

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TOYOTA MOTOR CORPORATION  
Petitioner

v.

AMERICAN VEHICULAR SCIENCES LLC  
Patent Owner

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Cases IPR2013-00414, IPR2013-00415, IPR2013-00416,  
and IPR2013-00417  
Patent Nos. 7,630,802 B2; 7,650,210 B2; 8,019,501 B2;  
and 8,036,788 B2

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Record of Oral Hearing  
Held: Thursday, August 14, 2014

Before: JAMESON LEE, BARBARA A. PARVIS, GREGG  
ANDERSON (via video link), *Administrative Patent Judges*.

The above-entitled matter came on for hearing on Thursday, August 14, 2014, at 1:00 p.m., Hearing Room A, at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

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P R O C E E D I N G S

(1:00 p.m.)

JUDGE LEE: Welcome to the Board. This is actually a consolidated oral argument for four inter partes reviews. They all have the same caption, Toyota Motor Corp. versus American Vehicular Sciences, LLC. The numbers are IPR 2013-00414, 415, 416, and 417.

And just to go over some ground rules, the Petitioner will argue first, Patent Owner second. And whatever time the Petitioner reserves, the Petitioner may use in the last go-around.

And each time counsel is up you may talk about any issue in any one of the four cases. That's why this is a consolidated oral argument. And each side has a total of two hours of oral argument time.

So the Petitioner can reserve time for rebuttal and, unfortunately, the Patent Owner has no surrebuttal. So you can either use up all of your time or you will be wasting some of your time at the end.

Because we can go as long as four hours, I think perhaps during the first switch-over maybe we should take a recess so counsel can finish setting up or use the restroom at that opportunity. So when the Petitioner is finished and before we start with the Patent Owner, we will take a 10-minute recess.

IPR2013-00414, IPR2013-00415, IPR2013-00416, and IPR2013-00417  
Patent 7,630,802 B2, Patent 7,650,210 B2, Patent 8,019,501 B2, and  
Patent 8,036,788 B2

1 Will the counsel like to introduce your partners  
2 and guests starting with Petitioner?

3 MR. PFEFFER: Antony Pfeffer from Kenyon & Kenyon,  
4 lead counsel for Toyota Motor Corporation. Doing the  
5 arguments today for the 414 through 416 will be my partner  
6 Patrick Herman, also of Kenyon & Kenyon, and Mr. Tom Makin of  
7 Kenyon & Kenyon will be handling the 417 issues today, Your  
8 Honor.

9 JUDGE LEE: Thank you.

10 MR. WIMBISCUS: Good morning, Your Honor. Thomas  
11 Wimbiscus on behalf of AVS, American Vehicular Sciences. I  
12 will be arguing today along with my partner, Scott McBride.  
13 We will split up the cases two and two.

14 Also with us from the McAndrews law firm is Mr.  
15 Chris Scharff, and from American Vehicular Sciences we have  
16 David Rosmann.

17 JUDGE LEE: Thank you. Welcome to the Board. Any  
18 time you are ready, counsel for Petitioner, you may proceed.

19 MR. HERMAN: Good afternoon, Your Honors. Again,  
20 my name is Patrick Herman. I'm going to be addressing the  
21 first of the three IPR's that are going to be discussed  
22 today, the 414, the 415, and the 416 IPR's.

23 And unless the Board would like to hear them in a  
24 different order, I am going to start with the first of those,  
25 the 414 IPR. This relates to the '802 patent. And here

1 there are two independent claims at issue. The first is  
2 claim 1, that's a system claim, and the second is claim 7,  
3 and that's a method claim.

4 And both of these generally relate to a system  
5 that monitors components with sensors on a vehicle, includes  
6 a processing module, and then a communications system to  
7 automatically communicate information about the presence and  
8 identity of non-optimally-operating components to a remote  
9 site, and a notification system.

10 Now, claims 5, 6, 11 and 13 are dependents. And  
11 claim 5 is the only dependent claim that the parties have a  
12 particular dispute about. And that dependent claim requires  
13 a user interactive device that provides a display on which  
14 messages relating to the monitor components appear.

15 The next slide I have provided a summary of the  
16 grounds that are at issue. First, Asano, it is Petitioner's  
17 position that Asano anticipates all of the claims at issue  
18 with the exception of claim 5.

19 JUDGE LEE: Mr. Herman, just so the court reporter  
20 will record the number of the slides, so when we look back we  
21 will know which one you are talking about, so instead of  
22 saying "this slide," say the number.

23 MR. HERMAN: Slide 5 -- thank you, Your Honor --  
24 slide 5 provides a summary of the grounds that are at issue.  
25 And as you can see, it is our position that Asano anticipates

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