



Dayco Products Inc. ("Dayco") appeals from the decision of the United States District Court for the District of Columbia, No. 17-11001, dated 1/11/18, which granted summary judgment in favor of the United States Patent and Trademark Office (USPTO) regarding the validity of Dayco's patents. Dayco's appeal is based on the grounds that the USPTO's decision was arbitrary and capricious, and that the USPTO failed to provide a reasoned explanation for its decision.

Ridges and recesses circumscribe the interior

element of of

“was not intended to constitute a significant substantive break in the

under the "reasonable examiner" standard of matmat

applications.” Id. at 1383-84, 47



aside.

A. Lusher

The first prior art reference addressed by the district court was the Lusher patent. The district court concluded that “[t]here are no genuine factual disputes” and described its interpretation of the teachings of Lusher. Dayco, 218 F.Supp.2d at 1137-38. In particular, the

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(whether in independent, dependent, or multiple dependent form) shall be presumed valid the validity of other claims; [and] dependent or multiple dependent claims shall be presumed valid even though dependent upon an invalid claim." 35 U.S.C. § 282 (2000). claim.

We conclude that a trial is required on the issue of

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