

UNITED STATES PATENT AND TRADEMARK OFFICE

---

BEFORE THE PATENT TRIAL AND APPEAL BOARD

---

VOLKSWAGEN GROUP OF AMERICA, INC.

Petitioner

Patent No. 6,549,130

Issue Date: April 15, 2003

Title: CONTROL APPARATUS AND METHOD FOR  
VEHICLES AND/OR FOR PREMISES

---

**PETITION FOR *INTER PARTES* REVIEW  
OF U.S. PATENT NO. 6,549,130  
PURSUANT TO 35 U.S.C. § 312 and 37 C.F.R. § 42.104**

Case No. IPR2015-01611

---

## TABLE OF CONTENTS

I.	Mandatory Notices (37 C.F.R. § 42.8) .....	1
II.	Grounds for Standing (37 C.F.R. § 42.104(a)).....	3
III.	Identification of Challenge (37 C.F.R. § 42.104(b)(1)-(3)) and Relief Requested (37 C.F.R. § 42.22(a)(1)) .....	3
A.	Background of the '130 Patent.....	3
1.	The '130 Patent .....	3
2.	Prosecution History of the '130 Patent.....	6
3.	Reexamination History of the '130 Patent.....	9
B.	Patents and Printed Publications Relied On.....	11
C.	Statutory Grounds for Challenge (37 C.F.R. § 42.104(b)(1)–(2)).....	11
D.	Claim Construction (37 C.F.R. § 42.104(b)(3)).....	12
IV.	How Challenged Claims Are Unpatentable (37 C.F.R. § 42.104(b)(4)–(5)) .....	13
A.	Claims 26, 38, 42, 43, 48, 63, 73, 74, 91, and 138 are Anticipated by Kniffin Under 35 U.S.C. § 102(e).....	13
1.	Claims 26 and 38.....	15
2.	Claims 42 and 43.....	20
3.	Claims 48, 63, 73, and 74 .....	22
4.	Claim 91 .....	25
5.	Claim 138.....	27
A.	Claims 64, 85, and 92 are Obvious in View of Kniffin .....	40
1.	Claims 64 and 85.....	40
2.	Claim 92.....	45
B.	Claim 31 is Obvious in View of the Combination of Kniffin and Ryoichi .....	48
C.	Claims 60 and 139 Are Obvious in View of Kniffin and Drori.....	51
D.	Claim 143 is Obvious in View of the Combination of Kniffin and Neely.....	56
V.	Conclusion .....	60

## LISTING OF EXHIBITS

Exhibit 1001	U.S. Patent No. 6,549,130 to Joao
Exhibit 1002	Declaration of Scott Andrews
Exhibit 1003	U.S. Patent No. 6,028,537 to Suman
Exhibit 1004	June 4, 2001 Notice of Allowability for U.S. Patent App. Ser. No. 09/277,935
Exhibit 1005	October 29, 1998 Notice of Allowability for U.S. Patent App. Ser. No. 08/683,828
Exhibit 1006	U.S. Patent No. 6,072,402 to Kniffin
Exhibit 1007	U.S. Patent No. 5,113,427 to Ryoichi
Exhibit 1008	U.S. Patent No. 5,081,667 to Drori
Exhibit 1009	September 17, 2014 Order Granting <i>Ex Parte</i> Reexamination, Control No. 90/013,301
Exhibit 1010	January 20, 2015 Non-Final Office Action, Reexamination Control No. 90/013,301
Exhibit 1011	March 18, 2015 Response to Non-Final Office Action, Reexamination Control No. 90/013,301
Exhibit 1012	May 12, 2015 Supplemental Response to Non-Final Office Action, Reexamination Control No. 90/013,301
Exhibit 1013	May 22, 2015 Final Office Action, Reexamination Control No. 90/013,301
Exhibit 1014	May 22, 2015 Final Office Action, Reexamination Control No. 90/013,300
Exhibit 1015	U.S. Patent No. 4,602,127 to Neely

Exhibit 1016	U.S. Patent No. 5,732,074 to Spaur
Exhibit 1017	U.S. Patent No. 5,808,566 to Behr
Exhibit 1018	U.S. Patent No. 5,726,984 to Kubler
Exhibit 1019	July 29, 2015 Notice of Intent to Issue <i>Ex Parte</i> Reexamination Certificate, Reexamination Control No. 90/013,303
Exhibit 1020	June 1, 2015 Response to Office Action, Reexamination Control No. 90/013,303

## **I. Mandatory Notices (37 C.F.R. § 42.8)**

Real-Party-in Interest: Volkswagen Group of America, Inc. (“VWGoA”), which is a subsidiary of Volkswagen AG.

Related Matters: The following judicial matter may affect, or may be affected by, a decision in this *inter partes* review: *Joao Control & Monitoring Systems, LLC v. Volkswagen Group of America, Inc., et al.*, No. 1:14-cv-517 (D. Del.), in which VWGoA and its subsidiary Bentley Motors, Inc. are defendants. Judicial matters in the following districts, against the following parties, may affect, or may be affected by, a decision in this *inter partes* review: in the District of Delaware, Nissan (1:14-cv-523), Mazda (1:13-cv-728), Mitsubishi (1:13-cv-00614), Jaguar Land Rover (1:13-cv-507), Verizon (1:14-cv-525), Cox (1:14-cv-520), Consolidated Edison (1:14-cv-519), Time Warner Cable (1:14-cv-524), Cablevision (1:14-cv-518), DirecTV (1:14-cv-521), DISH (1:14-cv-522), Alarm.com (1:14-cv-284), FrontPoint Security Solutions (1:13-cv-1760), Vivint (1:13-cv-508), American Traffic Solutions (1:13-cv243), and Ford (1:12-cv-1479); in the Eastern District of Michigan, Chrysler (4:13-cv-13957) and Ford (4:13-cv-13615 and 4:12-cv-14004); in the Southern District of New York, Chrysler (1:13-cv-53), City of Yonkers (1:12-cv-7734), Digital Playground (1:12-cv-6781), Liquid Cash (1:12-cv-6315), and Cenuco (7:05-cv-01037); in the Eastern District of New York, Slomin’s (2:14-cv-2598); in the Central District of California, Ford (2:12-cv-33), Hyundai (8:12-

# 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.