

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. 8,036,788
Filing Date: August 9, 2007
Issue Date: October 11, 2011
Title: VEHICLE DIAGNOSTIC OR PROGNOSTIC MESSAGE
TRANSMISSION SYSTEMS AND METHODS

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. 8,036,788 to Breed (“the ‘788 patent”)
- Exhibit 1002: Decision, Institution of Inter Partes Review, Paper 14, in Case IPR2013-00417 (Jan. 13, 2014)
- Exhibit 1003: File History of U.S. Patent No. 8,036,788 to Breed
- Exhibit 1004: U.S. Patent No. 5,157,610 to Asano et al. (“Asano”)
- Exhibit 1005: U.S. Patent No. 4,675,675 to Corwin et al. (“Corwin”)
- Exhibit 1006: Japanese Unexamined Patent Application Publication No. JP-A-H01-197145 to Ishihara et al. (“Ishihara”)
- Exhibit 1007: English Translation of Japanese Unexamined Patent Application Publication No. JP-A-H01-197145 to Ishihara et al. (“Ishihara”)
- Exhibit 1008: Declaration of Christopher Wilson (“Wilson Decl.”)
- Exhibit 1009: Decision, Institution of Inter Partes Review, Paper 8, in Case IPR2014-00629 (Sep.29, 2014)

Hyundai Motor Company (“Petitioner”) respectfully request *inter partes* review under 35 U.S.C. §§ 311-319 and 37 C.F.R. § 42.100 of claims 1-7, 13, and 20 of U.S. Patent No. 8,036,788 (“the ‘788 patent”), attached hereto as Exhibit 1001.

The undersigned representative of Petitioner authorizes the Patent Office to charge the \$23,000 Petition Fee, along with any additional fees, to Deposit Account 06-0916. Nine claims are being reviewed; accordingly no excess claim fees are required.

I. INTRODUCTION

This Petition for *Inter Partes* Review is being filed along with a motion requesting joinder with the pending *inter partes* review initiated by Honda Motor Co. (“Honda”) concerning the ‘788 patent: *American Honda Motor Co. Inc., v. American Vehicular Sciences, LLC*, Case No. IPR2014-00629. This Petition proposes the same grounds of rejection on which the Board instituted *inter partes* review of claims 1-7, 13, and 20. (IPR2014-00629 Institution Decision, Ex. 1009, at 21-22.)

The ‘788 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 safety. *See, e.g., Am. Vehicular Scis. LLC v. Hyundai Motor Co. et al.*, No. 2:14-

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