

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FORD MOTOR COMPANY
Petitioner,

v.

PAICE LLC & ABELL FOUNDATION, INC.
Patent Owners.

U.S. Patent No. 8,215,097 to Severinsky *et al.*
IPR2014-01415

**Motion to Submit Supplemental Information
under 35 U.S.C. § 316(a)(3) and
37 C.F.R. § 42.123(a)**

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EXHIBIT LIST

Exhibit No.	Description	Identifier
1101	U.S. Patent No. 8,214,097	'097 Patent
1102	Declaration of Dr. Jeffrey L. Stein	Stein Decl.
1103	File History of U.S. Patent No. 8,214,097	'097 File History
1104	U.S. Patent No. 5,343,970	Severinsky '970
1105	Catherine Anderson & Erin Pettit, <i>The Effects of APU Characteristics on the Design of Hybrid Control Strategies for Hybrid Electric Vehicles</i> , SAE Technical Paper 950493 (1995)	Anderson
1106	U.S. Patent No. 5,865,263	Yamaguchi
1107	Toshifumi Takaoka et al., <i>A High-Expansion Ratio Gasoline Engine for the Toyota Hybrid System</i> , Toyota Technical Review Vol. 47, No. 2 (April 1998)U.S. Patent No. 4,707,984	Takaoka
1108	U.S. Patent No. 4,335,429	Kawakatsu
1109	John B. Heywood, <i>Internal Combustion Engine Fundamentals</i> (McGraw-Hill 1988)	Heywood
1110	Society of Automotive Engineers Special Publication, <i>Technology for Electric and Hybrid Vehicles</i> , SAE SP-1331 (February 1998)	SAE SP-1331
1111	U.S. Patent No. 913,846	Pieper
1112	Michael Duoba, Ctr. for Transp. Research, Argonne Nat'l Lab., <i>Challenges for the Vehicle Tester in Characterizing Hybrid Electric Vehicles</i> , 7th CRC on Road Vehicle Emissions Workshop (April 1997)	Duoba
1113	Kozo Yamaguchi et al., <i>Development of a New Hybrid System — Dual System</i> , SAE Technical Paper 960231 (February 1996)	Yamaguchi Paper
1114	U.S. Patent No. 3,888,325	Reinbeck
1115	U.S. Application No. 11/229,762	'762 Application
1116	L. E. Unnewehr et al., <i>Hybrid Vehicle for Fuel Economy</i> , SAE Technical Paper 760121 (1976)	Unnewehr
1117	Hawley, G.G., <i>The Condensed Chemical Dictionary</i> , Van Nostrand Reinhold Co., 9 th ed. (1977)	The Condensed Chemical Dictionary

Exhibit No.	Description	Identifier
1118	Brown, T.L. et al., <i>Chemistry, The Central Science</i> , Third Edition (1985)	Brown
1119	Grunde T. Engh & Stephen Wallman, <i>Development of the Volvo Lambda-Sond System</i> , SAE Technical Paper 770295 (1977)	Engh
1120	Claim Construction Order (<i>Paice, LLC v. Toyota</i> , Case No. 2:07-cv-180)	Toyota Litigation
1121	A. G. Stefanopoulou et al., <i>Engine Air-Fuel Ratio and Torque Control using Secondary Throttles</i> , Proceedings of the 33rd IEEE Conference on Decision and Control (December 1994)	Stefanopoulou
1122	General Electric Company, Corp. Research & Dev., <i>Near-Term Hybrid Vehicle Program, Final Report - Phase 1</i> (October 1979)	GE Final Report
1123	U.S. Application No. 13/065,704	'704 Application
1124	<i>Paice, LLC v. Hyundai</i> Claim Construction Order (Case No. WDQ-12-0499)	Hyundai Litigation
1125	U.S. Patent No. 7,104,347	'347 Patent
1126	File History for U.S. Patent No. 7,104,347	'347 File History

NEW EXHIBITS

Exhibit No.	Description	Identifier
1127	Declaration of Walt Johnson, Librarian at Patent and Trademark Resource Center (PTRC), Minneapolis Central Library	Johnson Declaration
1128	Email correspondence between Petitioner and Board	Email

I. INTRODUCTION

Petitioner moves to submit supplemental information in accordance with the Order dated April 9, 2015 (Paper 12). Petitioner's request for authorization to file this motion was timely, and the supplemental information is relevant to at least one claim for which trial has been instituted. 37 C.F.R. §42.123(a). The supplemental information is a declaration of Walt Johnson (Ex. 1127, "Johnson Declaration"), the Patent and Trademark Resource Center (PTRC) Librarian at the Minneapolis Central Library, regarding the publication date and public accessibility of Takaoka (Ex. 1107). The Johnson Declaration relates to whether Takaoka qualifies as prior art, which is relevant to grounds of unpatentability against claims 4, 14, 24, 30 and 34.

In its Preliminary Response (Paper 9), Patent Owner challenged the public accessibility and prior art status of Takaoka (Ex. 1107). In response to Patent Owner's challenge of Takaoka, Petitioner contacted Walt Johnson and acquired his declaration regarding the public accessibility of Takaoka. Petitioner then contacted the Board via email on December 29, 2014, requesting a conference call to obtain authorization to file a Reply to address Patent Owner's challenge. (Email, Ex. 1128.) The Board denied Petitioner's request via email on December 30, 2014. (*Id.*)

Patent Owner served Petitioner with an objection to Takaoka within ten business days of the Decision to Institute (Paper 10) and Petitioner served supplemental evidence including the Johnson Declaration, to Patent Owner within ten business days of the objection. *See* 37 C.F.R. §42.64(b).

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