

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SUBARU OF AMERICA, INC., ET AL.,

Petitioners,

v.

CRUISE CONTROL TECHNOLOGIES LLC,

Patent Owner

Inter Partes Review No. 2014-00279

U.S. Patent No. 6,324,463

PETITIONERS' REPLY TO PATENT OWNER'S RESPONSE

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I. Introduction

The claims challenged in this *inter partes* review (1–5, 12–16, 18–21, 23, 25–31, and 34–36 of U.S. Patent No. 6,324,463 (the “’463 Patent”) (Ex. 1001)) are invalid as anticipated or rendered obvious over Mizuno (Ex. 1004) and Miura (Ex. 1006). Patent Owner’s arguments focus almost exclusively on common cruise control and speedometer limitations (e.g., switches to power the system on; deviations from set speed during cruise; canceling speed control when the brake is depressed; and a speedometer). Those arguments can be quickly dispensed with because the ’431 patent, Mizuno, and Miura all describe those features as well-known, assumed background prior art. Patent Owner’s arguments as to the display limitations are tortured readings of phrases taken out of context from the references that likewise fail in the face of disclosures cited in the Petition and the lack of evidence rebutting Mr. McNamara’s Declaration.

II. Overview of Patent

The ’463 patent is drawn to a cruise control *display*, not a “conventional cruise control system” containing at least *twelve* elements the ’463 patent expressly admits are background prior art. (Pet. 12–13.) It is also clear from the inventor’s statements to the USPTO that:

Applicant’s inventive system and *every* system and method claim in the pending application, on the contrary, are directed *only to the*

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