

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Shuttleslide, LLC

Petitioner,

v.

Sea Swivel Inc.

Patent Owner

U.S. Patent No. 12,258,111

Issued: March 25, 2025

Filed: September 26, 2024

Inventor: Mark S. Berta, Jr.

Title: Swivel Mounts for Attaching and Maneuvering Accessories
over the Gunnel of a Boat or any Other Mounting Surface

**PETITION FOR POST-GRANT REVIEW OF
U.S. PATENT NO. 12,258,111**

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I. INTRODUCTION

Pursuant to 35 U.S.C. § 321 and 37 C.F.R. § 42.200, Shuttle Slide, LLC ("Petitioner") requests post-grant review of claims 1-18 of U.S. Patent No. 12,258,111 ("the '111 Patent," Ex. Shuttleslide 1001) assigned on its face to Sea Swivel Inc. ("Patent Owner"). This Petition demonstrates that it is more likely than not that at least one of the challenged claims are unpatentable, and a trial for post-grant review must therefore be instituted. Evidence in this petition establishes that claims 1-18 are unpatentable under 35 U.S.C. §§ 102, 103, & 112. Petitioner respectfully requests that claims 1-18 be judged unpatentable and canceled.

II. MANDATORY NOTICES UNDER 37 C.F.R. §42.8(a)(1)

As set forth below and pursuant to 37 C.F.R. § 42.8(a)(1), the following mandatory notices are provided as part of this Petition.

A. Real Party-In-Interest Under 37 C.F.R. § 42.8(b)(1)

Shuttle Slide, LLC is the real party-in-interest for Petitioner.

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

Petitioner identifies the following judicial proceeding that may affect, or be affected by, a decision in this proceeding:

In the United States District Court for the Southern District of Florida, Miami
Division

Case No.: 1:25-cv-23581-RKA

Sea Swivel Inc. v. Rodan Marine Systems of Florida, LLC, Dream Machine & Prototyping, LLC, and Shuttleslide LLC

C. Lead and Back-Up Counsel Under 37 C.F.R. § 42.8(b)(3)

Pursuant to 37 C.F.R. § 42.8(b)(3), Petitioner provides the following designation of counsel:

Lead Counsel	Backup Lead Counsel
Kelly Gatson Swartz (Reg. No. 62,394) Kelly@USLegalTeam.com 1990 West New Haven Avenue Second Floor Melbourne, FL 32904 321-255-2332 (phone) 321-255-2351 (fax)	Daniel Pierron (Reg. No. 65,173) DPierron@USLegalTeam.com 1990 West New Haven Avenue Second Floor Melbourne, FL 32904 321-255-2332 (phone) 321-255-2351 (fax)

D. Service Information Under 37 C.F.R. § 42.8(b)(4)

Service on Petitioner may be made by mail or hand delivery to: Widerman Malek; Attn: Kelly Gatson Swartz; 1990 West New Haven Avenue, Second Floor; Melbourne, FL 32904. The telephone and fax numbers for lead and backup counsel are shown above. Petitioner also consents to electronic service by email at Kelly@USLegalTeam.com.

III. PAYMENT OF FEES UNDER 37 C.F.R. § 42.203

The required fees are submitted herewith in accordance with 37 C.F.R. §§ 42.203(a) and 42.15(b). The undersigned further authorizes payment for any additional fees that might be due in connection with this Petition to be charged to Deposit Account No. 503378.

IV. REQUIREMENTS FOR POST-GRANT REVIEW UNDER 37 C.F.R. § 42.204

A. Grounds for Standing Under 37 C.F.R. § 42.204(a)

Petitioner hereby certifies that the '111 Patent is available for post-grant review because (i) the '111 Patent is a first-to-file patent having an effective filing date of September 26, 2023; and (ii) this petition is being filed within nine months of the patent's issue date of March 25, 2025.

Petitioner further certifies that it is not barred or estopped from requesting post-grant review challenging the claims of the '111 Patent on the grounds identified herein. Neither Petitioner, nor any party in privity with Petitioner: (i) has filed a civil action challenging the validity of claims 1-18 of the '111 Patent; or (ii) is estopped from challenging the claims on the grounds identified in the petition. Claims 1-18 of the '111 Patent have not been the subject of a prior post-grant review or a finally concluded district court litigation.

B. Identification of Challenge Under 37 C.F.R. § 42.204(b) and Relief Requested

1. Claims for which post-grant review is requested under 37 C.F.R. § 42.204(b)(1)

Petitioner requests post-grant review of claims 1-18 of the '111 Patent.

2. The statutory grounds on which the challenge is based under 37 C.F.R. § 42.204(b)(2)

Claims 1-18 of the '111 Patent are unpatentable for the following reasons:

Ground 1 – Claims 1, 2, 4, 5, 8, 10, and 11 are unpatentable as anticipated under 35 U.S.C. § 102 by the Grady-White Pivoting Trolling Motor Mount.

Ground 2 - Claim 1 is unpatentable as anticipated under 35 U.S.C. § 102 by U.S. Patent No. 3,894,086 to Breford et al. (hereinafter “Breford”).

Ground 3 – Claims 1-4 are unpatentable as anticipated under 35 U.S.C. § 102 by U.S. Patent No. 6,684,558 to Gillespie (hereinafter “Gillespie”).

Ground 4 – Claim 5 is unpatentable as obvious under 35 U.S.C. § 103 based on Gillespie in view of U.S. Patent No. 11,584,495 to Hunziker (hereinafter “Hunziker”).

Ground 5 – Claim 6 is unpatentable as obvious under 35 U.S.C. § 103 based on Gillespie in view of Hunziker in further view of “Edson Vision Series Mounting Plate – Universal Radar Dome 2/4kw,” <http://www.hodgesmarine.com:80/Edson->

Vision-Series-Mounting-Plate-Universal-Rad-p/eds6850.htm, archived on September 18, 2015, <https://web.archive.org/web/20150918224612/http://www.hodgesmarine.com:80/Edson-Vision-Series-Mounting-Plate-Universal-Rad-p/eds6850.htm> (hereinafter “Universal Mounting Plate”).

Ground 6 – Claim 7 is unpatentable as obvious under 35 U.S.C. § 103 based on Gillespie in view of U.S. Patent Application Publication 2010/0242828 to Gratsch (hereinafter “Gratsch”).

Ground 7 - Claim 8 is unpatentable as anticipated under 35 U.S.C. § 102 by U.S. Patent Application Publication No. 2003/0194921 to Leiss et al. (hereinafter “Leiss”).

Ground 8 - Claim 8 is unpatentable as obvious under 35 U.S.C. § 103 based on Gratsch in view of Leiss.

Ground 9 – Claim 8 is unpatentable as obvious under 35 U.S.C. § 103 based on U.S. Patent No. 4,044,489 to Henze et al. (hereinafter “Henze”) in view of Leiss.

Ground 10 – Claim 8 is unpatentable as obvious under 35 U.S.C. § 103 based on Henze in view of Gratsch.

Ground 11 – Claim 9 is unpatentable as obvious under 35 U.S.C. § 103 based on Leiss in view of U.S. Patent No. 3,999,500 to Friedel et al. (hereinafter “Friedel”).

Ground 12 – Claim 9 is unpatentable as obvious under 35 U.S.C. § 103 based on Gratsch in view of Leiss in further view of Friedel.

Ground 13 – Claim 9 is unpatentable as obvious under 35 U.S.C. § 103 based on Henze in view of Leiss in further view of Friedel.

Ground 14 – Claim 9 is unpatentable as obvious under 35 U.S.C. § 103 based on Henze in view of Gratsch in further view of Friedel.

Ground 15 - Claims 11-12 are unpatentable as obvious under 35 U.S.C. § 103 based on Leiss in view of common knowledge of one skilled in the art.

Ground 16 - Claim 11-12 are unpatentable as obvious under 35 U.S.C. § 103 based on Gratsch in view of Leiss in further view of common knowledge of one skilled in the art.

Ground 17 – Claims 11-12 are unpatentable as obvious under 35 U.S.C. § 103 based on Henze in view of Leiss in further view of common knowledge of one skilled in the art.

Ground 18 – Claims 11-12 are unpatentable as obvious under 35 U.S.C. § 103 based on Henze in view of Gratsch in further view of common knowledge of one skilled in the art.

Ground 19 – Claim 14 is unpatentable as obvious under 35 U.S.C. § 103 based on Leiss in view of Hunziker.

Ground 20 – Claim 14 is unpatentable as obvious under 35 U.S.C. § 103 based on Gratsch in view of Leiss in further view of Hunziker.

Ground 21 – Claim 14 is unpatentable as obvious under 35 U.S.C. § 103 based on Henze in view of Leiss in further view of Hunziker

Ground 22 – Claim 14 is unpatentable as obvious under 35 U.S.C. § 103 based on Henze in view of Gratsch in further view of Hunziker.

Ground 23 - Claims 15-18 are unpatentable as obvious under 35 U.S.C. § 103 based on Gillespie in view of Hunziker in further view of the common knowledge of one skilled in the art.

Ground 24 – Claims 6 is unpatentable under 35 U.S.C. § 112 as indefinite.

Ground 25 – Claims 10 and 13 are unpatentable under 35 U.S.C. § 112 as lacking an adequate written description.

Petitioner's proposed construction of the claims, the evidence relied upon, and the precise reasons why the claims are unpatentable are set forth in Sections 3-5, below.

3. How the challenged claim(s) are to be construed under 37

C.F.R. § 42.204(b)(3)

In post-grant review, claims must be construed in accordance with its ordinary and customary meaning as understood by one of ordinary skill in the art and the prosecution history. See 37 C.F.R. 42.200(b).

A. *“Gunnel”*

Claims 8-11 recite "gunnel." The Specification states “[t]he term “gunnel” as used herein refers to an upper edge of a boat’s hull and may be used interchangeably with the term “gunwale”. (Ex. Shuttleslide 1001 at 6:14-17). The specification also states that the term is inclusive to the top deck portion at the bow of a boat.” Ex. Shuttleslide 1001 at 6:17-18).

However, defining a gunnel as an upper edge of a boat’s hull is not consistent with how the term is actually used throughout the patent because the specification refers to the "gunnel" in ways that clearly contemplate it as a surface, e.g., a location for mounting assemblies, referring to its “upward facing surface,” and describe requirements for the surface's width. (Ex. Shuttleslide 1001 at Abstract & 5:56-6:18). Because the specification explicitly states that the term gunnel is “inclusive to the top deck portion at the bow of a boat” this definition should be imparted to the term “gunnel” when construing the claims. Additionally, because the specification contemplates the “gunnel” as a surface, this definition should also be imparted to the term “gunnel” when construing the claims. For these reasons, the term “gunnel” should be construed to mean “the upper surface of a boat’s hull, including the top deck portion at the bow of a boat.”

4. How the construed claims are unpatentable under 37

C.F.R. § 42.204(b)(4)

An explanation of how the construed claims of the '111 Patent are unpatentable under the statutory grounds identified above is provided in Section VI, below, in discussion and in the form of claim charts.

5. Supporting evidence under 37 C.F.R. § 42.204(b)(5)

The Exhibit numbers of the supporting evidence relied upon to support the challenge and the relevance of the evidence to the challenge raised, including identifying specific portions of the evidence that support the challenge, are provided in Section VI, below, in the form of claim charts. An Appendix of Exhibits identifying the Exhibits is also attached.

V. SUMMARY OF THE '111 PATENT

The '111 Patent issued on March 25, 2025 and is titled "SWIVEL MOUNTS FOR ATTACHING AND MANEUVERING ACCESSORIES OVER THE GUNNEL OF A BOAT OR ANY OTHER MOUNTING SURFACE." It names Mark S. Berta, Jr. as the inventor and is attached as Exhibit Shuttleslide 1001.

A. Effective Filing Date of the '111 Patent

The '111 Patent issued from U.S. Patent Application No. 18/897,527, filed September 26, 2024. The '111 Patent application claims priority to Provisional Application No. 63/540,483, filed September 26, 2023. Only for the purposes of this

proceeding, Petitioner has assumed that the earliest effective filing date of the '111 Patent is not earlier than September 26, 2023.

B. Person of Ordinary Skill in the Art

A person of ordinary skill in the art in the field of the '111 Patent on September 26, 2023 would have been knowledge of existing marine accessories. Specifically, a person of ordinary skill would have knowledge of existing trolling motor mounts and mounts to secure other accessories to the gunnels of boats. A person having ordinary skill in the art would have at least five (5) years' experience designing marine accessories. Petitioner submits the declaration of Russell Taylor who opines as to what a person having ordinary skill in the art would have understood at the effective filing date of the '111 Patent. (See Ex. Shuttleslide 1003).

C. The '111 Patent's Specification

The '111 Patent seeks to claim both a swivel mount (Ex. Shuttleslide 1001 at 18:44-19:28 & 19:57-20:65) and a boat (Ex. Shuttleslide 1001 at 19:29-19:56). The "Background of the Invention" section of the '111 Patent discloses attaching a trolling motor "near the edge of the transom or bow of a boat." (Ex. Shuttleslide 1001 at 1:33-34). The "Detailed Description" section of the patent goes on to disclose a swiveling mounting apparatus with a first end secured to a boat gunnel and a second end adapted to carry a trolling motor. (Ex. Shuttleslide 1001 at 3:50-18:41).

D. The '111 Patent's Prosecution History

The prosecution history of the '111 Patent is included as Exhibit Shuttleslide 1002. The applicant filed the '111 Patent application on September 26, 2024 with twenty (20) claims. (Ex. Shuttleslide 1002, pp. 2 & 41-46). On December 6, 2024, Patent Examiner issued a Restriction/Election requirement. (Ex 1002, pp. 78-83). On December 12, 2024, the applicant responded to the Restriction/Election requirement by electing the species shown in Figures 1-10, amending pending claims 17-20, and withdrawing pending claims 4 & 17-20. (Ex. Shuttleslide 1002, pp. 85-95).

On January 15, 2025, the Patent Examiner allowed pending claims 1-3 & 5-8 as originally drafted, objected to pending claims 10-11, and rejected pending claims 9 & 12-16 as anticipated by U.S. Patent No. 6,053,471 to Brown. (Ex. Shuttleslide 1002, pp. 108-114). The Patent Examiner stated that “Brown discloses a boat (col. 5, lines 5 and 6) comprising a gunnel (23). There is a swivel mount (16, 60) disposed above an upward facing surface of the gunnel such that a mounting member (64) of the swivel mount is able to swivel about an axis that is perpendicular to and passes through the upward facing surface of the gunnel. There is also a trolling motor mounting bracket (36) coupled to an upward facing surface of the mounting member.” (Ex. Shuttleslide 1002, p. 111).

On January 17, 2025, in response to the January 15, 2025 Office Action, the applicant amended pending claim 9 to include the limitation “wherein the swivel mount comprises a support member fastened to the upward facing surface of the gunnel via one or more bolts or screws through the upward facing surface of the gunnel,” which was identified as allowable subject matter in the January 15, 2025 Office Action (Ex. Shuttleslide 1002, pp. 112-113 & 121). Claim 10 was also canceled. (Ex. Shuttleslide 1002, p. 121).

On February 4, 2025, the Patent Examiner issued a Notice of Allowance, allowing pending claims 1-3, 5-9, & 11-20 and withdrawing the restriction requirement. (Ex. Shuttleslide 1002, p. 143). The Patent Examiner explained that “[t]he prior art does not disclose or suggest a boat with a gunnel, a swivel mount disposed above an upward facing surface of the gunnel such that a mounting member of the swivel mount is able to swivel about an axis that is perpendicular to and passes through the upward facing surface, wherein the swivel mount comprises a support member fastened to the upward facing surface of the gunnel via one or more bolts or screws through the upward facing surface, and a trolling motor mounting bracket coupled [sic] to an upward facing surface of the mounting member.” (Ex. Shuttleslide 1002, p. 145).

VI. DETAILED EXPLANATION UNDER 37 C.F.R. § 42.204(b)

A. Ground 1 – Claims 1, 2, 4, 5, 8, 10, and 11 are Unpatentable Under 35 U.S.C. § 102 as Anticipated by the Grady-White Pivoting Trolling Motor Mount

Claims 1, 2, 4, 5, 8, 10, and 11 of the ‘111 Patent are anticipated by the Grady-White Pivoting Trolling Motor Mount. Composite Exhibit Shuttleslide 1012 depicts the Grady-White Pivoting Trolling Motor Mount. (Ex. Shuttleslide 1003 at ¶14). The boat depicted in the photographs of composite Exhibit Shuttleslide 1012, was purchased on April 22, 2023. (Ex. Shuttleslide 1015 & Ex. Shuttleslide 1013 pp. 2-4). The Grady-White Pivoting Trolling Motor Mounts as described in Woodward, C. (2014, May 15). Grady-White 251 Coastal Explorer Review. Sport Fishing. <https://www.sportfishingmag.com/fishing-boats/grady-white-251-coastal-explorer/> (hereinafter the “Sport Fishing Magazine Article) is identical to the Grady-White Pivoting Trolling Motor Mount depicted in the images of composite Exhibit Shuttleslide 1012. (Ex. Shuttleslide 1003 at ¶15). Grady-White Pivoting Trolling Motor Mounts were publicly available at least as early as May 15, 2014, the date of the Sports Fishing Magazine Article. (Ex. Shuttleslide 1003 at ¶16). Because the Grady-White Pivoting Trolling Motor Mount was publicly accessible prior to the earliest priority date of the ‘111 Patent, it qualifies as prior art under 35 U.S.C. §

102(a)(1). *M & K Holdings, Inc. v. Samsung Electronics Co., Ltd.*, 985 F.3d 1376 (2021).

The Grady-White Pivoting Trolling Motor Mount provides a mechanism to bolt a trolling motor “to a swiveling downrigger base attached to a quick-release bracket on the gunwale...” (Ex. Shuttleslide 1014, p. 4). Figure 1 of composite Exhibit Shuttleslide 1012, an annotated version of which is included below as Figure 1, depicts the Grady-White Pivoting Trolling Motor Mount secured to a trolling motor and mounted to a gunnel. (Ex. Shuttleslide 1003 at ¶17). Figure 2 of composite Exhibit Shuttleslide 1012, an annotated version of which is included below as Figure 2, depicts a bottom side of a portion of the Grady-White Pivoting Trolling Motor Mount secured to a trolling motor and released from to the gunnel. (Ex. Shuttleslide 1003 at ¶18). 19. Figure 3 of composite Exhibit Shuttleslide 1012, an annotated version of which is included below as Figure 3, depicts a close up of a portion of the Grady-White Pivoting Trolling Motor Mount secured to a trolling motor and mounted to the gunnel. (Ex. Shuttleslide 1003 at ¶19). Figure 4 of composite Exhibit Shuttleslide 1012, an annotated version of which is included below as Figure 4, depicts a bottom side of a portion of the Grady-White Pivoting Trolling Motor Mount secured to a trolling motor and released from to the gunnel, along with a measuring tape along the length of the elongated mounting plate. (Ex. Shuttleslide 1003 at ¶20). Figure 5 of composite Exhibit Shuttleslide 1012, an annotated version

of which is included below as Figure 5, depicts a top side of the support plate of the Grady-White Pivoting Trolling Motor Mount secured to the gunnel, along with a measuring tape along the length of the support plate. (Ex. Shuttleslide 1003 at ¶21).

The Grady-White Pivoting Trolling Motor Mount provides enough information for a person of skill in the art to have known how to make or use the subject matter in claims 1, 2, 4, 5, 8, 10, and 11 without undue experimentation at the time of the Patent-in-Suit's filing date. (Ex. Shuttleslide 1003 at ¶22). The Grady-White Pivoting Trolling Motor Mount discloses each and every element of claims 1, 2, 4, 5, 8, 10, and 11 and describes this subject matter in at least the same level of technical detail as the Patent-in-Suit. (Ex. Shuttleslide 1003 at ¶23). It would not have required undue experimentation for a person of skill in the art to have made and used the anticipatory subject matter in the Grady-White Pivoting Trolling Motor Mount because all the relevant claim elements discussed in the reference were known to a person of skill in the art at the time of the Patent-in-Suit's filing date. (Ex. Shuttleslide 1003 at ¶24).



FIG. 1

Figure 1 - Annotated Fig. 1 of composite Exhibit Shuttleslide 1012

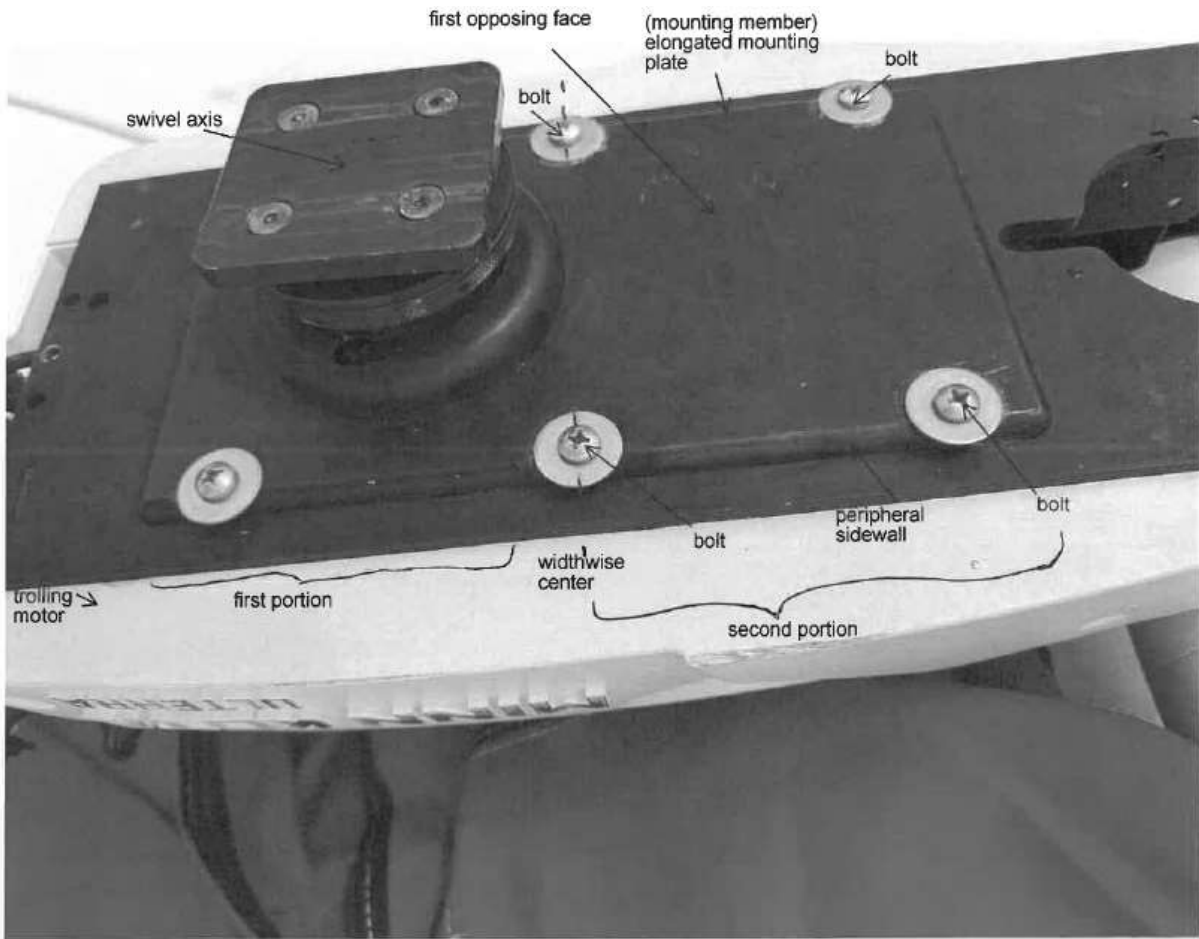


FIG. 2

Figure 2 - Annotated Fig. 2 of composite Exhibit Shuttleslide 1012



FIG. 3

Figure 3 - Annotated Fig. 3 of composite Exhibit Shuttleslide 1012

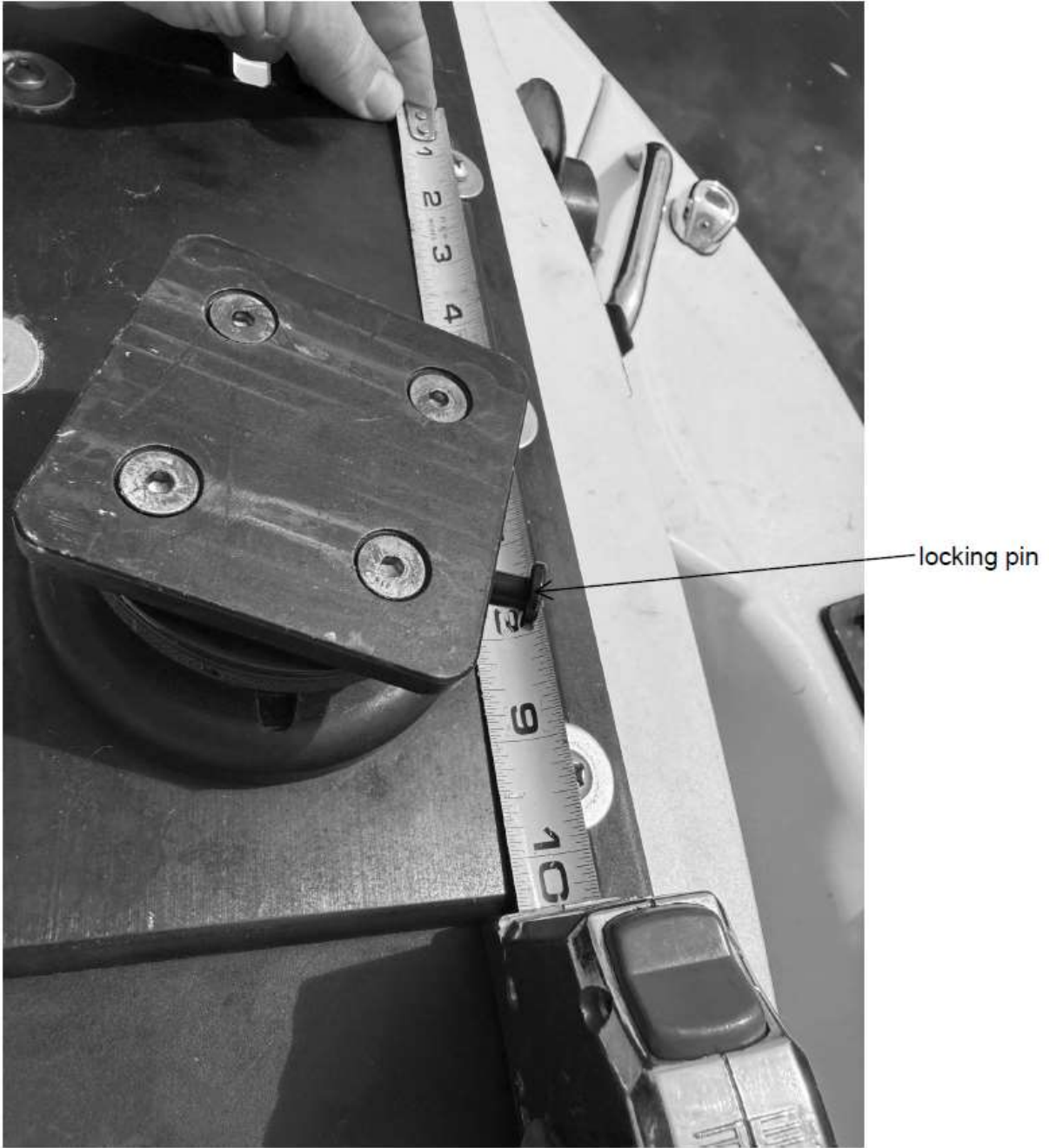


FIG. 4

Figure 4 - Annotated Fig. 4 of composite Exhibit Shuttleslide 1012

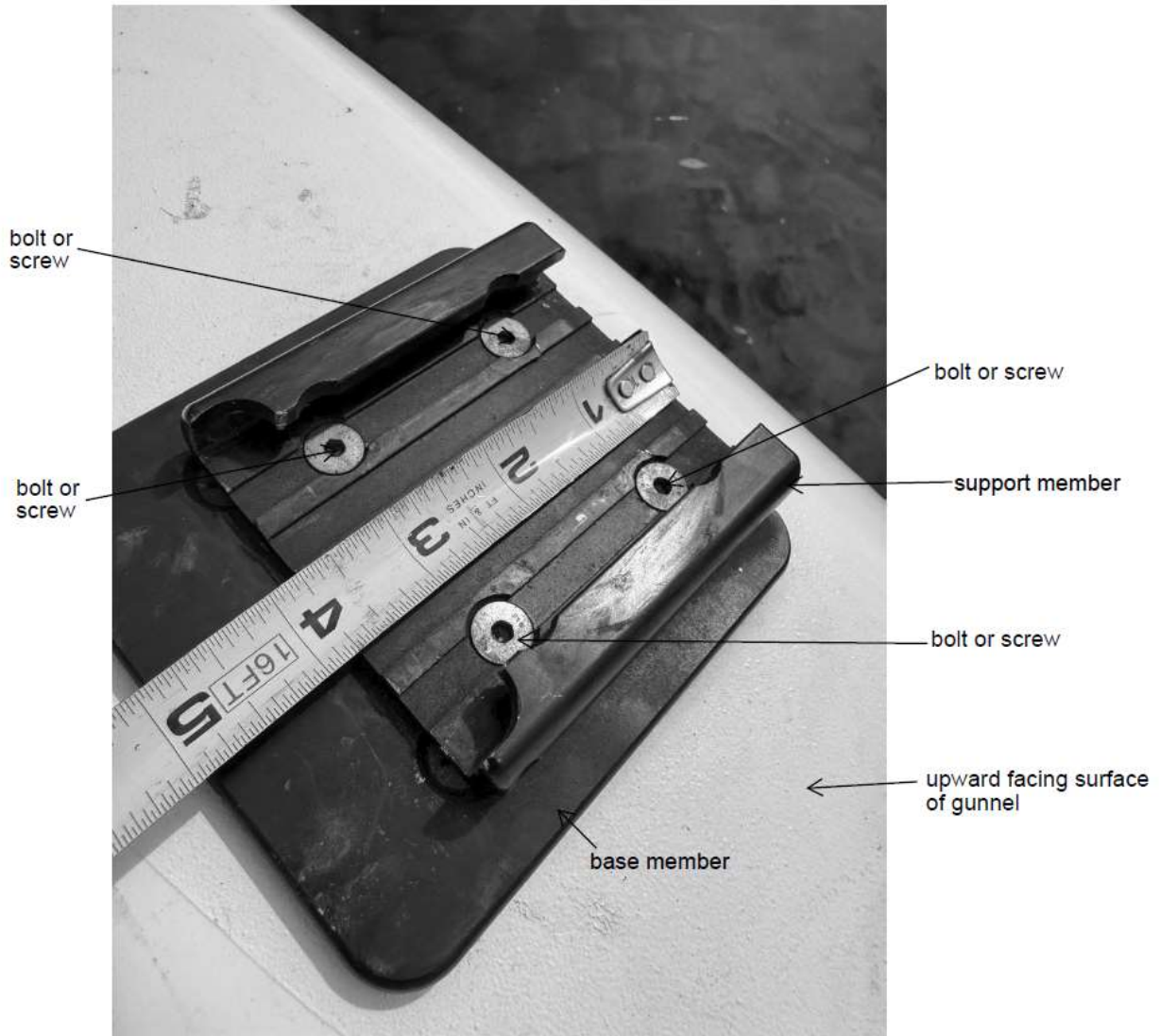


FIG. 5

Figure 5 - Annotated Fig. 5 of composite Exhibit Shuttleslide 1012

<p>Claim 1</p>	<p>Anticipated by the Grady-White Pivoting Trolling Motor Mount (Ex. Shuttleslide 1012)</p>
<p>A swivel mount, comprising:</p>	<p>This is a preamble and not a limitation. However, the Grady-White Pivoting Trolling Motor Mount discloses a swivel mount (Ex. Shuttleslide 1014, pp. 4 & 12; and Ex. Shuttleslide 1003 at ¶25).</p>

<p>an elongated mounting plate comprising first and second opposing faces spaced apart by one or more peripheral sidewalls;</p>	<p>As shown above in Annotated Fig. 2 of Exhibit Shuttleslide 1012 an elongated mounting plate comprising first and second opposing faces spaced apart by one or more peripheral sidewalls is disclosed by the Grady-White Pivoting Trolling Motor Mount. (Ex. Shuttleslide 1003 at ¶26). The first opposing face of the elongated mounting plate is visible in Fig. 2 of Exhibit Shuttleslide 1012 and the second opposing face is adjacent the trolling motor mounted to the elongated mounting plate (Ex. Shuttleslide 1003 at ¶27).</p>
<p>a support plate comprising first and second opposing faces spaced apart by one or more peripheral sidewalls, wherein the support plate has a length less than or equal to half a length of the elongated mounting plate; and</p>	<p>As shown in Annotated Fig. 3 of Exhibit Shuttleslide 1012, a support plate comprising first and second opposing faces spaced apart by one or more peripheral sidewalls is disclosed by the Grady-White Pivoting Trolling Motor Mount. (Ex. Shuttleslide 1003 at ¶28). The first opposing face of the support plate is visible in Fig. 3 of Exhibit Shuttleslide 1012 and the second opposing face is adjacent the gunnel. (Ex. Shuttleslide 1003 at ¶29).</p> <p>Fig. 4 of Exhibit Shuttleslide 1012 depicts the length of the elongated mounting plate as approximately 10 inches. (Ex. Shuttleslide 1003 at ¶30).</p> <p>FIG. 5 of Exhibit Shuttleslide 1012 depicts the length of the support plate as approximately 4 inches. (Ex. Shuttleslide 1003 at ¶31).</p> <p>The support plate length of approximately 4 inches is less than half the elongated mounting plate length of approximately 10 inches. (Ex. Shuttleslide 1003 at ¶32).</p>

<p>a swivel element, wherein the swivel mount is configured for the elongated mounting plate, the support plate, and swivel element to be coupled together such that:</p>	<p>As shown in Annotated Fig. 3 of Exhibit Shuttleslide 1012 a swivel element is disclosed by the Grady-White Pivoting Trolling Motor Mount (Ex. Shuttleslide 1003 at ¶33).</p>
<p>the first faces of the support plate and the elongated mounting plate are parallel;</p>	<p>As can be seen in Annotated Fig. 3 of Exhibit Shuttleslide 1012, the first faces of the support plate and the elongate mounting plate are parallel. (Ex. Shuttleslide 1003 at ¶34).</p>
<p>the swivel element, the support plate, and the elongated mounting plate at least partially overlap each other; and</p>	<p>As can be seen in Annotated Fig. 3 of Exhibit Shuttleslide 1012, the swivel element, the support plate, and the elongated mounting plate at least partially overlap each other. (Ex. Shuttleslide 1003 at ¶35).</p>
<p>the swivel element is arranged such that the elongated mounting plate is able to swivel about an axis that is perpendicular to and passing through the first face of the elongated mounting plate at a point spaced from a widthwise center line of the elongated mounting plate.</p>	<p>As described in the Sport Fishing Magazine Article, the elongated mounting plate is able to swivel about an axis that is perpendicular to and passing through the first face of the elongated mounting plate at a point spaced from a widthwise center line of the elongated mounting plate. (Ex. Shuttleslide 1014, pp. 4 & 12)</p> <p>Also, Fig. 1 of Exhibit Shuttleslide 1012 depicts the Grady-White Pivoting Trolling Motor Mount in a first position. (Ex. Shuttleslide 1003 at ¶36). Fig. 6 of Exhibit Shuttleslide 1012 depicts the Grady-White Pivoting Trolling Motor Mount in a second position. (Ex. Shuttleslide 1003 at ¶37). Annotated Fig. 2 of Exhibit Shuttleslide 1012 depicts the swivel axis of the Grady-White Pivoting Trolling Motor Mount. (Ex. Shuttleslide 1003 at ¶38). Annotated Fig. 2 of Exhibit Shuttleslide 2 depicts the widthwise center line of the elongated mounting plate of the Grady-White Pivoting</p>

	Trolling Motor Mount. (Ex. Shuttleslide 1003 at ¶39). The elongated mounting plate swivels about an axis that is perpendicular to and passing through the first face of the elongated mounting plate at a point spaced from a widthwise center line of the elongated mounting plate to move from the first position to the second position (Ex. Shuttleslide 1003 at ¶40).
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Table 1 - Claim 1 is anticipated by the Grady-White Pivoting Trolling Motor Mount under 35 U.S.C. § 102

Claim 2	Anticipated by the Grady-White Pivoting Trolling Motor Mount (Ex. Shuttleslide 1012)
The swivel mount of claim 1, further comprising	Table 1 provides details for the Grady-White Pivoting Trolling Motor Mount's disclosure of each element of claim 1.
a locking pin for securing the elongated mounting plate in a set position relative to the support plate when the swivel element, the support plate, and the elongated mounting plate are coupled together.	As shown in annotated Figs. 3 & 4 of Exhibit Shuttleslide 1012, a locking pin for securing the elongated mounting plate in a set position relative to the support plate when the swivel element, the support plate, and the elongated mounting plate are coupled together is disclosed by the Grady-White Pivoting Trolling Motor Mount. (Ex. Shuttleslide 1003 at ¶41).

Table 2 - Claim 2 is anticipated by the Grady-White Pivoting Trolling Motor Mount under 35 U.S.C. § 102

Claim 4	Anticipated by the Grady-White Pivoting Trolling Motor Mount (Ex. Shuttleslide 1012)
The swivel mount of claim 1	Table 1 provides details for the Grady-White Pivoting Trolling Motor Mount's disclosure of each element of claim 1.

wherein the elongated mounting plate comprises:	As discussed in Table 1, the Grady-White Pivoting Trolling Motor Mount discloses the elongated mounting plate.
a first portion for overlapping with the swivel element and the support plate when the swivel element, the support plate, and the elongated mounting plate are coupled together; and	Annotated Fig. 2 of Exhibit Shuttleslide 1012 depicts a first portion of the elongated mounting plate for overlapping with the swivel element and the support plate when the swivel element, the support plate, and the elongated mounting plate are coupled together. (Ex. Shuttleslide 1003 at ¶42).
a second portion cantilevered from the first portion when the swivel element, the support plate, and the elongated mounting plate are coupled together.	Annotated Fig. 2 of Exhibit Shuttleslide 1012 depicts a second portion of the elongated mounting plate cantilevered from the first portion when the swivel element, the support plate, and the elongated mounting plate are coupled together. (Ex. Shuttleslide 1003 at ¶43).

Table 3 - Claim 4 is anticipated by the Grady-White Pivoting Trolling Motor Mount under 35 U.S.C. § 102

Claim 5	Anticipated by the Grady-White Pivoting Trolling Motor Mount (Ex. Shuttleslide 1012)
The swivel mount of claim 4	Table 3 provides details for the Grady-White Pivoting Trolling Motor Mount’s disclosure of each element of claim 4.
wherein the second portion comprises a plurality of holes for receiving a plurality of bolts to secure an object to the second portion of the elongated mounting plate.	Annotated Fig. 2 of Exhibit Shuttleslide 1012 depicts a plurality of holes in the second portion of the elongated mounting plate for receiving a plurality of bolts to secure an object to the second portion of the elongated mounting plate. (Ex. Shuttleslide 1003 at ¶44). As shown in Annotated Fig. 2 of Exhibit Shuttleslide 1012, bolts

	are carried by the plurality of holes to secure a trolling motor to the elongated mounting plate. (Ex. Shuttleslide 1003 at ¶45).
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Table 4 – Claim 5 is anticipated by the Grady-White Pivoting Trolling Motor Mount under 35 U.S.C. § 102

Claim 8	Anticipated by the Grady-White Pivoting Trolling Motor Mount (Ex. Shuttleslide 1012)
A boat, comprising:	This is a preamble and not a limitation. However, as can be seen in at least Fig. 1 of Ex. Shuttleslide 1012, a boat is disclosed in the Grady-White Pivoting Trolling Motor Mount (Ex. Shuttleslide 1003 at ¶46).
a gunnel;	At least Figs. 1 and 3 of Ex. Shuttleslide 1012 depict gunnels. (Ex. Shuttleslide 1003 at ¶47).
a swivel mount disposed above an upward facing surface of the gunnel such that a mounting member of the swivel mount is able to swivel about an axis that is perpendicular to and passes through the upward facing surface of the gunnel,	As can be seen in Annotated Fig. 3 of Ex. Shuttleslide 1012 a swivel mount disposed above an upward facing surface of the gunnel such that a mounting member of the swivel mount is able to swivel about an axis that is perpendicular to and passes through the upward facing surface of the gunnel is disclosed by the Grady-White Pivoting Trolling Motor Mount. (Ex. Shuttleslide 1003 at ¶48). Fig. 1 of Exhibit Shuttleslide 1012 depicts the swivel mount in a first position and Fig. 6 of Exhibit Shuttleslide 1012 depicts the swivel mount in a second position. (Ex. Shuttleslide 1003 at ¶49). The mounting member of the swivel mount swivels about an axis perpendicular to and passing through the upward facing surface of the gunnel to move between the first and second positions. (Ex. Shuttleslide 1003 at ¶50).

wherein the swivel mount comprises a support member fastened to the upward facing surface of the gunnel via one or more bolts or screws through the upward facing surface of the gunnel; and	As shown in annotated Fig. 5 of Ex. Shuttleslide 1012, a support member of the swivel mount, which is fastened to the upward facing surface of the gunnel via one or more bolts or screws through the upward facing surface of the gunnel is disclosed by the Grady-White Pivoting Trolling Motor Mount. (Ex. Shuttleslide 1003 at ¶51).
a trolling motor mounting bracket coupled to an upward facing surface of the mounting member.	As shown in annotated Fig. 2 of Ex. Shuttleslide 1012, a trolling motor mounting bracket coupled to an upward facing surface of the mounting member is disclosed by the Grady-White Pivoting Trolling Motor Mount. (Ex. Shuttleslide 1003 at ¶52).

Table 5 – Claim 8 is anticipated under 35 U.S.C. § 102 by the Grady-White Pivoting Trolling Motor Mount

Claim 10	Anticipated by the Grady-White Pivoting Trolling Motor Mount (Ex. Shuttleslide 1012)
The boat of claim 8,	Table 5 provides details for the Grady-White Pivoting Trolling Motor Mount’s disclosure of each element of claim 8.
wherein the swivel mount comprises a base member adhered to the upward facing surface of the gunnel under the mounting member.	Annotated Fig. 5 of Exhibit Shuttleslide 1012 depicts a base member adhered to the upward facing surface of the gunnel under the mounting member. (Ex. Shuttleslide 1003 at ¶53).

Table 6 – Claim 10 is anticipated by the Grady-White Pivoting Trolling Motor Mount under 35 U.S.C. § 102

Claim 11	Anticipated by the Grady-White Pivoting Trolling Motor Mount (Ex. Shuttleslide 1012)
The boat of claim 8,	Table 5Table 16 provides details for the Grady-White Pivoting Trolling Motor Mount’s disclosure of each element of claim 8.
wherein upward facing surface of the gunnel has a width greater than 4 inches.	Fig. 5 of Exhibit Shuttleslide 1012 depicts an upward facing surface of a gunnel having a width greater than 4 inches. (Ex. Shuttleslide 1003 at ¶54).

Table 7 – Claim 11 is anticipated by the Grady-White Pivoting Trolling Motor Mount under 35 U.S.C. § 102

B. Ground 2 - Claim 1 is Unpatentable Under 35 U.S.C. § 102 as Anticipated by U.S. Patent No. 3,897,086 to Breford

Claim 1 of the '111 Patent is anticipated by U.S. Patent No. 3,897,086 to Breford et al. (Ex. Shuttleslide 1004). Breford has a filing date of September 10, 1973 and qualifies as prior art under 35 U.S.C. § 102(a)(1). Breford discloses a swivel mount, specifically a “pivotable trailer hitch connector[] for trailers having fifth wheel trailer hitches.” (Ex. Shuttleslide 1004 at 1:4-5). As shown in Fig. 1 of Breford, which is annotated and depicted below as Figure 1, the tongue portion of a trailer 12 is secured to the top of the pin box structure 10 disclosed by Breford. “The pin box structure 10 includes an upper member 18 and a hitch engaging member or lower member 20 that is pivotally mounted with a lower portion of the upper member 18.” (Ex. Shuttleslide 1004 at 2:43-47). This pin box structure 10 secures to a fifth

wheel type trailer hitch 14, which has a frame structure 22 secured to a floor 24 of a truck bed 16. (Ex. Shuttleslide 1004 at 2:48-55). The pin box structure 10 allows the tongue portion of a trailer 12 to swivel about frame structure 22 affixed to the truck bed 16. (Ex. Shuttleslide 1004 at 2:43-47).

Breford provides enough information for a person of skill in the art to have known how to make or use the subject matter in claim 1 without undue experimentation at the time of the Patent-in-Suit's filing date. Breford discloses each and every element of claim 1 and describes this subject matter in at least the same level of technical detail as the Patent-in-Suit. It would not have required undue experimentation for a person of skill in the art to have made and used the anticipatory subject matter in Breford because all the relevant claim elements discussed in the reference were known to a person of skill in the art at the time of the Patent-in-Suit's filing date.

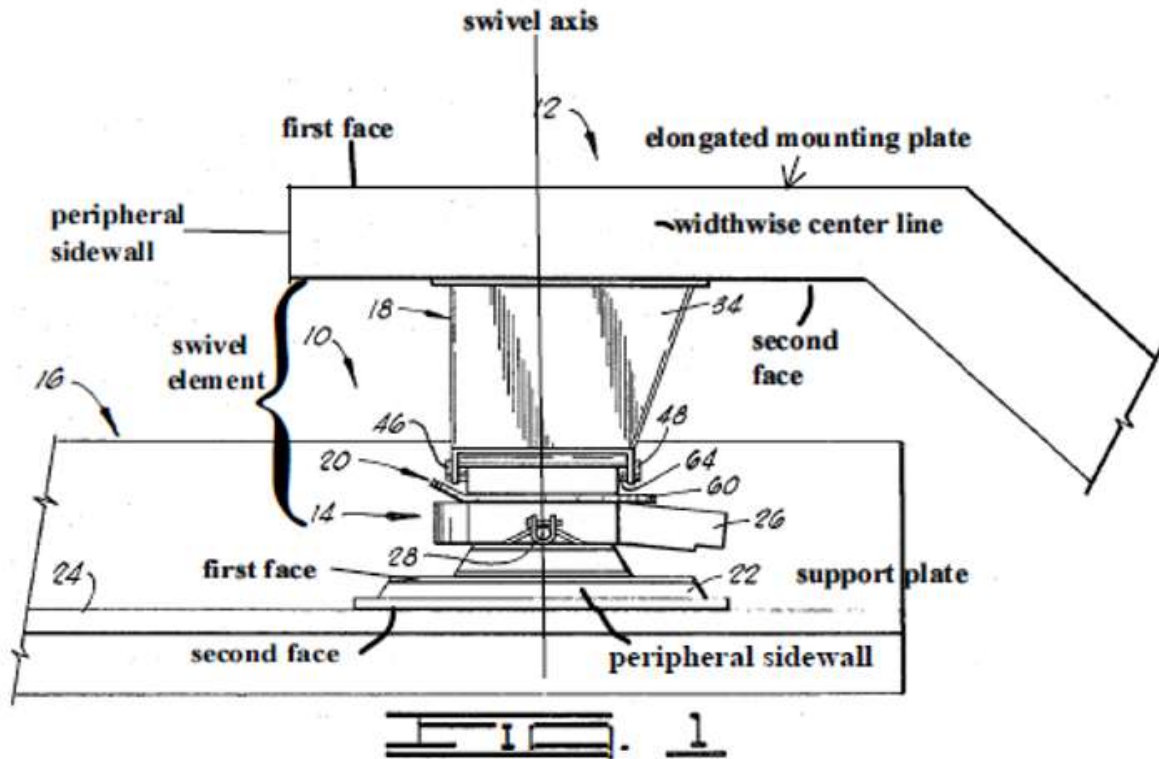


Figure 6 – Annotated FIG. 1 of Breford

<p>Claim 1</p>	<p>Anticipated by U.S. Patent No. 3,897,086 to Breford (Ex. Shuttleslide 1004)</p>
<p>A swivel mount, comprising:</p>	<p>This is a preamble and not a limitation. However, Breford discloses a swivel mount (Ex. Shuttleslide 1004, Abstract).</p>
<p>an elongated mounting plate comprising first and second opposing faces spaced apart by one or more peripheral sidewalls;</p>	<p>Breford discloses an elongated mounting plate, which is referred to as the tongue portion of the trailer 12. (Ex. Shuttleslide 1004 at 2:41-42). As depicted in Fig. 1 of Breford, which is reproduced above with annotations added, the tongue portion of the trailer 12 has first and second opposing faces spaced apart by one or more peripheral sidewalls.</p>

<p>a support plate comprising first and second opposing faces spaced apart by one or more peripheral sidewalls, wherein the support plate has a length less than or equal to half a length of the elongated mounting plate; and</p>	<p>Breford discloses a support plate, which is referred to as the frame structure 22. (Ex. Shuttleslide 1004 at 2:53-56). As depicted in Fig. 1 of Breford, which is reproduced above with annotations added, the frame structure 22 has first and second opposing faces spaced apart by one or more peripheral sidewalls. Additionally, while the entire length of the tongue portion of the trailer 12 is not depicted in Breford, it is common knowledge that the length of a tongue portion of a trailer 12 is necessarily more than twice the length of the frame structure 22 secured within the truck bed 16.</p>
<p>a swivel element, wherein the swivel mount is configured for the elongated mounting plate, the support plate, and swivel element to be coupled together such that:</p>	<p>Breford discloses a swivel element, which is referred to as a pin box structure 10. (Ex. Shuttleslide 1004 at 2:43-44). The “pin box structure 10 includes an upper member 18 and a hitch engaging member or lower member 20 that is pivotally mounted with a lower portion of the upper member 18.” (Ex. Shuttleslide 1004 at 2:43-47). As depicted in Fig. 1 of Breford, which is reproduced above with annotations added, the swivel element (pin box structure 10) is coupled to the elongated mounting plate (tongue portion of the trailer 12) and the support plate (frame structure 22).</p>
<p>the first faces of the support plate and the elongated mounting plate are parallel;</p>	<p>As depicted in Fig. 1 of Breford, which is reproduced above with annotations added, the first faces of the support plate (frame structure 22) and the elongated mounting plate (tongue portion of the trailer 12) are parallel.</p>
<p>the swivel element, the support plate, and the elongated mounting</p>	<p>As depicted in Fig. 1 of Breford, which is reproduced above with annotations added, the swivel element (pin box structure 10),</p>

plate at least partially overlap each other; and	the support plate (frame structure 22), and the elongated mounting plate (tongue portion of the trailer 12) at least partially overlap each other.
the swivel element is arranged such that the elongated mounting plate is able to swivel about an axis that is perpendicular to and passing through the first face of the elongated mounting plate at a point spaced from a widthwise center line of the elongated mounting plate.	As depicted in Fig. 1 of Breford, which is reproduced above with annotations added, the swivel element (pin box structure 10) is arranged such that the elongated mounting plate (tongue portion of the trailer 12) is able to swivel about an axis perpendicular to and passing through the first face of the elongated mounting plate (tongue portion of the trailer 12) at a point spaced from a widthwise center line of the elongated mounting plate (tongue portion of the trailer 12).

Table 8 - Claim 1 is anticipated by Breford under 35 U.S.C. § 102

C. Ground 3 - Claims 1-4 are Unpatentable Under 35 U.S.C. § 102 as Anticipated by U.S. Patent No. 6,684,558 to Gillespie

Claim 1 of the '111 Patent is anticipated by U.S. Patent No. 6,684,558 to Gillespie (Ex. Shuttleslide 1005). Gillespie was filed on May 8, 2002 and qualifies as prior art under 35 U.S.C. § 102(a)(1). Gillespie discloses swivel mount, specifically a “downrigger unit...for pivotal movement about a vertical axis by a pair of overlying engaging circular plates 32 and 34 with the plate 32 being secured to the cover board or gunwale 30 by screw threaded fasteners 36 or equivalent securing devices. The plates 32 and 34 are pivotally interconnected by a vertical shaft or pin 38 affixed to plate 32.” (Ex. Shuttleslide 1005, 4:4-11).

Gillespie also discloses “a lateral key 39 that passes through a keyway 35 in plate 34 when aligned wherewith.” “[P]ivotal movement of plate 32” is impeded “locking the downrigger 10 to the board gunwale 30 as long as the key 39 on pin 38 is misaligned with keyway 35 in plate 32.” Turning to FIG. 4 of Gillespie, the lateral key 39 can be seen on pin 38. As depicted in FIG. 2 of Gillespie, pin 38, extends beyond the second face of the elongated mounting plate.

Gillespie provides enough information for a person of skill in the art to have known how to make or use the subject matter in claims 1-4 without undue experimentation at the time of the Patent-in-Suit's filing date. Gillespie discloses each and every element of claims 1-4 and describes this subject matter in at least the same level of technical detail as the Patent-in-Suit. It would not have required undue experimentation for a person of skill in the art to have made and used the anticipatory subject matter in Gillespie because all the relevant claim elements discussed in the reference were known to a person of skill in the art at the time of the Patent-in-Suit's filing date.

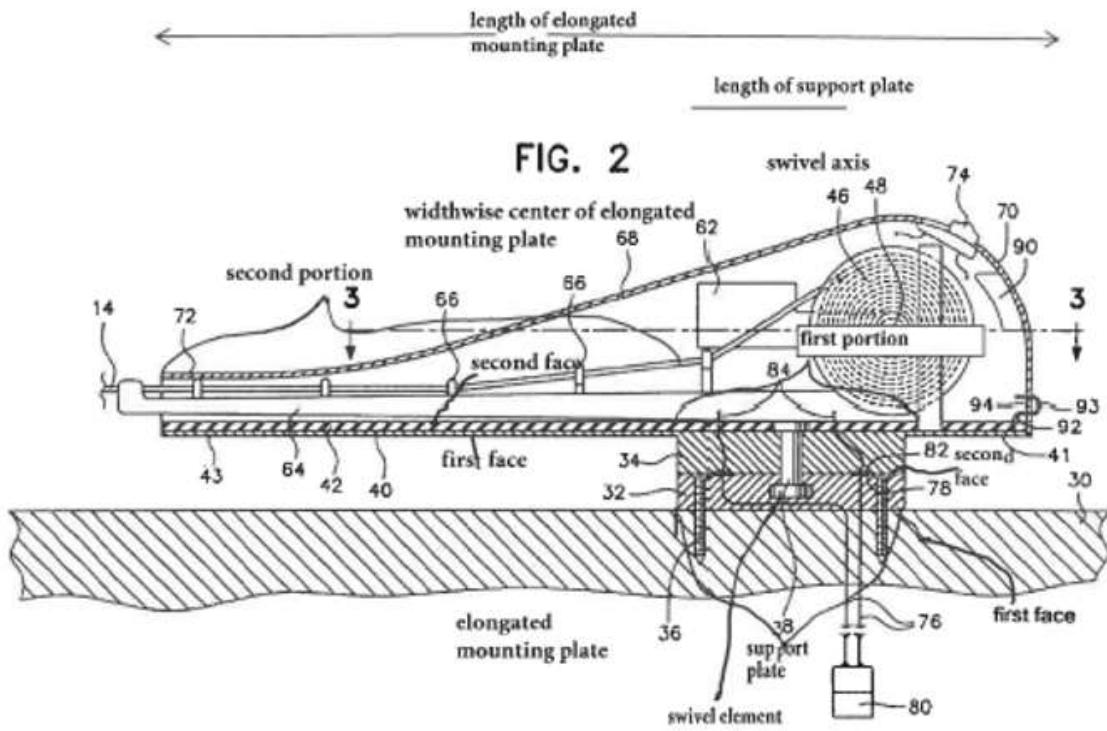


Figure 7 - Annotated Gillespie FIG. 2

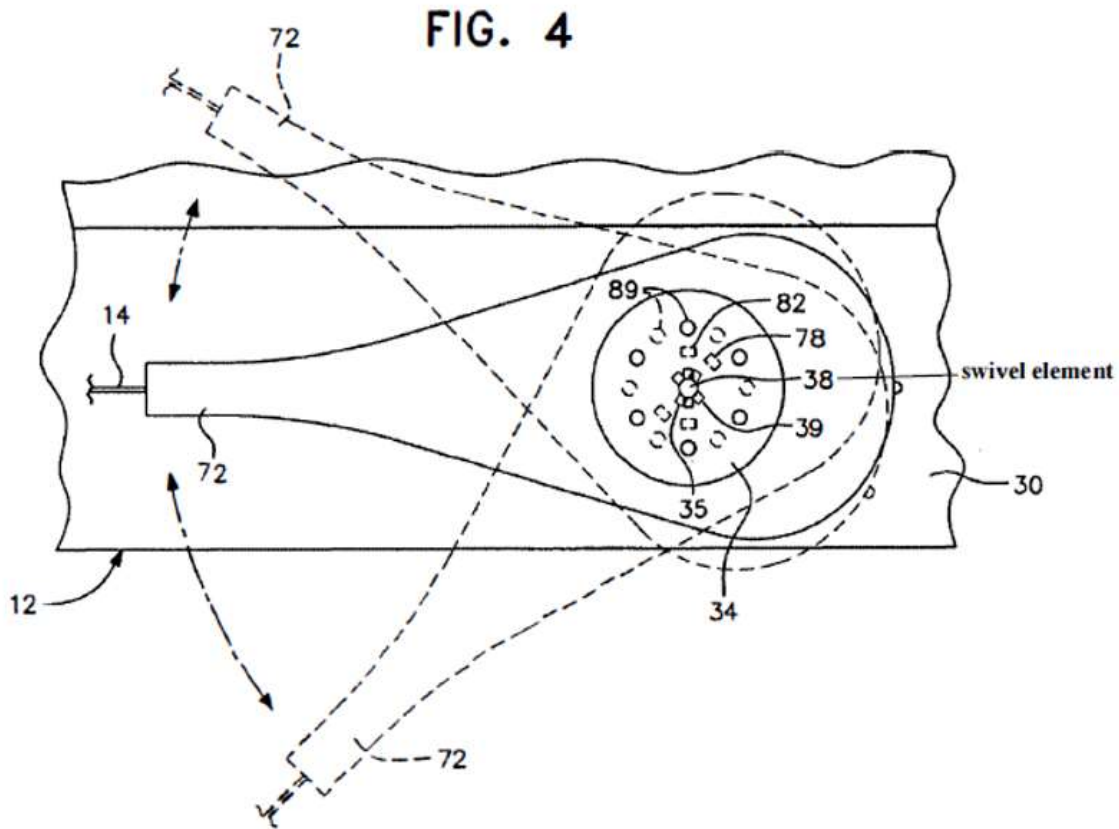


Figure 8 - Annotated Gillespie FIG. 4

Claim 1	Anticipated by U.S. Patent No. 6,684,558 to Gillespie (Ex. Shuttleslide 1005)
A swivel mount, comprising:	This is a preamble and not a limitation. However, Gillespie discloses a downrigger unit, which comprises a swivel mount (Ex. Shuttleslide 1005, 1:56-65, 4:4-9, & FIG. 4).
an elongated mounting plate comprising first and second opposing faces spaced apart by one or more peripheral sidewalls;	Gillespie discloses an elongated mounting plate, which is referred to as the upper plate 34. (Ex. Shuttleslide 1005 at 4:4-9; 4:22-30; & FIG. 2). “[T]he upper plate 34 includes forwardly and rearwardly extending thing plates 40.” (Ex. Shuttleslide 1005 at 4:22-23). As depicted in Fig. 2 of Gillespie, which is shown

	above with annotations, the upper plate 34 has first and second opposing faces spaced apart by one or more peripheral sidewalls.
a support plate comprising first and second opposing faces spaced apart by one or more peripheral sidewalls, wherein the support plate has a length less than or equal to half a length of the elongated mounting plate; and	Gillespie discloses a support plate, which is referred to as plate 32. (Ex. Shuttleslide 1005; 4:4-9 & FIG. 2) As depicted in Fig. 2 of Gillespie, which is shown above with annotations, the support plate 32 has first and second opposing faces spaced apart by one or more peripheral sidewalls. The length of plate 32 is less than or equal to half a length of the upper plate 34.
a swivel element, wherein the swivel mount is configured for the elongated mounting plate, the support plate, and swivel element to be coupled together such that:	Gillespie discloses a swivel element, which is referred to as a vertical shaft or pin 38. (Ex. Shuttleslide 1005 at 4:4-21.; FIG. 2 & FIG. 4).
the first faces of the support plate and the elongated mounting plate are parallel;	As depicted in Fig. 2 of Gillespie, which is shown above with annotations, the first faces of the support plate (plate 32) and the elongated mounting plate (upper plate 34) are parallel.
the swivel element, the support plate, and the elongated mounting plate at least partially overlap each other; and	As depicted in Figs. 2 & 4 of Gillespie, which are shown above with annotations, the swivel element (pin 38), the support plate (plate 32), and the elongated mounting plate (upper plate 34) at least partially overlap each other.
the swivel element is arranged such that the elongated mounting plate is able to swivel about an axis that is perpendicular to and passing through the first face of the elongated mounting plate at a point spaced from a widthwise center line of the elongated mounting plate.	The swivel element (pin 38) is arranged such that the elongated mounting plate (upper plate 34) is able to swivel about an axis perpendicular to and passing through the first face of the elongated mounting plate (upper plate 34) at a point spaced from a widthwise center line of the elongated mounting plate (upper plate 34). “The downrigger unit 10 ...for pivotal

	<p>movement about a vertical axis by a pair of overlying engaging circular plates 32 and 34.... The plates 32 and 34 are pivotally interconnected by a vertical shaft or pin 38 affixed to plate 32.” (Ex. Shuttleslide 1005 at 4:4-11).</p>
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Table 9 – Claim 1 is anticipated by Gillespie under 35 U.S.C. § 102

Claim 2	Anticipated by U.S. Patent No. 6,684,558 to Gillespie (Ex. Shuttleslide 1005)
The swivel mount of claim 1, further comprising	Table 9 provides details for Gillespie’s disclosure of each element of claim 1.
a locking pin for securing the elongated mounting plate in a set position relative to the support plate when the swivel element, the support plate, and the elongated mounting plate are coupled together.	Gillespie discloses a locking pin, which is referred to as a lateral key 39. (Ex. Shuttleslide 1005 at 4:11-21). “[T]he downrigger unit 10 [may] be attached to or separated from the plate 34 when in the inboard position with pivotal movement of plate 32 locking the downrigger 10 to the board gunwale 30 as long as the key 39 on pin 38 is misaligned with keyway 35 in plate 32.” (Ex. Shuttleslide 1005 at 4:16-21).

Table 10 - Claim 2 is anticipated by Gillespie under 35 U.S.C. § 102

Claim 3	Anticipated by U.S. Patent No. 6,684,558 to Gillespie (Ex. Shuttleslide 1005)
The swivel mount of claim 2	Table 10 provides details for Gillespie’s disclosure of each element of claim 2.
wherein the locking pin extends from the second face of the elongated mounting plate when the swivel element, the support plate, and the elongated mounting plate are coupled together.	As discussed in Table 10, Gillespie discloses a locking pin, which is referred to as a lateral key 39. (Ex. Shuttleslide 1005 at 4:11-21). As shown in FIG. 4, the lateral key 39 located at a top portion of the pin 38. As depicted in FIG. 2, the top portion of pin 38 extends from the second face of the elongated mounting plate.

Table 11 - Claim 3 is anticipated by Gillespie under 35 U.S.C. § 102

Claim 4	Anticipated by U.S. Patent No. 6,684,558 to Gillespie (Ex. Shuttleslide 1005)
The swivel mount of claim 1	Table 9 provides details for Gillespie’s disclosure of each element of claim 1.
wherein the elongated mounting plate comprises:	As discussed in Table 9, Gillespie discloses the elongated mounting plate.
a first portion for overlapping with the swivel element and the support plate when the swivel element, the support plate, and the elongated mounting plate are coupled together; and	Gillespie discloses a first portion of the elongated mounting plate, which is shown above with annotations added. (Ex. Shuttleslide 1005 at FIG. 2). This first portion of the elongated mounting plate (upper plate 34) overlaps with the swivel element (pin 38) and the support plate (plate 32) when these elements are coupled together, as depicted in FIG. 2 of Gillespie.
a second portion cantilevered from the first portion when the swivel element, the support plate, and the elongated mounting plate are coupled together.	Gillespie discloses a second portion of the elongated mounting plate, referred to as a forwardly extending thin plate 40, which is shown above with annotations (Ex. Shuttleslide 1005 at FIG. 2). “The upper plate 34 includes forwardly and rearwardly extending thin plates 40.” (Ex. Shuttleslide 1005 at 4:22-23. This second portion of the elongated mounting plate (forwardly extending thin plate 40) is cantilevered from the first portion when the swivel element, the support plate, and the elongated mounting plate are coupled together.

Table 12 - Claim 4 is anticipated by Gillespie under 35 U.S.C. § 102

D. Ground 4 - Claim 5 is Obvious Under 35 USC 103 based on Gillespie in view of U.S. Patent No. 11,584,495 to Hunziker

Claim 5 of the '111 Patent is rendered obvious by Gillespie (Ex. Shuttleslide 1005) in view of U.S. Patent No. 11,584,495 to Hunziker (Ex. Shuttleslide 1009).

The disclosures of Gillespie are provided above. Hunziker was filed on April 1, 2021 and qualifies as prior art under 35 U.S.C. § 102(a)(1). Hunziker discloses a “boat motor mounting bracket for mounting a trolling motor to a fishing boat. (Ex. Shuttleslide 1009 at 1:5-7). The boat motor mounting bracket of Hunziker has a “top plate 3 of the bracket 1 having a plurality of apertures 16 for securing a trolling motor in a desired location on the plate 3.” (Ex. Shuttleslide 1009 at 35-37).

There would have been a motivation to combine Gillespie and Hunziker with a reasonable expectation of success. Both Gillespie and Hunziker relate to the field of securing an accessory to a boat gunnel. (Ex. Shuttleslide 1003, ¶55). Gillespie discloses a downrigger secured to a gunnel and Hunziker discloses a trolling motor mounting bracket secured to a gunnel. (Ex. Shuttleslide 1005 & Ex. Shuttleslide 1009). A person having ordinary skill in the art reading Gillespie would have been motivated to follow the teachings of Hunziker to modify the mounting apparatus disclosed by Gillespie to include the plurality of holes disclosed by Hunziker in the downrigger mount disclosed by Hunziker to allow for mounting an object other than a downrigger to a gunnel because it was known in the art that trolling motors, downriggers, and other accessories could be mounted to gunnels. (Ex. Shuttleslide 1003 at ¶56).

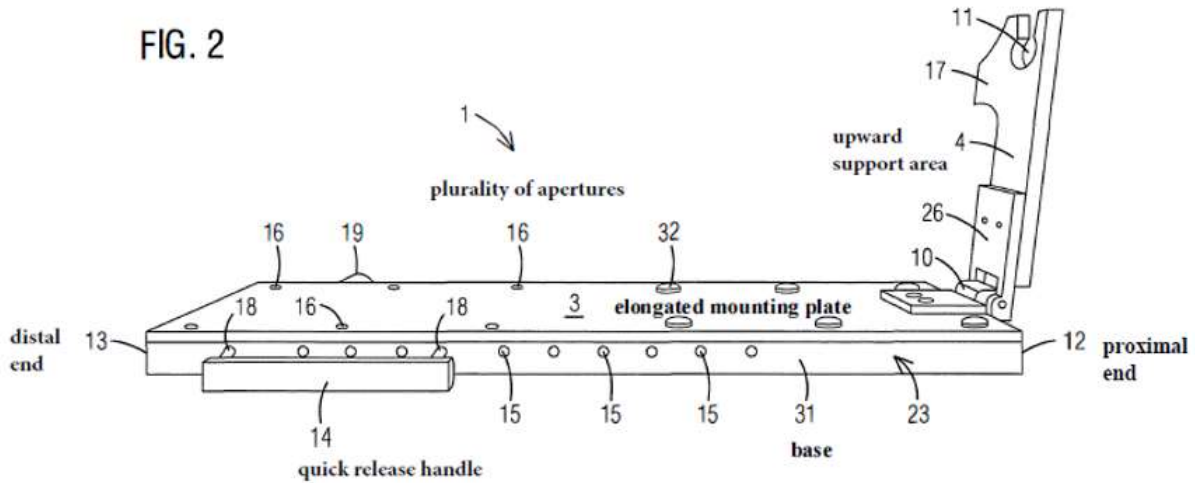


Figure 9 – Annotated FIG. 2 of Hunziker

<p>Claim 5</p>	<p>Obvious Over Gillespie (Ex. Shuttlelide 1005) in view of Hunziker (Ex. Shuttlelide 1009)</p>
<p>The swivel mount of claim 4</p>	<p>Table 12 provides details for Gillespie’s disclosure of each element of claim 4.</p>
<p>wherein the second portion comprises a plurality of holes for receiving a plurality of bolts to secure an object to the second portion of the elongated mounting plate.</p>	<p>Gillespie discloses a second portion but does not disclose a plurality of holes for receiving a plurality of bolts to secure an object to the second portion of the elongated mounting plate. However, Hunziker does disclose a second portion comprising a plurality of holes for receiving a plurality of bolts to secure an object to the second portion of the elongated mounting plate.</p> <p>Hunziker discloses an elongated mounting plate, referred to as a top plate 3 comprising a plurality of holes, referred to as a plurality of</p>

	<p>apertures 16, for securing an object. “[T]he top plate 3 of the bracket 1 having a plurality of apertures 16 for securing a trolling motor in a desired location on the plate.” (Ex. Shuttleslide 1009 at 35-38).</p> <p>It would have been obvious at the time of the invention to combine the elongated mounting plate of Gillespie with the plurality of holes for receiving a plurality of bolts to secure an object to the second portion of the elongated mounting plate of Hunziker. (Ex. Shuttleslide 1003 at ¶57).</p>
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Table 13 – Claim 5 is obvious under 35 U.S.C. § 103 based on Gillespie in view of Hunziker

E. Ground 5 - Claim 6 is Obvious Under 35 USC 103 based on Gillespie in view of Hunziker in further view of Universal Mounting Plate

Claim 6 of the '111 Patent is unpatentable as indefinite under 35 U.S.C. § 112. To the extent that claim 6 is understood, it is rendered obvious by Gillespie (Ex. Shuttleslide 1005) in view of Hunziker (Ex. Shuttleslide 1009), in further view of Universal Mounting Plate. (Ex. Shuttleslide 1010). Universal Mounting Plate is found in the Internet Archives and was published at least as early as September 18, 2015. Universal Mounting Plate qualifies as prior art under 35 U.S.C. § 102(a)(1).

Universal Mounting Plate discloses a “Universal Fit Mounting Plate.” (Ex. Shuttleslide 1010). The Universal Fit Mounting Plate is sold by a marine supply

company. (Ex. Shuttleslide 1003 at ¶58). The Universal Fit Mounting Plate is advertised to fit most brands and models of radars. (Ex. Shuttleslide 1010). Universal mounts, such as the Universal Fit Mounting Plate were well known to those having ordinary skill in the art of marine accessories. (Ex 1003 at ¶59).

There would have been a motivation to combine Universal Mounting Plate with the disclosures of Gillespie and Hunziker with a reasonable expectation of success because similar marine accessories could be made by multiple manufacturers, and it was well known to create “universal” accessories that allow for the mounting of different brands of accessories. (Ex. Shuttleslide 1003 at ¶60).

Claim 6	Obvious Over Gillespie (Ex. Shuttleslide 1005) in view of Hunziker (Ex. Shuttleslide 1009) in further view of Universal Mounting Plate (Ex. Shuttleslide 1010)
The swivel mount of claim 5,	Table 13 provides details for disclosure of each element of claim 5.
wherein a number and arrangement of the plurality of holes are such that different types of trolling motor mounting brackets may be secured to the second portion of the elongated mounting plate via a plurality of bolts.	Neither Gillespie nor Hunziker disclose a number and arrangement of the plurality of holes such that different mounting brackets may be secured via a plurality of bolts. However, Universal Mounting Plate does disclose a number and arrangement of the plurality of holes such that different mounting brackets may be secured via a plurality of bolts.

	<p>Universal Mounting Plate discloses a universal mounting plate advertised to fit most brands and models of radars and secure them to a boat. (Ex. Shuttleslide 1010). Such universal mounts were well known in the marine industry to secure marine accessories to boats.</p> <p>It would have been obvious at the time of the invention to combine the number and arrangement of the plurality of holes such that different types of accessories can be secured with the disclosures of Hunziker and Gillespie to provide a universal trolling motor mount. (Ex. Shuttleslide 1003 at ¶61).</p>
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Table 14 – Claim 6 is obvious under 35 U.S.C. § 103 based on Gillespie in view of Hunziker in further view of Universal Mounting Plate

F. Ground 6 - Claim 7 is Obvious Under 35 USC 103 based on Gillespie in view of Gratsch

Claim 7 of the '111 Patent is rendered obvious by Gillespie (Ex. Shuttleslide 1005) in view of Gratsch (Ex. Shuttleslide 1007). Gratsch discloses “a pair of laterally opposed channels 114 that slidably receive a corresponding pair of protrusion 118, such as keys, defining a cooperating, second engaging portion of the accessory 110. (Ex. Shuttleslide 1007 at [0034]). “[T]he accessory includes a spring-loaded pin 115 that is permanently secured in a bore 115a of the accessory 110. The pin 115 is received within a hole 115b when the protrusions 118 reach a predetermined position along the channels 114.” (Ex. Shuttleslide 1007 at [0034]).

There would have been a motivation to combine Gillespie and Gratsch with a reasonable expectation of success. Both Gillespie and Gratsch relate to the field of securing an accessory to a boat gunnel. Gillespie discloses a downrigger secured to a gunnel and Gratsch discloses an accessory mounting apparatus secured to a gunnel. (Ex. Shuttleslide 1005 & Ex. Shuttleslide 1007). A person having ordinary skill in the art reading Gillespie would have been motivated to follow the teachings of Gratsch to modify the mounting apparatus disclosed by Gillespie to include the sliding track disclosed by Gratsch to allow for mounting an object other than a downrigger to a gunnel because it was known in the art that trolling motors, downriggers, and other accessories could be mounted to gunnels. (Ex. Shuttleslide 1003 at ¶62).

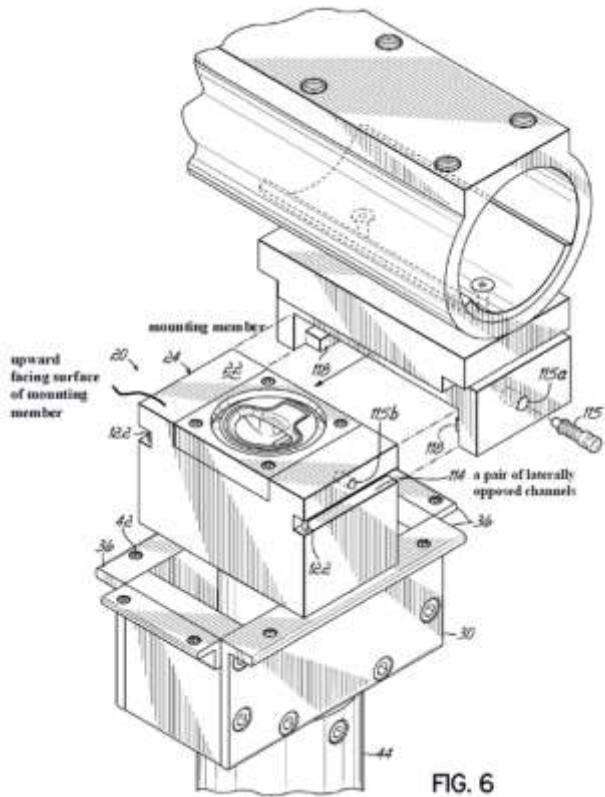


Figure 10 – Annotated FIG. 6 of Gratsch

<p>Claim 7</p>	<p>Obvious Over Gillespie (Ex. Shuttleslide 1005) in view of Gratsch (Ex. Shuttleslide 1007)</p>
<p>The swivel mount of claim 4,</p>	<p>Table 12 provides details for disclosure of each element of claim 4.</p>
<p>wherein the second portion comprises a sliding track for slidably receiving an object to the second portion of the elongated mounting plate.</p>	<p>Gillespie discloses a mounting plate but does not disclose a sliding track for slidably receiving an object to the second portion of the elongated mounting plate. However, Gratsch does disclose a sliding track for slidably securing an object to the mounting plate.</p>

	<p>Gratsch discloses a sliding track, referred to as “a pair of laterally opposed channels 114.” (Ex. Shuttleslide 1007 at [0034]). The sliding track “slidingly receive[s] a corresponding pair of protrusions 118, such as keys, defining a cooperating, second engaging portion of the accessory 110.” (Ex. Shuttleslide 1007 at [0034]).</p> <p>It would have been obvious at the time of the invention to combine the elongated mounting plate of Gillespie with the sliding track of Gratsch to secure an object to the second portion of the elongated mounting plate of Gillespie. (Ex. Shuttleslide 1003 at ¶63).</p>
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Table 15 – Claim 7 is obvious under 35 U.S.C. § based on Gillespie in view of Gratsch

G. Ground 7 - Claim 8 is Anticipated by U.S. Patent Application

Publication No. 2003/0194921 to Leiss et al.

Claim 8 of the '111 Patent is anticipated by U.S. Patent Application Publication No. 2003/0194921 to Leiss et al. (Ex. Shuttleslide 1006). Leiss was filed on April 15, 2002 and qualifies as prior art under 35 U.S.C. § 102(a)(1). Leiss discloses “a universal motor mount for mounting and controlling [] electric trolling motors.” (Ex. Shuttleslide 1006 at [0001]). As shown in Fig. 1 of Leiss, which is shown with annotations below, the universal boat motor mount 10 is provided with plank means 11.” (Ex. Shuttleslide 1006 at [0016]). The plank means 11, “is

detachably secured to the spaced side gunnels 12 and 13 of a small boat or canoe 14.” (Ex. Shuttleslide 1006 at [0016]). “[T]he securing means is provided in the form of bolts 15 and 16 which pass through plank 11 and gunnel 12.” (Ex. Shuttleslide 1006 at [0017]). “A motor mount bracket 21 is secured to the overhanging portion 20 [of the plank means 11] for mounting trolling motor 18 thereon.” (Ex. Shuttleslide 1006 at [0018]). “Motor mount bracket 21 is rotatable relative to plank means 11 about vertical axis 22 for steering trolling motor 18.” (Ex. Shuttleslide 1006 at [0018]).

Leiss provides enough information for a person of skill in the art to have known how to make or use the subject matter in claim 8 without undue experimentation at the time of the Patent-in-Suit's filing date. Leiss discloses each and every element of claim 8 and describes this subject matter in at least the same level of technical detail as the Patent-in-Suit. It would not have required undue experimentation for a person of skill in the art to have made and used the anticipatory subject matter in Leiss because all the relevant claim elements discussed in the reference were known to a person of skill in the art at the time of the Patent-in-Suit's filing date.

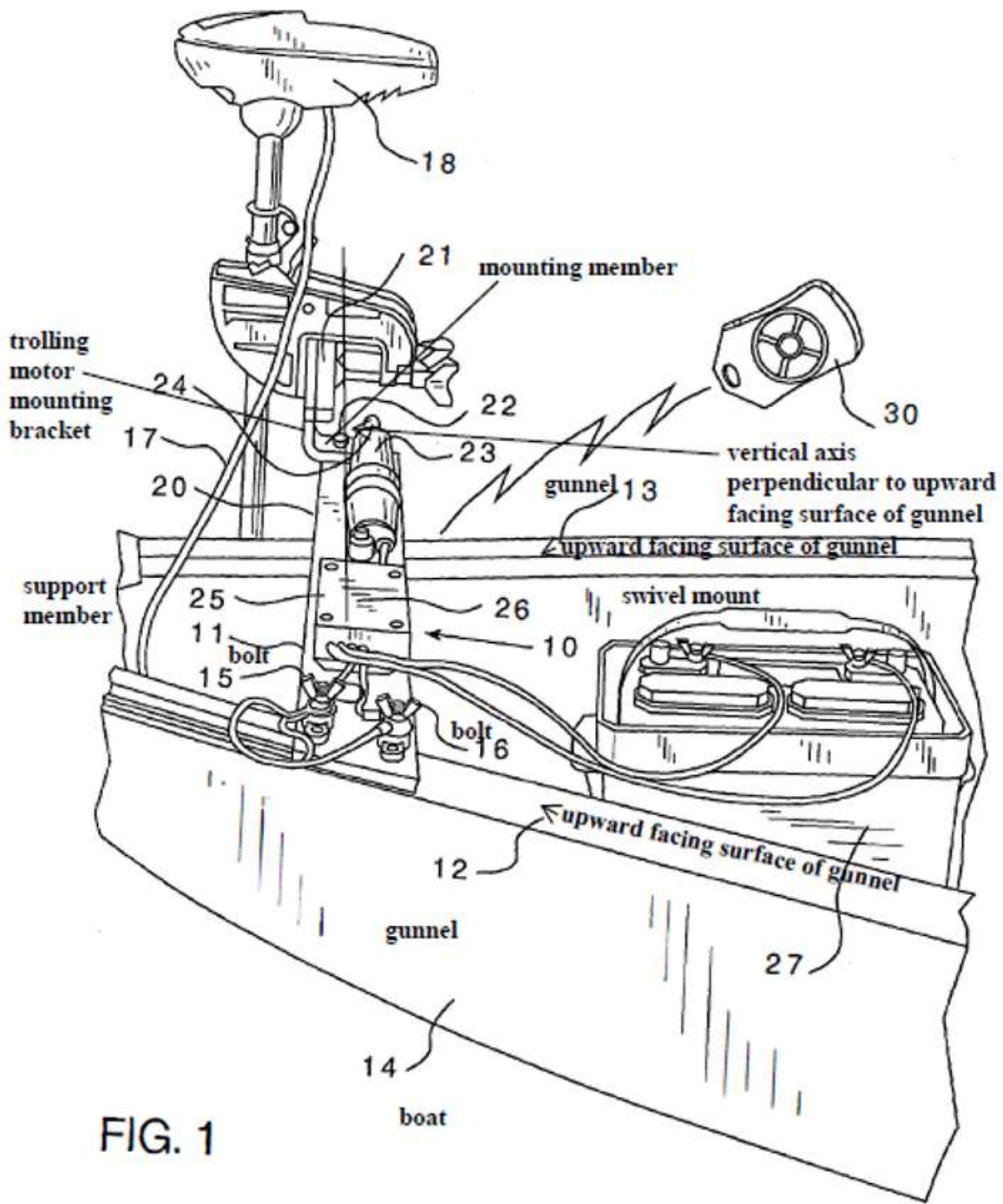


FIG. 1

Figure 11 – Annotated FIG. 1 of Leiss

<p>Claim 8</p>	<p>Anticipated by U.S. Patent Application Publication No. 2003/0194921 to Leiss (Ex. Shuttleslide 1006)</p>
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<p>A boat, comprising:</p>	<p>This is a preamble and not a limitation. However, Leiss discloses a boat. At least in FIG. 1, a “small boat” is disclosed. (Ex. Shuttle slide 1006 at [0016]). The universal boat motor mount, also disclosed by Leiss, may be “detachably secured to the spaced side gunnels 12 and 13 of small boat or canoe 14.” (Ex. Shuttle slide 1006 at [0016]).</p>
<p>a gunnel;</p>	<p>Leiss discloses a boat having gunnels. The universal boat motor mount 10 of Leiss “is detachably secured to the spaced side gunnels 12 and 13 of a small boat or canoe 14.” (Ex. Shuttle slide 1006 at [0016]).</p>
<p>a swivel mount disposed above an upward facing surface of the gunnel such that a mounting member of the swivel mount is able to swivel about an axis that is perpendicular to and passes through the upward facing surface of the gunnel,</p>	<p>Leiss discloses a swivel mount, referred to as a universal boat motor mount 10. The universal boat motor mount 10 is disposed above an upward facing surface of the gunnel. “[T]he universal boat motor mount 10 of the present invention is provided with plank means 11...is detachably secured to the spaced side gunnels 12 and 13 of small boat or canoe 14.” (Ex. Shuttle slide 1006 at [0016]).</p> <p>The swivel mount has a mounting member, which can be seen in FIG. 1 at the portion of motor mount bracket 21 surrounding vertical axis 22. The mounting member is able to swivel about an axis that is perpendicular to and passes through the upward facing surface of the gunnel. The “[m]otor mount bracket 21 is rotatable relative to plank means 11 about vertical axis 22 for steering trolling motor 18.” (Ex. Shuttle slide 1006 at [0018])</p>
<p>wherein the swivel mount comprises a support member</p>	<p>Leiss discloses the swivel mount, referred to as the universal boat motor mount 10,</p>

<p>fastened to the upward facing surface of the gunnel via one or more bolts or screws through the upward facing surface of the gunnel; and</p>	<p>having a support member, referred to as plank means 11, fastened to the upward facing surface of the gunnel via one or more bolts or screws, referred to as bolts 15 and 16, through the upward facing surface of the gunnel, referred to as spaced side gunnels 12 and 13. “[T]he universal boat motor mount 10 of the present invention is provided with plank means 11..., which is detachably secured to the spaced side gunnels 12 and 13 of small boat or canoe 14...” (Ex. Shuttleslide 1006 at [0016]). “[T]he securing means is provided in the form of bolts 15 and 16 which pass through plank 11 and gunnel 12...” (Ex. Shuttleslide 1006 at [0017]).</p>
<p>a trolling motor mounting bracket coupled to an upward facing surface of the mounting member.</p>	<p>Leiss discloses a trolling motor mounting bracket, which can be seen in FIG. 1 as the portion of motor mount bracket 21 to which the trolling motor 18 is secured, coupled to an upward facing surface of the mounting member. “A motor mount bracket 21 is secured to the overhanging portion 20 for mounting trolling motor 18 thereon.”</p>

Table 16 – Claim 8 is anticipated under 35 U.S.C. § 102 by Leiss

H. Ground 8 - Claim 8 is Obvious Under 35 USC 103 based on by U.S.

Patent Application Publication No. 2010/0242828 to Gratsch in view of Leiss

Claim 8 of the '111 Patent is rendered obvious by U.S. Patent Application Publication No. 20100242828 to Gratsch. (Ex. Shuttleslide 1007) in view of Leiss. Gratsch was filed on March 24, 2010 and qualifies as prior art under 35 U.S.C. § 102(a)(1). Gratsch discloses a “[b]oat 10 includ[ing] a mounting apparatus 20 for

selectively securing one of a plurality of available accessories to the gunnel 12 of the boat 10.” (Ex. Shuttlelide 1007 at [0025]). “[T]he mounting element 24 is rotatable about the vertical axis 25 relative to the housing 30.” (Ex. Shuttlelide 1007 at [0032]). Gratsch also discloses that “it is often desirable to attach these accessories to or near the gunnel or some other structural portion of a boat....” (Ex. Shuttlelide 1007 at [0003]). “Conventional ways of attaching these accessories to a boat include permanently drilling through the structural portion and permanently attaching the accessory thereto.” (Ex. Shuttlelide 1007 at [0004]). The disclosure of Leiss is described above.

There would have been a motivation to combine Gratsch and Leiss with a reasonable expectation of success because Gratsch and Leiss both describe mounting marine accessories to gunnels. Leiss discloses securing a trolling motor mount to the upward facing surface of a gunnel. (Ex. Shuttlelide 1006). Gratsch discloses securing a trolling motor mount to an underside of a gunnel. (Ex. Shuttlelide 1007). A person having ordinary skill in the art reading Gratsch would have been motivated to follow the teachings of Leiss to secure the swivel mount of Gratsch to the top of the gunnel (Ex. Shuttlelide 1003 at ¶64).

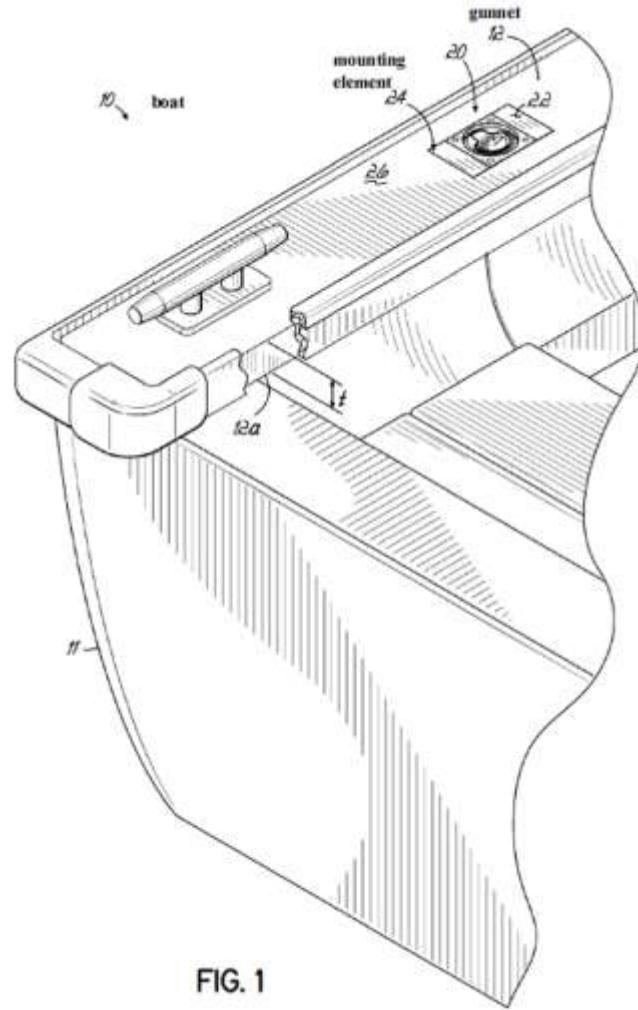


FIG. 1

Figure 12 – Annotated FIG. 1 of Gratsch

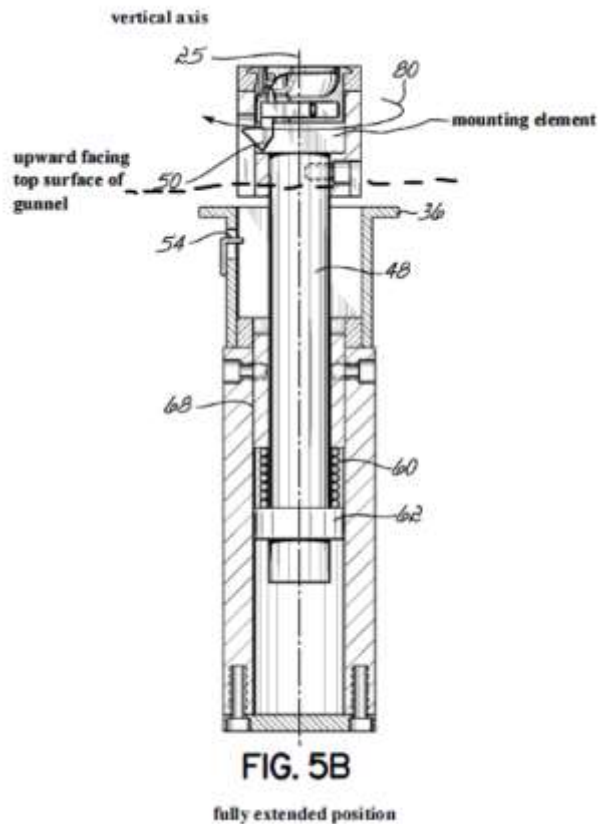


Figure 13 – Annotated FIG. 5B of Gratsch

<p>Claim 8</p>	<p>Obvious Over Gratsch (Ex. Shuttlelide 1007) in view of Leiss (Ex. Shuttlelide 1006)</p>
<p>A boat, comprising:</p>	<p>This is a preamble and not a limitation. However, Gratsch discloses a boat. At least in FIGS. 1 and 1A, a boat is disclosed. “[A] boat 10 includes a main portion 11 and an exemplary structural portion in the form of a gunnel 12 holding different types of attachment devices.” (Ex. Shuttlelide 1007 at [0025]).</p>
<p>a gunnel;</p>	<p>Gratsch discloses a boat having gunnels. The “gunnel 12 hold[s]</p>

	<p>different types of attachment devices.” (Ex. Shuttle slide 1007 at [0025]).</p>
<p>a swivel mount disposed above an upward facing surface of the gunnel such that a mounting member of the swivel mount is able to swivel about an axis that is perpendicular to and passes through the upward facing surface of the gunnel,</p>	<p>Gratsch discloses a swivel mount, referred to as a mounting element 24. The swivel mount is disposed above an upward facing surface of the gunnel at least when in the fully extended position. “[T]he top face 22 of the mounting element 24 is ... substantially flush with the top surface 26 off the gunnel 12 when the mounting element 24 is in a fully retracted position (FIG. 1.)” (Ex. Shuttle slide 1007 at [0026]). “[T]he mounting element 24 is movable along an axis 25, relative to the housing 30 of apparatus 20, to thereby define a retractable and rotatable system.... The mounting element 24 is thus selectively movable between a fully retracted position (FIGS. 1, 2-4, and 5A) and a fully extended position (FIGS. 5B, 5C, and 6).”</p> <p>The swivel mount is able to swivel about an axis that is perpendicular to and passes through the upward facing surface of the gunnel. “[T]he mounting element 24 is rotatable about the vertical axis 25 relative to the housing 30.” (Ex. Shuttle slide 1007 at [0025]).</p>
<p>wherein the swivel mount comprises a support member fastened to the upward facing surface of the gunnel via one or</p>	<p>Gratsch does not disclose an inventive swivel mount comprising a support member fastened to the upward facing surface of the gunnel</p>

more bolts or screws through the upward facing surface of the gunnel; and

via one or more bolts or screws through the upward facing surface of the gunnel.

However, Gratsch does disclose that swivel mounts were known in the art to comprise a support member fastened to the upward facing surface of the gunnel via one or more bolts or screws through the upward facing surface of the gunnel. “[I]t is often desirable to attach accessories to a boat. For example, it is sometimes desirable to attach one or more of ... a trolling motor.... In particular, it is often desirable to attach these accessories to or near the gunnel or some other structural portion of a boat....” (Ex. Shuttle slide 1007 at [0003]).

“Conventional ways of attaching these accessories to a boat include permanently drilling through the structural portion and permanently attaching the accessory thereto.”

Leiss discloses the swivel mount, referred to as the universal boat motor mount 10, having a support member, referred to as plank means 11, fastened to the upward facing surface of the gunnel via one or more bolts or screws, referred to as bolts 15 and 16, through the upward facing surface of the gunnel, referred to as spaced side gunnels 12 and 13. “[T]he universal boat motor mount 10 of the present invention is provided with plank means 11..., which is detachably secured to the spaced side gunnels

	<p>12 and 13 of small boat or canoe 14....” (Ex. Shuttleslide 1006 at [0016]). “[T]he securing means is provided in the form of bolts 15 and 16 which pass through plank 11 and gunnel 12....” (Ex. Shuttleslide 1006 at [0017]).</p> <p>It would have been obvious at the time of the invention to combine the plank means and bolts of Leiss with the swivel mount of Gratsch. (Ex. Shuttleslide 1003 at ¶65).</p>
<p>a trolling motor mounting bracket coupled to an upward facing surface of the mounting member.</p>	<p>Gratsch discloses a trolling motor mounting bracket, coupled to an upward facing surface of the mounting member. “In the exemplary embodiment of FIG. 6, the accessory 110 is shown to be in the form of a fishing rod holder. Those of ordinary skill in the art, however, will readily appreciate that this is merely exemplary rather than limiting, as any other type of accessory may instead be engaged with the mounting element 24. For example, and without limitation, such alternative accessory may be in the form of...a trolling motor....” (Ex. Shuttleslide 1007 at [0036]).</p>

Table 17 – Claim 8 is obvious under 35 U.S.C. § 103 based on Gratsch in view of Leiss

I. Ground 9 - Claim 8 is Obvious Under 35 USC 103 based on by U.S.

Patent No. 4,044,489 to Henze et al. in view of Leiss

Claim 8 of the '111 Patent is rendered obvious by U.S. Patent No. 4,044,489 to Henze et al. (Ex. Shuttleslide 1008) in view of Leiss. Henze was filed on April 26, 1976 and qualifies as prior art under 35 U.S.C. § 102(a)(1). Henze discloses “a trolling apparatus for fishing of the reel and boom type which is detachable mounted to a swivel base.” (Ex. Shuttleslide 1008 at 1:6-8). The trolling apparatus may be mounted to the gunnel of a boat, as depicted in FIG. 8.

There would have been a motivation to combine Henze and Leiss with a reasonable expectation of success because Henze and Leiss both describe mounting marine accessories to gunnels. Leiss discloses securing a trolling motor mount to the upward facing surface of a gunnel. (Ex. Shuttleslide 1006). Henze discloses securing a trolling apparatus to the upward facing surface of a gunnel. (Ex. Shuttleslide 1008). A person having ordinary skill in the art reading Henze would have been motivated to follow the teachings of Leiss to secure the trolling motor mount of Leiss to the swivel mount on top of the gunnel disclosed by Henze (Ex. Shuttleslide 1003 at ¶66).

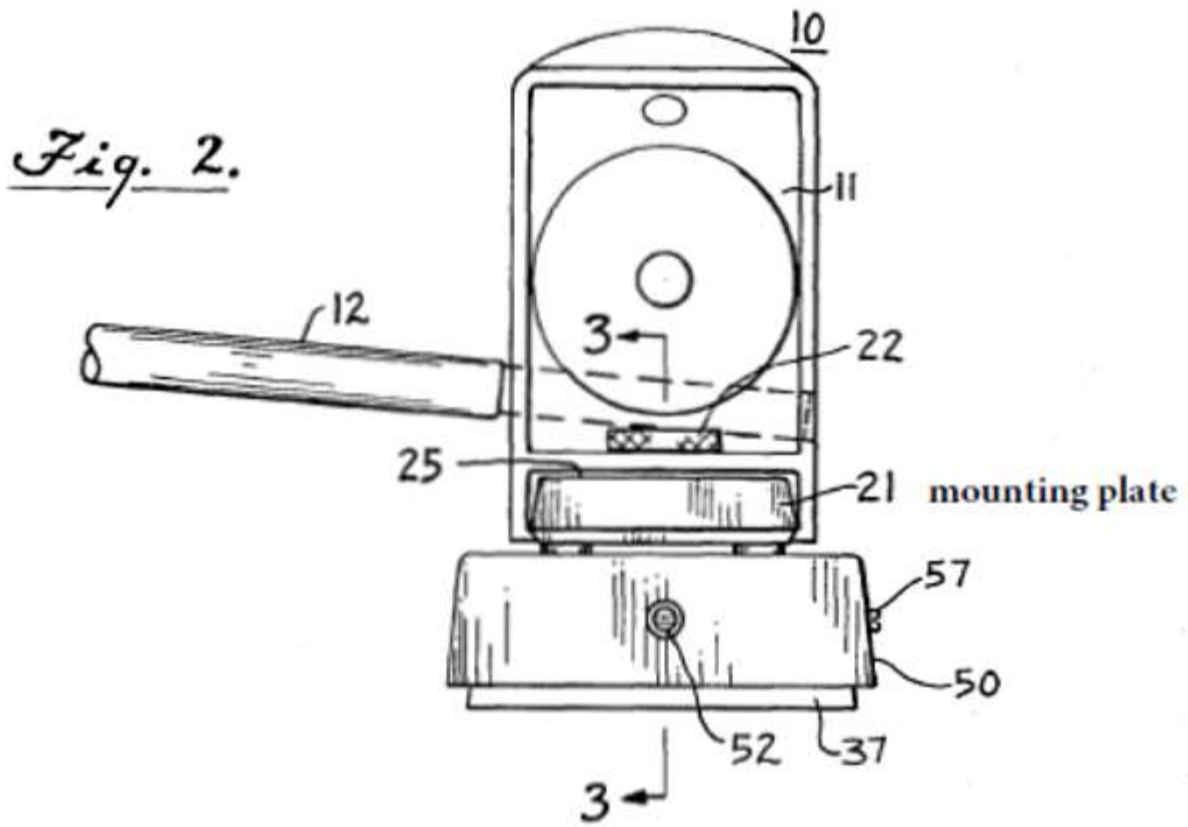


Figure 14 – Annotated Fig. 2 of Henze

Fig. 3.

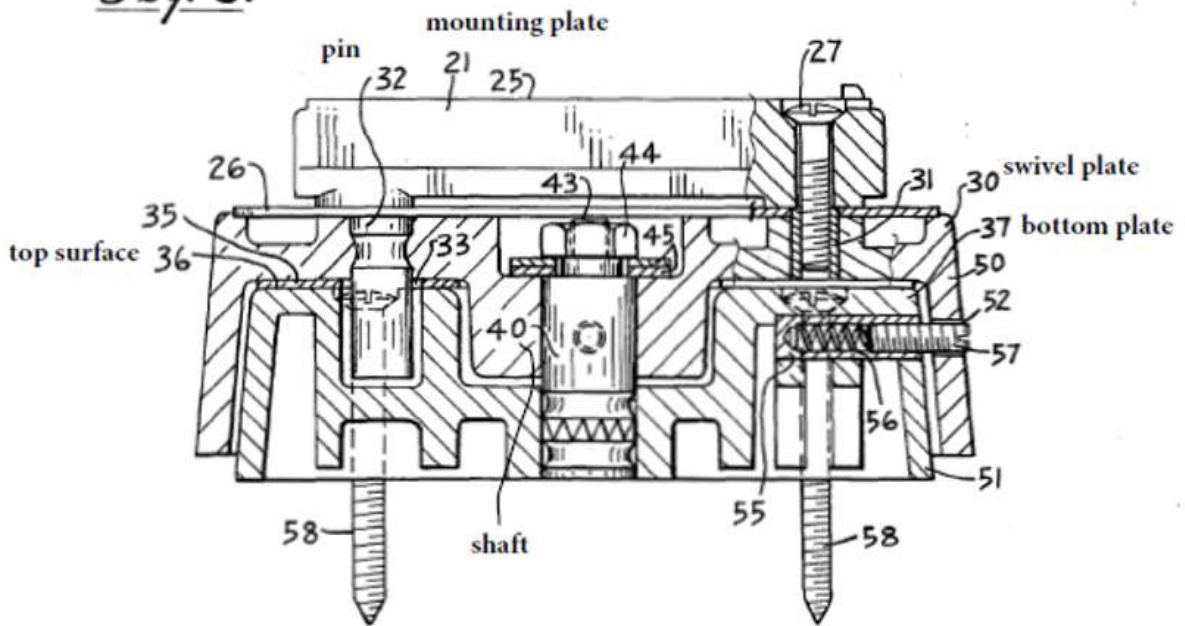


Figure 15 – Annotated FIG. 3 of Henze

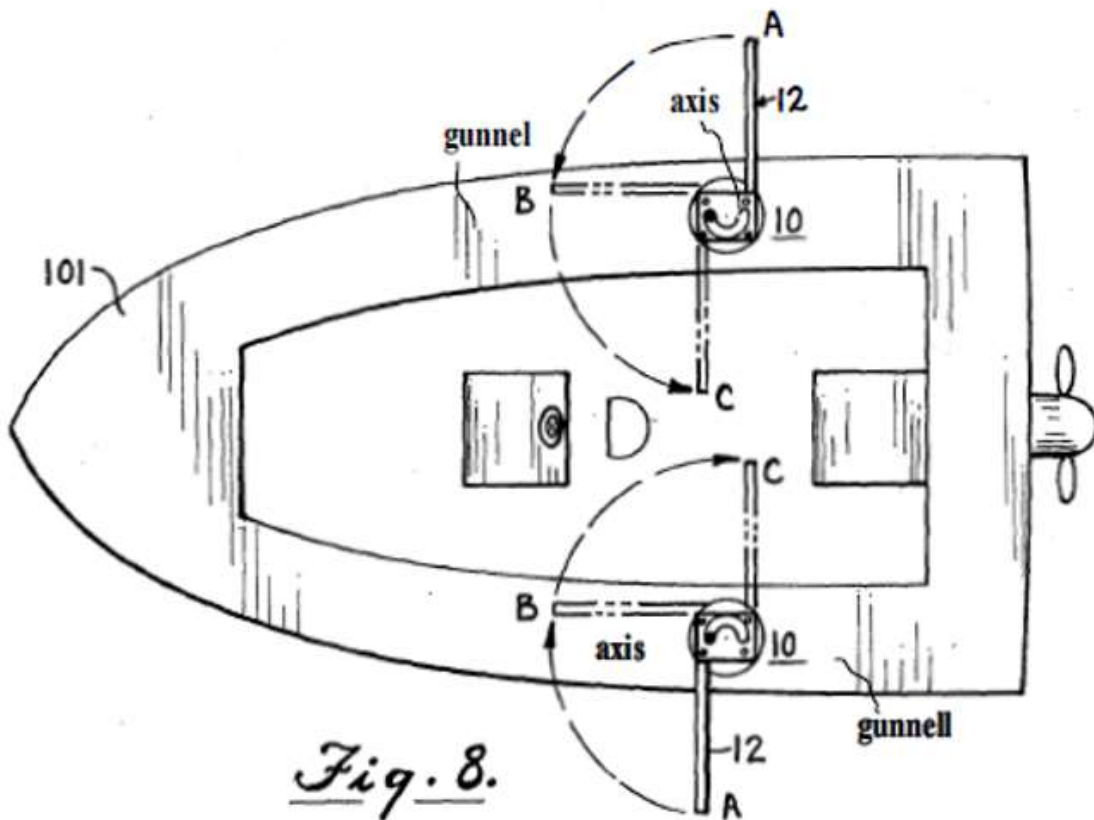


Figure 16 – Annotated FIG. 8 of Henze

<p>Claim 8</p>	<p>Obvious Over Henze (Ex. Shuttle slide 1008) in view of Leiss (Ex. Shuttle slide 1006)</p>
<p>A boat, comprising:</p>	<p>This is a preamble and not a limitation. However, Henze discloses a boat. At least in FIGS. 7 and 8, a boat is disclosed. “The base plate 37 has four screws 58 engaged therein which are engaged with the deck or transom of the boat...” (Ex. Shuttle slide 1008 at 3:20-21).</p>
<p>a gunnell;</p>	<p>Henze discloses a boat having gunnells. Gunnells can be seen extending from the bow to the stern of the boat depicted in both FIGS. 7</p>

	and 8. (Ex. Shuttleslide 1003 at ¶67)
<p>a swivel mount disposed above an upward facing surface of the gunnel such that a mounting member of the swivel mount is able to swivel about an axis that is perpendicular to and passes through the upward facing surface of the gunnel,</p>	<p>Henze discloses a swivel mount, referred to as a trolling apparatus 10. The trolling apparatus 10 is disposed above an upward facing surface of the gunnel. “The base plate 37 has four screws 58 engaged therein which are engaged with the deck or transom of the boat (not shown) to permit of mounting the plate 37 thereto.” (Ex. Shuttleslide 1008 at 3:20-22). As shown in FIG. 8, the trolling apparatus 10 is mounted above the upward facing surface of the gunnel. (Ex. Shuttleslide 1003 at ¶68).</p> <p>Henze discloses a mounting member, referred to as a swivel plate 30, which is able to swivel about an axis that is perpendicular to and passes through the upward facing surface of the gunnel. “The mounting plate 21 is detachably fastened to a swivel plate 30.” (Ex. Shuttleslide 1008 at 2:59-60). “The swivel plate 30 has a pin 32 molded therein which extends downwardly through an opening 33 in a disc member 35 therebelow which member 35 rests on the top surface 36 of a bottom plate 37.” (Ex. Shuttleslide 1008 at 2:65-68). “The plate 37 has a shaft 40 moulded therein in the center thereof and extending vertically upwardly through a central opening 41 in the disc member 35 and an opening 42 in the top plate 30.” (Ex.</p>

	<p>Shuttleslide 1008 at 3:4-7). “The frame 11 is detachably mounted to a mounting plate 21.” (Ex. Shuttleslide 1008 at 2:45-46). “In all the apparatus shown in FIGS. 7 and 8, the frame and boom can be swung about freely between positions A and C.” (Ex. Shuttleslide 1008 at 3:49-51).</p> <p>The swivel mount is able to swivel about an axis that is perpendicular to and passes through the upward facing surface of the gunnel. “[T]he mounting element 24 is rotatable about the vertical axis 25 relative to the housing 30.” (Ex. Shuttleslide 1007 at [0025]).</p>
<p>wherein the swivel mount comprises a support member fastened to the upward facing surface of the gunnel via one or more bolts or screws through the upward facing surface of the gunnel; and</p>	<p>Henze discloses a support member, referred to as a base plate 37, fastened to the upward facing surface of the gunnel via one or more bolts or screws through the upward facing surface of the gunnel.</p> <p>“The base plate 37 has four screws 58 engaged therein which are engaged with the deck or transom of the boat (not shown) to permit of mounting the plate 37 thereto.” (Ex. Shuttleslide 1008 at 3:20-22). “In FIG. 8, the trolling apparatus 10 are mounted on each side of a boat 101 forward of the stern.” (Ex. Shuttleslide 1008 at 4:1-2). The location on the boat at which the trolling apparatus are mounted in FIG. 8 of Henze are the gunnels of</p>

	the boat. (Ex. Shuttleslide 1003 at ¶69).
a trolling motor mounting bracket coupled to an upward facing surface of the mounting member.	<p>Henze does not disclose a trolling motor mounting bracket, coupled to an upward facing surface of the mounting member. Rather Henze discloses “a large diameter reel mounted on a frame with a boom mounted to and extending from the frame with line from the reel extending over a pulley mounted on the boom and the frame[] mounted to a plate which is secured to a swivel base.” (Ex. Shuttleslide 1008 at 1:39-43).</p> <p>However, Leiss does disclose a trolling motor mounting bracket. “A motor mount bracket 21 is secured to the overhanging portion 20 for mounting trolling motor 18 thereon as illustrated. Motor mount bracket 21 is rotatable relative to plak means 11 about vertical axis 22 for steering trolling motor 18” (Ex. Shuttleslide 1006 at [0018]).</p> <p>It would have been obvious at the time of the invention to combine the trolling motor mounting bracket of Leiss with the swivel mount of Henze. (Ex. Shuttleslide 1003 at ¶70).</p>

Table 18 – Claim 8 is obvious under 35 U.S.C. § 103 based on Henze in view of Leiss

**J. Ground 10 - Claim 8 is Obvious Under 35 U.S.C. § 103 based on
Henze in view of Gratsch**

Claim 8 of the '111 Patent is rendered obvious by Henze in view of Gratsch. The disclosures of Henze and Gratsch are provided above.

There would have been a motivation to combine Henze and Gratsch with a reasonable expectation of success because Henze and Gratsch both describe mounting marine accessories to gunnels. Henze discloses securing a trolling apparatus to the upward facing surface of a gunnel. (Ex. Shuttle slide 1008). Gratsch discloses securing a trolling motor to a gunnel. (Ex. Shuttle slide 1007). A person having ordinary skill in the art reading Henze would have been motivated to follow the teachings of Gratsch to secure the trolling motor mount of Gratsch to the swivel mount on top of the gunnel disclosed by Henze (Ex. Shuttle slide 1003 at ¶71).

Claim 8	Obvious Over Henze (Ex. Shuttle slide 1008) in view of Gratsch (Ex. Shuttle slide 1007)
A boat, comprising:	This is a preamble and not a limitation. However, Henze discloses a boat. At least in FIGS. 7 and 8, a boat is disclosed. “The base plate 37 has four screws 58 engaged therein which are engaged with the deck or transom of the boat....” (Ex. Shuttle slide 1008 at 3:20-21).
a gunnel;	Henze discloses a boat having gunnels. Gunnels can be seen extending from the bow to the stern

	<p>of the boat depicted in both FIGS. 7 and 8. (Ex. Shuttleslide 1003 at ¶72).</p>
<p>a swivel mount disposed above an upward facing surface of the gunnel such that a mounting member of the swivel mount is able to swivel about an axis that is perpendicular to and passes through the upward facing surface of the gunnel,</p>	<p>Henze discloses a swivel mount, referred to as a trolling apparatus 10. The trolling apparatus 10 is disposed above an upward facing surface of the gunnel. “The base plate 37 has four screws 58 engaged therein which are engaged with the deck or transom of the boat (not shown) to permit of mounting the plate 37 thereto.” (Ex. Shuttleslide 1008 at 3:20-22). As shown in FIG. 8, the trolling apparatus 10 is mounted above the upward facing surface of the gunnel. (Ex. Shuttleslide 1003 at ¶73).</p> <p>Henze discloses a mounting member, referred to as a swivel plate 30, which is able to swivel about an axis that is perpendicular to and passes through the upward facing surface of the gunnel. “The mounting plate 21 is detachably fastened to a swivel plate 30.” (Ex. Shuttleslide 1008 at 2:59-60). “The swivel plate 30 has a pin 32 molded therein which extends downwardly through an opening 33 in a disc member 35 therebelow which member 35 rests on the top surface 36 of a bottom plate 37.” (Ex. Shuttleslide 1008 at 2:65-68). “The plate 37 has a shaft 40 moulded therein in the center thereof and extending vertically upwardly through a central opening 41 in the disc member 35 and an opening 42</p>

	<p>in the top plate 30.” (Ex. Shuttleslide 1008 at 3:4-7). “The frame 11 is detachably mounted to a mounting plate 21.” (Ex. Shuttleslide 1008 at 2:45-46). “In all the apparatus shown in FIGS. 7 and 8, the frame and boom can be swung about freely between positions A and C.” (Ex. Shuttleslide 1008 at 3:49-51).</p> <p>The swivel mount is able to swivel about an axis that is perpendicular to and passes through the upward facing surface of the gunnel. “[T]he mounting element 24 is rotatable about the vertical axis 25 relative to the housing 30.” (Ex. Shuttleslide 1007 at [0025]).</p>
<p>wherein the swivel mount comprises a support member fastened to the upward facing surface of the gunnel via one or more bolts or screws through the upward facing surface of the gunnel; and</p>	<p>Henze discloses a support member, referred to as a base plate 37, fastened to the upward facing surface of the gunnel via one or more bolts or screws through the upward facing surface of the gunnel.</p> <p>“The base plate 37 has four screws 58 engaged therein which are engaged with the deck or transom of the boat (not shown) to permit of mounting the plate 37 thereto.” (Ex. Shuttleslide 1008 at 3:20-22). “In FIG. 8, the trolling apparatus 10 are mounted on each side of a boat 101 forward of the stern.” (Ex. Shuttleslide 1008 at 4:1-2). The location on the boat at which the trolling apparatus are mounted in</p>

	<p>FIG. 8 of Henze are the gunnels of the boat. (Ex. Shuttleslide 1003 at ¶74).</p>
<p>a trolling motor mounting bracket coupled to an upward facing surface of the mounting member.</p>	<p>Henze does not disclose a trolling motor mounting bracket, coupled to an upward facing surface of the mounting member. Rather Henze discloses “a large diameter reel mounted on a frame with a boom mounted to and extending from the frame with line from the reel extending over a pulley mounted on the boom and the frame[] mounted to a plate which is secured to a swivel base.” (Ex. Shuttleslide 1008 at 1:39-43).</p> <p>However, Gratsch does disclose a trolling motor mounting bracket. “In the exemplary embodiment of FIG. 6, the accessory 110 is shown to be in the form of a fishing rod holder. Those of ordinary skill in the art, however, will readily appreciate that this is merely exemplary rather than limiting, as any other type of accessory may instead be engaged with the mounting element 24. For example, and without limitation, such alternative accessory may be in the form of a ladder, a grill, a trolling motor, a kick motor, an electronic device, a table, a wakeboard tower, a canoe outrigger, a ski and wakeboard rack, a fishing downrigger, a rocket-type rod holder, a T-top style top, a diving tank holder, an umbrella, or a</p>

	<p>camera mount.” (Ex. Shuttleslide 1007 at [0036]).</p> <p>It would have been obvious at the time of the invention to combine the trolling motor mounting bracket of Gratsch with the swivel mount of Henze. (Ex. Shuttleslide 1003 at ¶75).</p>
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Table 19 – Claim 8 is obvious under 35 U.S.C. § 103 based on Henze in view of Gratsch

K. Ground 11 - Claim 9 is unpatentable as obvious under 35 U.S.C. § 103 based on Leiss in view of U.S. Patent No. 3,999,500 to Friedel et al.

Claim 9 of the '111 Patent is rendered obvious by Leiss (Ex. Shuttleslide 1006) in view of Friedel (Ex. Shuttleslide 1011). Friedel discloses “a trolling motor unit 1 which is attached to watercraft or boat 2 and particularly to a forward horizontal deck 2a.” (Ex. Shuttleslide 1011 at 3:17-20).

There would have been a motivation to combine Leiss and Friedel with a reasonable expectation of success because Leiss and Friedel both describe mounting marine accessories to gunnels. Leiss discloses securing a trolling apparatus to the upward facing surface of a gunnel. (Ex. Shuttleslide 1008). Friedel also discloses securing a trolling motor to a gunnel. (Ex. Shuttleslide 1011). A person having ordinary skill in the art reading Leiss would have been motivated to follow the

teachings of Friedel to include a reinforcement member to an underside surface of the gunnel. (Ex. Shuttleslide 1003, ¶76).

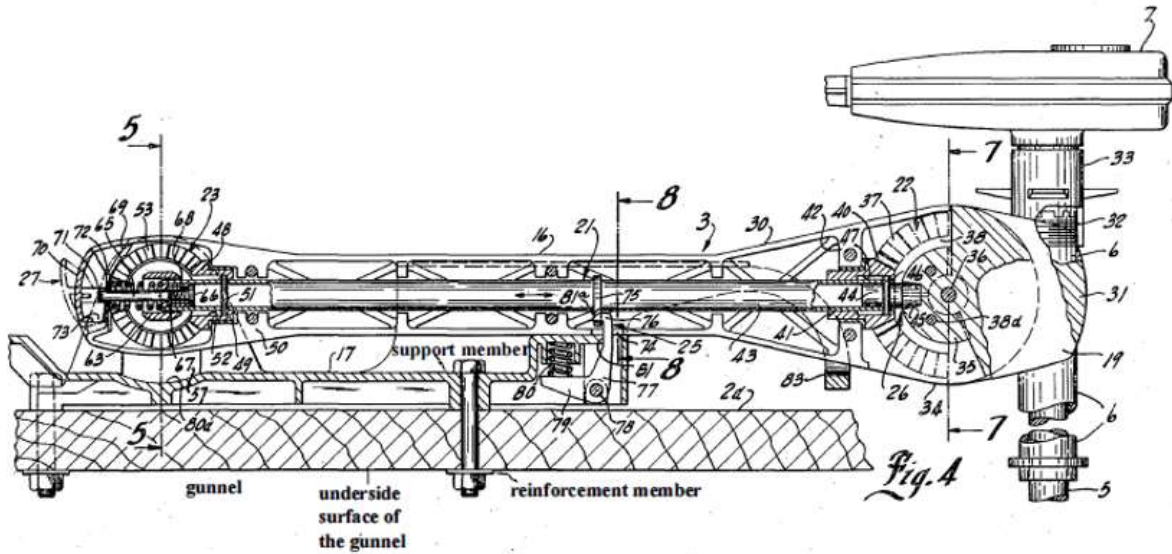


Figure 17 – Annotated FIG. 4 of Friedel

<p>Claim 9</p>	<p>Obvious Over Leiss (Ex. Shuttleslide 1006) in view of Friedel (Ex. Shuttleslide 1011)</p>
<p>The boat of claim 8,</p>	<p>Table 16 provides details for Leiss’s disclosure of each element of claim 8.</p>
<p>wherein the swivel mount further comprises a reinforcement member fastened to an underside surface of the gunnel and coupled to the support member.</p>	<p>Leiss discloses a support member but does not explicitly disclose a reinforcement member fastened to an underside of the gunnel and coupled to the support member. However, Friedel does disclose a reinforcement member fastened to an underside of the gunnel and coupled to the support member.</p> <p>Friedel discloses “a trolling motor unit 1 which is attached to watercraft or boat 2 and particularly</p>

	<p>to a forward horizontal deck 2a.” (Ex. Shuttleslide 1011 at 3:17-20). The mounting bracket 17 can be seen attached to the gunnel, which is referred to as the forward deck 2a, at least in FIG. 1. “FIG. 4 is a vertical section through the pivot arm shown in FIGS. 1-3.” (Ex. Shuttleslide 1011 at 3:3-4). Figure 4 depicts a reinforcement member fastened to an underside surface of the gunnel and coupled to the support member.</p> <p>It would have been obvious at the time of the invention to combine the swivel mount of Leiss with the reinforcement member of Friedel. (Ex. Shuttleslide 1003 at ¶77).</p>
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Table 20 – Claim 9 is obvious under 35 U.S.C. § 103 based on Leiss in view of Friedel

L. Ground 12 - Claim 9 is unpatentable as obvious under 35 U.S.C. § 103 based on Gratsch in view of Leiss in further view of Friedel.

There would have been a motivation to combine Gratsch, Leiss, and Friedel with a reasonable expectation of success because Gratsch, Leiss, and Friedel all describe mounting marine accessories to gunnels. Leiss discloses securing a trolling motor mount to the upward facing surface of a gunnel. (Ex. Shuttleslide 1006). Gratsch discloses securing a trolling motor mount to an underside of a gunnel. (Ex. Shuttleslide 1007). Friedel discloses securing a trolling motor to a gunnel. (Ex. Shuttleslide 1011). A person having ordinary skill in the art reading Leiss and Gratsch would have been motivated to follow the teachings of Friedel to include a

reinforcement member to an underside surface of the gunnel. (Ex. Shuttleslide 1003, ¶78).

<p>Claim 9</p>	<p>Obvious Over Gratsch (Ex. Shuttleslide 1007) in view of Leiss (Ex. Shuttleslide 1006) in further view of Friedel (Ex. Shuttleslide 1011)</p>
<p>The boat of claim 8,</p>	<p>Table 17 provides details for Gratsch’s and Leiss’s disclosure of each element of claim 8.</p>
<p>wherein the swivel mount further comprises a reinforcement member fastened to an underside surface of the gunnel and coupled to the support member.</p>	<p>Leiss discloses a support member but does not explicitly disclose a reinforcement member fastened to an underside of the gunnel and coupled to the support member. However, Friedel does disclose a reinforcement member fastened to an underside of the gunnel and coupled to the support member.</p> <p>Friedel discloses “a trolling motor unit 1 which is attached to watercraft or boat 2 and particularly to a forward horizontal deck 2a.” (Ex. Shuttleslide 1011 at 3:17-20). The mounting bracket 17 can be seen attached to the gunnel, which is referred to as the forward deck 2a, at least in FIG. 1. “FIG. 4 is a vertical section through the pivot arm shown in FIGS. 1-3.” (Ex. Shuttleslide 1011 at 3:3-4). Figure 4 depicts a reinforcement member fastened to an underside surface of the gunnel and coupled to the support member.</p>

	It would have been obvious at the time of the invention to combine the support member of Leiss with the reinforcement member of Friedel. (Ex. Shuttleslide 1003 at ¶79).
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Table 21 – Claim 9 is obvious under 35 U.S.C. § 103 based on Gratsch in view of Leiss in further Friedel

M. Ground 13 - Claim 9 is unpatentable as obvious under 35 U.S.C. § 103 based on Henze in view of Leiss in further view of Friedel.

There would have been a motivation to combine Henze, Leiss, and Friedel with a reasonable expectation of success because Henze, Leiss, and Friedel all teach mounting marine accessories to gunnels. Leiss discloses securing a trolling motor mount to the upward facing surface of a gunnel. (Ex. Shuttleslide 1006). Henze discloses securing a trolling apparatus to the upward facing surface of a gunnel. (Ex. Shuttleslide 1008). Friedel discloses securing a trolling motor to a gunnel. (Ex. Shuttleslide 1011). A person having ordinary skill in the art reading Leiss and Henze would have been motivated to follow the teachings of Friedel to include a reinforcement member to an underside surface of the gunnel. (Ex. Shuttleslide 1003, ¶80).

Claim 9	Obvious Over Henze (Ex. Shuttleslide 1008) in view of Leiss (Ex. Shuttleslide 1006) in further view of Friedel (Ex. Shuttleslide 1011)
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<p>The boat of claim 8,</p>	<p>Table 18 provides details for Henze's and Leiss's disclosure of each element of claim 8.</p>
<p>wherein the swivel mount further comprises a reinforcement member fastened to an underside surface of the gunnel and coupled to the support member.</p>	<p>Henze discloses a support member but does not explicitly disclose a reinforcement member fastened to an underside of the gunnel and coupled to the support member. However, Friedel does disclose a reinforcement member fastened to an underside of the gunnel and coupled to the support member.</p> <p>Friedel discloses "a trolling motor unit 1 which is attached to watercraft or boat 2 and particularly to a forward horizontal deck 2a." (Ex. Shuttleslide 1011 at 3:17-20). The mounting bracket 17 can be seen attached to the gunnel, which is referred to as the forward deck 2a, at least in FIG. 1. "FIG. 4 is a vertical section through the pivot arm shown in FIGS. 1-3." (Ex. Shuttleslide 1011 at 3:3-4). Figure 4 depicts a reinforcement member fastened to an underside surface of the gunnel and coupled to the support member.</p> <p>It would have been obvious at the time of the invention to combine the support member of Henze with the reinforcement member of Friedel. (Ex. Shuttleslide 1003 at ¶81).</p>

Table 22 – Claim 9 is obvious under 35 U.S.C. § 103 based on Henze in view of Leiss in further view of Friedel

N. Ground 14 - Claim 9 is unpatentable as obvious under 35 U.S.C. § 103 based on Henze in view of Gratsch in further view of Friedel.

Claim 8 of the '111 Patent is rendered obvious by Henze in view of Gratsch in further view of Friedel.

There would have been a motivation to combine Henze, Gratsch, and Friedel with a reasonable expectation of success because Henze, Gratsch, and Friedel all describe mounting marine accessories to gunnels. Henze discloses securing a trolling apparatus to the upward facing surface of a gunnel. (Ex. Shuttle slide 1008). Gratsch discloses securing a trolling motor to a gunnel. (Ex. Shuttle slide 1007). Friedel discloses securing a trolling motor to a gunnel. (Ex. Shuttle slide 1011). A person having ordinary skill in the art reading Leiss and Henze would have been motivated to follow the teachings of Friedel to include a reinforcement member to an underside surface of the gunnel. (Ex. Shuttle slide 1003, ¶82).

Claim 9	Obvious Over Henze (Ex. Shuttle slide 1008) in view of Gratsch (Ex. Shuttle slide 1007) in further view of Friedel (Ex. Shuttle slide 1011)
The boat of claim 8,	Table 19 provides details for Henze's and Gratsch's disclosure of each element of claim 8.
wherein the swivel mount further comprises a reinforcement member	Henze discloses a support member but does not explicitly disclose a

<p>fastened to an underside surface of the gunnel and coupled to the support member.</p>	<p>reinforcement member fastened to an underside of the gunnel and coupled to the support member. However, Friedel does disclose a reinforcement member fastened to an underside of the gunnel and coupled to the support member.</p> <p>Friedel discloses “a trolling motor unit 1 which is attached to watercraft or boat 2 and particularly to a forward horizontal deck 2a.” (Ex. Shuttleslide 1011 at 3:17-20). The mounting bracket 17 can be seen attached to the gunnel, which is referred to as the forward deck 2a, at least in FIG. 1. “FIG. 4 is a vertical section through the pivot arm shown in FIGS. 1-3.” (Ex. Shuttleslide 1011 at 3:3-4). Figure 4 depicts a reinforcement member fastened to an underside surface of the gunnel and coupled to the support member.</p> <p>It would have been obvious at the time of the invention to combine the support member of Henze with the reinforcement member of Friedel. (Ex. Shuttleslide 1003 at ¶83).</p>
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Table 23 – Claim 9 is obvious under 35 U.S.C. § 103 based on Henze in view of Gratsch in further view of Friedel

O. Ground 15 - Claims 11 and 12 are unpatentable as obvious under 35 U.S.C. § 103 based on Leiss in view of common knowledge of one skilled in the art

Claims 11 and 12 of the '111 Patent are rendered obvious by Leiss (Ex. Shuttleslide 1006) in view of the common knowledge of one skilled in the art. At the time the application was filed, boats with gunnels having upward facing surfaces of a width greater than 4 inches were well known in the art. (Ex. Shuttleslide 1003 at ¶84). At the time the application was filed, saltwater fishing boats were also well known in the art. (Ex. Shuttleslide 1003 at ¶85). At the time the application was file, it was also well known to mount trolling motors on saltwater fishing boats. (Ex. Shuttleslide 1003 at ¶86).

There would have been a motivation to combine Leiss and the common knowledge of one with skill in the art with a reasonable expectation of success because it was well known that trolling motors could be mounted to boats with gunnels greater than four inches. (Ex. Shuttleslide 1003, ¶87). There would also have been a motivation to combine Leiss and the common knowledge of one with skill in the art with a reasonable expectation of success because it was well known that trolling motors could be mounted on saltwater fishing boats. (Ex. Shuttleslide 1003, ¶88).

Claim 11	Obvious Over Leiss (Ex. Shuttlelide 1006) in view of the common knowledge of one with skill in the art
The boat of claim 8,	Table 16 provides details for Leiss’s disclosure of each element of claim 8.
wherein upward facing surface of the gunnel has a width greater than 4 inches.	<p>Leiss discloses a gunnel but is silent as to the width of the gunnel. However, at the time of filing the application, it was common knowledge to one with skill in the art that a gunnel may have a width greater than 4 inches. (Ex. Shuttlelide 1003 at ¶89).</p> <p>It would have been obvious at the time of the invention to combine the gunnel of Leiss with any gunnel width that was commonly known to one with skill in the art. (Ex. Shuttlelide 1003 at ¶90).</p>

Table 24 – Claim 11 is obvious under 35 U.S.C. § 103 based on Leiss in view of common knowledge of one skilled in the art

Claim 12	Obvious Over Leiss (Ex. Shuttlelide 1006) in view of the common knowledge of one with skill in the art
The boat of claim 8,	Table 16 provides details for Leiss’s disclosure of each element of claim 8.
wherein the boat is a saltwater fishing boat.	Leiss discloses a fishing boat but is silent as to whether the boat is a saltwater fishing boat. However, at the time of filing the application, it was common knowledge to one with

	<p>skill in the art that a trolling motors may be mounted to saltwater fishing boats. (Ex. Shuttleslide 1003 at ¶91).</p> <p>It would have been obvious at the time of the invention to combine the fishing boat of Leiss with a saltwater fishing boat that was commonly known to one with skill in the art. (Ex. Shuttleslide 1003 at ¶92).</p>
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Table 25 - Claim 12 is obvious under 35 U.S.C. § 103 based on Leiss in view of common knowledge of one skilled in the art

P. Ground 16 - Claims 11-12 are unpatentable as obvious under 35 U.S.C. § 103 based on Gratsch in view of Leiss in further view of common knowledge of one skilled in the art

Claims 11 and 12 of the '111 Patent are rendered obvious by Gratsch (Ex. Shuttleslide 1007) in view of Leiss (Ex. Shuttleslide 1006) in further view of the common knowledge of one skilled in the art.

There would have been a motivation to combine Gratsch and Leiss and the common knowledge of one with skill in the art with a reasonable expectation of success because it was well known that trolling motors could be mounted to boats with gunnels greater than four inches. (Ex. Shuttleslide 1003, ¶93). There would also have been a motivation to combine Gratsch and Leiss and the common knowledge of one with skill in the art with a reasonable expectation of success because it was well known that trolling motors could be mounted on saltwater fishing boats. (Ex. Shuttleslide 1003, ¶94).

Claim 11	Obvious Over Gratsch (Ex. Shuttle slide 1007) in view of Leiss (Ex. Shuttle slide 1006) in further view of the common knowledge of one with skill in the art
The boat of claim 8,	Table 17 provides details for Gratsch's and Leiss's disclosure of each element of claim 8.
wherein upward facing surface of the gunnel has a width greater than 4 inches.	Leiss and Gratsch are silent as to the width of the gunnel. However, at the time of filing the application, it was common knowledge to one with skill in the art that a gunnel may have a width greater than 4 inches. (Ex. Shuttle slide 1003 at ¶95). It would have been obvious at the time of the invention to combine the gunnels of Gratsch and Leiss with any gunnel width that was commonly known to one with skill in the art. (Ex. Shuttle slide 1003 at ¶96).

Table 26 – Claim 11 is obvious under 35 U.S.C. § 103 based on Gratsch in view of Leiss in further view of common knowledge of one skilled in the art

Claim 12	Obvious Over Gratsch (Ex. Shuttle slide 1007) in view of Leiss (Ex. Shuttle slide 1006) in further view of the common knowledge of one with skill in the art
The boat of claim 8,	Table 17 provides details for Gratsch's and Leiss's disclosure of each element of claim 8.
wherein the boat is a saltwater fishing boat.	Leiss and Gratsch are silent as to whether the disclosed fishing boats are saltwater fishing boats. However, at the time of filing the

	<p>application, it was common knowledge to one with skill in the art that trolling motors could be mounted to saltwater fishing boats. (Ex. Shuttleslide 1003 at ¶97).</p> <p>It would have been obvious at the time of the invention to mount a trolling motor on any saltwater fishing boat that was commonly known to one with skill in the art. (Ex. Shuttleslide 1003 at ¶98).</p>
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Table 27 – Claim 12 is obvious under 35 U.S.C. § 103 based on Gratsch in view of Leiss in further view of common knowledge of one skilled in the art

Q. Ground 17 - Claims 11 and 12 are unpatentable as obvious under 35 U.S.C. § 103 based on Henze in view of Leiss in further view of common knowledge of one skilled in the art

Claims 11 and 12 of the '111 Patent are rendered obvious by Henze (Ex. Shuttleslide 1008) in view of Leiss (Ex. Shuttleslide 1006) in further view of the common knowledge of one skilled in the art.

There would have been a motivation to combine Henze and Leiss and the common knowledge of one with skill in the art with a reasonable expectation of success because it was well known that trolling motors could be mounted to boats with gunnels greater than four inches. (Ex. Shuttleslide 1003, ¶99). There would also have been a motivation to combine Henze and Leiss and the common knowledge of one with skill in the art with a reasonable expectation of success because it was well

known that trolling motors could be mounted on saltwater fishing boats. (Ex. Shuttleslide 1003, ¶100).

<p>Claim 11</p>	<p>Obvious Over Henze (Ex. Shuttleslide 1008) in view of Leiss (Ex. Shuttleslide 1006) in further view of the common knowledge of one with skill in the art</p>
<p>The boat of claim 8,</p>	<p>Table 18 provides details for Henze’s and Leiss’s disclosure of each element of claim 8.</p>
<p>wherein upward facing surface of the gunnel has a width greater than 4 inches.</p>	<p>Henze and Leiss are silent as to the width of the gunnel. However, at the time of filing the application, it was common knowledge to one with skill in the art that a gunnel may have a width greater than 4 inches. (Ex. Shuttleslide 1003 at ¶101).</p> <p>It would have been obvious at the time of the invention to combine the gunnels of Henze and Leiss with any gunnel width that was commonly known to one with skill in the art. (Ex. Shuttleslide 1003 at ¶102).</p>

Table 28 – Claim 11 is obvious under 35 U.S.C. § 103 based on Gratsch in view of Leiss in further view of common knowledge of one skilled in the art

Claim 12	Obvious Over Henze (Ex. Shuttle slide 1008) in view of Leiss (Ex. Shuttle slide 1006) in further view of the common knowledge of one with skill in the art
The boat of claim 8,	Table 18 provides details for Henze's and Leiss's disclosure of each element of claim 8.
wherein the boat is a saltwater fishing boat.	Henze and Leiss are silent as to whether the boat is a saltwater fishing boat. However, at the time of filing the application, it was common knowledge to one with skill in the art that a trolling motor could be mounted to a saltwater fishing boat. (Ex. Shuttle slide 1003 at ¶103). It would have been obvious at the time of the invention to combine the trolling motor mount with a saltwater fishing boat that was commonly known to one with skill in the art. (Ex. Shuttle slide 1003 at ¶104).

Table 29 – Claim 12 is obvious under 35 U.S.C. § 103 based on Henze in view of Leiss in further view of the common knowledge of one with skill in the art

R. Ground 18 - Claims 11 and 12 are unpatentable as obvious under 35 U.S.C. § 103 based on Henze in view of Gratsch in further view of common knowledge of one skilled in the art

Claims 11 and 12 of the '111 Patent are rendered obvious by Henze (Ex. Shuttle slide 1008) in view of Gratsch (Ex. Shuttle slide 1007) in further view of the common knowledge of one skilled in the art.

There would have been a motivation to combine Henze and Gratsch and the common knowledge of one with skill in the art with a reasonable expectation of success because it was well known that trolling motors could be mounted to boats with gunnels greater than four inches. (Ex. Shuttleslide 1003, ¶105). There would also have been a motivation to combine Henze and Gratsch and the common knowledge of one with skill in the art with a reasonable expectation of success because it was well known that trolling motors could be mounted on saltwater fishing boats. (Ex. Shuttleslide 1003, ¶106).

<p>Claim 11</p>	<p>Obvious Over Henze (Ex. Shuttleslide 1008) in view of Gratsch (Ex. Shuttleslide 1007) in further view of the common knowledge of one with skill in the art</p>
<p>The boat of claim 8,</p>	<p>Table 19 provides details for Henze’s and Gratsch’s disclosure of each element of claim 8.</p>
<p>wherein upward facing surface of the gunnel has a width greater than 4 inches.</p>	<p>Henze and Gratsch are silent as to the width of the gunnel. However, at the time of filing the application, it was common knowledge to one with skill in the art that a gunnel may have a width greater than 4 inches. (Ex. Shuttleslide 1003 at ¶107).</p> <p>It would have been obvious at the time of the invention to combine the gunnels of Henze and Gratsch with any gunnel width that was commonly known to one with skill</p>

	in the art. (Ex. Shuttle slide 1003 at ¶108).
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Table 30 – Claim 11 is obvious under 35 U.S.C. § 103 based on Henze in view of Gratsch in further view of common knowledge of one skilled in the art

Claim 12	Obvious Over Henze (Ex. Shuttle slide 1008) in view of Gratsch (Ex. Shuttle slide 1007) in further view of the common knowledge of one with skill in the art
The boat of claim 8,	Table 19 provides details for Henze’s and Gratsch’s disclosure of each element of claim 8.
wherein the boat is a saltwater fishing boat.	<p>Henze and Gratsch are silent as to whether the disclosed boat is a saltwater fishing boat. However, at the time of filing the application, it was common knowledge to one with skill in the art that trolling motors could be mounted to saltwater fishing boats. (Ex. Shuttle slide 1003 at ¶109).</p> <p>It would have been obvious at the time of the invention to combine the trolling motor mount with a saltwater fishing boat that was commonly known to one with skill in the art. (Ex. Shuttle slide 1003 at ¶110).</p>

Table 31 – Claim 12 is obvious under 35 U.S.C. § 103 based on Henze in view of Gratsch in further view of common knowledge of one skilled in the art

S. Ground 19 - Claim 14 is unpatentable as obvious under 35 U.S.C.

§ 103 based on Leiss in view of Hunziker

Claim 14 of the '111 Patent is rendered obvious by Leiss (Ex. Shuttleslide 1006) in view of Hunziker (Ex. Shuttleslide 1009). In addition to the disclosure described above, Hunziker discloses “a quick release handle.” (Ex. Shuttleslide 1009 at 1:37). The “quick release handle 14 has pins 18 which are insertable through apertures 15 in the outer side of the bracket 23 of the base 31 which pass through apertures in a chock as described later to secure the bracket 1 to a boat 2 (not shown in FIG. 2) and enable the bracket to be quickly attached and removed from a boat 2.” (Ex. Shuttleslide 1009 at 1:37-42).

There would have been a motivation to combine Leiss and Hunziker with a reasonable expectation of success because Leiss and Hunziker both describe mounting trolling motors to gunnels. Leiss discloses securing a trolling apparatus to the upward facing surface of a gunnel. (Ex. Shuttleslide 1008). Hunziker discloses a way to quickly remove a trolling motor attached to a gunnel. (Ex. Shuttleslide 1011). A person having ordinary skill in the art reading Leiss would have been motivated to follow the teachings of Hunziker to include a quick release feature. (Ex. Shuttleslide 1003, ¶111).

Claim 14	Obvious Over Leiss (Ex. Shuttleslide 1006) in view of Hunziker (Ex. Shuttleslide 1009)
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The boat of claim 8,	Table 16 provides details for Leiss’s disclosure of each element of claim 8.
wherein the trolling motor mounting bracket is a trolling motor quick-release mounting bracket.	<p>Leiss discloses a trolling motor mounting bracket but does not disclose a quick-release mounting bracket. However, Hunziker does disclose a quick-release mounting bracket.</p> <p>Hunziker discloses a “quick release handle 14 ha[ving] pins 18 which are insertable through apertures 15 in the outer side of the bracket 23 of the base 31 which pass through apertures in a chock as described later to secure the bracket 1 to a boat 2 (not shown in FIG. 2) and enable the bracket to be quickly attached and removed from a boat 2.” (Ex. Shuttleslide 1009 at 1:37-42).</p> <p>It would have been obvious at the time of the invention to combine the trolling motor mounting bracket of Leiss with the quick-release mounting bracket of Hunziker. (Ex. Shuttleslide 1003 at ¶112).</p>

Table 32 – Claim 14 is unpatentable as obvious under 35 U.S.C. § 103 based on Leiss in view of Hunziker

T. Ground 20 - Claim 14 is unpatentable as obvious under 35 U.S.C.

§ 103 based on Gratsch in view of Leiss in further view of Hunziker

There would have been a motivation to combine Gratsch, Leiss, and Hunziker with a reasonable expectation of success because Gratsch, Leiss, and Hunziker all

describe mounting marine accessories to gunnels. Leiss discloses securing a trolling motor mount to the upward facing surface of a gunnel. (Ex. Shuttleslide 1006). Gratsch discloses securing a trolling motor mount to an underside of a gunnel. (Ex. Shuttleslide 1007). Hunziker discloses a way to quickly remove a trolling motor attached to a gunnel. (Ex. Shuttleslide 1011). A person having ordinary skill in the art reading Leiss and Gratsch would have been motivated to follow the teachings of Hunziker to include a quick release feature. (Ex. Shuttleslide 1003, ¶113).

<p>Claim 14</p>	<p>Obvious Over Gratsch (Ex. Shuttleslide 1007) in view of Leiss (Ex. Shuttleslide 1006) in further view of Hunziker (Ex. Shuttleslide 1009)</p>
<p>The boat of claim 8,</p>	<p>Table 17 provides details for Gratsch’s and Leiss’s disclosure of each element of claim 8.</p>
<p>wherein the trolling motor mounting bracket is a trolling motor quick-release mounting bracket.</p>	<p>Gratsch discloses a trolling motor mounting bracket but does not disclose a quick-release mounting bracket. However, Hunziker does disclose a quick-release mounting bracket.</p> <p>Hunziker discloses a “quick release handle 14 ha[ving] pins 18 which are insertable through apertures 15 in the outer side of the bracket 23 of the base 31 which pass through apertures in a chock as described later to secure the bracket 1 to a boat 2 (not shown in FIG. 2) and enable the bracket to be quickly attached and removed from a boat</p>

	<p>2.” (Ex. Shuttleslide 1009 at 1:37-42).</p> <p>It would have been obvious at the time of the invention to combine the trolling motor mounting bracket of Gratsch with the quick-release mounting bracket of Hunziker. (Ex. Shuttleslide 1003 at ¶114).</p>
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Table 33 - Claim 14 is unpatentable as obvious under 35 U.S.C. § 103 based on Gratsch in view of Leiss in further view of Hunziker

U. Ground 21 - Claim 14 is unpatentable as obvious under 35 U.S.C.

§ 103 based on Henze in view of Leiss in further view of Hunziker

There would have been a motivation to combine Henze, Leiss, and Hunziker with a reasonable expectation of success because Henze, Leiss, and Hunziker describe mounting marine accessories to gunnels. Leiss discloses securing a trolling motor mount to the upward facing surface of a gunnel. (Ex. Shuttleslide 1006). Henze discloses securing a trolling apparatus to the upward facing surface of a gunnel. (Ex. Shuttleslide 1008). Hunziker discloses a way to quickly remove a trolling motor attached to a gunnel. (Ex. Shuttleslide 1011). A person having ordinary skill in the art reading Leiss and Henze would have been motivated to follow the teachings of Hunziker to include a quick release feature. (Ex. Shuttleslide 1003, ¶115).

Claim 14	Obvious Over Henze (Ex. Shuttle slide 1008) in view of Leiss (Ex. Shuttle slide 1006) in further view of Hunziker (Ex. Shuttle slide 1009)
The boat of claim 8,	Table 18 provides details for Henze’s and Leiss’s disclosure of each element of claim 8.
wherein the trolling motor mounting bracket is a trolling motor quick-release mounting bracket.	<p>Leiss discloses a trolling motor mounting bracket but does not disclose a quick-release mounting bracket. However, Hunziker does disclose a quick-release mounting bracket.</p> <p>Hunziker discloses a “quick release handle 14 ha[ving] pins 18 which are insertable through apertures 15 in the outer side of the bracket 23 of the base 31 which pass through apertures in a chock as described later to secure the bracket 1 to a boat 2 (not shown in FIG. 2) and enable the bracket to be quickly attached and removed from a boat 2.” (Ex. Shuttle slide 1009 at 1:37-42).</p> <p>It would have been obvious at the time of the invention to combine the trolling motor mounting bracket of Leiss with the quick-release mounting bracket of Hunziker. (Ex. Shuttle slide 1003 at ¶116).</p>

Table 34 – Claim 14 is obvious under 35 U.S.C. § 103 based on Henze in view of Leiss in further view of Hunziker

V. Ground 22 - Claim 14 is unpatentable as obvious under 35 U.S.C.

§ 103 based on Henze in view of Gratsch in further view of Hunziker

There would have been a motivation to combine Henze, Gratsch, and Hunziker with a reasonable expectation of success because Henze, Gratsch, and Hunziker describe mounting marine accessories to gunnels. Henze discloses securing a trolling apparatus to the upward facing surface of a gunnel. (Ex. Shuttleslide 1008). Gratsch discloses securing a trolling motor to a gunnel. (Ex. Shuttleslide 1007). Hunziker discloses a way to quickly remove a trolling motor attached to a gunnel. (Ex. Shuttleslide 1011). A person having ordinary skill in the art reading Henze and Gratsch would have been motivated to follow the teachings of Hunziker to include a quick release feature. (Ex. Shuttleslide 1003 at ¶117).

Claim 14	Obvious Over Henze (Ex. Shuttleslide 1008) in view of Gratsch (Ex. Shuttleslide 1007) in further view of Hunziker (Ex. Shuttleslide 1009)
The boat of claim 8,	Table 19 provides details for Henze’s and Gratsch’s disclosure of each element of claim 8.
wherein the trolling motor mounting bracket is a trolling motor quick-release mounting bracket.	Gratsch discloses a trolling motor mounting bracket but does not disclose a quick-release mounting bracket. However, Hunziker does disclose a quick-release mounting bracket.

	<p>Hunziker discloses a “quick release handle 14 ha[ving] pins 18 which are insertable through apertures 15 in the outer side of the bracket 23 of the base 31 which pass through apertures in a chock as described later to secure the bracket 1 to a boat 2 (not shown in FIG. 2) and enable the bracket to be quickly attached and removed from a boat 2.” (Ex. Shuttleslide 1009 at 1:37-42).</p> <p>It would have been obvious at the time of the invention to combine the trolling motor mounting bracket of Gratsch with the quick-release mounting bracket of Hunziker. (Ex. Shuttleslide 1003 at ¶118).</p>
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Table 35 – Claim 14 is obvious under 35 U.S.C. § 103 based on Henze in view of Gratsch in further view of Hunziker

W.Ground 23 - Claims 15-18 are Obvious Under 35 USC 103 based on Gillespie in view of Hunziker in further view of common knowledge of one having skill in the art

Claims 15-18 of the '111 Patent are rendered obvious by Gillespie (Ex. Shuttleslide 1005) in view of U.S. Patent No. 11,584,495 to Hunziker (Ex. Shuttleslide 1009). The hole pattern recited in claim 15 is the hole pattern necessary to accommodate trolling motors known in the art. (Ex. Shuttleslide 1001 [‘111 Patent] at 16:15-36). The hole pattern recited in claim 16 is the hole pattern necessary to accommodate trolling motors known in the art. (Ex. Shuttleslide 1001 at 16:37-

59). The hole pattern recited in claim 17 is the hole pattern necessary to accommodate trolling motors known in the art. (Ex. Shuttleslide 1001 at 16:60-17:37). The hole pattern recited in claim 18 is the hole pattern necessary to accommodate trolling motors known in the art. (Ex. Shuttleslide 1001 at 16:60-17:37). At the time the application was filed, it would have been obvious to one having skill in the art to include a hole pattern on the mounting plate to receive a known trolling motor. (Ex. Shuttleslide 1003 at ¶119).

There would have been a motivation to combine Gillespie, Hunziker, and the common knowledge of one having skill in the art with a reasonable expectation of success. Both Gillespie and Hunziker relate to the field of securing an accessory to a boat gunnel. Gillespie discloses a downrigger secured to a gunnel and Hunziker discloses a trolling motor mounting bracket secured to a gunnel. (Ex. Shuttleslide 1005 & Ex. Shuttleslide 1009). A person having ordinary skill in the art reading Gillespie would have been motivated to follow the teachings of Hunziker to modify the mounting apparatus disclosed by Gillespie to include the plurality of holes disclosed by Hunziker in the downrigger mount disclosed by Hunziker to allow for mounting an object other than a downrigger to a gunnel because it was known in the art that trolling motors, downriggers, and other accessories could be mounted to gunnels. (Ex. Shuttleslide 1003, ¶120). A person with skill in the art would have

known to make a hole pattern in a trolling motor mount that would fit known trolling motors. (Ex. Shuttleslide 1003 at ¶121).

<p>Claim 15</p>	<p>Obvious Over Gillespie (Ex. Shuttleslide 1005) in view of Hunziker (Ex. Shuttleslide 1009) in further view of common knowledge of one having skill in the art</p>
<p>The swivel mount of claim 5, wherein the plurality of holes comprises:</p>	<p>Table 13 provides details for disclosure of each element of claim 5.</p>
<p>a first set of four holes of the same size in linear alignment with each other along the length of the elongated mounting plate; and a second set of four holes of the same size as the first set of four holes and in linear alignment with each other along the length of the elongated mounting plate, wherein each of the second set of four holes is respectively in alignment with a different hole of the first set of four holes as taken along a width of the elongated mounting plate, wherein each of the second set of four holes has a center point spaced 2.88 inches from a center point of its respective different hole of the first set of four holes, and wherein the first and second sets of four holes each comprise: a first hole disposed closest to an end of the elongated mounting plate;</p>	<p>It was well known to those with skill in the art that the hole configuration recited in this claim was required to mount a Move PV trolling motor available from Power Pole, the RTA quick release inner plates available from Minn Kota®, and 4 bolt pucks and 6 bolt pucks available from Rhodan. (Ex. Shuttleslide 1003 at ¶122 & Ex. Shuttleslide 1001 at 16:25-30). It would have been obvious at the time of the invention to combine the elongated mounting plate of Gillespie with the hole configuration recited in claim 15. (Ex. Shuttleslide 1003 at ¶123).</p>

<p>a second hole having a center point disposed 4.5 inches from a center point of the first hole of its respective set of four holes in a direction away from the end of the elongated mounting plate;</p> <p>a third hole having a center point disposed 3.5 inches from the center point of the second hole of its respective set of four holes in a direction away from the end of the elongated mounting plate; and</p> <p>a fourth hole having a center point disposed 1.0 inch from the center point of the third hole of its respective set of four holes in a direction away from the end of the elongated mounting plate.</p>	
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Table 36 – Claim 15 is obvious under 35 U.S.C. § 103 based on Gillespie in view of Hunziker in further view of the common knowledge of one skilled in the art

<p>Claim 16</p>	<p>Obvious Over Gillespie (Ex. Shuttle slide 1005) in view of Hunziker (Ex. Shuttle slide 1009) in further view of common knowledge of one having skill in the art</p>
<p>The swivel mount of claim 15,</p>	<p>Table 36 provides details for disclosure of each element of claim 15.</p>
<p>further comprising a third set of four holes of the same size as each other but larger size than the first and second sets of four holes</p> <p>wherein the third set of four holes are disposed within an area of the elongated mounting plate bounded by the first and second sets of four holes, and</p> <p>wherein the third set of four holes comprise:</p>	<p>It was well known to those with skill in the art that the hole configuration recited in this claim was required to mount inner plates for the Force® Kracken trolling motor available from Garmin®. (Ex. Shuttle slide 1003 at ¶124 & Ex. Shuttle slide 1001 at 16:25-30).</p> <p>It would have been obvious at the time of the invention to combine</p>

<p>a first set of two holes having their center points 5.75 inches apart and linearly aligned parallel with the first set of four holes; and</p> <p>a second set of two holes each respectively in alignment with a different hole of the first set of two holes as taken along the width of the elongated mounting plate, wherein each of the second set of two holes has a center point spaced 2.68 inches from a center point of its respective different hole of the first set of two holes.</p>	<p>the elongated mounting plate of Gillespie with the hole configuration recited in claim 16. (Ex. Shuttleslide 1003 at ¶125).</p>
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Table 37 – Claim 16 is obvious under 35 U.S.C. § 103 based on Gillespie in view of Hunziker in further view of the common knowledge of one skilled in the art

<p>Claim 17</p>	<p>Obvious Over Gillespie (Ex. Shuttleslide 1005) in view of Hunziker (Ex. Shuttleslide 1009) in further view of common knowledge of one having skill in the art</p>
<p>The swivel mount of claim 15,</p>	<p>Table 36 provides details for disclosure of each element of claim 15.</p>
<p>further comprising a set of six holes of the same size as each other but larger size than the first and second sets of four holes, wherein the set of six holes are disposed outside an area of the elongated mounting plate bounded by the first and second sets of four holes, and wherein the set of six holes comprise:</p> <p>a first set of three holes having their center points 5.38 inches apart and linearly aligned parallel with the first set of four holes; and</p>	<p>It was well known to those with skill in the art that the hole configuration recited in this claim was required to mount quick release pucks or inner plates of the Quest series of trolling motor available from Minn Kota® (Ex. Shuttleslide 1003 at ¶126 & Ex. Shuttleslide 1001 at 16:60-17:37).</p> <p>It would have been obvious at the time of the invention to combine the elongated mounting plate of Gillespie with the hole</p>

<p>a second set of three holes each respectively in alignment with a different hole of the first set of three holes as taken along the width of the elongated mounting plate, wherein each of the second set of two holes has a center point spaced 5.25 inches from a center point of its respective different hole of the first set of two holes.</p>	<p>configuration recited in claim 17. (Ex. Shuttleslide 1003 at ¶127).</p>
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Table 38 - Claim 17 is obvious under 35 U.S.C. § 103 based on Gillespie in view of Hunziker in further view of the common knowledge of one skilled in the art

<p>Claim 18</p>	<p>Obvious Over Gillespie (Ex. Shuttleslide 1005) in view of Hunziker (Ex. Shuttleslide 1009) in further view of common knowledge of one having skill in the art</p>
<p>The swivel mount of claim 15,</p>	<p>Table 36 provides details for disclosure of each element of claim 15.</p>
<p>further comprising a third set of four holes of the same size as each other but larger size than the first and second sets of four holes wherein the third set of four holes comprise: a first set of two holes having their center points 9.00 inches apart and linearly aligned parallel with the first set of four holes; and a second set of two holes each respectively in alignment with a different hole of the first set of two holes as taken along the width of the elongated mounting plate, wherein each of the second set of two holes has a center point spaced 2.876</p>	<p>It was well known to those with skill in the art that the hole configuration recited in this claim was required to mount quick release pucks or inner plates of Move Offshore trolling motor available from Power Pole. (Ex. Shuttleslide 1003 at ¶128 & Ex. Shuttleslide 1001 at 17:38-60). It would have been obvious at the time of the invention to combine the elongated mounting plate of Gillespie with the hole configuration recited in claim 18. (Ex. Shuttleslide 1003 at ¶129).</p>

inches from a center point of its respective different hole of the first set of two holes.	
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Table 39 - Claim 18 is obvious under 35 U.S.C. § 103 based on Gillespie in view of Hunziker in further view of the common knowledge of one skilled in the art

X. Ground 24 - Claim 6 is Unpatentable Under 35 U.S.C. § 112 as indefinite

Claim 6 is indefinite because it fails to inform, with reasonable certainty, those skilled in the art about the scope of the invention. *Nautilus, Inc. v. Biosig Instruments, Inc.*, 572 U.S. 898, 901 (2014). The claim requires “a number and arrangement of the plurality of holes are such that different types of trolling motor mounting brackets may be secured to the second portion of the elongated mounting plate via a plurality of bolts.” The specification and prosecution history fail to inform a skilled worker of the scope of “a number and arrangement of the plurality of holes are such that different types of trolling motor mounting brackets may be secured to the second portion of the elongated mounting plate via a plurality of bolts.” Claim 6 fails to specify the exact number of holes required or their precise arrangement on the elongated mounting plate. The claim merely states "a number and arrangement of the plurality of holes," which does not provide clear guidance on how many holes are necessary or how they should be positioned to achieve the claimed function of securing different types of trolling motor mounting brackets. This lack of specificity leaves claim 6 open to multiple interpretations, making it impossible for a person skilled in the art to determine the scope of the claim with reasonable certainty.

Additionally, the phrase "different types of trolling motor mounting brackets" is vague, undefined, and does not provide clear notice of the boundaries of this claim limitation within the context of the patent. The claim does not specify what constitutes a "different type" of bracket, nor does it provide any criteria or examples to distinguish between types. This ambiguity creates uncertainty as to which brackets are covered by the claim and whether the mounting plate must accommodate all possible types or just a subset. Without clear boundaries, the claim fails to inform those skilled in the art about the scope of the invention.

Y. Ground 25 - Claims 10 and 13 are Unpatentable Under 35 U.S.C. § 112 as lacking an adequate written description

1. Claim 10

Claim 10 of the '111 Patent is unpatentable under 35 U.S.C. § 112 because it lacks an adequate written description. Claim 10 recites the limitation "a base member." (Ex. Shuttleslide 1001 at 19:44-46). The specification of the '111 Patent does not include the term "base member" and provides insufficient detail about the structure and function of the "base member" that would distinguish it from other components or similar elements in the prior art. There is inadequate information regarding the base member's characteristics or how it interacts with the gunnel and mounting member. The absence of detailed structural features or dimensions leaves the term "base member" vague and undefined, which is insufficient under the written

description requirement. This lack of detail fails to demonstrate that the inventor was in possession of the claimed invention at the time of filing, as required by 35 U.S.C. § 112.

2. Claim 13

Claim 13 of the '111 Patent is unpatentable under 35 U.S.C. § 112 because it lacks an adequate written description. Claim 13 recites the limitation that “the trolling motor mounting bracket comprises a trolling motor deploy/stow mechanism.” (Ex. Shuttle slide 1001 at 19:51-35). Throughout the specification, the references to a “deploy/stow mechanism” are limited and only contemplate such a mechanism being coupled to or used with the swivel mount or bracket, not being part of or comprised by the mounting bracket itself. (Ex. Shuttle slide 1001 at 8:47-65). There are no technical details, construction, or examples provided in which a trolling motor deploy/stow mechanism is an element or subcomponent of the mounting bracket itself. A trolling motor deploy/stow mechanism is not shown in any drawing. Nowhere in the written description is there a disclosure regarding how a “mounting bracket” would include, incorporate, or comprise the mechanical components of a trolling motor deploy/stow mechanism. This lack of detail fails to demonstrate that the inventor was in possession of the claimed invention at the time of filing, as required by 35 U.S.C. § 112.

VII. CONCLUSION

Claims 1-18 of the '111 Patent are unpatentable for the reasons set forth above. The Petition demonstrates that it is more likely than not that at least one of the challenged claims is unpatentable. Post-grant review of claims 1-18 is accordingly requested.

Dated: September 25, 2025

Respectfully submitted,

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ATTACHMENT A: PROOF OF SERVICE OF THE PETITION

The undersigned certifies service pursuant to *37 C.F.R. §§ 42.6(e)* and *42.205(b)* on the Patent Owner by Express Mail of a copy of this Petition for Post-Grant Review and supporting materials at the correspondence addresses of record for the '111 Patent:

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Dated: September 25, 2025

/s/ Kelly G. Swartz
Kelly G. Swartz
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CERTIFICATION OF WORD COUNT

Pursuant to 37 C.F.R. § 42.24, I hereby certify that the word count of the foregoing petition, including footnotes but excluding the Table of Contents, Table of Authorities, Mandatory Notices, Certificate of Service, Certificate of Word Count, Appendix of Exhibits, and claim listings in Tables 1-39 is 18,144 words, which does not exceed the word count limit of 18,700.

/s/ Kelly G. Swartz
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**ATTACHMENT B: LIST OF EVIDENCE AND EXHIBITS RELIED
UPON IN PETITION**

Exhibit Shuttleslide 1001 - U.S. Patent No. 12,258,111

Exhibit Shuttleslide 1002 - The File History of U.S. Patent No. 12,258,111

Exhibit Shuttleslide 1003 - The Declaration of Russell Taylor in Support of the
Petition

Exhibit Shuttleslide 1004 - U.S. Patent No. 3,897,086 to Breford

Exhibit Shuttleslide 1005 - U.S. Patent No. 6,684,558 to Gillespie

Exhibit Shuttleslide 1006 - U.S. Patent Application Publication No. 2003/0194921
to Leiss et al.

Exhibit Shuttleslide 1007 - U.S. Patent Application Publication No. 2010/0242828
to Gratsch

Exhibit Shuttleslide 1008 - U.S. Patent No. 4,044,489 to Henze et al.

Exhibit Shuttleslide 1009 - U.S. Patent No. 11,584,495 to Hunziker, II

Exhibit Shuttleslide 1010 - Universal Mounting Plate

Exhibit Shuttleslide 1011 - U.S. Patent No. 3,999,500 to Friedel et al.

Exhibit Shuttleslide 1012 – Grady-White Pivoting Trolling Motor Mount

Exhibit Shuttleslide 1013 – The Declaration of Neal Trombley in Support of the
Petition

Exhibit Shuttleslide 1014 – Woodward, C. (2014, May 15). Grady-White 251 Coastal Explorer Review. *Sport Fishing*. <https://www.sportfishingmag.com/fishing-boats/grady-white-251-coastal-explorer/>

Exhibit Shuttleslide 1015 - Bill of Sale