

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
Patent 6,324,463 B1

Before JOSIAH C. COCKS, HYUN J. JUNG, and GEORGE R. HOSKINS,
Administrative Patent Judges.

HOSKINS, *Administrative Patent Judge.*

FINAL WRITTEN DECISION
35 U.S.C. § 318(a) and 37 C.F.R. § 42.73

I. INTRODUCTION

Ford Motor Company et al. (“Petitioner”) filed a Petition (Paper 1, “Pet.”) requesting an *inter partes* review of claims 1–5, 12–31, and 34–36 of U.S. Patent No. 6,324,463 B1 (Ex. 1001, “the ’463 patent”). Petitioner submitted the Declaration of Daniel A. Crawford (Ex. 1011) in support of the Petition. Cruise Control Technologies LLC (“Patent Owner”) filed a Preliminary Response (Paper 13, “Prelim. Resp.”). On July 2, 2014, we instituted an *inter partes* review of claims 1–3, 5, 12–19, 21–26, and 28–31 based on seven of the eight unpatentability grounds alleged in the Petition. Paper 17 (“Inst. Dec.”).

After institution of trial, Patent Owner filed a Patent Owner Response (Paper 26, “PO Resp.”). Petitioner filed a Reply (Paper 38, “Pet. Reply”). An oral hearing was held March 24, 2015. Paper 54 (“Tr.”). The Board has jurisdiction under 35 U.S.C. § 6.

For the reasons provided below, Petitioner has shown, by a preponderance of the evidence, that claims 1–3, 5, 12–19, 21–26, and 28–31 of the ’463 patent are unpatentable.

A. *Related Proceedings*

Petitioner and Patent Owner have identified several district court proceedings that would affect, or be affected by, a decision in this proceeding. Pet. 4; Paper 12, 2–4. The ’463 patent is also the subject of four other *inter partes* review proceedings (IPR2014-00279, IPR2014-00280, IPR2014-00289, and IPR2014-00291). Final decisions in those proceedings are being entered concurrently with this final decision.

B. The '463 Patent

The '463 patent discloses cruise control systems for use in a human operated vehicle. Ex. 1001, Abst. Figures 1 and 2 of the '463 patent are shown below:

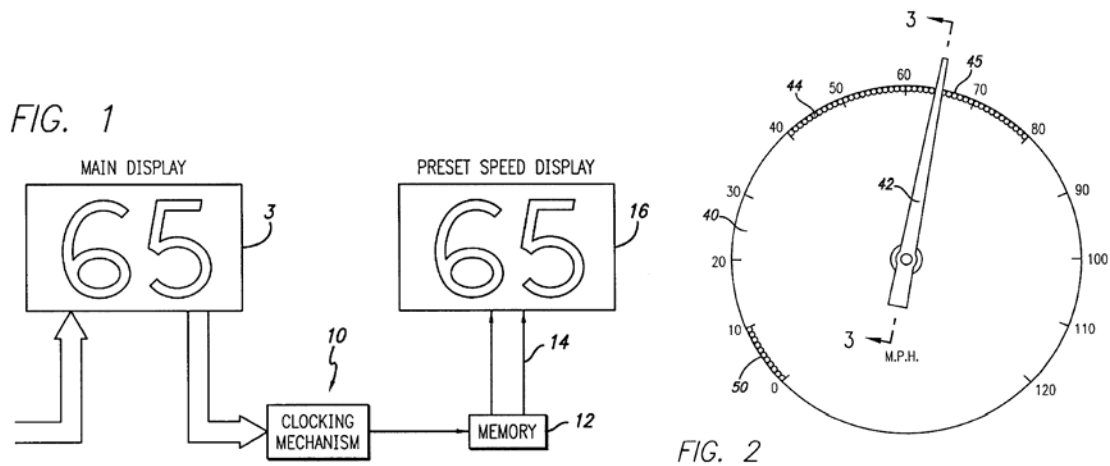


Figure 1 illustrates a digital speed display, while Figure 2 illustrates an analog speedometer. *Id.* at 3:8–13. In Figure 1, main speed display 3 shows the current speed at which the vehicle is operating. *Id.* at 3:49–53. When a cruise control set button (not shown in Figure 1) is pressed, the vehicle speed is stored in digital memory 12 as a preset speed. *Id.* at 3:53–60. Second speed display 16 shows that preset speed. *Id.*

Figure 2's analog speedometer 40 incorporates several LED assemblies 45. *Id.* at 4:19–26. Each LED assembly 45 has an LED and a detector. *Id.* at 4:29–30. When a cruise control set button (not shown in Figure 2) is pressed, all of the detectors are activated, and all of the LEDs momentarily light up. *Id.* at 4:48–51. The back of needle 42 reflects the light of the lit LEDs behind the needle, and that reflected light is detected by the detector of the LED assembly disposed at the location of needle 42. *Id.*

at 4:51–57. The LED of that assembly is then activated to indicate the speed at which cruise control was engaged. *Id.* at 4:57–64.

C. Illustrative Claim

Claim 1 of the '463 patent is illustrative:

1. A cruise control system for [a] vehicle having a human operator, comprising:
 - a speed controller that automatically maintains the vehicle speed at a preset speed;
 - an enable switch associated with said controller for enabling the system;
 - a set speed input in communication with said controller for manually setting the speed of the vehicle at said preset speed, thereby engaging the system;
 - a memory which stores information indicative of said preset speed; and
 - a feedback system for communicating said information in said memory to the operator of the vehicle.

Ex. 1001, 6:7–20.

D. Prior Art Supporting Instituted Unpatentability Grounds

Narita (translation, Ex. 1004) ¹	JP S60-174329	Sept. 1985	Ex. 1003
Nagashima (translation, Ex. 1009)	JP H4-102059	Sept. 1992	Ex. 1008
Beiswenger	US 5,381,388	Jan. 1995	Ex. 1006

¹ Our opinion cites to the translations of the prior art, including the page numbers of the Narita translation, and the paragraph numbers of the Nagashima translation.

John Pollard & E. Donald Sussman, Jan. 1989 Ex. 1007
Nat'l Highway Traffic Safety Admin.,
An Examination of Sudden Acceleration
("the NHTSA Report")

Admitted Prior Art in the '463 Patent Ex. 1001,
1:10–2:12

Knowledge of a Person of Ordinary Skill Exs. 1011
& 1012

E. Instituted Unpatentability Grounds

We instituted an *inter partes* review of the '463 patent based on the following seven unpatentability grounds alleged in the Petition. Inst. Dec. 5, 39–40.

Basis	Reference(s)	Claim(s) Challenged
§ 102(b)	Narita	1–3, 5, 12–16, 18, 19, 21, 25, 26, and 28
§ 103(a)	Narita and Knowledge of Person of Ordinary Skill	17 and 22–24
§ 103(a)	Narita and Beiswenger	17 and 22–24
§ 103(a)	Narita and Nagashima	17, 23, and 24
§ 103(a)	Narita and Admitted Prior Art	1–3, 5, 12, and 15
§ 103(a)	Narita and the NHTSA Report	1–3, 5, 12, and 15
§ 102(b)	Nagashima	18, 19, 26, and 29–31

II. ANALYSIS

A. Claim Construction

As a step in our analysis, we determine the meaning of the claims for purposes of this decision. In an *inter partes* review, a claim in an unexpired

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