

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TOYOTA MOTOR CORPORATION

Petitioner

v.

Patent of AMERICAN VEHICULAR SCIENCES LLC

Patent Owner

Patent No. 8,036,788

Issue Date: October 11, 2011

Title: VEHICLE DIAGNOSTIC OR PROGNOSTIC MESSAGE
TRANSMISSION SYSTEMS AND METHODS

**PATENT OWNER'S LIST OF ANTICIPATED
MOTIONS IN ADVANCE OF INITIAL CONFERENCE CALL**

Case No. IPR2013-00417

In advance of the Initial Conference Call on February 3, 2014 at 2:30 p.m., Patent Owner American Vehicular Sciences (“AVS”) submits the following list of motions that it anticipates filing during this trial. *See* Office Patent Trial Practice Guide, Fed. Reg. Vol. 77, No. 157 at 48765 (Aug. 14, 2012) and 37 C.F.R. § 42.121. This listing is without prejudice to AVS’s right to seek authorization to bring additional motions as circumstances warrant. *See* Office Patent Trial Practice, Fed. Reg. Vol. 77, No. 157 at 48763 (Aug. 14, 2012).

(1) Motion for Modification of Scheduling Order. AVS has contacted counsel for Petitioner Toyota Motor Corporation (“Toyota”) to potentially seek agreement for a joint motion to extend each of Due Dates 1-3 by one week each. *See* Paper 15, Scheduling Order (“The parties may stipulate to different dates for DUE DATES 1-3 (earlier or later, but no later than DUE DATE 4).”).

(2) Motion for Discovery. The parties did not agree, prior to institution of the trial, to exchange of the initial disclosures set forth in the Office Patent Trial Practice Guide. Pursuant to 37 C.F.R. § 42.51(a)(2), AVS would move to seek discovery of such information. AVS may also move for additional discovery relating to secondary considerations.

(3) Motion to Exclude under 37 C.F.R. § 42.64. The need for, and nature of, such a motion may be impacted by any supplemental evidence Toyota submits in response to AVS’s Objections to Evidence.

(4) Motion to Amend Claims under 37 C.F.R. § 42.121.

(5) Motion to Substitute Lead and/or Back-Up Counsel within the same law firm.

Respectfully submitted,

DATE: January 30, 2014

/Thomas J. Wimbiscus/

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CERTIFICATE OF SERVICE

I hereby certify that the PATENT OWNER'S LIST OF ANTICIPATED MOTIONS IN ADVANCE OF INITIAL CONFERENCE CALL in connection with *Inter Partes* Review Case IPR2013-00417 was served on this 30th day of January by electronic mail to the following:

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