IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the *Inter Partes* Review of: Trial Number: To Be Assigned

U.S. Patent No. 8,217,612

Filed: January 28, 2009

Issued: July 10, 2012

Inventor(s): Mario Boisvert, Randall

Perrin, John Washeleski

Assignee: UUSI, LLC

Title: Collision Monitoring System Panel: To Be Assigned

Mail Stop *Inter Partes* Review Commissions for Patents P.O. Box 1450 Alexandria, VA 22313-1450

<u>DECLARATION OF DR. C. ARTHUR MACCARLEY UNDER 37 C.F.R. §</u> <u>1.68 IN SUPPORT OF PETITION FOR INTER PARTES REVIEW OF</u> U.S. PATENT NO. 8,217,612

UUSI, LLC Exhibit 2007

WEBASTO ROOF SYSTEMS, INC.

Petitioner

٧.

UUSI, LLC Patent Owner

Case:

IPR2014-00650 Patent: 7,579,802



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the *Inter Partes* Review of: Trial Number: To Be Assigned

U.S. Patent No. 8,217,612

Filed: January 28, 2009

Issued: July 10, 2012

Inventor(s): Mario Boisvert, Randall

Perrin, John Washeleski

Assignee: UUSI, LLC

Title: Collision Monitoring System Panel: To Be Assigned

Mail Stop *Inter Partes* Review Commissions for Patents P.O. Box 1450 Alexandria, VA 22313-1450

DECLARATION OF DR. C. ARTHUR MACCARLEY UNDER 37 C.F.R. §
1.68 IN SUPPORT OF PETITION FOR INTER PARTES REVIEW OF
U.S. PATENT NO. 8,217,612

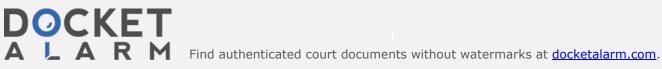
BNA/Brose Exhibit 1001



Table of Contents

I.	INTRODUCTION							
II.	QUALIFICATIONS							
III.	UND	UNDERSTANDING OF PATENT LAW						
IV.	BACKGROUND							
	A.	Back	kground of the Field Relevant to the '612 Patent					
	B.	Sumi	mary of the '612 Patent	13				
	C.	Sumi	mary of the Prosecution History	21				
V.	LEV	EL OF	L OF ORDINARY SKILL IN THE PERTINENT ART2					
VI.	CLA	IM CONSTRUCTION2						
VII.	DETAILED INVALIDITY ANALYSIS							
	A.	Back	ground on Prior Art References	34				
		1.	Summary of Itoh	34				
		2.	Summary of Kinzl	42				
		3.	Summary of Zuckerman	46				
	B.	The Challenged Claims are Each Invalid as Obvious Over Itoh in View of the Ordinary Skill in the Art.		47				
		1.	Claim 1	47				
		2.	Claim 2	62				
		3.	Claim 5	64				
		4.	Claim 6	65				
		5.	Claim 7	78				
		6.	Claim 8	79				

BNA/Brose Exhibit 1001



C.	Under UUSI's Apparent Constructions, Itoh Anticipates Each of the Challenged Claims				
	1. Claim 1				
	2.	Claims 2 and 5			
	3.	Claim 6	83		
	4.	Claims 7 and 8	84		
D.	The Challenged Claims are Each Invalid as Obvious over Itoh Combined with Kinzl in View of the Ordinary Skill in the Art				
	1.	Claim 1	85		
	2.	Claim 2	89		
	3.	Claim 5	90		
	4.	Claim 6	90		
	5.	Claim 7	96		
	6.	Claim 8	98		
	7.	Combining Itoh and Kinzl	98		
E.	Claims 6-8 are Anticipated by Kinzl				
	1.	Claim 6	101		
	2.	Claim 7	111		
	3.	Claim 8	112		
F.	Claims 6-8 are Invalid as Obvious over Kinzl in View of the Ordinary Skill in the Art				
	1.	Claim 6	114		
	2.	Claim 7	116		
	3	Claim 8	116		



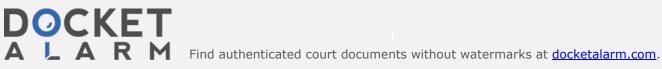
BNA/Brose Exhibit 1001



Declaration of Dr. C. Arthur MacCarley Under 37 C.F.R. § 1.68 in Support of Petition for *Inter Partes* Review of U.S. Patent No. 8,217,612

	G.	Claims 6-8 are Invalid as Obvious Over Kinzl combined with Itoh in View of the Ordinary Skill in the Art.			
		1.	Claim 6	118	
		2.	Claim 7	121	
		3.	Claim 8	121	
		4.	Combining Kinzl and Itoh	123	
	Н.	Claims 1-2 and 5 are Each Invalid as Obvious Over Itoh in Combination with Zuckerman In View of the Ordinary Skill in the Art.			
		1.	Combining Itoh and Zuckerman	125	
	I.	Claims 1-2 and 5 are Each Invalid as Obvious Over Itoh in View of the Ordinary Skill in the Art, Kinzl and Zuckerman		128	
		1.	Combining Itoh, Kinzl and Zuckerman	131	
VIII.	SECO	ONDA	RY CONSIDERATIONS OF NON-OBVIOUSNESS	132	
IX	CONCLUSION 139				





DOCKET

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

