

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

STI HOLDINGS, INC.,
f/k/a Stoughton Trailers, Inc.,

Plaintiff,

09-cv-570-slc

v.

GREAT DANE LIMITED PARTNERSHIP,
Defendant.

PRIOR ART: LAW OF THE CASE

It is established that the following elements of claim 2 of the '564 patent are found in the following item of prior art: United States Patent No. 1,224,052 to Worth:

- a first panel having a main plateau defining a first plane,
- a spliced plateau defining a second plane substantially parallel to and spaced-apart from the first plane, and
- a jogged portion interconnecting the main plateau and the spliced plateau, the spliced plateau and main plateau being substantially the same thickness;
- a second panel having a main plateau lying generally in the first plane,
- a spliced plateau lying generally in the second plane, and
- a jogged portion interconnecting the main plateau and the spliced plateau, the spliced plateau and main plateau being substantially the same thickness; and
- a splicer coupled to the spliced plateaus of both the first and second panels.

It is established that the following elements of claim 16 of the '564 patent are found in the following item of prior art: United States Patent No. 1,224,052 to Worth:

- A cargo body;
- a plurality of panels arranged in side-by-side relationship to define pairs of adjacent first and second panels;
- a joint between each pair of adjacent first and second panels, each joint being at least partially defined by an edge of the first panel and -an edge of the second panel adjacent to the first panel,
- the first panel having a main plateau defining a first plane, a spliced plateau defining a second plane substantially parallel to and spaced apart from the first plane, and a jogged portion interconnecting the main plateau and the spliced plateau, the spliced plateau and main plateau being substantially the same thickness;
- the second panel having a main plateau lying generally in the first plane, a spliced plateau lying generally in the second plane, and a jogged portion interconnecting the main plateau and the spliced plateau, the spliced plateau and main plateau being substantially the same thickness; and
- splicer coupled to the spliced plateaus of each pair of adjacent first and second panels.

In addition to the above-listed claim elements, it is also established that the following elements of claims 2 and 17 of the '902 patent are found in two different items of prior art: United States Patent No. 5,112,099 to Yurgevich and United States Patent No. 5,860,693 to Ehrlich:

- at least one logistics aperture
- at least one logistics slot

It is also established that it is proper to combine United States Patent No. 5,112,099 to Yurgevich and/or United States Patent No. 5,860,693 to Ehrlich with United States Patent No. 1,224,052 to Worth to find the combinations of these claim elements in the prior art.