

RECORD OF ORAL HEARING
UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FORD MOTOR COMPANY, JAGUAR LAND ROVER
NORTH AMERICA, LLC, VOLVO CARS OF NORTH AMERICA, LLC,
TOYOTA MOTOR NORTH AMERICA, INC., and
SUBARU OF AMERICA, INC.,
Petitioner,

v.

CRUISE CONTROL TECHNOLOGIES LLC,
Patent Owner.

Case IPR2014-00281
U.S. Patent 6,324,463

Oral Hearing Held on Tuesday, March 24, 2015

Before: JOSIAH C. COCKS, HYUN J. JUNG, and GEORGE R.
HOSKINS (via video link), *Administrative Patent Judges*.

The above-entitled matter came on for hearing on Tuesday, March 24,
2015, at 1:29 p.m., in Hearing Room A, taken at the U.S. Patent and
Trademark Office, 600 Dulany Street, Alexandria, Virginia.

Case IPR2014-00281
U.S. Patent 6,324,463

APPEARANCES:

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1 P R O C E E D I N G S

2 (1:29 p.m.)

3 JUDGE COCKS: Please be seated. Good
4 afternoon. This is the third oral argument session of five
5 related proceedings all involving U.S. Patent 6,324,463.
6 This oral argument session concerns IPR2014-00281.

7 Let's have counsel introduce themselves,
8 beginning with the Petitioner.

9 MR. BURESH: Thank you, Your Honor. Eric
10 Buresh from Erise IP on behalf of Ford Motor Company and
11 the other named Petitioners in this proceeding. And with me
12 is Jason Mudd, also from Erise IP.

13 JUDGE COCKS: All right. Thank you. And for
14 the Patent Owner?

15 MR. KASHA: Good afternoon, Your Honor. I'm
16 John Kasha, lead counsel for Patent Owner. And with me is
17 Mr. Timothy Salmon from Cruise Control Technologies.

18 JUDGE COCKS: Thank you, Mr. Kasha.

19 As we set forth in the trial hearing order, each
20 side has 45 minutes. Petitioner will begin and may reserve
21 rebuttal time. The Patent Owner will then respond with their
22 case. And then Petitioner will finish up with the time they
23 reserved.

24 I think you are ready, Mr. Buresh. So you may
25 begin.

1 MR. BURESH: Thank you. And I will follow
2 suit with my colleagues and reserve 15 minutes for rebuttal.

3 JUDGE COCKS: Okay. Thank you.

4 MR. BURESH: May I approach, Your Honor?

5 JUDGE COCKS: Yes, please.

6 MR. BURESH: I'm going to begin by just saying
7 I thought Mr. Satchwell's discussion of the '463 patent to
8 begin this morning was a good summary of the patent, and
9 I'm not going to reiterate that. However, I did want to point
10 out just in starting the basic setup of the '463 patent.

11 And what I mean by the setup is the way the
12 disclosure is framed. If we look at the background of the
13 invention, which I have on the ELMO, for sake of the record,
14 if we look at the background of the invention, what we will
15 see is a discussion of what is referred to as a conventional
16 cruise control system.

17 It is referred to consistently throughout the
18 background as a conventional cruise control system, and it
19 discloses what I would consider the foundational components
20 of a cruise control system, such as a switch that would allow
21 the system to be turned on and off, a switch that will allow
22 the speed to be set.

23 In the next paragraph down, line 25, we will see
24 memory functions where the preset speed can be stored, all
25 part of the conventional systems. Interestingly, many of the

1 issues that the Patent Owner is raising with respect to
2 distinguishing the prior art that's involved in many of these
3 petitions can all be found in the background of the invention.
4 It is just parts of a conventional cruise control system.

5 Now, when we turn to Narita, which is one of the
6 primary references in this 281 proceeding, we will see the
7 same setup. We will see a discussion of what is referred to
8 in Narita as a conventional system. Again, it sets forth the
9 foundational components of a cruise control system, and then
10 goes on to describe what Narita has added to that
11 conventional system.

12 Now, if we look at the '463, what has been added
13 to the conventional system are indicators to essentially
14 display to the operator of the system the speed and various
15 indicators of what is going on with the system. And that is
16 the focus of the '463 patent, is how to communicate
17 information to the operator. The exact same focus in Narita.

18 I'm going to turn to slide DX-6, and it is
19 Petitioner's DX-6. This is referring to, of course, Petitioners
20 in the 281 proceeding.

21 If we look at the Narita reference -- and I would
22 start with figure 4 as we have on DX-6 here -- we will see
23 the conventional system is the entire circuitry on the
24 left-hand side of figure 4. I have another figure in a minute
25 that will set this out better. But what is being added by

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