



Claim 1 of the '528 Patent	Respondent Yiwu City's Accused Product
	



(See Hatch Decl., Ex. H at App. A-13 at 1-16.).




Below is evidence from Mr. Hatch's claim chart demonstrating that Yiwu City's Accused Product meets the limitations of claim 2 of the '528 patent.

Claim 2 of the '528 Patent	Respondent Yiwu City's Accused Product
<p>The electric shaver as claimed in claim 1 wherein each of said recesses is defined by a concave surface adapted to accommodate a portion of a user's fingers therein.</p>	<p>The Surker Shaver's each of said recesses is defined by a concave surface adapted to accommodate a portion of a user's fingers therein:</p>  <p>The Surker Shaver comprises recesses, given that the recesses are indentations that are substantially concave surfaces.</p>




(See Hatch Decl., Ex. H at App. A-13 at 16-19.).

Below is evidence from Mr. Hatch's claim chart demonstrating that Yiwu City's Accused Product meets the limitations of claim 3 of the '528 patent.

Claim 3 of the '528 Patent	Respondent Yiwu City's Accused Product
<p>An electric shaver comprising:</p>	<p>The Surker Shaver is an electric shaver with an electric charging port.</p> 
<p>a housing for containing an electrical source and drive-related components, said housing having a length and a width, and including two substantially opposed and substantially parallel sides along said length, said housing further including a bottom surface, and a bottom surface, said bottom surface defining a first plane;</p>	<p>The Surker Shaver comprises a housing for containing an electrical source and drive-related components, said housing having a length and a width, and including two substantially opposed and substantially parallel sides along said length, said housing further including a bottom surface, and a bottom surface, said bottom surface defining a first plane.</p> <p>The Surker Shaver comprises substantially parallel sides along the length of the housing, given that the sides are extending in the same direction generally.</p> <p>The Surker Shaver comprises a bottom surface defining a plane, given that the bottom surface defines a flat or level surface.</p> 

Claim 3 of the '528 Patent	Respondent Yiwu City's Accused Product
	
<p>a cutter mechanism located beneath said bottom surface of said housing and spaced therefrom;</p>	<p>The Surker Shaver comprises a cutter mechanism located beneath said bottom surface of said housing and spaced therefrom:</p> 
<p>a central hub extending from said bottom surface of said housing to said cutter mechanism and connecting said cutter mechanism to said housing;</p>	<p>The Surker Shaver comprises a central hub extending from said bottom surface of said housing to said cutter mechanism and connecting said cutter mechanism to said housing:</p> 
<p>said cutter mechanism including a cutting surface defining a second plane, said second plane being parallel to but spaced from said first plane;</p>	<p>The Surker Shaver cutter mechanism includes a cutting surface defining a second plane, said second plane being parallel to but spaced from said first plane. The Surker Shaver cutter mechanism includes a cutting surface defining a plane, given that the cutter surface defines a flat or level surface.</p>

Claim 3 of the '528 Patent	Respondent Yiwu City's Accused Product
	
<p>a first pair of elongated recesses formed on said sides of said housing, said first pair of elongated recesses being substantially parallel to each other and lying in a third plane that is spaced apart from but parallel to said first and second planes;</p>	<p>The Surker Shaver comprises a first pair of elongated recesses formed on said sides of said housing, said first pair of elongated recesses being substantially parallel to each other and lying in a third plane that is spaced apart from but parallel to said first and second planes.</p> <p>The Surker Shaver comprises a first pair of elongated recesses, given that the first pair of elongated recesses are indentations that are substantially concave surfaces.</p> <p>The Surker Shaver comprises a first pair of elongated recesses being substantially parallel to each other, given that the first pair of elongated recesses are extending in the same direction generally.</p> <p>The Surker Shaver comprises a first pair of elongated recesses lying in a plane, given that the first pair of elongated recesses lie in a flat or level surface.</p> 

Claim 3 of the '528 Patent	Respondent Yiwu City's Accused Product
	
<p>a second set of elongated spaced apart recesses formed in said bottom surface of said housing along said width entirely, and extending upwardly into said bottom surface, said recesses of said second set being located on opposite sides of said hub and extending perpendicular to said first pair of recesses, and</p>	<p>The Surker Shaver comprises a second set of elongated spaced apart recesses formed in said bottom surface of said housing along said width entirely, and extending upwardly into said bottom surface, said recesses of said second set being located on opposite sides of said hub and extending perpendicular to said first pair of recesses:</p>  <p>The recesses, on opposite sides of the central hub, push the surface upwardly into the bottom housing:</p>  <p>The recessed areas are also elongated and extend perpendicularly across the bottom of the shaver housing:</p>

Claim 3 of the '528 Patent	Respondent Yiwu City's Accused Product
	 <p>The Surker Shaver comprises a second set of elongated spaced apart recesses, given that the second set of elongated spaced apart recesses indentations that are substantially concave surfaces.</p> 
<p>wherein each of said recesses is defined by a concave surface adapted to accommodate a portion of a user's fingers therein.</p>	<p>The Surker Shaver's each of said recesses is defined by a concave surface adapted to accommodate a portion of a user's fingers therein:</p>  <p>The Surker Shaver comprises recesses, given that the recesses are indentations that are substantially concave surfaces.</p>

(See Hatch Decl., Ex. H at App. A-13 at 19-36.).

Based on Mr. Hatch's careful and thorough Declaration, it is a finding of this decision that Skull Shaver has met its burden of proof, and that Skull Shaver is entitled to a summary determination that Respondents Yiwu Xingye and Yiwu City's Accused Products each infringe claims 1-3 of the '528 patent. (*See* Hatch Decl., Ex. H at Apps. A-12, A-13.).

C. Respondents Yiwu Xingye and Yiwu City's Accused Products Infringe the '504 Patent

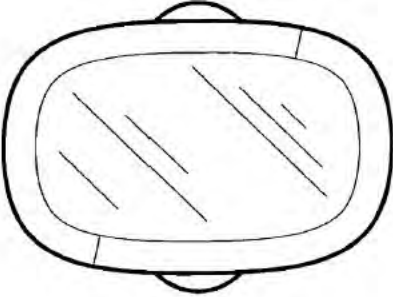

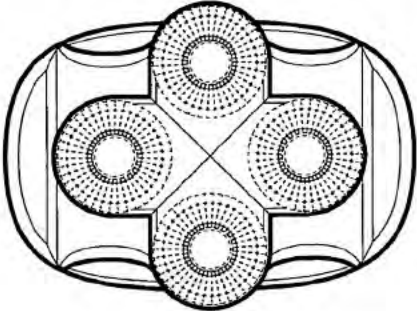

Skull Shaver has proven by a preponderance of the evidence that Respondents Yiwu Xingye and Yiwu City's Accused Products are "substantially the same" as the ornamental design for an electric shaver, as shown and described in the '504 patent. (*See* Mem. at 21-22.). To support its allegations of infringement, Skull Shaver submitted Mr. Hatch's Declaration, in which he details his infringement opinions in claim charts based on his analysis of each of Yiwu Xingye and Yiwu City's Accused Products. (*See* Hatch Decl., Ex. H at Apps. B-1, B-2.).

Mr. Hatch examined samples of each of Yiwu Xingye and Yiwu City's Accused Products. (*See* Hatch Decl., Ex. H at ¶¶ 16-18.). Mr. Hatch also prepared detailed claim charts that demonstrate how the design of each of Yiwu Xingye and Yiwu City's Accused Products are substantially the same as the overall design of the '504 patent. (*See id.*, Ex. H at ¶¶ 187-95, 209-17, Apps. B-1, B-2.).

Below is evidence from Mr. Hatch's claim chart comparing Respondent Yiwu Xingye's Accused Product to figures from the '504 patent.



Claimed Design of the '504 Patent	Respondent Yiwu Xingye's Accused Product
 <p data-bbox="456 768 542 800">FIG. 1</p>	
 <p data-bbox="456 1220 542 1251">FIG. 2</p>	
 <p data-bbox="456 1577 542 1608">FIG. 3</p>	

Claimed Design of the '504 Patent	Respondent Yiwu Xingye's Accused Product
 <p data-bbox="453 674 542 705">FIG. 4</p>	
 <p data-bbox="453 1083 542 1115">FIG. 5</p>	
 <p data-bbox="453 1528 542 1560">FIG. 6</p>	

Claimed Design of the '504 Patent	Respondent Yiwu Xingye's Accused Product
 <p data-bbox="456 667 542 699">FIG. 7</p>	
 <p data-bbox="456 1056 542 1087">FIG. 8</p>	

See Hatch Decl., Ex. H at App. B-1.).

Similarly, below is evidence from Mr. Hatch's claim chart comparing Respondent Yiwu City's Accused Product to figures from the '504 patent.

Claimed Design of the '504 Patent	Respondent Yiwu City's Accused Product
	

Claimed Design of the '504 Patent	Respondent Yiwu City's Accused Product
<p data-bbox="451 285 545 317">FIG. 1</p>  <p data-bbox="451 730 545 762">FIG. 2</p>	
 <p data-bbox="451 1089 545 1121">FIG. 3</p>	
 <p data-bbox="451 1507 545 1539">FIG. 4</p>	

Claimed Design of the '504 Patent	Respondent Yiwu City's Accused Product
 <p data-bbox="456 642 542 674">FIG. 5</p>	
 <p data-bbox="456 1094 542 1125">FIG. 6</p>	
 <p data-bbox="456 1503 542 1535">FIG. 7</p>	