

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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AMERICAN HONDA MOTOR CO., INC.,  
Petitioner,

v.

SIGNAL IP, INC.,  
Patent Owner.

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Case IPR2015-01004  
Patent 6,012,007

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Before MEREDITH C. PETRAVICK, JEREMY M. PLENZLER, and  
JAMES A. TARTAL, *Administrative Patent Judges*.

PLENZLER, *Administrative Patent Judge*.

DECISION  
Instituting *Inter Partes* Review  
*37 C.F.R. § 42.108*

## I. INTRODUCTION

### A. Background

American Honda Motor Co., Inc. (“Petitioner”) filed a corrected Petition to institute an *inter partes* review of claims 1–3, 5, 9, and 17–21 (“the challenged claims”) of U.S. Patent No. 6,012,007 (Ex. 1001, “the ’007 patent”). Paper 3 (“Pet.”). Signal IP, Inc. (“Patent Owner”) filed a Preliminary Response. Paper 6 (“Prelim. Resp.”). We have jurisdiction under 35 U.S.C. § 314(a), which provides that an *inter partes* review may not be instituted “unless . . . there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.” For the reasons given below, we institute an *inter partes* review in this proceeding with respect to claims 1–3, 5, 9, and 17–21.

### B. Related Proceedings

Petitioner and Patent Owner indicate that the ’007 patent is the subject of a number of co-pending federal district court cases, including: *Signal IP, Inc. v. American Honda Motor Co., Inc. et al.*, No. 2:14-cv-02454 (C.D. Cal.) (“the related litigation”). Pet. 1–4; Paper 5, 2–3.

### C. Asserted Grounds of Unpatentability and Evidence of Record

Petitioner contends that the challenged claims are unpatentable under 35 U.S.C. §§ 102 and 103 based on the following grounds (Pet. 4–6, 8–59).

References	Basis	Claims Challenged
Schousek <sup>1</sup>	§ 102	1–3, 5, 9, 17, 20, and 21
Schousek and Blackburn <sup>2</sup>	§ 103	18 and 19

<sup>1</sup> U.S. Pat. No. 5,474,327, iss. Dec. 12, 1995 (Ex. 1004, “Schousek”).

<sup>2</sup> U.S. Pat. No. 5,232,243, iss. Aug. 3, 1993 (Ex. 1005, “Blackburn”).

References	Basis	Claims Challenged
Blackburn	§ 103	1–3, 5, 17–21
Blackburn and Schousek	§ 103	1–3, 5, 17–21

Petitioner also provides testimony from Kirsten Carr, Ph.D. Ex. 1003 (“the Carr Declaration”).

*D. The '007 Patent*

The '007 patent is directed to “an airbag system having seat pressure detectors [mounted] in the seat” and its method of operation. Ex. 1001, 1:10–12. The '007 patent explains that one “object of the invention [is] to discriminate in a [supplemental inflatable restraint] system between large and small seat occupants for a determination of whether an airbag deployment should be permitted” and “[a]nother object in such a system is to maintain reliable operation in spite of dynamic variations in sensed pressures.” *Id.* at 1:52–57.

The '007 patent describes “seat sensing system 14 to inhibit air bag deployment when a seat is empty or occupied by a small child, while allowing deployment when the occupant is large.” *Id.* at 2:55–58. An example is provided where the system is tuned to always inhibit airbag deployment for occupants weighing less than 66 pounds, and always allow deployment for occupants exceeding 105 pounds. *Id.* at 2:58–61. The seat occupant sensing system includes a microprocessor and sensors mounted in a seat monitored by the microprocessor to determine whether to inhibit airbag deployment. *Id.* at 2:61–3:7.

The sensors are periodically sampled and decision measures are computed. *Id.* at 3:39–43. Decision measure computations include, for

example, “calculating total force and its threshold, sensor load ratings and measure, long term average of sensor readings and its threshold.” *Id.* at 3:49–52. An “Adult Lock Flag” can be set to always allow airbag deployment. *Id.* at 4:40–41. When determining whether to set the “Adult Lock Flag,” the total force is compared to “a lock threshold[,] which is above the total force threshold” (i.e., the threshold used as the minimum allowable value for airbag deployment), and “an unlock threshold[,] which represents an empty seat.” *Id.* at 4:41–44. A lock timer is compared to a lock delay to determine when to set the “Adult Lock Flag.” *Id.* at 4:44–46, Fig. 8. “If . . . the total force is greater than the lock threshold, and the lock timer is larger than the lock delay . . . the Adult Lock Flag is set.” *Id.* at 4:46–50.

*E. Illustrative Claim*

As noted above, Petitioner challenges claims 1–3, 5, 9, and 17–21. Claims 1 and 17 are independent claims, with claims 2, 3, 5, and 9 depending from claim 1, and claims 18–21 depending from claim 17. Claim 1 is reproduced below:

1. In a vehicle restraint system having a controller for deploying air bags and means for selectively allowing deployment according to the outputs of seat sensors responding to the weight of an occupant, a method of allowing deployment according to sensor response including the steps of:

determining measures represented by individual sensor outputs and calculating from the sensor outputs a relative weight parameter;

establishing a first threshold of the relative weight parameter;

allowing deployment when the relative weight parameter is above the first threshold;

establishing a lock threshold above the first threshold;  
setting a lock flag when the relative weight parameter is above the lock threshold and deployment has been allowed for a given time;  
establishing an unlock threshold at a level indicative of an empty seat;  
clearing the flag when the relative weight parameter is below the unlock threshold for a time; and  
allowing deployment while the lock flag is set.

Ex. 1001, 5:42–64.

## II. ANALYSIS

### A. Claim Construction

In an *inter partes* review, claim terms in an unexpired patent are given their broadest reasonable interpretation in light of the specification in which they appear and the understanding of others skilled in the relevant art. 37 C.F.R. § 42.100(b). Although not yet expired, it appears that the '007 patent will expire on December 1, 2015. *See* 35 U.S.C. § 154. “[T]he Board’s review of the claims of an expired patent is similar to that of a district court’s review.” *In re Rambus, Inc.*, 694 F.3d 42, 46 (Fed. Cir. 2012). Based on the information before us, we are not apprised of any particular claim term that would have different construction under either standard of claim construction.

Petitioner contends that “[n]o relevant issues of claim construction are presented in the claims of the '007 Patent, and all terms should therefore simply be given their broadest reasonable construction in light of the specification as commonly understood by those of ordinary skill in the art.”

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