Paper 23

Filed: April 3, 2015

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

WEBASTO ROOF SYSTEMS, INC. Petitioner,

V.

UUSI, LLC Patent Owner.

Case IPR2014-00650 Patent 7,579,802

PETITIONER'S REPLY TO PATENT OWNER'S RESPONSE

Attorney Docket: 130163.231151



Patent 7,579,802 IPR2014-00650

Table of Contents

		<u>Page</u>		
I.	RES	PONSE TO PATENT OWNER'S INTRODUCTORY REMARKS1		
II.	CLAIM CONSTRUCTION			
	A.	"a sensor for measuring a parameter of a motor that varies in response to a resistance to motion" (claim 1)		
	B.	"a travel path" (independent claims 7 and 15)2		
	C.	"in response to a specified input the controller conducts a calibration motor energization sequence to determine parameters of object" (dependent claim 11)		
	D.	"a logic unit" (claim 15)4		
III.	THE CHALLENEGED CLAIMS ARE INVALID			
	A.	Ground 1: Obviousness over Itoh and Kinzl (Claims 15 and 16)5		
	B.	Ground 2: Obviousness over Itoh, Kinzl and Jones (Claim 11)8		
	C.	Ground 3: Obviousness over Lamm and Itoh		
		(a) Independent Claim 19		
		(b) Dependent Claim 6		
		(c) Independent Claim 7 and Dependent Claims 8-911		
		(d) Independent Claim 15 and Dependent Claim 1612		
	D.	Ground 4: Obviousness over Lamm, Itoh and Duhame (Claim 11)13		
	E.	Ground 5: Obviousness over Duhame and Kinzl		
		(e) Independent Claim 1		
		(f) Independent Claim 7 and Dependent Claims 8-914		



IPR2014-00650		Patent 7,5/9,802
(g)	Dependent Claim 11	15
(h)	Independent Claim 15 and Dependent Claim 16	515
IV CONCLU	CION	15

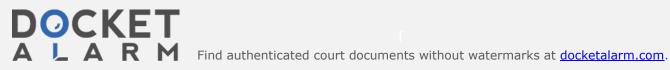


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Flo Healthcare Solutions, LLC v. Kappos, 697 F.3d 1367 (Fed. Cir. 2012)	4
<i>In re Huang</i> , 100 F.3d 135 (Fed. Cir. 1996)	10
Impax Labs. v. Aventis Pharms., 468 F.3d 1336 (Fed. Cir. 2006)	6, 9
Lighting World, Inc. v. Birchwood Lighting, Inc., 382 F.3d 1354 (Fed. Cir. 2004)	4
Phillips v. AWH Corp., 415 F.3d 1303 (Fed. Cir. 2005) (en banc)	3, 4
TiVo, Inc. v. EchoStar Commc'ns Corp., 516 F.3d 1290 (Fed. Cir. 2008)	4
Statutes	
35 U.S.C. § 112, ¶6	5
Other Authorities	
37 CFR 8 42 6(a)(3)	9 14



IPR2014-00650 Patent 7,579,802

To try to avoid invalidity, Patent Owner advocates narrow claim constructions that lack support in the intrinsic record and conflict with Patent Owner's prior positions. For instance, Patent Owner's position that the sensor in claim 1 cannot be a speed sensor contradicts its infringement position in litigation. Patent Owner also proposes narrowing the phrase "a travel path" in claims 7 and 15 to "the entire travel path," which conflicts with the plain broader meaning of the claim term. Similarly, Patent Owner seeks to narrow claim 15's "logic unit" by interpreting it as a means-plus-function limitation even though there is no "means for" language. In addition, Patent Owner improperly imports limitations into claim 11 based on what Patent Owner admits is an example in the specification. Setting aside Patent Owner's incorrect constructions, the claims would have been obvious, and in many cases remain obvious even under those constructions. While Patent Owner argues against combining the prior art, those arguments are misdirected at how well such combinations would operate in a real-world environment.

I. RESPONSE TO PATENT OWNER'S INTRODUCTORY REMARKS

Patent Owner devotes the first 8 pages of its Response to assertions having little to do with the merits that appear intended to sway the Board to credit Patent Owner over Petitioner. Patent Owner's allegations regarding its background and contributions are unsupported. For example, there is no evidence that its patent was implemented or would perform acceptably "in real world automobile



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