

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 7,397,363

PRELIMINARY RESPONSE OF PATENT OWNER

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G. “the first processing device determines whether an action or an operation associated with information contained in the second signal, to at least one of activate, de-activate, disable, re-enable, and control an operation of, the at least one of a vehicle system, a vehicle equipment system, a vehicle component, a vehicle device, a vehicle equipment, and a vehicle appliance, is an authorized or an allowed action or an authorized or an allowed operation” 19

IV. THE PROPOSED GROUNDS FAIL TO MEET THE BURDEN OF SHOWING A REASONABLE LIKELIHOOD OF PREVAILING..... 21

A. Ground 1 21

 1. Frossard fails to teach the “third processing device” of claim 21 22

 2. Frossard fails to teach the “first processing device” of claim 21 24

 3. Spaur fails to teach the “first processing device” and “second processing device” of claim 21 25

 4. The combination of Frossard and Spaur fails to render obvious the subject matter of claims 21, 22, 24 and 25 29

B. Ground 2 29

C. Ground 3 29

D. Ground 4 29

 1. Johnson fails to teach the “first processing device” and “second processing device” of claim 21 30

2. Rossmann fails to remedy the deficiencies in Johnson 34

3. The combination of Johnson and Rossmann fails to render obvious the
subject matter of claims 21, 22, 24, 25, 29 and 36 36

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LIST OF EXHIBITS

Exhibit	Description
EX2001	“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
EX2002	Notice of Intent to Issue <i>Ex Parte</i> Reexamination Certificate
EX2003	“Petition for <i>Inter Partes</i> Review Under 35 U.S.C. §§ 311-319 and 37 C.F.R. § 42.100 <i>Et Seq.</i> ” filed by Nissan North America, Inc.

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