AMERICAN HONDA MOTOR CO., INC., NISSAN NORTH AMERICA, INC., and KIA MOTORS AMERICA, INC.

Petitioners,

V.

SIGNAL IP, INC. Patent Owner.

Case IPR2015-01004<sup>1</sup>

U.S. Patent No. 6,012,007

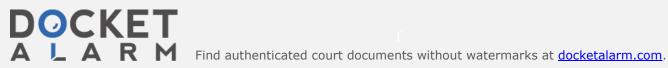
## PETITIONERS' REPLY TO PATENT OWNER'S RESPONSE

<sup>&</sup>lt;sup>1</sup> Nissan North America, Inc. ("Nissan") and Kia Motors America, Inc. ("Kia") were joined as parties to this proceeding via Motions for Joinder in IPR2016-00113 and IPR2016-00115, respectively. During the conference call with the PTAB held on March 29, 2016, the PTAB specifically authorized Kia to file the instant Reply on behalf of Kia and Nissan in IPR2015-01004. However, Lead Counsel for Kia and Nissan are not authorized to electronically file in IPR2015-01004. Counsel for Kia spoke on April 4, 2016 to the Paralegal Operations Manager, Maria Vignone, who informed counsel for Kia that she would file the instant Reply on behalf of Kia and Nissan in IPR2015-01004.



# **TABLE OF CONTENTS**

I.	Introduction	1
II.	Schousek's Disclosure of a "Minimum Weight Threshold for an Occupied Infant Seat" Corresponds to "Establishing a First Threshold of the Relative Weight Parameter" as Recited in Claims 1 and 17 of the '007 Patent.	3
III.	Schousek Discloses Establishing a Lock Threshold above the First Threshold.	5
IV.	Schousek Discloses Setting a Lock Flag When the Relative Weight Parameter is above the Lock Threshold and Deployment Has Been Allowed for a Given Time.	7
V.	Schousek Discloses Clearing the Lock Flag When the Relative Weight Parameter is Below the Unlock Threshold for a Time	8
VI.	Claims 18 and 19 of the '007 Patent are Obvious in View of Schousek and Blackburn.	9
VII.	Conclusion	9



# **TABLE OF AUTHORITIES**

	Page(s)
Cases	
Boesen v. Garmin Int'l., Inc., 455 F. App'x 974 (Fed. Cir. 2011)	4
Richardson v. Suzuki Motor Co., 868 F.2d 1226 (Fed. Cir. 1989)	4, 5



### I. INTRODUCTION

In its Patent Owner's Response ("POR"; Paper No. 14), Patent Owner ("PO") fails to present any new substantive arguments that would require the Board to reconsider its Institution Decision. (Paper No. 11). Instead, without presenting any new facts in its POR, PO relies on recycled criticisms and arguments that it had presented to the Board in its Preliminary Patent Owner's Response submitted in IPR2016-00113 and IPR2016-00115. (IPR 2016-00113, Paper No. 9; IPR2016-00115, Paper No. 14). The Board had already considered and correctly rejected those arguments. (Paper Nos. 15 and 16, at 3-4). Having no new substantive arguments in its arsenal, PO raises no new facts in its POR that would compel a different result here.

For example, PO argues that Schousek cannot anticipate claims 1 or 17 because in Schousek, air bag deployment is not allowed when the seat sensors detect a weight above the minimum weight of an occupied infant seat because the seat sensors in Schousek must also detect a forward-facing infant seat. The Board considered this and found that PO acknowledged that "in Schousek 'if the seat sensors determine that the total weight of the seat occupant is greater than the minimum weight of an occupied infant seat' and 'the center of weight distribution is determined to be not forward of a reference line – a condition indicative of a forward-facing infant seat – [] airbag deployment [is] permitted." (Paper Nos. 15



and 16, at 3). Thus, Schousek allows deployment when the relative weight parameter is above the first threshold.

Moreover, PO's argument that the *maximum* weight value of an occupied infant seat in Schousek is not equivalent to the '007 Patent's "first threshold" ignores Petitioners' contentions, which rely on Schousek's *minimum* weight value to meet the claimed "first threshold." (*See* Pet. 17-18.)

Lastly, as the Board noted in Paper No. 16, PO's argument concerning the setting and clearing of the lock flag were addressed in detail in the '1004 Institution Decision. Schousek teaches "setting a lock flag" by setting the previous decision to allow deployment if all five enablement decisions in the decision array are to allow deployment when the total weight parameter is above the maximum infant seat weight threshold. Schousek discloses "clearing the flag" when the previous decision is to allow airbag deployment and five consecutive subsequent decisions to inhibit deployment occur due to the total weight parameter being below the minimum infant weight threshold, thus setting the previous decision to now inhibit airbag deployment.

Accordingly, Petitioners respectfully request the Board deny POR and adopt the facts and reasoning in Petitioners' Petition and Reply and make final the Institution Decision, finding claims 1-3, 5, 9, and 17-21 of the '007 Patent unpatentable.



# DOCKET

# Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

# **Real-Time Litigation Alerts**



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## **Advanced Docket Research**



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## **Analytics At Your Fingertips**



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

### API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

#### **LAW FIRMS**

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

#### **FINANCIAL INSTITUTIONS**

Litigation and bankruptcy checks for companies and debtors.

## **E-DISCOVERY AND LEGAL VENDORS**

Sync your system to PACER to automate legal marketing.

