

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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FORD MOTOR COMPANY  
Petitioner,

v.

PAICE LLC & ABELL FOUNDATION, INC.  
Patent Owners.

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Case IPR2015-00800  
Patent 7,237,634

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

## EXHIBITS

<b>Exhibit Number</b>	<b>Exhibit Name</b>
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

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