

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FITBIT, INC.,
Petitioner,

v.

ALIPHCOM, INC. D/B/A JAWBONE,
Patent Owner.

Case No. IPR2016-00607
Patent No. 8,529,811

DECLARATION OF DARRIN J. YOUNG, PH.D.

Table of Contents

	<u>Page</u>
I. QUALIFICATIONS	1
II. SCOPE OF WORK.....	3
III. LEVEL OF ORDINARY SKILL AND RELEVANT TIME	4
IV. OVERVIEW OF THE '811 PATENT	5
V. CLAIM CONSTRUCTION	9
VI. LO FAILS TO TEACH ALL ASPECTS OF CLAIMS 16-19, 23, AND 26 OF THE '811 PATENT	17
VII. CONCLUDING STATEMENTS.....	23
VIII. APPENDIX A – TABLE OF INFORMATION RELIED UPON.....	25

I, Darrin J. Young, Ph.D., declare as follows:

I. QUALIFICATIONS

1. My name is Darrin J. Young. I am presently a Utah Science Technology and Research Initiative (USTAR) Associate Professor and Associate Chair of the Electrical and Computer Engineering Department at University of Utah, where I have taught for the past seven years. I was previously a Professor in the Electrical Engineering and Computer Science Department at Case Western Reserve University for ten years. My teaching and research have included electronics circuits design, electrical interface design for micro-electro-mechanical systems (MEMS), and integrated microsystem technology development for industrial sensing, wireless sensing, wearable sensing, navigation, biomedical implant, power and energy scavenging, and RF communication applications.

2. I received a B.S. and an M.S. in Electrical Engineering and Computer Sciences from University of California at Berkeley. I received a Ph.D. in Electrical Engineering and Computer Sciences from University of California at Berkeley in 1999. My curriculum vitae (“CV”) is attached as Exhibit 2002.

3. As described in my CV, I have extensive experience in the fields of electrical and electronic hardware, computer software, wired and wireless network communications, and computing devices, in addition to experience relating to techniques for components packaging and protective overmolding.

4. I have published over 100 technical papers in refereed journals and conferences in the field of sensors, MEMS, microsystem packaging, and integrated circuits design. I have further presented numerous conference abstracts, posters, talks and demonstrations in my field. I am a named inventor on two patents in my areas of work.

5. I have served as a technical program committee member and session chair for a number of international conferences. I was an associate editor of the IEEE Journal of Solid-State Circuits from 2006 to 2011, and served as the chair of the Micro-Electro-Mechanical Systems committee under the IEEE Electron Devices Society between 2010 and 2014. I have served on the IEEE Sensors Council as an administrative committee member as well as a representative from the IEEE Solid-State Circuits Society between 2002 and 2016. I have also served as a technical reviewer for many international journals, National Sciences Foundation, and San Francisco State University. I am currently serving as an editor for the IEEE Transactions on Electron Devices with a focus on sensors and actuators.

6. I received the recognition and appreciation award of valued services and contributions as the IEEE EDS micro-electro-mechanical systems committee chair in 2011. I was nominated for the 2003 Carl F. Wittke Award at Case Western Reserve University for excellence in undergraduate teaching.

7. I have previously served as an expert on a patent infringement case involving cochlear implants that included a number of sensing, signal processing, and electrical stimulation aspects. I also served as expert on an *inter partes* review (“IPR”) involving wearable sensors for athletic applications that included ultrasound sensors, sensors system integration, sensor signals processing, and sensor data network communication.

8. In my research lab I have designed, built and tested a number of sensor-based microsystems using various packaging and molding techniques including overmolding for sensors and electronics assembly and protection. The demonstrated microsystems include wearable sensors to detect physiological signals such as blood pressure waveforms, heart rate, and pulse wave velocity, implantable sensors for detecting blood pressure waveforms, ECG, glucose level and neural activities in the brain, flexible tactile sensors array for personal navigation applications under GPS-denied environment, and MEMS-based wireless strain sensing module that can detect surface conditions of metallic rotating machinery elements.

II. SCOPE OF WORK

9. I understand that a petition has been filed with the United States Patent and Trademark Office for *inter partes* review (“IPR”) of U.S. Patent No. 8,529,811 (“the ’811 patent,” Ex. 1001).

10. I understand that the real party-in-interest to the petition is Fitbit, Inc. (“Petitioner”). I understand that the ’811 patent is currently assigned to AliphCom, Inc. d/b/a Jawbone (“Jawbone”).

11. I have been retained by Jawbone as a technical expert in this matter to provide various opinions regarding the ’811 patent. I am being compensated \$450 per hour for my services. No part of my compensation is dependent on my opinions or on the outcome of this proceeding. I do not have any other current or past affiliation as an expert witness or consultant with Jawbone. I do not have any current or past affiliation with the named inventors Richard Lee Drysdale, Scott Fullam, Skip Thomas Orvis, and Nora Elam Levinson. I do not have any current or past affiliation with Petitioner.

12. I have been specifically asked to provide my expert opinions on the validity of claims 16-26 of the ’811 patent. In connection with my analysis, I have reviewed the ’811 patent and its prosecution history. I have also reviewed and considered various other documents in arriving at my opinions, and may cite to them in this declaration. For convenience, the information considered in arriving at my opinions is listed in Appendix A.

III. LEVEL OF ORDINARY SKILL AND RELEVANT TIME

13. I have been advised that the ’811 patent claims priority as a continuation of application no. 13/135,728, filed on July 12, 2011, which is a

continuation-in-part of application no. 13/158,416, filed on June 11, 2011, which is a continuation-in-part of application no. 13/158,372, filed on June 10, 2011.

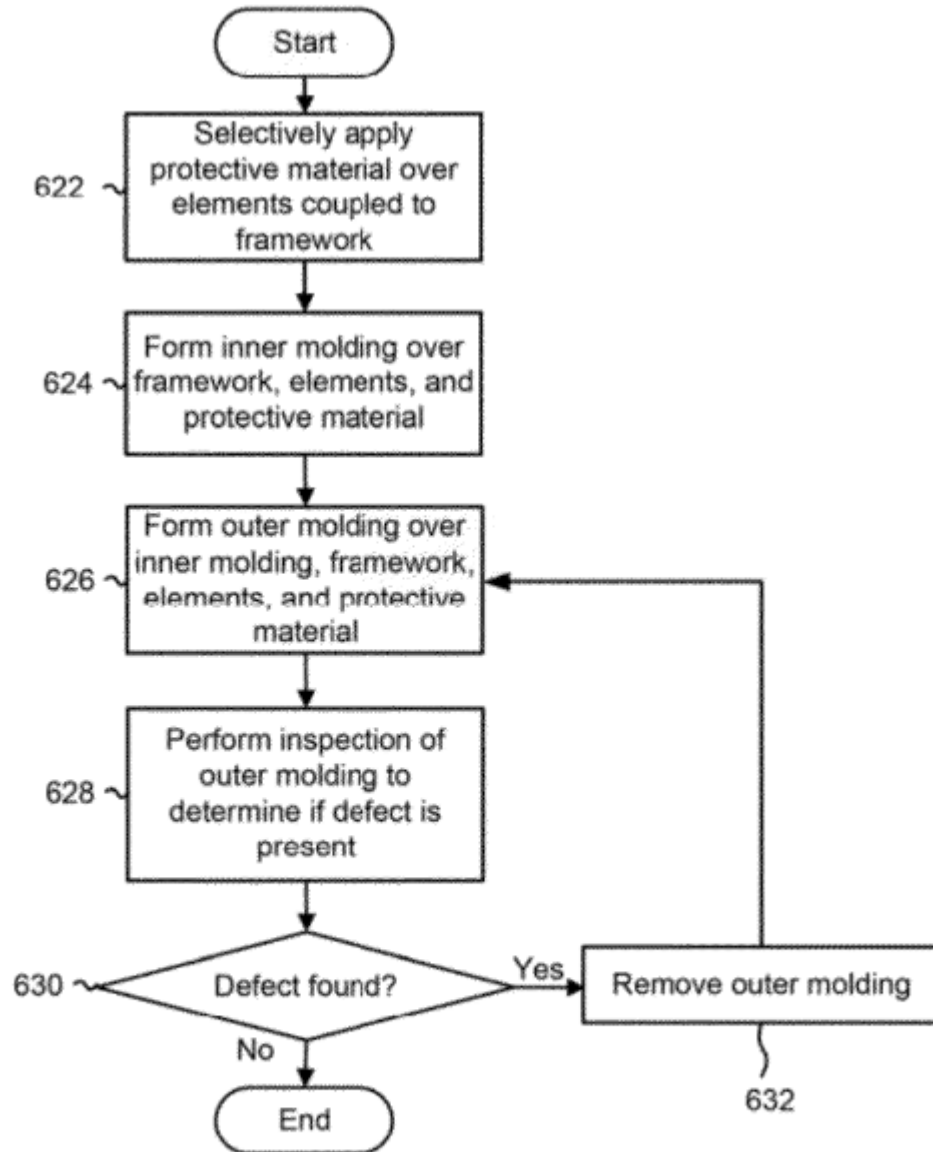
14. I have been advised that “a person of ordinary skill in the relevant field” is a hypothetical person to whom one could assign a routine task with reasonable confidence that the task would be successfully carried out. Like Dr. Darran Cairns, I have been asked to assume that the relevant timeframe for assessing validity of the ’811 patent is June 10, 2011. *See* Declaration of Dr. Darran Cairns (“Cairns Decl.,” Ex. 1002). When I refer to June 2011, I am referring specifically to prior to June 10, 2011.

15. By virtue of my education, experience, and training, I am familiar with the level of skill in the relevant field of the ’811 patent in the June 2011 timeframe. In my opinion, a person of ordinary skill in the relevant field in June 2011 would have had experience working with electrical and electronic hardware, computer software, wired and wireless network communications, or computing devices. This familiarity would include knowledge of component protective overmolding.

IV. OVERVIEW OF THE ’811 PATENT

16. The ’811 patent is entitled “Component Protective Overmolding Using Protective External Coatings.” Ex. 1001 at Title.

17. The '811 patent relates to “techniques for component protective overmolding using protective external coatings.” *Id.* at Abstract. As shown below, an example process for component protective overmolding is disclosed at Fig. 6B of the '811 patent. *See id.* at Fig. 6B, 7:55-8:56.

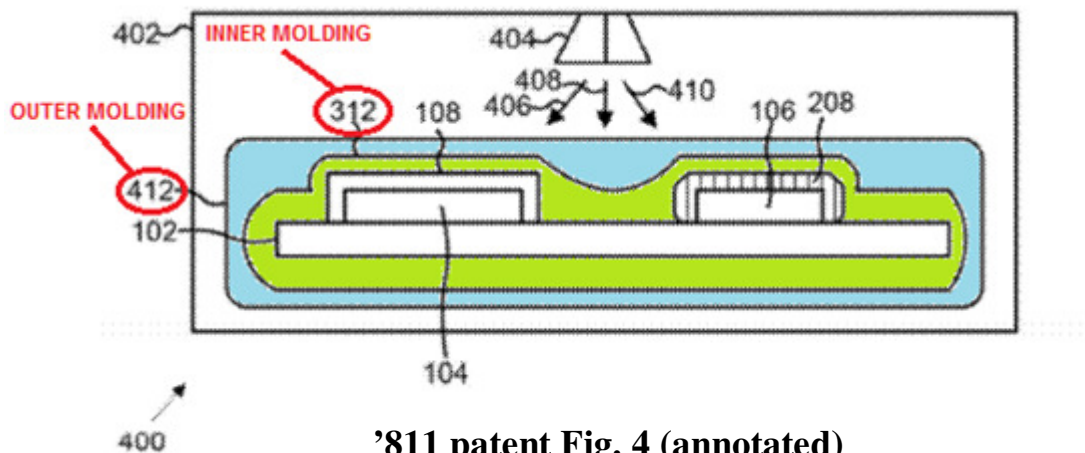


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FIG. 6B

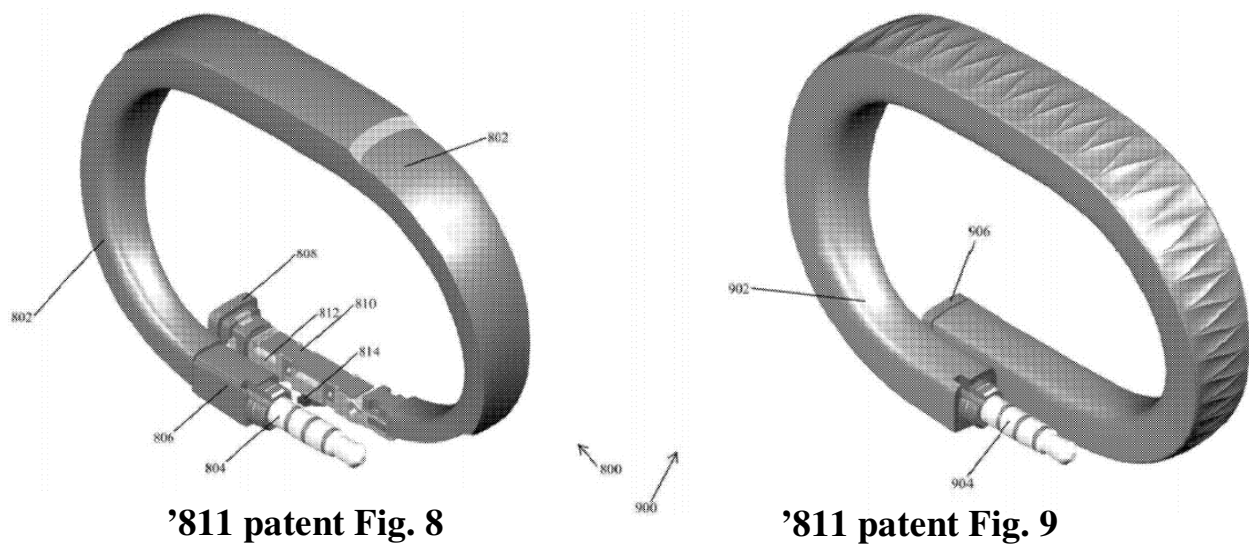
18. At a high level, the exemplary process of Fig. 6B begins with selectively applying protective material to one or more elements. *See id.* at 7:56-59. After selectively applying protective material, an inner molding is formed over a framework, associated elements, and the previously selectively-applied protective material. *See id.* at 8:13-16. Finally, an outer molding is formed over the inner molding, the framework, its elements, and the protective material. *See id.* at 8:32-34.

19. In further regard to the outer molding, every embodiment in the specification describes the outer molding as enclosing or encasing the inner molding. This is illustrated, for example, in Fig. 4 of the '811 patent—which illustrates the outer molding 412 entirely enclosing the inner molding 312.



20. Fig. 8 and 9 further illustrate that the outer molding encircles the inner molding. *Id.* at Fig. 8, Fig. 9. Fig. 8 shows a band with a first molding 802, i.e., the claimed inner molding. *See id.* at Fig. 8. As shown in Fig. 9, e.g., second

molding 902 completely encloses or encases first molding 802, i.e., the inner molding, which is depicted in Fig. 8. *Id.* at Fig. 8, Fig. 9.



21. The '811 patent has two independent claims, claims 1 and 16. It is my understanding that, of these two claims, only claim 16 is at issue in this IPR:

16. A method comprising:

selectively applying at least one protective material substantially over one or more of a plurality of elements coupled with a framework for a wearable device configured to be worn by a user, the plurality of elements including at least a sensor; forming one or more inner moldings substantially over a subset or all of the framework, the at least one protective material and the plurality of elements, after the selectively applying, at least

one of the one or more inner moldings having a protective property; and forming an outer molding of the wearable device that covers all or substantially all of the one or more inner moldings, the outer molding configured to be positioned in contact with the user.

22. As explained in further detail below, it is my opinion a person of ordinary skill in the art viewing the '811 patent claims in view of the specification would understand the “outer molding of the wearable device that covers all or substantially all of the one or more inner moldings,” as recited in claim 16, as enclosing or encasing the inner moldings. Such a person would not understand the claimed “outer molding” to include a layer that sits on top of only one side of the underlying layer. In particular, the person of skill would not view the transmission medium (layer 1490) of Lo as providing an outer molding as recited in claim 16.

V. CLAIM CONSTRUCTION

23. I have been advised that, in the present proceeding, the '811 patent claims are to be given their broadest reasonable interpretation in view of the specification. I also understand that, at the same time, absent some reason to the contrary, claim terms are typically given their ordinary and accustomed meaning as would be understood by one of ordinary skill in the art. I also understand that claim terms are to be interpreted in light of their use in the context of the claims,

the specification, and the prosecution history of the patent in question. I have followed these principles in my analysis throughout this declaration. I discuss the term “covers all or substantially all” below and what I understand as the construction of this term.

24. I have reviewed the '811 patent claims and the specification in its entirety. In my opinion, a person of ordinary skill in the art viewing the '811 patent claims in view of the specification would understand the “outer molding of the wearable device that covers all or substantially all of the one or more inner moldings,” as recited in claim 16, as enclosing or encasing the inner moldings.

25. I have reviewed the Board’s Decision instituting inter partes review, particularly the section titled “Claim Construction” at pages 6-10 of the Decision. The Decision discusses an “implied construction” of the claim 16 term “an outer molding of the wearable device that covers all or substantially all of the one or more inner moldings.” The “implied construction” is stated in the Decision as encompassing “a layer that is only on top of the underlying layer.” Having considered the claim language in view of the '811 specification, I believe the “implied construction” is unreasonable for a number of reasons and is not consistent with the description provided in the '811 patent specification.

26. Turning first to the language of the claims, claim 16 discusses the outer molding in the context of a wearable device. A person of ordinary skill

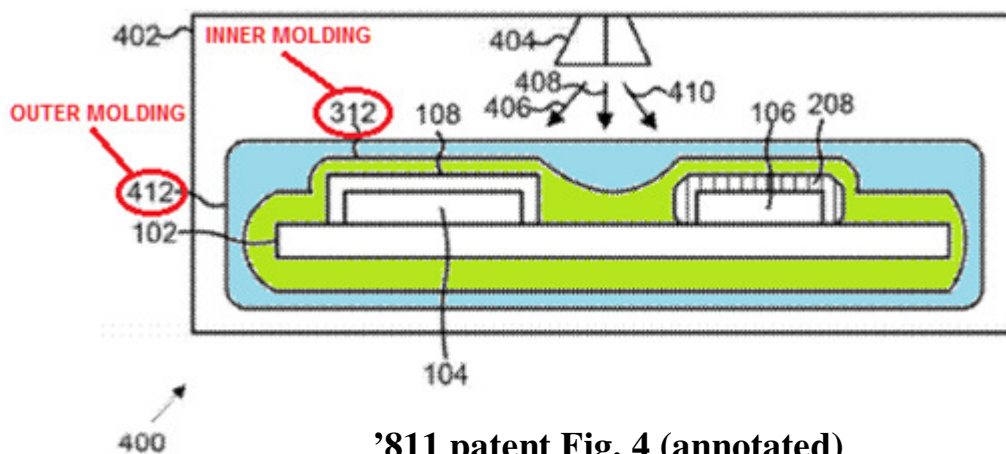
would understand a wearable device as including fitness or monitoring type devices having electronics and hardware components, and those components would benefit from protective aspects of an encasing molding. In this context, a person of ordinary skill would not ordinarily expect such a molding to merely include a layer simply covering one top surface of another layer.

27. The '811 patent specification confirms that an outer molding would not include a layer simply covering one top surface of another layer. The '811 patent specification describes the outer molding as enclosing or encasing the inner molding, and that such a configuration confers protective features for the underlying components of the wearable device.

28. The Board's Decision cites to the '811 patent at 7:27-29 but takes the quote out of context and applies it incorrectly only to the outer molding. The full quoted language states "[i]n some examples, the protective layer, inner molding, and outer molding may be selectively, partially, or completely applied to a given item." This citation is collectively addressing examples of three different layers/moldings. With specific regard to the outer molding, the very next sentence of the specification goes on to explain that "an outer molding may also be configured to completely enclose or encase an underlying item in order to protect the inner molding, the protective layer, and any elements from damage." *Id.* at 7:29-32.

29. There are no “examples” in the ’811 patent specification as describing an outer molding as merely including a layer covering only one top surface of another layer. Instead, the ’811 patent specification describes the outer molding in each instance as enclosing or encasing the inner molding.

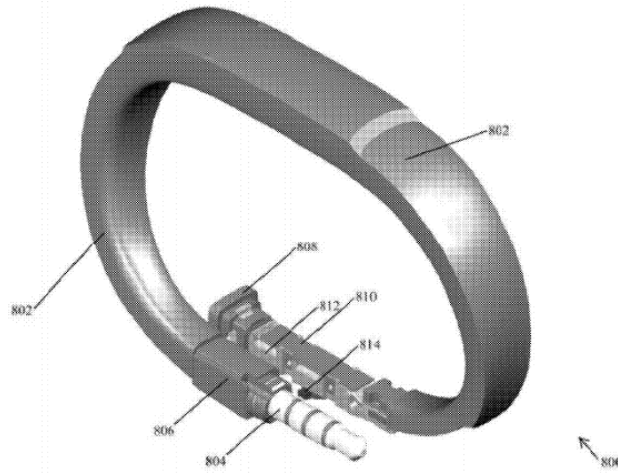
30. Fig. 4 illustrates an outer molding applied to completely encase the inner molding. Fig. 4 illustrates a cross-sectional view of a strapband with outer molding 412. *Id.* at Fig. 4, 5:47-49. As shown in annotated Fig. 4 below, outer molding 412 (colored blue) completely envelops inner molding 312 (colored green) to provide protection. The specification explains that the “outer molding is formed over the inner molding and protective layer” and that a final test is performed to determine, “e.g., did the outer molding fully coat an item.” *Id.* at 7:23-26, 7:35-39, 8:32-34.



’811 patent Fig. 4 (annotated)

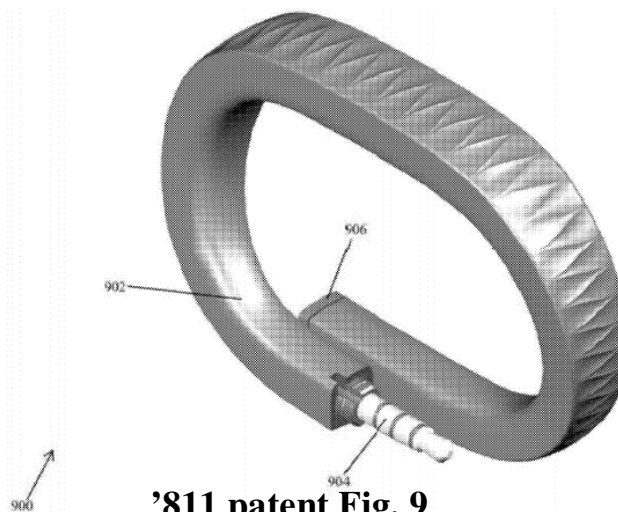
31. Fig. 8 and 9 illustrate an outer molding selectively or partially applied “to a given item,” but the outer molding nonetheless wholly encircles the inner

molding. *Id.* at Fig. 8, Fig. 9. Fig. 8 shows a band with a first molding 802, i.e., the claimed inner molding. *See id.* at Fig. 8.



'811 patent Fig. 8

32. “FIG. 9 illustrates a view of an exemplary data-capable strapband having a second molding,” i.e., an outer molding. *Id.* at 11:39-40. As shown in Fig. 9 below, second molding 902 completely encloses or encases first molding 802, i.e., the inner molding, which is depicted in Fig. 8. *Id.* at Fig. 8, Fig. 9.



'811 patent Fig. 9

33. The '811 patent specification shows that the only portions that are left uncovered are the ends of the band 900—plug 904 and button 906—such that the outer molding is “selectively, partially, or completely applied to [the strapband].” *See id.* at 7:27-29, Fig. 9. In fact, second molding 902 not only covers first molding 802, second molding 902 even extends past first molding 802 to also cover at least plug housing 806, framework 810, and control housing 812, which are not covered by the first molding. *See id.* at Fig. 8, Fig. 9.

34. The Board’s Decision at page 9 also cites to 8:65. The entire sentence spans 8:62-9:3 and addresses only the first stage (i.e., applying a “securing coating”) of the 2-stage process of Fig. 6C. The second stage of the 2-stage process includes application of another molding (e.g., outer molding) following applying a securing coating, and is addressed later at 9:36-57. There, the '811 patent provides “the application of one or more moldings may be performed to both secure and protect underlying items (components or elements) of a finished product for various conditions such as use, weather, shock, temperature, or other environmental conditions to which finished products (e.g., band) may be subjected.” Nothing in the discussion of the second stage describes an outer molding as including a layer positioned only on one top surface of the underlying layer. In fact, a person of ordinary skill would understand that if the outer molding

was merely positioned on top of one side of the underlying layer, then the outer molding would fail to fulfill its protective purpose as described in the specification.

35. I understand that the Board’s Decision at pages 8-9 cites to two general purpose dictionaries for definitions of the term “cover.” I do not believe a person of ordinary skill in the art would view these dictionary entries as contributing to a reasonable interpretation of the relevant claim terminology for several reasons.

36. Viewing the broad definitions of the term “cover” in isolation would be inconsistent with the more complete claim language as well as the description of the outer molding provided in the ’811 patent specification (e.g., discussed above). This is particularly true with regard to the Dictionary.com definition (Ex. 3001), which provides entries including “place something over or upon” and “provide with a covering or top.” Such a definition might make sense in certain contexts, such as when describing an umbrella or the roof of a house, but would not make sense in the context of a molding in a wearable device providing protection of electronic and hardware components. Moreover, as explained in further detail above, nothing in the specification describes an outer molding as simply providing a covering or a top—instead, the specification describes an outer molding as enclosing or encasing the inner molding. *See, e.g.*, Ex. 1001 at Fig. 4, Fig. 9. The cited Merriam-Webster definition (Ex. 3002) provides similar entries, such as “put

something over, on top of, or in front of,” that similarly would not make sense in the relevant context of the ’811 patent claims and specification.

37. In my opinion, if one were to look to dictionary definitions, it would be more reasonable to do so in the proper context and in conjunction with the guidance provided in the ’811 patent claims and specification. This is particularly true where dictionaries provide multiple different definitions, some of which are inapplicable in the relevant context—as noted above. Notably, the Merriam-Webster also defines “cover” as “to be over much or all of the surface of (something).” *See* Ex. 2003 at 1. A person of ordinary skill would view this as a more reasonable definition that comports with the relevant context and description of an outer molding provided by the ’811 patent claims and specification. *See* Ex. 1001 at 6:29-34, 7:23-26, 7:29-32; *see also* Paragraphs 24-33. An outer molding that encloses or encases an inner molding would cover “much or all of the surface” of the inner molding. In contrast, a layer that is only on one side (e.g., top) of an underlying layer with multiple sides forming the entire surface would not be viewed as covering “much or all of the surface.”

38. Accordingly, it is my opinion that a person of ordinary skill in the art would understand the “outer molding of the wearable device that covers all or substantially all of the one or more inner moldings,” as recited in claim 16, as enclosing or encasing the inner moldings. When viewed in light of the

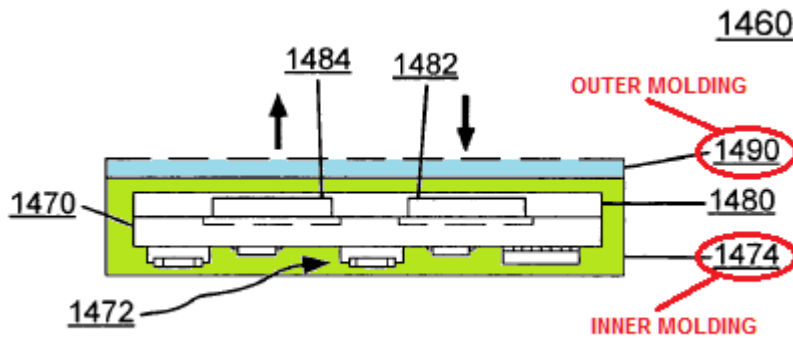
specification, a person would not read the outer molding is including a layer simply covering one top surface of another layer. As described further below, a person of ordinary skill in the art would not consider the layer 1490 of Lo, which covers only one side of the plastic housing 1474, as providing the outer layer recited in claim 16 of the '811 patent.

VI. LO FAILS TO TEACH ALL ASPECTS OF CLAIMS 16-19, 23, AND 26 OF THE '811 PATENT

39. As set forth in further detail below, it is my opinion that a person of ordinary skill in the art would not have considered claims 16-19, 23, and 26 of the '811 patent to be taught by U.S. Patent Pub. No. 2006/0264756 ("Lo," Ex. 1001). In particular, Lo fails to disclose the "outer molding of the wearable device that covers all or substantially all of the one or more inner moldings," as recited in claim 16.

40. The petition and Dr. Cairns allege that Lo "teaches forming a transmission medium (*i.e.*, an outer molding) on the wearable monitor that covers substantially all of the plastic housing (*i.e.*, the inner molding) that is configured to be in contact with the user." *See* Ex. 1002 at 30. Dr. Cairns then addresses other aspects of claim limitation 16C and concludes with the opinion: "As depicted in Figures 14C and 15A below, the transmission medium (*i.e.*, outer molding) covers substantially all of the plastic housing 1474 (*i.e.*, the inner molding) and is configured to be in contact with the user." *See id.* at 31.

41. I disagree with Dr. Cairns. As demonstrated below in annotated Fig. 14C of Lo, transmission medium 1490 (colored blue) does not enclose or encase all or almost entirely all of plastic housing 1474 (colored green). Rather, transmission medium 1490 only covers a small portion of plastic housing 1474 so does not “cover[] all or substantially all” of the plastic housing. Not even half of plastic housing 1474 is covered:

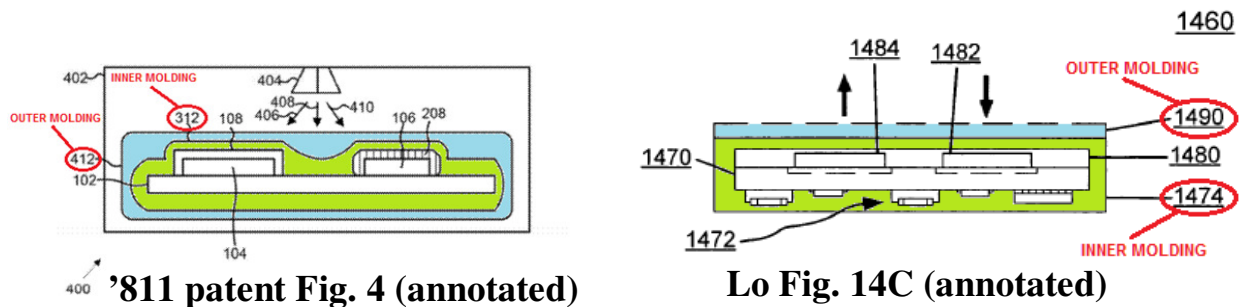


Lo Fig. 14C (annotated)

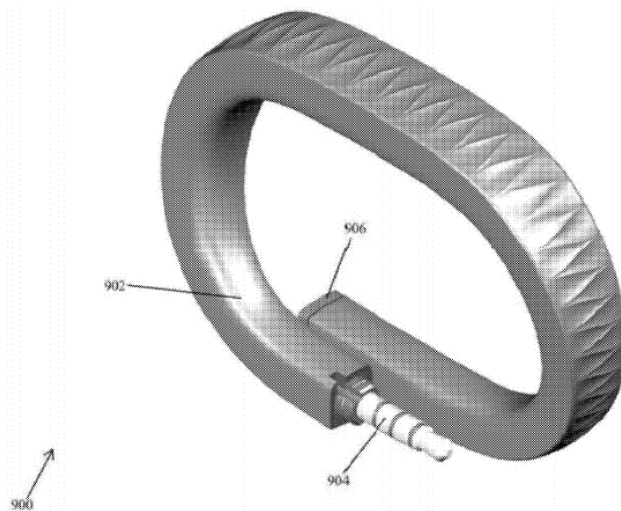
42. It is my opinion that Lo’s specification distinguishes between the manner in which plastic housing 1474 and transmission medium 1490 are applied. *See* Ex. 1003 at ¶ 125. “Plastic housing 1474 encapsulates the entire ultrasonic monitor, including protective layer 1480, PCB 1470 and circuitry 1472.” *See* Ex. 1003 at ¶ 125. In contrast, transmission medium 1490 is only “in contact with a surface of plastic housing 1474.” *See* Ex. 1003 at ¶ 125. It is my opinion that merely being in contact with a single surface rather than encapsulating all surfaces is not enclosing or encasing all or almost entirely all of the plastic housing. A person of ordinary skill in the art would not consider covering only one side of

plastic housing 1474 as an outer molding “cover[ing] all or substantially all” of the inner molding, as recited in claim 16.

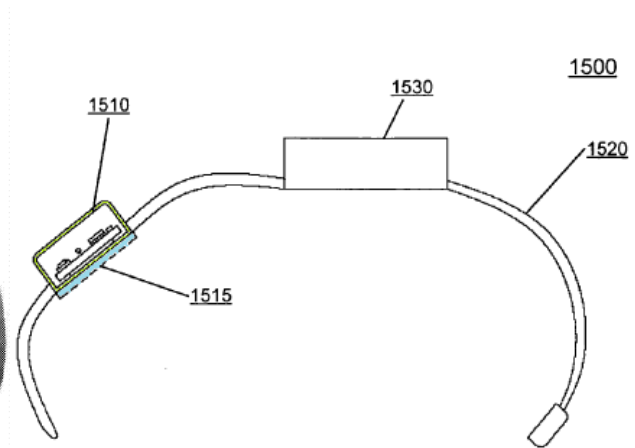
43. By comparing the cross-sectional images of annotated Fig. 4 of the '811 patent with annotated Fig. 14C of Lo, it is my opinion that a person of ordinary skill in the art would find it readily apparent that the transmission medium (colored blue) does not surround the plastic housing (colored green) of Lo, unlike the outer molding (colored blue) of the '811 patent, which does surround the inner molding (colored green):



44. A comparison of Fig. 9 of the '811 patent with annotated Fig. 15A of Lo shows the same difference since transmission medium 1515 does not surround ultrasonic monitor module 1510, whereas second molding 902 completely surrounds first molding 802:



'811 patent Fig. 9



Lo Fig. 15A (annotated)

45. I have also been asked to consider whether Lo describes all aspects of claims 16-19, 23, and 26 when analyzed under the “implied construction” of “covers all or substantially all” noted above—i.e., encompassing “a layer that is only on top of the underlying layer.” It is my opinion that even under this construction, Lo still fails to meet the claimed limitation.

46. Even under this construction, a comprehensive analysis of the '811 patent must address the entirety of the surface presented by the underlying layer rather than just one portion (or side) of the underlying layer. In other words, in the context of the '811 patent, if an underlying layer encapsulates an object so as to present multiple sides, the top of that underlying layer should include all surfaces and sides—not just one of the sides. In the context of Lo, inner molding 1474 encapsulates the components shown in Fig. 14C (components 1470, 1472, 1480,

1482, 1484). The “top” of inner molding 1474 should include the surface area presented by all sides of inner molding 1474, not just side of the inner molding 1474. Thus, outer molding 1490 might be positioned on only side of inner molding 1474, but would not cover all or substantially all of the top surface area, or all sides, of the underlying layer—inner layer 1474.

47. Moreover, in the context of the ’811 patent, a person of ordinary skill in the art would understand that the “top” of a layer must be from the perspective of the layer—not the perspective of a person viewing a cross section. In other words, as it pertains to the ’811 patent, because the inner molding encapsulates the framework, a person of ordinary skill in the art would understand that the “top” of the inner molding is the surface of the inner molding, not just the side that happens to point up as the “top” when viewed in a cross-sectional image.

48. In fact, a person of ordinary skill could understand the “top” of plastic housing 1474 in Fig. 14C to be the opposite side or “bottom” of the actual device (as shown in Fig. 15A), since the side with transmission medium 1490 must be worn facing a user’s wrist. *See* Ex. 1003 at ¶ 112. Indeed, it would make little sense for transmission medium 1490 to be on all sides of plastic housing 1474 since transmission medium 1490 must be between the ultrasound transducer and the user’s wrist, and there would be no signals from sides that do not reside between the user’s wrist and the ultrasound transducer. *See id.* at ¶ 101.

49. It is also my opinion that the transmission medium of Lo is not an “outer molding” under either construction of the claim language.

50. Dr. Cairns appears to opine that the transmission medium of Lo is an outer molding because it “‘can be . . . **over-molded** onto . . . the plastic housing’ and that ‘[o]il-based transmission media having a fixed or balm-like consistency are well suited for **over-molding**.’” *See* Ex. 1002 at 30-31.

51. I disagree with Dr. Cairns. Just because a layer is placed on one surface of the plastic housing does not make it an “outer molding” as described and claimed in the ’811 patent. In my opinion, the claims and specification of the ’811 patent describe an “outer molding” as having protective and ornamental features that would not be provided by Lo’s transition medium. The specification explains that the outer molding is a “protective layer.” *See* Ex. 1001 at 6:29-34, 7:29-32. The specification also states that the outer molding can have “surface ornamentation,” such as “a surface texture, design, or pattern” that “may be imprinted contoured, or otherwise formed” on it. *See* Ex. 1001 at 6:6-24, 7:32-35. In addition, the patent claims the outer molding as providing certain protective and ornamental features. *See* Ex. 1001 at cl. 2-8. For example, claim 4 adds the limitation that the outer molding “protect[s] against ultraviolet radiation,” claim 6 adds the limitation that “the outer molding is configured to provide a waterproof

seal over the plurality of elements,” and claim 7 adds the limitation that “a pattern is formed on the outer molding.” *See* Ex. 1001 at cl. 4, 6, 7.

52. In contrast, the transmission medium of Lo does nothing more than act as a means for transmitting ultrasonic signals. *See* Ex. 1003 at ¶ 58.

Transmission medium 1490 of Lo does not protect plastic housing 1474, and actually leaves most of plastic housing 1474 uncovered and susceptible to damage. *See id.* at Fig. 14C. Lo even differentiates between an optional protective layer and the transmission medium, to which it ascribes no protective properties. *See id.* at ¶ 115.

53. Accordingly, a person of ordinary skill in the art would not consider the transmission medium of Lo to be an “outer molding” as recited in the ’811 patent claims.

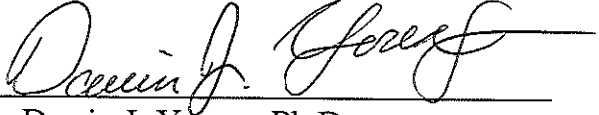
VII. CONCLUDING STATEMENTS

54. In view of the above analysis, it is my opinion that claims 16-26 of the ’811 patent are not anticipated or obvious over the prior art set forth in Dr. Cairns’ declaration.

55. I declare that all statements made herein of my knowledge are true, and that all statements made on information and belief are believed to be true, and that these statements were made with the knowledge that willful false statements

and the like so made are punishable by fine or imprisonment, or both, under
Section 1001 of Title 18 of the United States Code.

Dated: 12-7-2016

By: 
Darrin J. Young, Ph.D.

VIII. APPENDIX A – TABLE OF INFORMATION RELIED UPON

Exhibit	Description
1001	U.S. Patent No. 8,529,811 to Drysdale et al.
1002	Declaration of Dr. Darran R. Cairns
1003	U.S. Patent Application Pub. No. 2006/0264756 to Lo et al.
2003	<i>Cover</i> , Merriam-Webster, http://www.merriam-webster.com/dictionary/cover (last visited Nov. 1, 2016)
3001	<i>Cover</i> , Dictionary.com, http://www.dictionary.com/browse/cover?s=t (last visited June 24, 2016)
3002	<i>Cover</i> , Merriam-Webster, http://www.merriam-webster.com/dictionary/cover (last visited June 24, 2016)
	<i>Fitbit, Inc. v. Aliphcom, Inc. d/b/a Jawbone</i> , No. IPR2016-00607, Paper No. 14 (P.T.A.B. Aug. 16, 2016), Decision Regarding Institution of <i>Inter Partes</i> Review (“Decision”)