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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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WEBASTO ROOF SYSTEMS, INC.
Petitioner

v.

UUSI, LLC
Patent Owner

_____

Case IPR2014-00648
Patent 8,217,612

PATENT OWNER'S RESPONSE

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TABLE OF AUTHORITIES

CASES

CAE Screenplates, Inc. v. Heinrich Fiedler GmbH & Co.,
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In re Cyclobenzaprine Hydrochloride Extended-Release Capsule Patent Litig., 676 F.3d 1063 (Fed. Cir. 2012)..... 6

In re Kumar, 418 F.3d 1361 (Fed. Cir. 2005) 58

KSR Int'l. Co. v. Teleflex Inc., 127 S.Ct. 1727 (2007) 28, 30

Panduit Corp. v. Dennison Mfg. Co., 810 F.2d 1561 (Fed. Cir. 1987)..... 5

Phillips v. AWH Corp., 415 F.3d 1303 (Fed. Cir. 2005) 18

Virginia Innovation Sciences, Inc. v. Samsung Electronics Co.,
976 F. Supp. 2d 794 (E.D. Va. 2013) 19

W.L. Gore & Assoc., Inc. v. Garlock, Inc., 721 F.2d 1540 (Fed. Cir. 1983).....26

World Class Tech. Corp. v. Ormco Corp., 2014 U.S. App. LEXIS 20061,
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I. INTRODUCTION

A. BACKGROUND OF PATENT OWNER

Patent Owner, UUSI, LLC, dba Nartron Corporation, was founded in 1967 and is based in Reed City, Michigan. Nartron designs, develops, manufactures, and markets electronic systems and components for automotive, truck, military, and consumer product markets. Nartron is a privately owned company with more than one hundred employees at its Michigan manufacturing plant.

Nartron invented the safety technology described in U.S. Patent No. 8,217,612 (the '612 Patent), U.S. Patent No. 7,579,802 (the '802 Patent), and U.S. Patent No. 7,548,037 (the '037 Patent), which was included in a motor controller it sold to Webasto Roof Systems Inc. After Webasto stopped purchasing this controller from Nartron, Nartron sued Webasto, the present Petitioner in the pending IPRs 2014-00648, 2014-00649, and 2014-00650 for infringement of the '612, '037, and '802 Patents. Additionally, Nartron sued Brose, another Petitioner in the pending IPRs 2014-00416 and 2014-00417 for infringement of the '612 and '802 Patents. Photographs of this Webasto-Nartron controller are shown in Exhibit 2018. Photographs of the Brose/Bosch motor and their controller incorporating Nartron's patented technology are shown in Exhibit 2019.

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