UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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VOLKSWAGEN GROUP OF AMERICA, INC.,

Petitioner,

v.

SIGNAL IP, INC.,

Patent Owner.

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Case IPR2015-01116

Patent 6,012,007

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PATENT OWNER'S PRELIMINARY RESPONSE

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CASES

I.   INTRODUCTION

Petitioner challenges the patentability of claims 1, 17, and 19-21 of

U.S. Patent 6,012,007 ("the '007 patent"). The Patent Trial and Appeal

Board should not institute *inter partes* review of the '007 patent because

Petitioner has not met its burden to show a reasonable likelihood that any

challenged claim of the '007 patent is unpatentable.

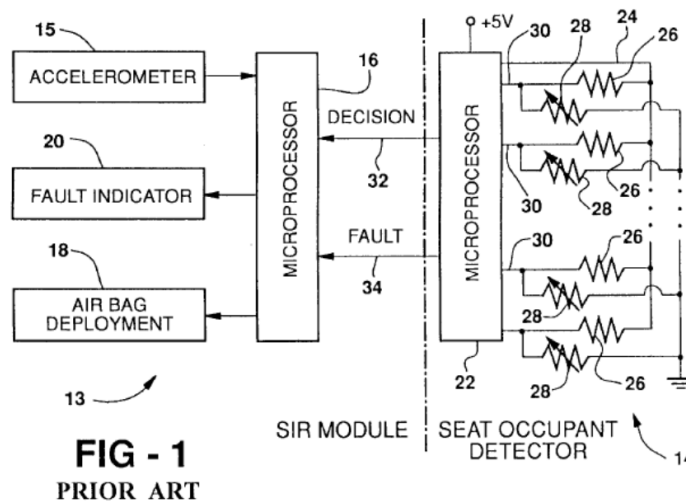## II.   SUMMARY OF THE '007 PATENT AND PROSECUTION HISTORY

A.   Overview

The '007 patent relates to "discriminat[ing] in a SIR [supplemental

inflatable restraint] system between large and small seat occupants for a

determination of whether an airbag deployment should be permitted" and

"maintain[ing] reliable operation in spite of dynamic variations in sensed

pressures." Ex. 1001 at 1:52-57. The '007 patent is a continuation-in-part of

U.S. Pat. No. 5,732,375 ("Cashler", Ex. 1003). *Id*. at 1:4-7. The background

section of the '007 patent notes that Cashler and U.S. Pat. No. 5,474,327

("Schousek", Ex. 1004), "form a foundation for the present invention and

are incorporated herein by reference," but "[i]t is desirable, however to

provide a system which is particularly suited for discriminating between

heavy and light occupants and for robust operation under dynamic

conditions such as occupant shifting or bouncing due to rough roads." *Id.* at

1:43-49.

The '007 patent describes systems and approaches for accomplishing

such a goal—e.g., a method of controlling airbag deployment using pressure

sensors to allow or inhibit airbag deployment based on passenger weight. *Id.*

at Abstract. According to the specification, the system aims 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.

Figure 1 of the '007 patent (below) shows a typical airbag/SIR system

that incorporates a seat occupant detector:

FIG - 1
PRIOR ART

Id. at 1:15-16; 2:18-19. In the SIR module, an accelerometer (15) senses an

impending crash and a microprocessor (16) receives signals from the

accelerometer and determines whether to deploy an air bag. *Id.* at 2:46-49. In

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