

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NISSAN NORTH AMERICA, INC.,
Petitioner

v.

JOAO CONTROL & MONITORING SYSTEMS, LLC
Patent Owner

Case IPR2015-01645
Patent No. 7,397,363

**PETITIONER NISSAN NORTH AMERICA, INC.'S
REPLY TO PATENT OWNER'S RESPONSE TO PETITION**

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LIST OF EXHIBITS

Exhibit 1018	Opinion and Order of Mark A. Goldsmith, No. 13-cv-13957, (E.D. Mich. 2016) (1) Granting in Part and Denying in Part Defendant FCA US LLC'S Motion for Summary Judgment on Invalidity and Noninfringement (Dkt. 59) and (2) Denying as Moot Plaintiff Joao Control & Monitoring Systems, LLC'S Motion for Summary Judgment of Infringement of U.S. Patent No. 7,397,363 by Uconnect Access (Dkt. 57), signed on June 10, 2016.
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I. INTRODUCTION

Petitioner Nissan North America, Inc. (“Petitioner”) submits this Reply to Patent Owner’s Response (the “*Response*,” Paper 20) to the corrected Petition (the “*Petition*,” Paper 3) for Inter Partes Review (“*IPR*”) of U.S. Patent No. 7,397,363 (the “363 Patent,” Exhibit 1001).

Patent Owner’s attempt to construe additional claim terms is not needed. Patent Owner’s arguments are without merit and consist entirely of attorney argument with no expert testimony offered in support. All grounds presented in the *Petition* and instituted by the Board demonstrate that the challenged claims are unpatentable and should be canceled.

II. CLAIM CONSTRUCTION

For the purpose of this IPR proceeding, Petitioner does not contest the Board’s claim construction.¹ (*Paper 11*, pp. 5-7).

Patent Owner proposes construction of additional terms. (*Paper 20*, 9-14). Among the additional terms, Patent Owner requests to adopt the claim construction of the U.S. District Court for the Eastern District of Michigan for the claimed first, second, and third “signals” recited in the independent claims. (*Id.* pp. 11-12).

¹ Petitioner reserves all rights to propose constructions for additional terms in litigation or other proceedings.

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