

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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NISSAN NORTH AMERICA, INC.

Petitioner,

v.

JOAO CONTROL & MONITORING SYSTEMS, LLC

Patent Owner

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Case IPR2015-01508

Patent 6,542,076

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**PATENT OWNER'S RESPONSE TO PETITION**  
**FOR *INTER PARTES* REVIEW UNDER 37 C.F.R. § 42.107**

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**LIST OF EXHIBITS**

Exhibit	Description
EX2001	"Preliminary Remarks" filed by Applicant on November 26, 2006 during prosecution of the patent application that issued as related U.S. Patent No. 7,277,010
EX2002	"Supplement to the Remarks for the Amendment filed on October 24, 2007" filed on November 23, 2007 during prosecution of the patent application that issued as related U.S. Patent No. 7,397,363
EX2003	Declaration of Steven W. Ritcheson
EX2004	August 26, 2015 Opinion and Order Construing Disputed Claim Terms in the matter of <i>JCMS v. Chrysler Group LLC</i> , Case No. 13-cv-13957 (E.D. Mich.)
EX2005	Transcript of March 15, 2016 Deposition of David McNamara
EX2006	Transcript of March 16, 2016 Deposition of David McNamara

**I. INTRODUCTION**

In response to the Petition for *Inter Partes* Review (“Petition”) filed by Petitioner, the Board has instituted *inter partes* review (Paper 10, the “Decision”) of claims 3, 20, 65, 73, 93, 103, 104, 108 and 205 (“Challenged Claims”) of U.S. Patent No. 6,542,076 (“the ‘076 Patent”) based on the following grounds:

Ground	Claims	Proposed Rejections
1	3, 20, 73, 103 and 205	anticipated by Frossard
2	65	obvious in view of Frossard and Pagliaroli
3	93	obvious in view of Frossard and Drori
4	104	obvious in view of Frossard and LeBlanc
5	108	obvious in view of Frossard and Simms
6	3, 20, 65, 73, 93 and 205	anticipated by Pagliaroli
7	103	obvious in view of Pagliaroli and Frossard
8	104	obvious in view of Pagliaroli and LeBlanc
9	108	obvious in view of Pagliaroli and Simms

The nine proposed grounds of rejection are substantively flawed, in that none of the cited references teach important properly construed claim limitations. For example, none of the cited references teach an “A to B to C” control system/method, as required by the challenged claims and as will be explained in more detail below.

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