

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Hyundai Motor Company
Petitioner

v.

American Vehicular Sciences LLC
Patent Owner

Patent No. 6,738,697
Filing Date: July 3, 2002
Issue Date: May 18, 2004
Title: TELEMATICS SYSTEM FOR VEHICLE DIAGNOSTICS

Inter Partes Review No. Unassigned

**PETITION FOR *INTER PARTES* REVIEW
UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. § 42.100 *ET SEQ.***

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LIST OF EXHIBITS

- Exhibit 1001: U.S. Patent No. 6,738,697 to Breed (“the ’697 patent”)
- Exhibit 1002: File History of U.S. Patent No. 6,738,697 to Breed
- Exhibit 1003: Japanese Unexamined Patent Application Publication No. JP-A-H01-197145 to Ishihara (“Ishihara”)
- Exhibit 1004: English Translation of Japanese Unexamined Patent Application Publication No. JP-A-H01-197145 to Ishihara (“Ishihara”)
- Exhibit 1005: U.S. Patent No. 5,561,610 to Schricker et al. (“Schricker”)
- Exhibit 1006: U.S. Patent No. 5,223,844 to Mansell et al. (“Mansell”)
- Exhibit 1007: U.S. Patent No. 4,897,642 to DiLullo et al. (“DiLullo”)
- Exhibit 1008: Declaration of Christopher Wilson (“Wilson Decl.”)
- Exhibit 1009: Preliminary Response of Patent Owner, Paper 16 in Case IPR2013-00412 (October 17, 2013)
- Exhibit 1010: Decision, Institution of *Inter Partes* Review, Paper 18 in IPR2013-00412 (January 13, 2014)
- Exhibit 1011: Decision, Institution of *Inter Partes* Review, Paper 16 in IPR2013-00413 (January 13, 2014)
- Exhibit 1012: American Vehicular Sciences LLC’s Disclosure of Asserted Claims and Infringement Contentions and Identification of Document Production Accompanying Disclosure, in Case No. 6:12-cv-00776 (E.D. Tex.) (cover pleading only) (“AVS Infringement Contentions”)
- Exhibit 1013: Decision, Institution of *Inter Partes* Review, Paper 8 in IPR2014-00634 (August 26, 2014)
- Exhibit 1014: Decision, Institution of *Inter Partes* Review, Paper 12 in IPR2014-00645 (August 28, 2014)

Hyundai Motor Company (“Petitioner”) respectfully requests *inter partes* review under 35 U.S.C. §§ 311-319 and 37 C.F.R. § 42.100 of claims 1, 2, 5, 6, 10, 17-22, 26, 27, 32, 40, and 61 of U.S. Patent No. 6,738,697 (“the ’697 patent”), attached hereto as Exhibit 1001.

The undersigned representative of Petitioner authorizes the Patent Office to charge the \$23,400 Petition Fee, along with any additional fees, to Deposit Account 06-0916. Sixteen (16) claims are being reviewed.

I. INTRODUCTION

The ’697 patent is one of a multitude of patents owned by American Vehicular Sciences LLC (“AVS”) and asserted against the automotive industry, in an attempt to cover long-known systems and methods relating to automotive diagnostics and telematics. *See, e.g., Am. Vehicular Scis. LLC v. Hyundai Motor Co. et al.*, No. 2:14-cv-13247 (E.D. Mich.); *Am. Vehicular Scis. v. Kia Motors Inc. et al.*, No. 2:14-cv-13249 (E.D. Mich.); *Am. Vehicular Scis. LLC v. Am. Honda Motor Co., Inc. et al.*, No. 2:14-cv-13251 (E.D. Mich.); *Am. Vehicular Scis. LLC v. Toyota Motor Corp. et al.*, No. 6:13-cv-00405 (E.D. Tex.). The ’697 patent is directed to a diagnostic system and method on a vehicle that diagnoses the state of the vehicle or a component thereof, generates an output representative of the diagnosis, and then uses a communications device to automatically connect to a

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