

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 IPR2016-00156
Patent 8,296,146 B2

Before KARL D. EASTHOM, MICHAEL R. ZECHER, and
KEVIN W. CHERRY, *Administrative Patent Judges*.

CHERRY, *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. (“Petitioner”) filed a Petition (Paper 2, “Pet.”) requesting an *inter partes* review of claims 1, 10, 11, 17–19, 27, and 30 of U.S. Patent No. 8,296,146 B2 (“the ’146 patent,” Ex. 1001). Pet. 2. West View Research, LLC (“Patent Owner”) did not file a Preliminary Response. Under 35 U.S.C. § 314(a), an *inter partes* review may not be instituted “unless . . . the information presented in the petition . . . and any response . . . shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.”

Upon consideration of the Petition, we determine that the information presented shows there is a reasonable likelihood that Petitioner would prevail in establishing the unpatentability of at least one of claims 1, 10, 11, 17–19, 27, and 30 of the ’146 patent (“the challenged claims”).

A. Related Matters

According to the parties, the ’146 patent is involved in the following cases pending in the U.S. District Court for the Southern District of California: *West View Research, LLC v. Audi AG*, No. 3:14-cv-02668-BAS-JLB; *West View Research, LLC v. Bayerische Motoren Werke, AG*, No. 3:14-cv-02670-CAB-WVG; *West View Research, LLC v. Hyundai Motor Co., Ltd.*, 3:14-CV-02675-CAB-WVG; *West View Research, LLC v. Nissan Motor Co.*, 3:14-cv-02677-CAB-WVG; and *West View Research, LLC v. Tesla Motors, Inc.*, 3:14-CV-02679-CAB-WVG. See Pet. 1, Paper 4, 2.

Petitioner filed other petitions challenging the patentability of certain subsets of claims in the following patents owned by Patent Owner: (1) U.S. Patent No. 8,719,037 B2 (Case IPR2016-00123); (2) U.S. Patent No.

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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. 8,781,839 B1 (Case IPR2016-00177); and (7) U.S. Patent No. 8,065,156 B2 (Case IPR2015-01941). *See* Pet. 1–2.

B. The '146 Patent

The '146 patent is titled “Computerized Information Presentation Apparatus,” and issued October 23, 2012. Ex. 1001, at [54], [45]. The '146 patent generally relates to personnel transport apparatuses, such as trams, shuttles, or moving walkways, and, in particular, to elevators that incorporate various information technologies. Ex. 1001, 1:60–63, 6:36–45. According to the '146 patent, one problem associated with using these devices relates to determining the location of a person, firm, or store within a building or structure. *Id.* at 2:20–33. For instance, conventional building directories require a user to locate manually or visually the name of the desired person, firm, or store, and often do not provide precise location information other than a floor or suite number. *Id.* The '146 patent describes recent advances in data networking, displays, personal electronics, and speech recognition and compression algorithms and corresponding processing, as enhancing the ability to address the aforementioned problem. *Id.* at 3:23–30

The '146 patent describes using these recent advances to create an apparatus for providing a user with desired information on a plurality of topical areas. *Id.* at 4:23–46. Figure 1 of the '146 patent, reproduced below, illustrates a block diagram of one embodiment of an information and control system within, for example, an elevator car. *Id.* at 5:36–38, 6:51–52.

representations of the user's speech. *Id.* at 7:18–34. DSP 125 uses a speech library or dictionary stored within SR RAM module 127 to match phenome strings resulting from linear predictive coding analysis with known words. *Id.* at 7:35–42. After a match, central processor 106 and micro-controller 123 implement the desired functionality, such as retrieving one or more data files from non-volatile storage device 108 for display on display device 113. *Id.* at 7:42–45.

C. Illustrative Claim

Of the challenged claims, claims 1, 17–19, and 27 are independent. Claims 10 and 11 depend from claim 1; and claim 30 depends from claim 27. Illustrative claim 1 follows:

1. Computer readable apparatus comprising a storage medium, said storage medium comprising at least one computer program with a plurality of instructions, the computer readable apparatus 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, the computerized information system being configured to adaptively provide a user with desired information relating to a plurality of topical areas, said at least one program being configured to:

receive a digitized representation of a speech input of the user of the transport apparatus via a speech recognition apparatus in communication with the computerized information system, the speech input relating to a desired function to be performed by the computerized information system, the desired function relating to at least one of the topical areas;

cause wireless access of a remote server to access information necessary to perform the desired function;

receive accessed information obtained from the remote server via the wireless interface; and

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