

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VOLKSWAGEN GROUP OF AMERICA, INC.,
Petitioner,

v.

WEST VIEW RESEARCH, LLC,
Patent Owner.

Case IPR2015-01941
Patent 8,065,156 B2

Before MICHAEL R. ZECHER, JENNIFER S. BISK, and
SHEILA F. McSHANE, *Administrative Patent Judges*.

McSHANE, *Administrative Patent Judge*.

DECISION
Institution of *Inter Partes* Review
35 U.S.C. § 314(a) and 37 C.F.R. § 42.108

I. INTRODUCTION

Volkswagen Group of America, Inc. (hereafter “Volkswagen” or “Petitioner”) filed a Petition (“Pet.”) requesting an *inter partes* review of claims 10, 11, 15, 18, and 20–24 of U.S. Patent No. 8,065,156 B2 (“the ’156 patent,” Ex. 1001). Paper 2. West View Research, LLC (hereafter “West View” or “Patent Owner”) timely filed a Preliminary Response (“Prelim. Resp.”), and provided notice of its statutory disclaimer of claims 10, 18, 20, 21, 23, and 24. Paper 5, 21; Ex. 2009. “No *inter partes* review will be instituted based on disclaimed claims.” 37 C.F.R. § 42.107(e). Thus, only claims 11, 15, and 22 remain for our consideration.

We have authority to determine whether to institute an *inter partes* review. 35 U.S.C. § 314(b); 37 C.F.R. § 42.4(a). Section 314(a) of Title 35 of the United States Code provides that an *inter partes* review may not be instituted unless the information presented in the Petition shows “there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.” Taking into account West View’s Preliminary Response, and for the reasons that follow, we conclude that the information presented in the Petition establishes that there is a reasonable likelihood that Volkswagen will prevail in challenging claims 15 and 22 as unpatentable under 35 U.S.C. § 103(a) over Hancock and Lind, and claim 11 as unpatentable under 35 U.S.C. § 103(a) over Hancock, Lind, and Boyer. Pursuant to 35 U.S.C. § 314(a), we hereby authorize an *inter partes* review to be instituted as to claims 11, 15, and 22 of the ’156 patent.

II. BACKGROUND

A. *Related Matters*

According to the parties, the '156 patent is involved in the following district court cases: *West View Research, LLC v. Audi AG*, No. 3:14-cv-02668-BAS-JLB (S.D. Cal.); *West View Research, LLC v. Bayerische Motoren Werke, AG, et al.*, No. 14-cv-2670-CAB-WVG (S.D. Cal.); and *West View Research, LLC v. Nissan Motor Co.*, 14-cv-2677-CAB-WVG (S.D. Cal.). Pet. 1; Paper 4, 2.

In addition to this Petition, Volkswagen filed other petitions challenging the patentability of a certain subset of claims in the following patents owned by West View: (1) U.S. Patent No. 8,719,037 B2 (Case IPR2016-00123); (2) U.S. Patent No. 8,706,504 B2 (Case IPR2016-00124); (3) U.S. Patent No. 8,290,778 B2 (Case IPR2016-00125); (4) U.S. Patent No. 8,682,673 B2 (Case IPR2016-00137); (5) U.S. Patent No. 8,719,038 B1 (Case IPR2016-00146); (6) U.S. Patent No. 8,296,146 B2 (Case IPR2016-00156); and (7) U.S. Patent No. 8,781,839 B1 (Case IPR2016-00177). Prelim. Resp. 1.

B. *The '156 Patent*

The '156 patent, titled “Adaptive Information Presentation Apparatus and Methods,” issued November 22, 2011, from U.S. Patent Application No. 12/711,857, filed on February 24, 2010. Ex. 1001, at [54], [45], [21], [22].

The '156 patent is directed to an information system for use in personnel transport devices that can include elevator cars, trams, shuttles, or moving sidewalks. Ex. 1001, 1:34–37, 1:39–44, 5:30–34. System 100 includes input device 102, speech recognition (“SR”) module 104, and

central processor 106 with associated components. *Id.* at 5:41–49, Fig. 1. Input device 102 can be a touch sensitive keypad with a display screen. *Id.* at 5:52–53. Input device 102 also can include a variety of different functional keys that allow the user to initiate queries of databases either manually by a keypad, display device, or audibly through a speech recognition module. *Id.* at 5:55–60. The keypads and displays are placed to facilitate easy access and viewing by users. *Id.* at 6:47–51.

The system of the '156 patent also includes remotely located central server 170 that connects to the transport devices via a local area network. Ex. 1001, 7:39–42, Fig. 3. In an alternative embodiment, data may be transferred from remote server 170 by wireless interface 310. *Id.* at 7:51–55. In another embodiment, system 100 can include data terminal 702, which allows a user to plug in personal electronic device (“PED”) 704 into the system to obtain a download of information. *Id.* at 11:9–16. This embodiment is depicted in Figure 7, reproduced below:

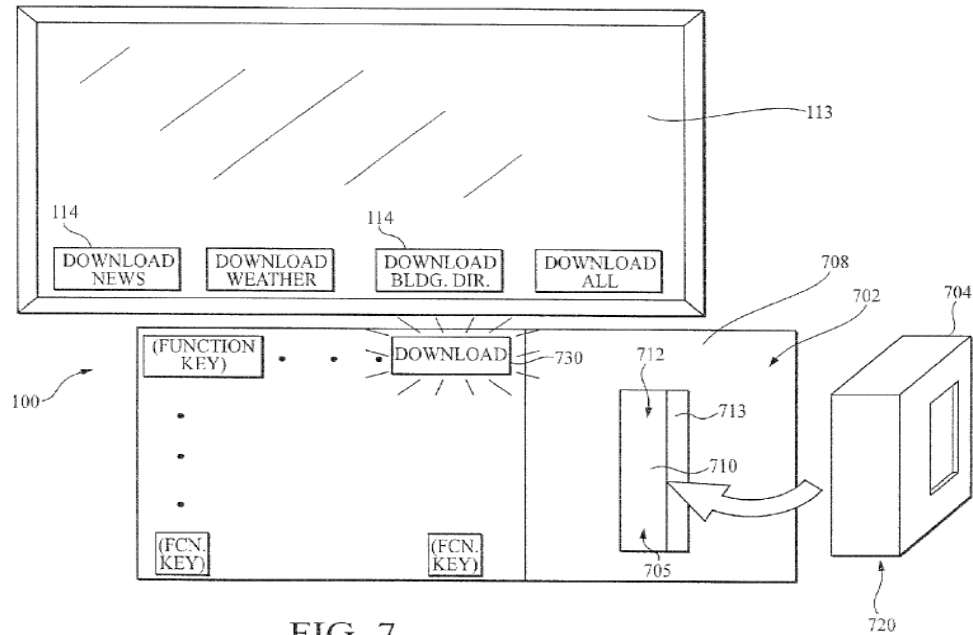


FIG. 7

Figure 7 is a view of an embodiment of the personal electronic device data download terminal of the invention. Ex. 1001, 4:48–49, 11:9–16.

C. Illustrative Claims

Of the challenged claims, claims 11 and 15 depend directly from independent claim 10. Claim 22 depends indirectly from claim 10. Claims 10, 11, 15, and 22 are reproduced below:

10. Computer readable apparatus comprising a storage medium, said storage medium comprising at least one computer program with a plurality of instructions, the storage medium being part of a computerized information system disposed on or within a transport apparatus configured to transport at least one person from one location to another, said at least one program being configured to:

receive an input from a user of the transport apparatus, the input relating to a desired function;

cause access of a remote server via an associated wireless interface to access information relating to the desired function;

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