

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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KOITO MANUFACTURING CO., LTD.,  
Petitioner,

v.

ADAPTIVE HEADLAMP TECHNOLOGIES, INC.,  
Patent Owner.

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Case IPR2016-00079  
Patent 7,241,034 C1

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Held: January 11, 2017

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BEFORE: MICHAEL P. TIERNEY, *Vice Chief Administrative Patent Judge*, and RAMA G. ELLURU and SCOTT C. MOORE, *Administrative Patent Judges*.

The above-entitled matter came on for hearing on Wednesday, January 11, 2017, commencing at 1:04 p.m., at the U.S. Patent and Trademark Office, 600 Dulany Street, Alexandria, Virginia.

Case IPR2016-00079  
Patent 7,241,034 C1

APPEARANCES:

ON BEHALF OF THE PETITIONER:

MICHAEL AUTUORO, ESQUIRE  
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ON BEHALF OF PATENT OWNER:

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1                    P R O C E E D I N G S

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3                    JUDGE TIERNEY: Welcome, everyone to the hearing  
4 in IPR2016-00079. We have the Petitioner and Patent Owner  
5 today. I just want to point out that Patent Owner had some  
6 difficulty with the plane or basically plane mechanical problems  
7 and it is my understanding and the Patent Owner will have to  
8 appear today via telephonic.

9                    So I want to confirm that Patent Owner -- we have  
10 counsel for Patent Owner on the line?

11                  MR. PINKUS: Yes, Your Honor, I'm here.

12                  JUDGE TIERNEY: And I believe it's Mr. Brett  
13 Pinkus?

14                  MR. PINKUS: That's correct.

15                  JUDGE TIERNEY: Thank you.

16                  MR. PINKUS: I apologize for the problems. I tried to  
17 get here last night or to D.C. last night and this morning. They  
18 had mechanical problems on both planes, so I just couldn't get  
19 there on time.

20                  JUDGE TIERNEY: Speaking on behalf of the Board,  
21 the panel, no apologies needed. We've all had problems with  
22 plane mechanical difficulties and arranging flights at this late  
23 hour. So what I'd like to say, though, is we will be going forward  
24 with the hearing with one hour each side.

1           Should either party have some difficulties with having  
2 the Patent Owner be telephonic, please bring it to our attention.  
3 We'll do everything we can to remedy any difficulties.

4           And I do want to reach out to the Patent Owner's  
5 counsel and say we understand how these things arise. Should  
6 you need some help in some way, let us know. We'll try to be  
7 accommodating as we can.

8           And, Petitioner, if you have any difficulty yourself with  
9 this arrangement, again, please let us know and we will try and  
10 work through this.

11           MR. AUTUORO: Thank you, Your Honor.

12           JUDGE TIERNEY: Any questions before we begin  
13 today? I'll start with Petitioner?

14           MR. AUTUORO: No, Your Honor.

15           JUDGE TIERNEY: And, Patent Owner, do you have  
16 any questions?

17           MR. PINKUS: No, Your Honor.

18           JUDGE TIERNEY: All right. So the way it's arranged  
19 is each side will have one hour. We'll begin with the Petitioner,  
20 followed by the Patent Owner. We'll have rebuttal by the  
21 Petitioner and we'll have a last moment, if the Patent Owner  
22 would like to make a summation at the end, a short summation,  
23 we'll allow for that in this case.

24           So each side can -- Petitioner, that is, will begin and  
25 Petitioner will take the stand when they're prepared and ready and

1 let us know if you'd like to save some time for rebuttal, we would  
2 appreciate it.

3 MR. AUTUORO: Thank you.

4 Good afternoon, Your Honors. May it please the Court,  
5 I would like to reserve 10 minutes for rebuttal.

6 JUDGE TIERNEY: And begin whenever you're ready.

7 MR. AUTUORO: Okay. Thank you. I would like to  
8 begin now.

9 My name is Michael Autuoro and I'm here from the law  
10 firm of Fish & Richardson, PC. With me is my colleague, Mr.  
11 Sam Borodach.

12 And as the Board is aware, we are here this afternoon to  
13 discuss U.S. Patent Number 7,241,034, titled automatic  
14 directional control system for vehicle headlights.

15 Most of the '034 patent's claimed components, signal  
16 sensors, controller actuators, the patent itself describes as  
17 conventional. The purported invention relates to a so-called  
18 threshold feature, which prevents undue movement of the  
19 actuators in the headlight in response to changes in signals that  
20 are relatively small, such as minor bumps in a road.

21 Petitioner has relied on art that discloses using the  
22 threshold feature and for the very reasons as given in the '034  
23 patent for using that feature. Many of the Patent Owner's  
24 arguments by contrast rely on the assertion that a motorcycle is  
25 not a vehicle.

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