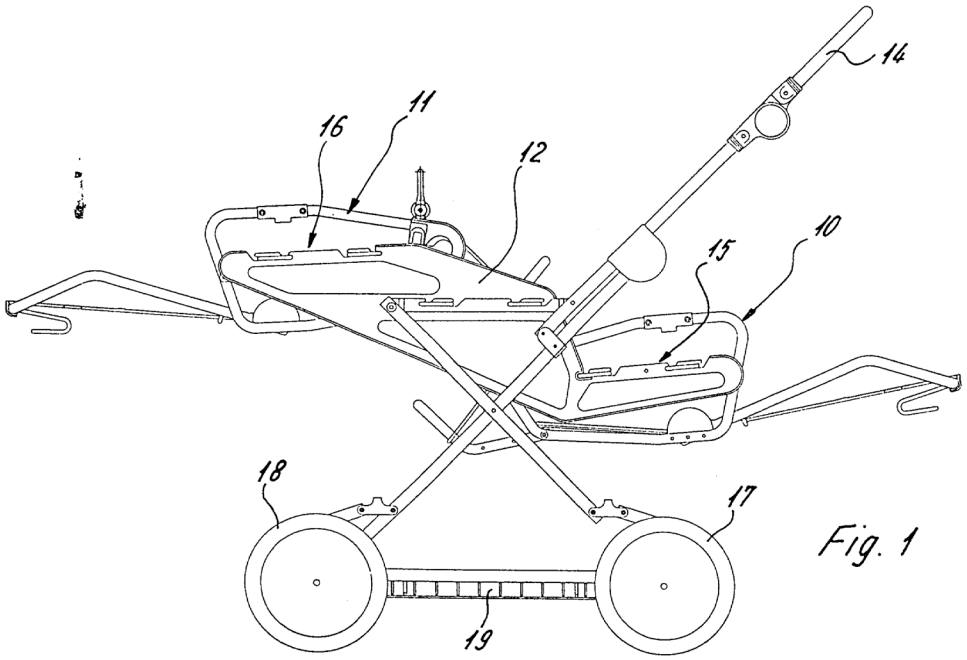
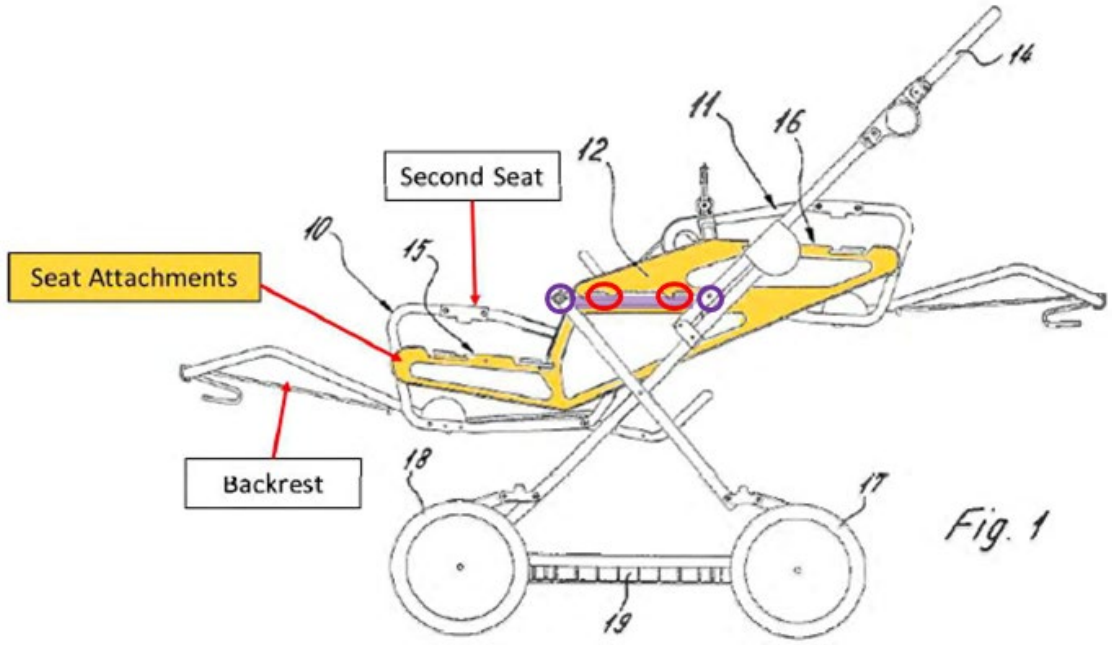


Fig. 1

98. Gotting discloses that the adapters 12 can be "reversed 180° on the frame" so that "the seat … further from the push bar 14 [the forward seat] would be lower than the seat … closer to the push bar [i.e., the rearward seat]." EX1041

¶ [0014]. Petitioner and Mr. Prairie provide an annotation of Gotting Figure 1 showing this configuration, with the adapters 12 colored gold. Pet 71; EX1001 ¶ 435. I have reproduced this modified and annotated figure below, including its original labeling—adapters 12 as the alleged "right and left seat attachments" (claim element [1.5b]) and the lower seat 10 as the alleged "second seat" (claim elements [1.5d]). I have, however, *added* further annotations to this figure: I circled the two pins that the horizontal frame member extends between in **purple**, as well as the connection points between the adapter 12 and the horizontal bar in **red**. I have highlighted the horizontal frame member/support bar transparent **purple**.



EX1041, Gotting, Fig. 1 (Modified and Annotated)

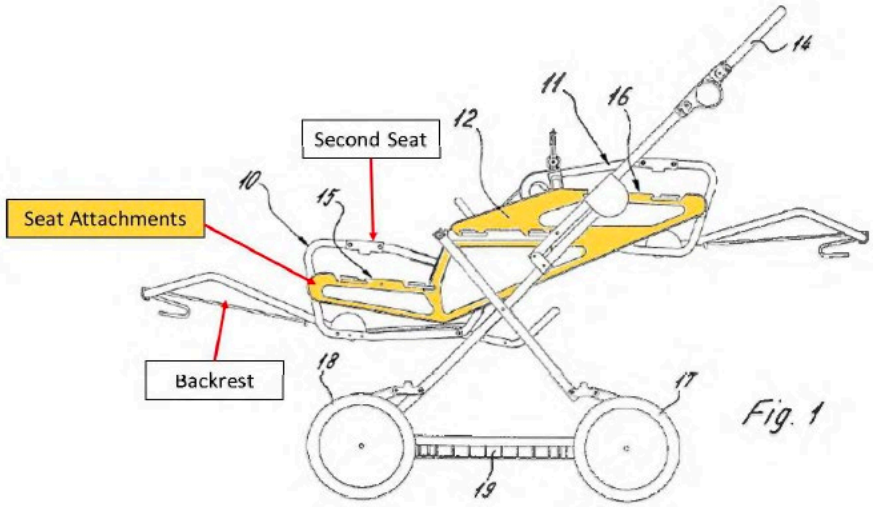
99. Gotting also discloses: "The adapters 12 could also be eliminated by forming the attachments for the seats 10, 11 directly on the frame. This would

eliminate the other configuration possibilities, however." EX1041 ¶ [0014]. Gotting does not, however, provide any further information (in words or figures) to a POSA about where on the frame these attachments might be formed or which "configuration possibilities" would be eliminated by doing so. Petitioner and Mr. Prairie reference this disclosure at multiple points (albeit without mentioning Gotting's warning about eliminating configurations) in an apparent attempt to provide alternative mappings onto the claims. *E.g.*, Pet. 67 69; EX1001 ¶ 422-423. But they also do not describe or illustrate such a configuration or how it meets the claims.

100. This is particularly problematic because the only attachment method directly to the frame described in Gotting is a connector that uses two protrusions that slide into a longer member with angled slots. The horizontal length needed for this connector is almost half of the wheelbase. This is fine when there is only one seat, as the horizontal member can be placed within the wheelbase and be connected at its ends to two different frame members. It is not clear, on the other hand, how a second seat would also be directly connected to the frame as there is not another obvious location that would accommodate connection points at both ends of the horizontal member. There is no teaching or explanation in Gotting of how another connector could be integrated into the frame. Petitioner has also not

provided this information, much less provided an explanation of how this alternative would still meet the limitations of the claims that I could evaluate.

101. In summary, Gotting teaches a "preferred embodiment" (EX1041 ¶ [0007]) where two adapters 12 are attached (on the left and right side) to a single-stroller frame (of Britax), so that two seats can be mounted to the adapter 12 to provide a double stroller. Gotting also briefly states the seats can be attached "directly" to the frame, EX1041 ¶ [0005], [0014], but it does not otherwise describe this hypothetical embodiment.



EX1041, Gotting, Fig. 1 (Modified and Annotated)

B. The combination of Gotting and Britax does not teach the claimed invention

102. With that overview in mind, the differences between the Gotting double stroller (and Petitioner's proposed mapping onto the claims) become

apparent. In my opinion, a POSA considering the teachings of Gotting (and Britax) would not arrive at the ’771 Patent’s claimed invention(s).

103. Rather than the (pair of) single-piece adapters of Gotting, the Baby Jogger patents disclose modular seat attachments (or seat attachment adapters) that serve as structural intermediaries defining how and where each seat is positioned on the frame. EX1011, Figs. 3, 8A. The seat attachment adapters are coupled to the seat attachment housings, and the seat attachment adapters connect to the first and second seats. EX1011, 10:28-35. The stroller receives the seat attachment to convert the single stroller into a double stroller. EX1011, 3:67-4:2.

104. For example:

> The stroller 80 can also include a removable seat attachment adapter 84 that is removably coupled to the frame 81 such that the seat attachment adapter 84 can be decoupled from the frame 81 and stored when a second stroller seat is not being used with the stroller 80. In one example embodiment, each removable seat attachment adapters can be coupled to the frame by coupling the adapter 84 into a seat attachment housing disposed along the frame 81. …
>
> Though it cannot be seen in the side view of FIG. 8A, a typical embodiment of the stroller 80 will include at least two removable seat attachment adapters 84 (at least one along each left and right side of the stroller 80 along the stroller frame 81). For example, at least one removable seat attachment adapter can support each lateral side of the second stroller seat 85.

EX1011, 10:3-10, 10:20-26.

105. I have reproduced FIG. 8A below with seat attachment adapter 84 highlighted.

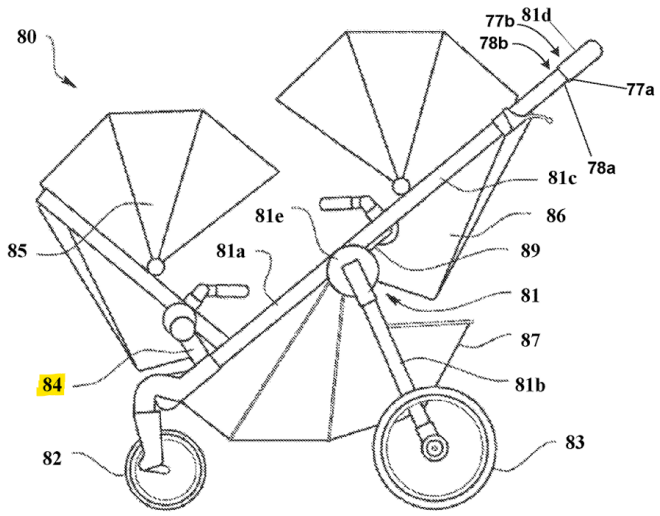


FIGURE 8A

106. In accord with that disclosure, claim 1 of the '771 patent recites a "stroller convertible from a single seat configuration to a double seat configuration without increasing its footprint." Among other things, the stroller includes "a frame … comprising a handle portion and left and right foldable support members." Those support members "extend[] from the handle portion towards a front end … substantially within a plane that runs diagonally from the handle portion towards the front end portion." The stroller has a "first seat releasably connected to the frame at a first vertical position." When only the first seat is connected, that forms the single seat configuration. But the frame *also* "receives an *optional second seat*

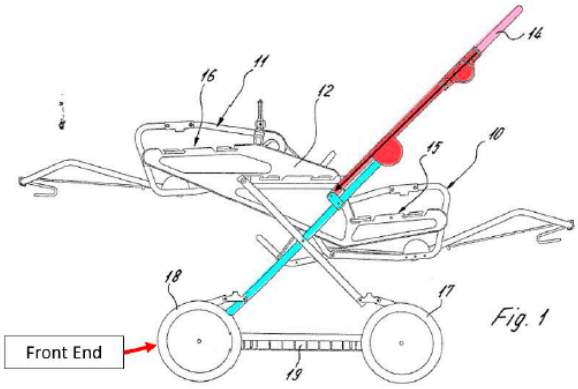
assembly to form the double seat configuration." That assembly comprises "right and left seat attachments disposed along the right and left support members of the frame, respectively, at a second vertical position" and "a second seat connectable to the right and left seat attachments," such that "when connected to the frame," the first and second seats are arranged in an inline descending configuration substantially along the plane of the frame." EX1011, 17:10-43 (claim 1).

107. Thus, generally speaking, claim 1 describes a single stroller that can be converted into a double stroller by using optional "seat attachments" disposed along the supports of the frame and connecting the second seat to those attachments, such that the first (original) seat and second seat are connected to the frame at *different* vertical—and, consequently, horizontal—positions along the plane that runs diagonally from the handle portion towards the front end. That contrasts with Gotting's double stroller with a single large adapter that holds two seats and that is attached at a single location in the middle of the frame. The Petition's improper mapping of Gotting to the elements of claim 1 are detailed below.

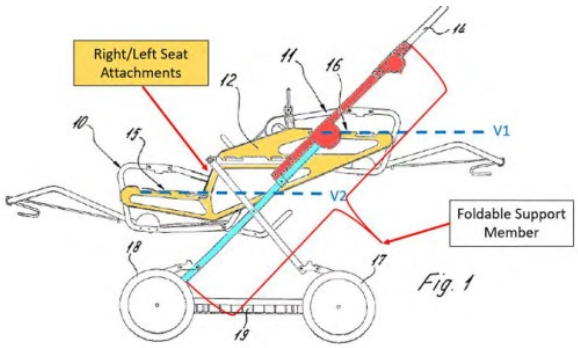
1. The combination does not disclose or teach element [1.5b]: right and left seat attachments disposed along the right and left support members of the frame, respectively

108. Below, I reproduce what Petitioner has identified as the foldable support members (red and blue). *See* Pet. 63, 69. In one figure, Petitioner identified

the handle in pink. Both these elements are part of element [1.3]. (As noted above, I used the corresponding colors when providing my similarly annotated Figure 1 of Britax).

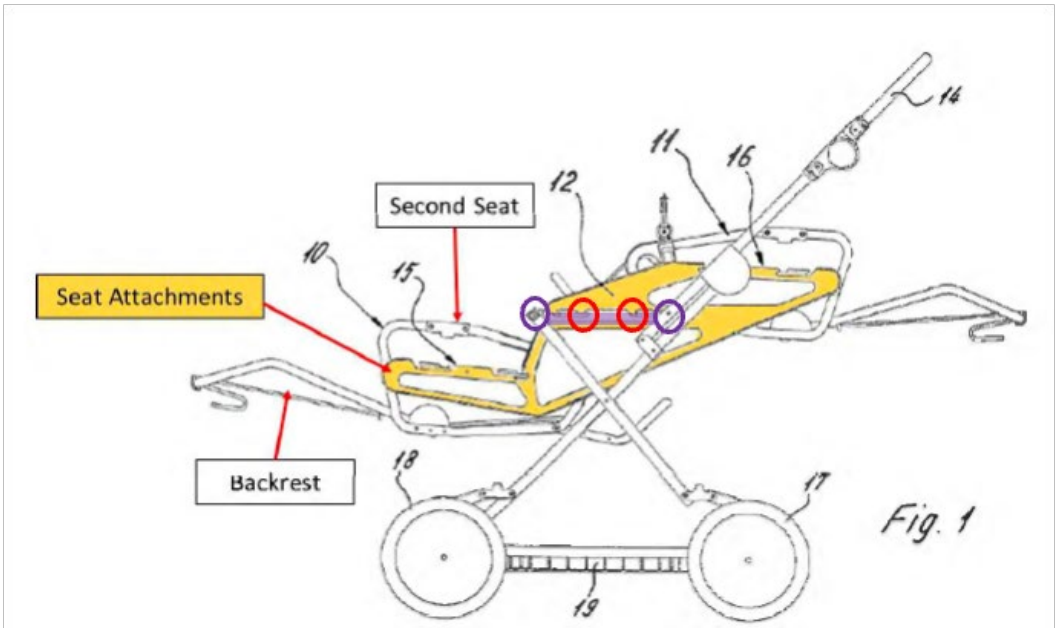


EX1041, Fig. 1



EX1041, Fig. 1 (Modified)

109. As shown, the *entire* adapter 12 (in gold below) has been identified by the Petitioner as the recited left and right seat attachments in element [1.5b]. As explained above, the adapters 12 connect and lock to the horizontal frame member (aka "support bar") I highlighted in transparent purple.



EX1041, Gotting, Fig. 1 (Modified and Annotated)

110. Claim element [1.5b] recites the "right and left seat attachments disposed along the right and left support members of the frame, respectively, at a second vertical position that is lower than the first vertical position." The plain language would be viewed as expressing multiple requirements as to the seat attachment: They are (i) *disposed* (ii) *along* the support members (iii) *at* a second vertical position lower than the first. A POSA would understand this phrase, in the context of the claim, to mean the seat attachments must be positioned at a location on the length of the frame's support members, such that the vertical position on the

length of the support members is lower than the first vertical position and, as expressed in [1.5c], closer to the front than to the handle portion.[3]

111. This understanding is corroborated by the disclosure of the '771 Patent. For example, in Fig. 8, the seat attachment adapters 84 are shown as attached at a location along the frame. The specification also describes the locations where elements are positioned along the frame:

- "In another example embodiment, the left connector and the right connector can each be tabs or slots that are configured to be coupled to *corresponding slots or tabs along the stroller frame 81*." EX1011, 9:66-10:2.
- "In one example embodiment, each removable seat attachment adapters can be coupled to the frame by coupling the adapter 84 into a seat attachment *housing disposed along the frame 81*." EX1011, 10:7-10.
- "In one example, the seat connector 88 can be *disposed along a top end of the seat support element 84*." EX1011, 12:15-17.

[3] A POSA would understand this second vertical position along the support members is both *lower* and *closer to the front* is in accord with the support members being "substantially within a plane running diagonally from handle portion to front end portion" as recited in [1.3].

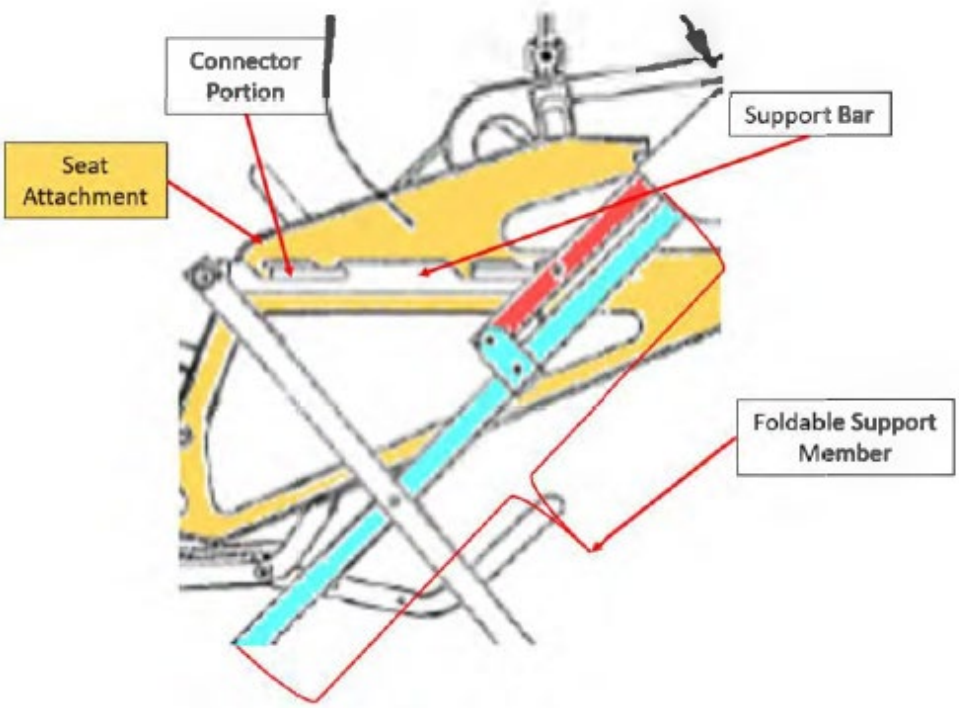
- "In certain example embodiments, the stroller 80 may also include a second set of removable seat attachment adapters 89 removably coupled to the frame 81 (or another pair of seat attachment housings substantially similar to those 1105, 1110 described below) *along the upper tube support frame 81c*." EX1011, 11:43-48.
- "In one example, each seat attachment housing 1105, 1110 can include one or more rails either *disposed above or below a top surface* of the seat attachment housing 1105, 1110 …." EX1011, 14:3-8.

In each of these examples, the patent describes the positions of the elements in an identified position on the length of the support members.[4] Thus, this plain meaning of limitation as expressed above is consistent with the descriptions in the specification.

112. As explained above, it is undisputed that the only location or position where Gotting's adapters 12 are attached to the frame is at the horizontal frame

[4] The specification elsewhere uses the word "disposed" as an alternative to position or location. See EX1011, 8:44-46 (describing seat attachment members 71 and wheel 73 "can be *disposed or otherwise positioned* in a triangular relationship"), 14:56-59 (describing seat can coupled to a seat connector "disposed on *or adjacent to*" the end of a seat attachment adapter).

member (or support bar) 22. *See* Pet. 75-77. This attachment point is the location a POSA would understand the adapter 12 is "disposed" at "along the frame." While Mr. Prairie contends "[t]he adapters connect to the left and right 'foldable support members' ***through a*** support bar that is directly attached to the right and left support members," EX1001 ¶ 445 (emphasis added), both his characterization and his annotated figure (reproduced below) show that the adapters are attached to, and thus "disposed along" or on, the "support bar"—*not* the (red and blue) foldable support members. The support bar is attached at one end to the alleged foldable support member, but the alleged seat attachment (adapter 12) is not disposed along that foldable support member. Accordingly, Gotting in view of Britax does not disclose element [1.5b].



EX1041, Gotting, Fig. 1 (Modified, Cropped and Annotated)

2. The combination does not disclose element [1.5c]: wherein the second vertical position is closer to the front end portion than the handle portion;

113. Gotting in view of Britax also does not disclose right and left seat attachments *disposed along* the right and left support members of the frame, respectively, ***at*** *a second vertical position that is lower than the first vertical position,* and wherein the second vertical position is *closer to the front end portion than the handle portion*. Element [1.5c].

114. Putting aside that Gotting in view of Britax does not disclose right and left seat attachments disposed along the right and left *support members* of the frame, the right and left seat attachments are disposed on the frame at the location identified by Petitioner and Mr. Prairie as V1', *not* at V2 as they suggest. *See* Pet.

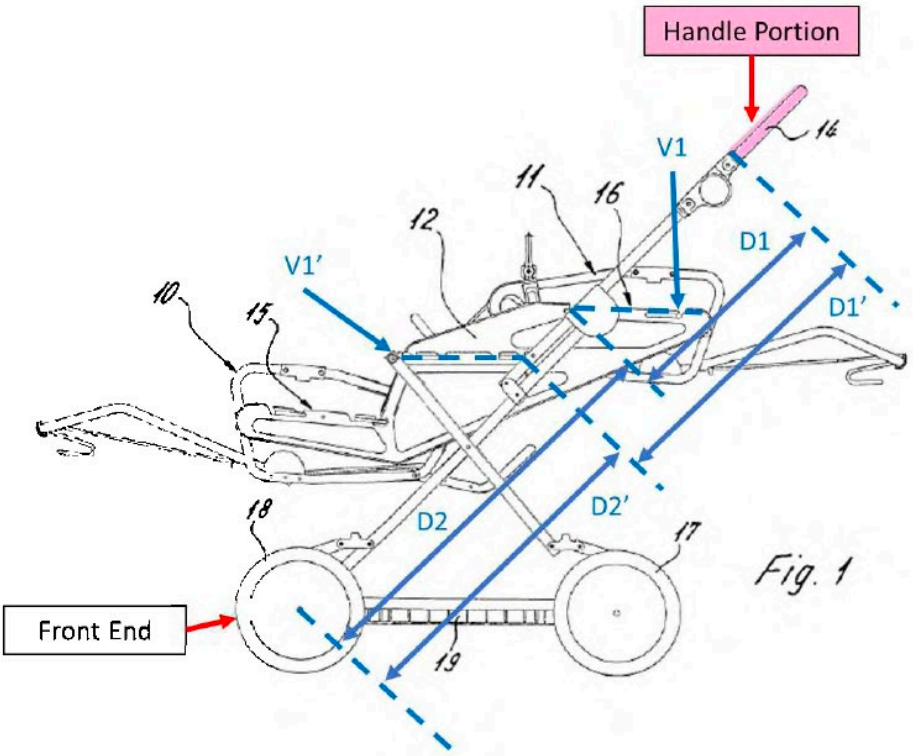
67 (showing V1' through the support bar); EX2100, 179:20-180:5 (Mr. Prairie agreeing that V1' is drawn where Gotting's adapter 12 attaches to the support bar).

115. I also note that neither Petitioner nor Mr. Prairie explains why they believe a POSA would consider the alleged seat attachments (adapters 12) to be "disposed along the … support members … ***at***" the vertical position they identified as V2. A POSA would understand Gotting teaches that the location/position Petitioner and Mr. Prairie identify as V2 is in fact where the seat 10 attaches to connecting points 15 of adapter 12—as shown in their illustration. Pet. 69; EX1001 ¶ 429. If anything, that location (connecting point 15) represents a "vertical position" of the second *seat*, which both Petitioner and Prairie seem to acknowledge. Pet. 69-70 ("This places the 'second seat' lower than the 'first seat.'"); EX1001 ¶ 429 ("Therefore, the connecting points 15[] *indirectly* attach the lower 'second *seat'* to the frame. … The second vertical position (V2) [is] at 'connecting points 15' ….'). But the second vertical position limitation is recited with respect to the "right and left seat attachments" disposed along the frame, *not* the "seat." I thus do not believe they have adequately articulated why a POSA would read Gotting to teach the seat attachments are disposed or positioned at the location V2, so as to meet the claim limitation.

116. In my opinion, a POSA would instead understand that the alleged seat attachments (adapters 12) are disposed at the vertical position Petitioner labels V1'.

If anything, that is where these optional adapters 12 are received by the support bar. See EX1001 ¶ 447 ("In Gotting, the slots of the support bar engage with … adapter 12 to connect the adapter 12 to the frame" via "a bar having elongate sections (extending out of the page) sized to be received in the hooked slots."); see also EX2100, 179:20-180:5. Thus, Gotting "receives" (as in element [1.5a]) the optional adapters 12 at that location—if they are "disposed" on or along the frame at any vertical position, it would be the vertical position of that support bar.

117. But Petitioner and Mr. Prairie **expressly contend that the position they label V1' is "closer to the handle portion** (pink) than the front-end portion," as they illustrate in the figure below. Pet. 66-67; EX1001 ¶ 421; *see also* EX2100, 193:23-194:10, 195:25-196:17 (repeating that he "stand[s] behind" his assessment of distances, without providing any further explanation). That is the *opposite* of what element [1.5c] requires.



EX1041, Gotting, Fig. 1 (Modified and Annotated)

118. Thus, applying the proper understanding by POSA of where the right and left seat attachments are disposed at—the support bar aka V1'—Petitioner must agree this second vertical position is *not* "closer to the front end than the handle" as required by element [1.5c]. Accordingly, they have not shown that claim 1 is obvious over Gotting and Britax.

3. The combination does not disclose element [1.5e]: wherein the first seat and the second seat, when connected to the frame, are arranged in an inline descending configuration substantially along the plane of the frame

119. The single location where the adapters 12 are attached to the frame at the horizontal support bar also means that two seats, "when connected to the

frame," are not "arranged in an inline descending configuration substantially along the plane of the frame" as required by element [1.5e].

120. Gotting discloses that when its adapter 12 is "reversed 180° on the frame"—as Petitioner proposes—then the seat closer to the push bar 14 would be higher than the seat further from the push bar (i.e., closer to the front). EX1041 ¶ [0014]. So Petitioner and Mr. Prairie are not wrong when they assert that, when the two seats are attached to the adapters 12, the "first seat is higher than the second seat." Pet. 71; EX1001 ¶ 437.

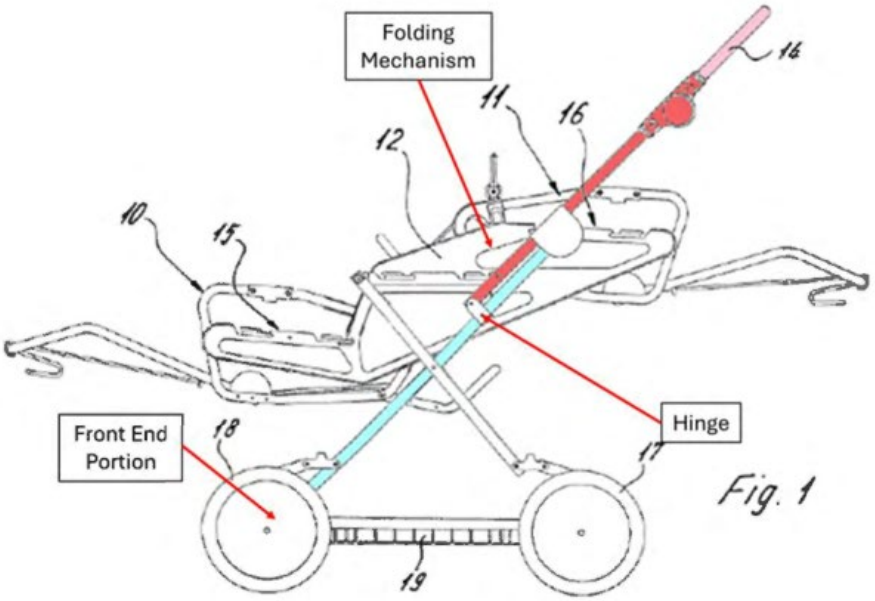
121. From the uncontroversial statement that one seat is "higher than" the other, Petitioner and Mr. Prairie then assert—without explanation or analysis—that the seats are also in "an inline descending configuration … substantially along the plane of the frame." *Id.* It appears that both Petitioner and Mr. Prairie believe that one seat being "higher than" the other is sufficient to meet the entirety of element [1.5e]. I disagree. For one, that position disregards the majority of the language in the limitation. And it is contrary to the proper construction of the term, as I have opined above. *See* Section V.B. above.

122. As explained at length above, it is undisputed that Gotting's seats ultimately connect to the frame via adapters 12 attached to the horizontal frame member/support bar, at the location they labeled V1'. As explained in the Claim Construction section, the claim language anchors the "inline descending

configuration" to the structural relationship between the seats and the frame—specifically, the point at which each seat attaches to the frame via its seat attachment. Applying that construction then, whether the seats are "inline descending" is judged by reference to that single location, V1'. A POSA would not understand the seats to be in an inline descending configuration when they are attached at the same location, rather than independent vertical positions as recited in the claims. Thus, Gotting and Britax do not satisfy element [1.5e].

123. Even if a POSA were to evaluate the relative positions of the seats as displayed in Petitioner's figures, based on where they are attached to the *adapters 12* (i.e., connecting points 16 and 15) as Petitioner apparently proposes, a POSA would not understand the seats to be in an inline descending configuration substantially *along* the plane of the frame. Petitioner argues the red and blue illustrated support members in its annotated figure (included below) form the "plane that runs diagonally from the handle portion towards the front end." Pet. 63. As discussed above, neither of those attachment points for the seats are on the length of the support members that form the diagonal plane; they are along the top of the adapters 12 at the connecting points 16, 15. *See* Section IX.B.1., ¶¶ 107-109). Thus, even when evaluated from the spatial positions of the seats on the fully assembled double stroller, they are not in an inline descending configuration substantially along the plane of the frame.

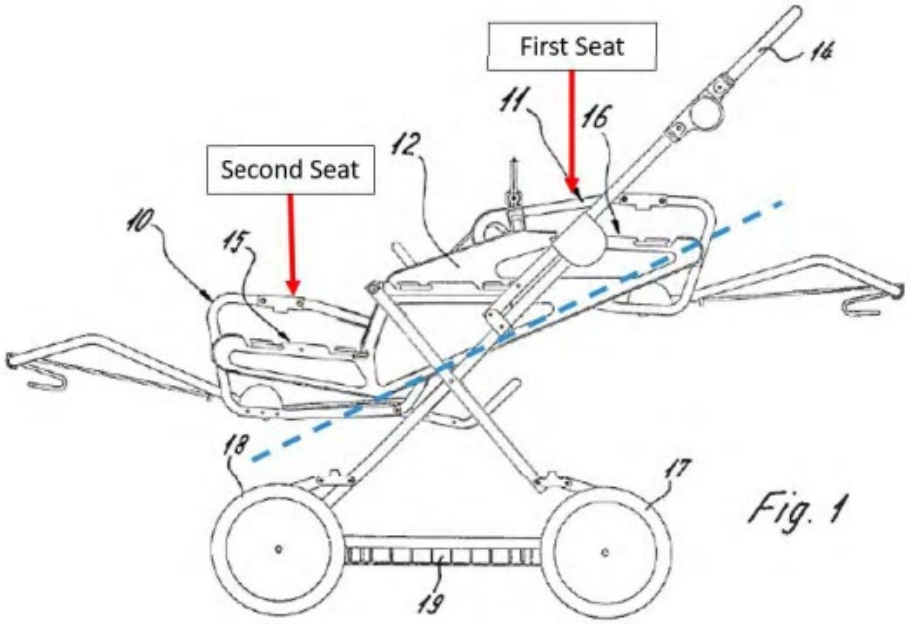
124. Further, the lower seat 10 in Petitioner's illustration is positioned nearly over the front end/wheels, jutting outward past the blue tube (alleged to be the support member) making up the plane of the frame. In my opinion, a POSA would not view this seat to be positioned "substantially along the plane of the frame" either, because it is so far outside the diagonal plane. This is an additional reason a POSA would not understand the combination to disclose or teach element [1.5e].



EX1041, Fig. 1

125. Finally, as noted above the Petition and Mr. Prairie's statements that Gotting discloses the claimed inline descending configuration simply because one seat is higher than the other is entirely conclusory. They do provide an illustration of a "blue dashed line" drawn through their modified figure (which also does not

meet the limitation), but even that remains unexplained. *See* Pet. 71-72; EX1001 ¶ 437. It is entirely unclear to me how or why they chose the reference points they did.



EX1041, Fig. 1 (Modified)

126. Like other illustrations and line-drawing exercises they've presented here, Petitioner and Mr. Prairie provide no basis or explanation for what reference points were used to draw the blue-dashed line through. See, e.g., EX2100, 149:13-22 (testifying he didn't recall his logic for beginning and ending points of inline descending configuration allegation on Liao reference); EX2100, 193:23-194:10, 195:25-196:17 (declining to explain his rationale for his annotations or whether he considered alternative reference points). In my opinion, Petitioner and Mr. Prairie

only arrived at this illustration and conclusion by working backwards from the claims—the definition of hindsight.

127. Accordingly, I do not believe Petitioner has shown the claims are obvious over the combination of Gotting and Britax.

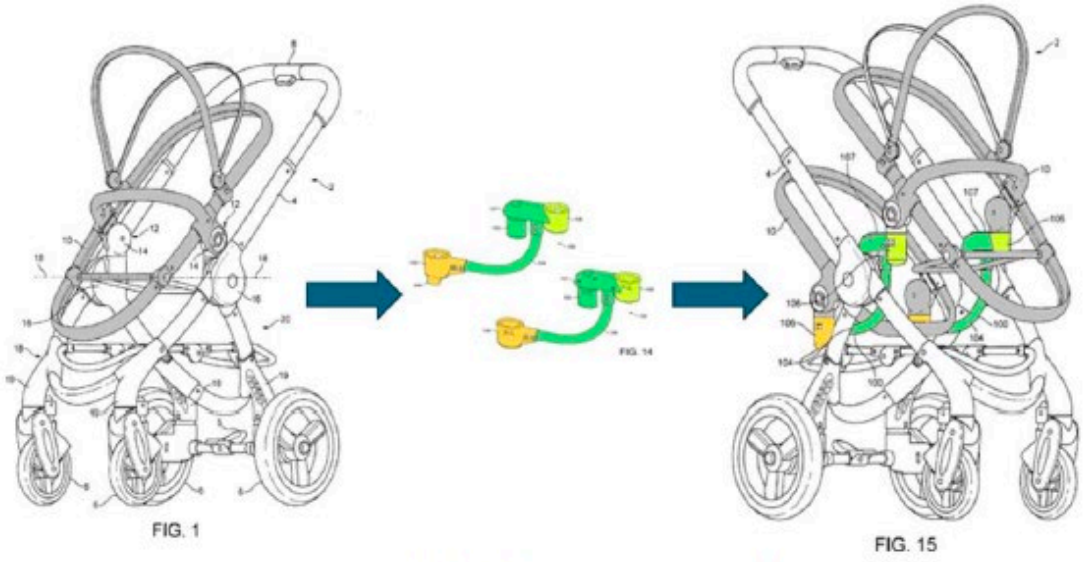
X. OFFORD '341 AND OFFORD '797 GROUNDS (BOTH PATENTS)

128. Both Petitions contend the challenged claims are unpatentable as obvious over the combination of Offord '341 (EX1051) and Offord '797 (EX1054). Petitioner's combination relies upon reversing interface portion components 100 and seats 10 of Offord '341. I disagree that this combination was obvious, and I disagree that the proposed combination contains all of the limitations of the challenged claims.

A. Offord '341 does not disclose a stroller frame with reversible seats or connectors

129. Offord '341 discloses a stroller "frame assembly 4, a plurality of ground-contacting wheels 6 attached to the frame assembly 4, and a handle 8 for grasping by the controller of the vehicle 2." EX1051, 5:46-48. The stroller has a set of "larger diameter rear wheels 6," EX1051, 5:51, and "includes a child-carrying unit in the form of a seat 10 releasably mounted to the frame assembly 4 at a pair of mounting regions 12 by way of a corresponding pair of mounting devices 14 connected to the frame of the seat 10." EX1051, 5:53-55.

130. The stroller frame can be changed from a one seat configuration to a two seat configuration. Figure 1 shows the one seat configuration, and Figure 15 shows the two seat configuration. I have reproduced below Petitioner's image showing Figure 1, Figure 14 and Figure 15 to show how the single seat configuration is changed to the two seat configuration. The single seat is removed and replaced by interface portion component 100 (shown in Figure 14), which can receive two seats (at the orange and yellow connector sockets 106).



EX1051, Figs. 1, 14, and 15

1. Stability in Offord '341

131. Offord '341 explains that "[i]n order that the frame assembly remains stable and safe to use, it is preferable that … the mounting regions remain as close as reasonably possible to a vertical plane in which the centre of gravity of the vehicle frame assembly lies." EX1051, 4:17-22. This is to "prevent any possibility

of dangerous tilting or toppling over." EX1051, 9:50-51. The center of gravity of the frame, because of the larger rear wheels, brake and handle, has a rearward bias within the wheel base. This is typical because the rear wheels usually carry more load for stability while the front wheels are light enough to maneuver for steering. This also helps resist forward tipping which is particularly dangerous and harder for the controller of the stroller to counteract.

132. A POSA would understand that the shape of interface portion component 100 (shown best in FIG. 14) and the layout shown in FIG. 15 represents the stable configuration where the distance between each mounting region (yellow and orange mounting sockets 106) and the center of gravity is minimized. Offord '341 also explains that "on the inner side of the lower connector sockets 106 there is a downwardly curved lug 108 which serves to rest upon a part of the basket frame 44, such that the weight of two infants is fully supported by the frame assembly 4." EX1051, 9:32-36.

133. Nothing in Offord '341 suggests that the interface portion components 100 are reversible. To the contrary, a POSITA would understand that they are not reversible.

2. Asymmetric connectors in Offord '341

134. A premise of Petitioner and Mr. Prairie's modified Offord '341 is that a POSA would have understood "the design and operation of the 'receptor cups 34'

would allow the first 'interface component 100' to be turned around (i.e., reversed) and installed on the right-side 'receptor cup 34' and the second 'interface component 100' to be reversed and installed on the left-side 'receptor cup 34.'" 1122 Pet. 99 (citing EX1001 ¶ 484 (repeating the same thing)).

135. Figure 4 of Offord '341 shows the receptor cup 34 that is part of the frame assembly 4. EX1051, Fig. 4. I have annotated Figure 4 below: the blue highlighting shows the opening of receptor cup 34, with purple lines marking its minor and major axis, and red highlighting identifies the structural feature that helps lock leg 48 (of seat 10) or leg 102 (of interface portion component 100) into place. As can be seen, the locking feature highlighted in red is not symmetrically positioned within the opening of receptor cup 34—it is offset toward one side of the cup's major axis.

EX1051 (annotated).

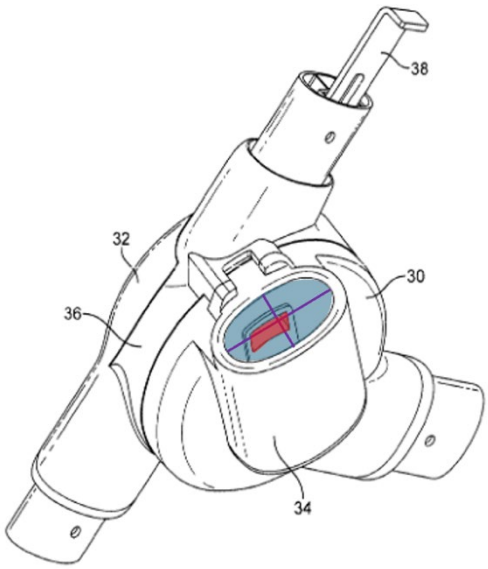


FIG. 4

136. The same asymmetry appears on the mounting device 14 that couples with receptor cup 34. "FIG. 16 is a side view of a mounting device similar to that of FIG. 9." EX1051, 5:38–39. In the figure below, I have annotated Offord '341 Figure 16 to show the relative position of "retractable detent 76" on connecting leg 48 which interfaces with the same receptor cup 34 as leg 102. EX2013. The measurements demonstrate that the retractable detent is positioned closer to the left side of the connecting leg than the right side. This offset means the retractable detent is measurably off-center—not by manufacturing tolerance, but by design.

EX2013

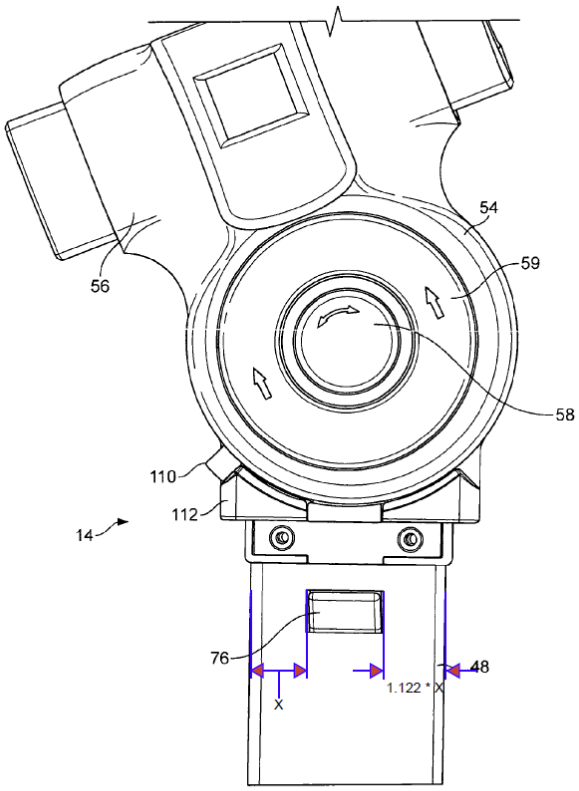


FIG. 16

137. It is common to have asymmetric connectors in consumer goods to ensure that mating components can only be assembled in the correct orientation to prevent incorrect assembly. In Offord '341, this asymmetry in the receptor cups 34 and the legs 102 prevents the consumer from placing the seat layout in an unstable arrangement by reversing interface portion components 100. Each connecting leg 102 can only be inserted into the corresponding receptor cup 34 on the correct side of the frame assembly 4 in the orientation shown in Figure 15—and cannot be swapped to the opposite side regardless of orientation. EX1051, Fig. 15. A POSA examining the mating geometry of these components would recognize that the asymmetric design physically prevents reversing the orientation of interface portion components 100 so that it cannot be put in an orientation that detracts from the stability of the stroller.

138. Mr. Prairie, without explanation, states that "a POSTIA would understand that the structure of the 'connecting legs 48' and retractable detents 76' are such that the seats 10 can be reversed." 1140 EX1001 ¶ 556. As discussed in my detailed analysis above, I disagree.

3. Problems with geometry if rotated in Offord '341

139. Additionally, even if the receptor cups 34 and legs 102 did allow assembling components 100 in a different orientation, it is not clear that there is

even room for the forward connector socket 106 if an attempt was made to reverse the components 100. As can be seen from FIG. 13A and 13B, the basket frame 44 extends further to the rear than to the front relative to receptor cups 34 (which are located in the same positions as hinge devices 16). EX1051, Figs. 13A, 13B. Fig. 13B shows the front of basket frame 44 connecting to the left and right sides of frame assembly 4 at approximately the location where the lug 108 would need to be positioned. This is a problem because the lug 108 would be perpendicular to the side to side direction of the frame and could not sit on the portion of the frame that spans the stroller left to right.

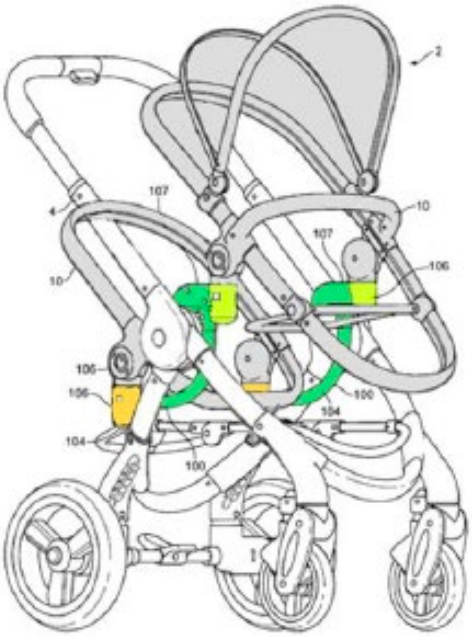
140. Thus, I disagree with Mr. Prairie's (unexplained) assertion that the receptor cups 34 would allow interface component 100 to be reversed and installed on the opposite side to permit the proposed modification. Instead, as I have explained, a POSA would recognize these asymmetric connectors are designed to *prevent* the modification Petitioner and Mr. Prairie propose. And that would have discouraged a POSA from considering the combination of Offord '341 and Offord '797 as proposed.

B. Even if components 100 could be rotated, there is no motivation to do so.

141. Petitioners point to Offord 797 for motivation to rotate components 100. I disagree that Offord 797 provides any motivation to create the combination Petitioner's propose.

1. Petitioner does not reverse the direction of the seats—the only motivation Offord ’797 provides

142. The stated purpose of rotating the interface portion 10 in Offord ’797 is “so that the seats 12 can, instead of being arranged in the rearward-facing configuration … be arranged in a forward-facing configuration.” EX1054, 4:24–30. Offord ’797 discloses reversing the interface portion to change the *direction* the seats face—not to change the *height* relationship between the seats. But in Offord ’341, the seats are already in a forward-facing configuration. *See* EX1051, Figs. 1, 15. And none of Petitioner’s modified depictions of Offord ’341 show the seats flipped into a rearward-facing configuration. *See, e.g.*, Pet. 105; EX1001 ¶ 495. In my opinion, a POSA would recognize that the only reason Offord ’797 provides for performing the reversal—changing seat direction—therefore does not apply to Petitioner’s modified Offord ’341. I have reproduced below Offord ’341 Figure 15 and Petitioner’s modified Offord ’341 where the seats both face forward.



EX1051, Fig. 15

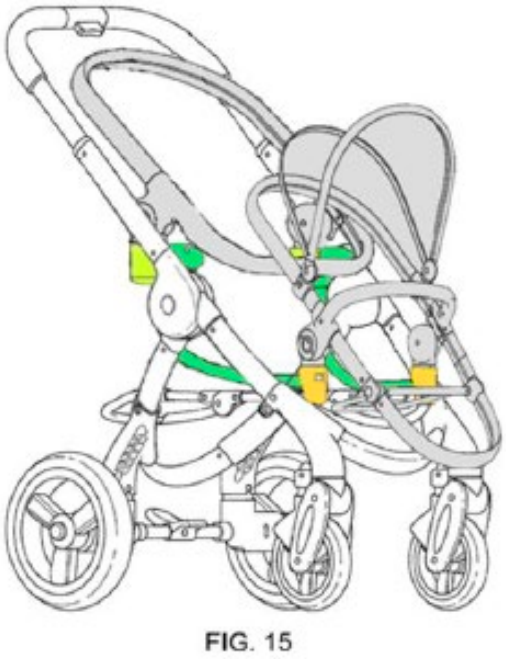


Fig. 15 in view of EX1054

143. Petitioner's proposed modification also requires an additional, separately unmotivated step. If a POSA were to reverse the interface portion components 100 following Offord '797's teaching, both seats would also reverse direction—both seats would face rearward after the 180° rotation. This is because the seats are mounted on the connector sockets 106, which are rigidly fixed to the interface portion component 100; when the component rotates, the connector sockets rotate with it, and the seats mounted on those sockets rotate as well. *Compare* EX1054, Fig. 2, *with* Fig. 1 (showing that rotation of the interface portion in Offord '797 reverses seat direction). Yet Petitioner's modified Figure 15 shows both seats still facing forward. *See* Pet. 100, 105; EX1001 ¶ 495. To arrive

at this arrangement, each individual seat would have to be separately removed from its connector socket 106 and reinserted in the opposite orientation after the interface portion is rotated—a separate modification for which neither Offord reference provides any teaching, rationale, or even suggestion. In my opinion, a POSA reviewing Offord ’341 and Offord ’797 would find no basis for this additional step.

C. A POSA would not be motivated to reverse the components 100 because it results in a less stable configuration.

144. Both Offord 797 and Offord 341 explain the importance of having both seats close to the center of gravity of the stroller to prevent any dangerous tilting or toppling over of the vehicle. EX1054, 7:17-21; EX1051, 4:17-22, 9:48-52. Both Offord 797 and Offord 341 explain the importance of preventing rotation of the sub-assembly with respect to the main frame assembly. challenges of center of gravity and rotation of the sub frame relative to the main frame assembly. EX1051, 9:57-59, EX1054, 6:10-13, 6: 30- 7:2.

145. A POSA would not have been motivated to reverse and swap the “interface portion components 100” of Offord ’341 as Petitioner proposes because the lower seat would be further from and forward of the center of gravity and the sub-frame (components 100) of Offord ’341 is less able to resist moments that tend to cause the sub-frame to rotate relative to the frame assembly 4 than the sub-frame of Offord 797.

1. The differences between the "interface portion component 100" of Offord '341 and the "interface portion 10" of Offord '797

146. In my opinion, a POSA would understand that while the "interface portion 10" of Offord '797 can be reversed, the "interface portion components 100" of Offord '341 cannot. The two structures differ in fundamental design respects.

147. Offord '797's "interface portion 10" is a symmetric, unitary rectangular structure specifically designed for 180° rotation. *See* EX1054, Figs. 5-7; *id*., 3:12-4:4, 4:24-5:22. Offord '797 expressly states that "the interface portion 10 is dimensioned so as to be … turned through 180° about its central vertical axis." EX1054, 4:24-30. This rotation capability is supported by several design features that a POSA would recognize.

148. First, Offord '797's interface portion 10 includes a "channel 21" at each of its corners "in order to closely receive and rest on top of forward portions of the basket frame 18." EX1054, 4:18-23; *id.*, Figs. 5-6. These location of these channels ensures that two of the channels will always closely receive and rest on the forward portion of the basket frame 18 regardless of the orientation of the interface portion 10. *See* EX1054, Figs. 5-6. If the channels were only present at the two forward corners, rotating the interface portion would leave the two newly-

forward corners unsupported, creating a cantilevered overhang at the front that would tend to sag under the weight of the forward seat.

EX1054, Fig. 5.

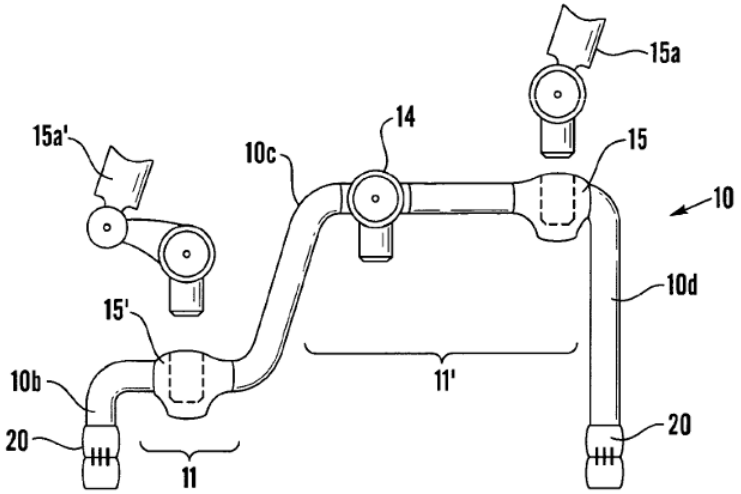


Fig.5

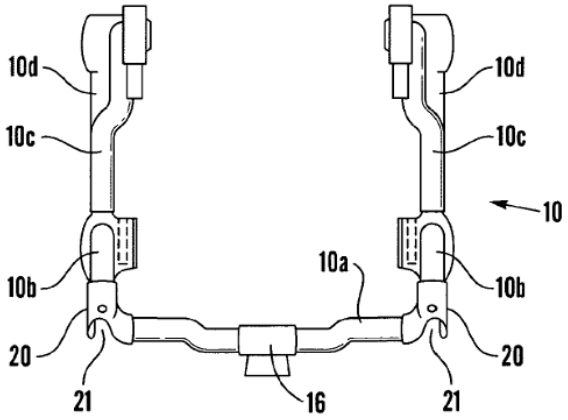


Fig.6

EX1054, Fig. 6.

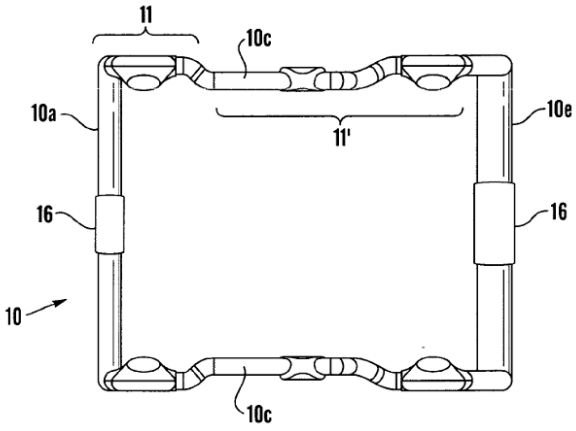


Fig.7

EX1054, Fig. 7.

149. Second, the interface portion 10 includes a "crossbar member 10e, located at substantially the same level and being of substantially the same length as the end crossbar member 10a." EX1054, 3:20-22. The cross members are also the

same distance from connectors 14. Both cross members have a "clip 16 which [can] clip[] onto a parallelly arranged rear crossbar of a basket frame 18 in the back," EX1054, 4:14-17. The structural symmetry between the front and rear crossbars helps the interface portion support loads in either orientation and creates a more stable frame better able to resist loads. *See* EX1054, 3:8-4:4, Figs. 3-7. When the interface portion is rotated, crossbar 10e (which was at the rear) becomes the forward crossbar, and crossbar 10a (which was at the front) becomes the rearward crossbar. In this way, a clip 16 is always secured to the rear of the basket frame. Clip 16 can resist lift, not simply support weight and significantly improves the ability of the stroller to resist moments that would tend to rotate the sub-frame relative to the frame. In addition, each socket 15 is horizontally positioned close to the location of the corresponding cross bar such that when the sub-frame is rotated, the center of gravity of the stroller does not change significantly.

150. Overall, Offord '797 provides multiple support points to maintain stability: two connectors 14 that connect to the frame at the *central* vertical axis, two channels 21 that rest on the *forward* portion of basket frame, and a clip 16 on the rear crossbar of the basket frame—five support points in total on all four sides of the rectangular interface portion. EX1054, 3:3-14, 3:34-4:4, 4:10-23. As Offord '797 itself explains, these additional support points are necessary because "to

achieve suitable stability, [interface portion 10] is also supported at other locations … other than through the connectors 14." EX1054, 4:10-23.

151. In my opinion, a POSA would understand that five support points—and specifically the *type* and *location* of support points in Offord '797—allow the frame to remain stable regardless of the orientation of the sub-frame.

152. The sub-frame with cross bars and reinforced connection between the sub-frame and main frame assembly is in contrast to the structures of Offord 341. In Offord 341, there are two separate components 100, each of which has a connecting leg 102 that provides the primary attachment to the frame assembly 4, with just one other connection to the frame assembly 4—the lug 108. *See* EX1051, Fig. 15. In contrast to the clip 16 of Offord 797, lug 108 of Offord '341 can support weight but not resist lift. A POSITA would understand the significant differences between Offord '797 and Offord '341 and understand that while Offord '341 provides advantages of a less bulky interface to accommodate two seats instead of one, it comes with more restrictions on the possible layouts. I have reproduced Fig. 14 of Offord '341 below.

EX1051, Fig. 14.

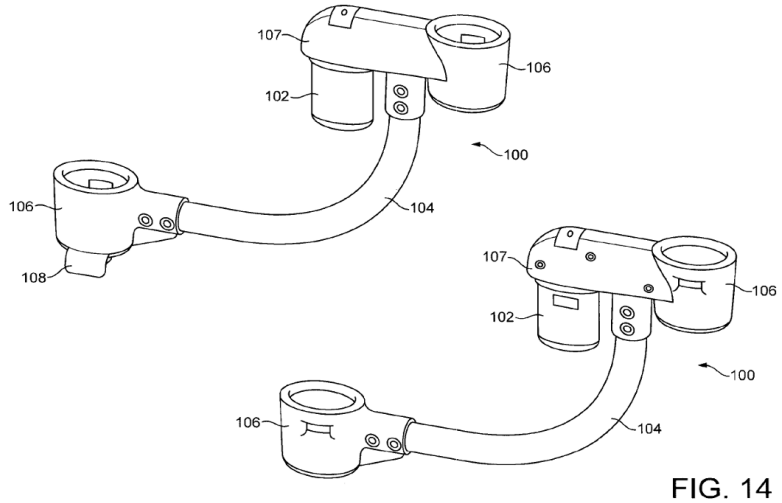


FIG. 14

153. As I understand, Mr. Prairie confirmed the structural distinction between the two interface portions during cross-examination, acknowledging: "[I]n the older structures [of Offord '797]… it is a little bit more of a convoluted structure, it is more of a full assembly whereas the newer Offord is two individual brackets." EX2100, 241:18-21. In my opinion, Mr. Prairie's acknowledgement that the interface portion 10 and interface portion components 100 are structurally different undermines his assertion that they are "functionally interchangeable." EX1001 ¶ 581. The difference is not merely that one is "more convoluted"—as I have explained, the difference is that Offord '797 was designed with symmetry and better connection to the frame assembly that allows rotation of the sub-frame assembly without compromising the center of mass or resistance to relative rotation of the sub frame and frame assembly, while Offord '341 was designed

with a simpler removable interface portion, but with the tradeoff of a non-reversible installation.

154. Accordingly, a POSA would recognize that the two employ fundamentally difference structures with different purposes. So a POSA would not be motivated to "reverse" Offord '341 asymmetrical structure based on the teachings of the Offord '797 assembly.

D. The proposed modification to Offord '341 could destabilize the stroller

1. The lower seat moves significantly forward of the center of mass of the stroller.

155. As discussed, both Offord 797 and Offord 341 explain the importance of having both seats close to the center of gravity of the stroller to prevent any dangerous tilting or toppling over of the vehicle and explain the importance of preventing rotation of the sub-assembly with respect to the main frame assembly.

156. Offord '341 explains that "[i]n order that the frame assembly remains stable and safe to use, it is preferable that … the mounting regions remain as close as reasonably possible to a vertical plane in which the centre of gravity of the vehicle frame assembly lies." EX1051, 4:17-22. This is to "prevent any possibility of dangerous tilting or toppling over." EX1051, 9:50-51. The center of gravity of the frame, because of the larger rear wheels, brake and handle, has a rearward bias within the wheel base. This is typical because the rear wheels usually carry more

load for stability while the front wheels are light enough to maneuver for steering. This also helps resist forward tipping which is particularly dangerous and harder for the controller of the stroller to counteract.

157. A POSA would understand that the shape of interface portion component 100 (shown best in FIG. 14) and the layout shown in FIG. 15 represents the stable configuration where the distance between each mounting region (yellow and orange mounting sockets 106) and the center of gravity is minimized.

158. A POSA would understand from Figure 14 and Figure 15 of Offord '341 that the leg 102 is significantly closer to the upper connection socket 106 than to the lower connection socket 106. In other words, this means that the center of gravity does not align with the leg 102. Therefore, upon rotation of interface portion 100, the lower connection socket 106 will move significantly away from the center of mass, and in the forward direction. This is doubly problematic from a stability standpoint as it not only means that one of the seats is far from the center of mass but that it is in a location that increases the risk of forward tipping. As I explained, the controller of the stroller is less able to react to and counteract a forward tipping event which can be caused by breaking, sudden deceleration from hitting an object, or drop off from uneven terrain. In addition, because the seats face forward, the occupants are pressed *back into* their seats by the rotation, not

thrown out of them. This is in contrast to the subframe of Offord ’797 which has the connector 14 close to the midpoint of the sockets 15 such that the seats remain close to the vertical plane containing the center of mass and the center of mass does not move forward. Overall, the modification that Petitioners proposed runs counter to the teachings of both Offord 797 and Offord 341 that stress the importance of keeping the seats close to the center of mass of the stroller. Offord ’797 5:17-21, EX1051, 4:17-22, EX1051, 9:50-51.

2. Moving one seat significantly forward of the center of mass exacerbates the lack of significant resistance to relative rotation of the sub-frame relative to the frame in Offord ’341

159. As discussed, both Offord ’797 and Offord ’341 emphasize the problem of stability of the sub-frame relative to the main frame assembly. As discussed above, Offord ’797 addresses this by providing multiple support points to maintain stability: two connectors 14 that connect to the frame at the *central* vertical axis, two channels 21 that rest on the *forward* portion of basket frame, and a clip 16 on the rear crossbar of the basket frame that can resist lift.

160. This is significantly different than interface portion 100 of Offord ’341. In Offord 341, there are two separate interface components 100, each of which has a connecting leg 102 that provides the primary attachment to the frame assembly 4, with just one other connection to the frame assembly 4—the lug 108. *See* EX1051, Fig. 15. As discussed, it is not clear that the lug 108 is still able to

rest on the basket frame when interface portion 100 is reversed as Petitioners suggest.

161. Even if lug 100 were able to rest on the forward portion of the basket frame, this does not provide comparable resistance to the combination of the clip 16 and channels 21 in Offord '797. In contrast to the clip 16 of Offord 797, lug 108 of Offord '341 can support weight but not resist lift. In a situation where the rotation would be about the front portion of the basket frame, there is nothing equivalent to clip 16 resisting forward rotation of the interface portion 100. This is particularly problematic when the seat is positioned far from the center of mass of the stroller frame (including for movement of the occupant within the seat).

162. Furthermore, when the subframe has cross members, like Offord '797, unexpected loads can be shared with the opposite side of the subframe. This benefit is missing from Offord because of the lack of cross members between interface portion components 100. This too, makes moving the lower seat significantly forward unappealing to a POSA.

163. At the very least, Petitioner and Mr. Prairie have not accounted for these considerations as a POSA would. They have merely assumed that a POSA "would be motivated to reverse" Offord 341's interface component 100 in a similar way as the interface portion 10 of Offord '797 (e.g., 1140 Pet. 96; 1140 EX1001 ¶ 508), even though Offord '797's structure was *designed specifically* for rotation,

as described above, and Offord ’341 was not. These considerations would discourage a POSA from the proposed modification. I do not believe these unsupported opinions establish that a POSA would be motivated to combine the references as proposed, nor do they show a reasonable expectation of success in doing so.

XI. CONCLUSION

164. For the reasons described above, it is my opinion that the challenged claims are not unpatentable.

I declare that all statements made herein on my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code.

Executed on: March 26, 2026

Signature: 

By: Dr. Kimberly Cameron