

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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Mercedes-Benz USA, LLC,  
Petitioner

v.

American Vehicular Sciences LLC  
Patent Owner

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Patent No. 6,738,697

Filing Date: July 3, 2002

Issue Date: May 18, 2004

Title: TELEMATICS SYSTEM FOR VEHICLE DIAGNOSTICS

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**PATENT OWNER'S WAIVER OF PRELIMINARY RESPONSE  
TO PETITION FOR *INTER PARTES* REVIEW OF  
U.S. PATENT NO. 6,738,697 PURSUANT TO 37 C.F.R. § 42.107(b)**

Case No. IPR2014-00645

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AVS waives its right, pursuant to 37 C.F.R § 42.107(b), to present a preliminary response. As indicated in the Trial Practice Guide, no adverse inference should be taken by this election. *See* Office Patent Trial Practice Guide, Fed. Reg. Vol. 77, No. 157 (2012) at Section II.C. AVS reserves all rights to submit a Patent Owner Response and/or Amendment of the Patent pursuant to 37 C.F.R. §§ 42.120 and 42.121, respectively, should the Board institute an *inter partes* review. This election should not be deemed a waiver or admission on the part of AVS of any material presented in the Petition.

Dated: July 24, 2014

Respectfully submitted,  
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**CERTIFICATE OF SERVICE**

I hereby certify that Patent Owner's Waiver Of Preliminary Response To  
Petition For Inter Partes Review Of U.S. Patent No. 6,738,697 Pursuant To 37  
C.F.R. § 42.107(b) was served on this 24<sup>th</sup> day of July by electronic mail to the  
following:

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