

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Hyundai Motor Company
Petitioner

v.

American Vehicular Sciences LLC
Patent Owner

Patent No. 8,036,788
Filing Date: August 9, 2007
Issue Date: October 11, 2011
Title: VEHICLE DIAGNOSTIC OR PROGNOSTIC MESSAGE
TRANSMISSION SYSTEMS AND METHODS

IPR2014-00629
IPR2015-00176

**PATENT OWNER'S REQUEST FOR ADVERSE JUDGMENT UNDER 37
C.F.R. § 42.73(b)**

Pursuant to 37 C.F.R. § 42.73(b), Patent Owner American Vehicular Sciences LLC (“AVS”) hereby provides notice that it is abandoning this contest pursuant to 37 C.F.R. § 42.73(b)(4).

IPR2014-00629 was filed on April 15, 2014 by Petitioner American Honda Motor Co., Inc. IPR2015-00176 was filed on October 28, 2014 by Petitioner Hyundai Motor Company (“Hyundai”). IPR2015-00176 was joined with IPR2014-00629 on November 25, 2014. On January 16, 2015, Petitioner American Honda Motor Co., Inc. was terminated from this proceeding. In this IPR, trial was instituted on claims 1, 2, 3, 4, 5, 6, 7, 13 and 20 of United States Patent No. 8,036,788 (the “788 Patent”).

Patent Owner hereby abandons this trial of claims 1, 2, 3, 4, 5, 6, 7, 13 and 20 of the 788 Patent. Patent Owner’s abandonment of this IPR2014-00629 & IPR2015-00176 is: (1) not a “[d]isclaimer of the involved application or patent” under 37 C.F.R. § 42.73(b)(1); (2) not a concession that “cancellation or disclaimer of” claims 1, 2, 3, 4, 5, 6, 7, 13 and 20 of the 778 Patent is warranted under 37 C.F.R. § 42.73(b)(2); and (3) not a “[c]oncession of unpatentability or derivation of the contested subject matter” under 37 C.F.R. § 42.73(b)(3). Specifically, Patent Owner’s request is made without prejudice to the remaining claims of the 788

Patent and without prejudice to any application or patent that claims priority to the 778 Patent.

As a result of Patent Owner's abandonment of this IPR2014-00629 & IPR2015-00176, Patent Owner's request for adverse judgment should be granted pursuant to 37 C.F.R. § 42.73(b).

Respectfully submitted,

Dated: January 30, 2015

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CERTIFICATE OF SERVICE

I hereby certify that Patent Owner's Request For Adverse Judgment Under 37 C.F.R. § 42.73(b) was served on this 30th day of January 30, 2015 by electronic mail to the following:

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