## UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

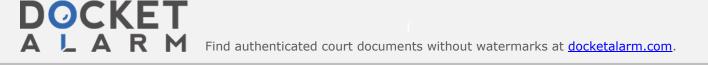
FORD MOTOR COMPANY Petitioner,

v.

PAICE LLC & ABELL FOUNDATION, INC. Patent Owners.

Case IPR2015-00800 Patent 7,237,634

## PATENT OWNER'S MOTION FOR OBSERVATIONS ON THE CROSS EXAMINATION OF DR. GREGORY DAVIS



## **EXHIBITS**

Exhibit Number	Exhibit Name
Ex. 2901	Table of Ford's IPR Petitions
Ex. 2902	Appendix A (Jan. 15, 2014)
Ex. 2903	Declaration of Daniel A. Tishman in Support of
	Patent Owners' Motion for Pro Hac Vice Admission
Ex. 2904	Declaration of Neil Hannemann
Ex. 2905	Neil Hannemann CV
Ex. 2906	Gregory Davis Deposition Transcript (Jan. 13, 2015)
	(IPR2014-00579)
Ex. 2907	Bosch Handbook, 4th Edition (excerpts)
Ex. 2908	Gregory Davis Deposition Transcript (May 8, 2015)
	(IPR2014-00579)
Ex. 2909	Deposition Transcript of Gregory Davis, Ph.D.

1. In exhibit 2909, on page 5, line 19 to page 7, line 22, Dr. Davis testified that the "sub-optimal" control algorithm disclosed in Bumby III accepts power as its control input, which is calculated based on the accelerator pedal. This testimony is relevant to paragraphs 63-73 of Dr. Davis's Reply Declaration (Ex. 1609). The testimony is relevant because it contradicts Dr. Davis's reply declaration testimony that the sub-optimal control algorithm uses road load.

2. In exhibit 2909, on page 11, line 4 to page 12, line 22, Dr. Davis testified that the Bumby I calculates the instantaneous torque requirement using an simulation (not a "real vehicle") that applies an equation to a known driving cycle. This testimony is relevant to paragraphs 63-73 of Dr. Davis's Reply Declaration (Ex. 1609). The testimony is relevant because it contradicts Dr. Davis's reply declaration testimony that the sub-optimal control algorithm uses road load.

3. In exhibit 2909, on page 11, line 4 to page 12, line 22, Dr. Davis testified that the term "road load as used in these patents [U.S. Patent No. 7,237,634 and the other Paice patents] was, and as used and described in Bumby here, accounted not only for what some people would call the running resistance or often the textbook road load, if you will, which would be like wind resistance, rolling resistance, grade resistance" and other requirements like acceleration, deceleration." This testimony is relevant to page 73, line 21 to page 75 line 2 (Ex. 1950). The testimony is relevant because it contradicts Ford's counsel's argument to the Board that the term "road load" as used in Paice's patents is different from

the road load term discussed in the Bumby references and that Paice "coined" a

road load term with some different meaning.

Dated: May 20, 2016

By: <u>/Brian J. Livedalen/</u> Timothy W. Riffe (Reg. No. 43,881) Kevin Greene, (Reg. No. 46,031) Brian J. Livedalen (Reg. No. 67,450) **FISH & RICHARDSON P.C.** P.O. Box 1022 Minneapolis, MN 55440-1022 Tel: (202) 626-6447 Fax: (202) 783-2331

Attorneys for Patent Owner Paice LLC & Abell Foundation, Inc.

Case IPR2015-00800 Patent 7,237,634

## **CERTIFICATE OF SERVICE**

Pursuant to 37 CFR § 42.6(e)(4), the undersigned certifies that on May 20,

2016, a complete and entire copy of this Patent Owner's Motion for Observations was provided via email to the Petitioner by serving the correspondence email address of record as follows:

Frank A. Angileri John E. Nemazi John P. Rondini Michael N. MacCallum Brooks Kushman P.C. 1000 Town Center, 22<sup>nd</sup> Floor Southfield, MI 48075

Lissi Mojica Kevin Greenleaf Dentons US LLP 1530 Page Mill Road, Suite 200 Palo Alto, CA 94304-1125

Email: <u>FPGP0104IPR10@brookskushman.com</u> Email: <u>ipt.docketchi@dentons.con</u>

/Edward G. Faeth/

Edward G. Faeth Fish & Richardson P.C. 3200 RBC Plaza 60 South Sixth Street Minneapolis, MN 55402 (202) 626-6420

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