

PTAB's Adoption of Petitioner's Arguments Regarding Modification of a Prior Art Reference Held Minimally Sufficient to Support its Obviousness Determination

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[*IGNITE USA, LLC v. CAMELBAK PRODS., LLC*](#): October 12, 2017 (non-precedential). Before Prost, [Wallach](#), and Taranto.

Takeaway:

- PTAB's adoption of Petitioner's obviousness arguments in its opinion was "sufficient, if minimally," to explain the connection between its factual findings and legal conclusion of obviousness.

Procedural Posture:

CamelBak Products, LLC petitioned for IPR of a patent owned by Ignite, directed to "a movable trigger/seal mechanism for a beverage container." The Patent Owner appealed PTAB's final written decision invalidating the challenged claims as anticipated and obvious. The Federal Circuit in a non-precedential opinion affirmed PTAB's decision.

Synopsis:

- **Obviousness:** The Federal Circuit affirmed that PTAB's construction of the "connected" limitation, which under the BRI standard was held to cover 'non-permanent' connections. Ignite argued that the PTAB improperly relied upon the testimony of CamelBak's expert that it would have been obvious for a PHOSITA to make modifications to the prior art. The Federal Circuit noted that summaries and rejections of a Patent Owner's arguments are usually insufficient to support obviousness. But, while "it would be preferable for the PTAB to provide its own reasoned explanation," here, the PTAB's finding "CamelBak's arguments and supporting evidence more persuasive" is "sufficient, if minimally, to explain the connection

between the PTAB's factual findings and legal conclusion of obviousness."

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