

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TOYOTA MOTOR CORPORATION,  
Petitioner,

v.

SIGNAL IP, INC.,  
Patent Owner.

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Case No. IPR2016-00292  
U.S. Patent No. 6,012,007

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**PETITIONER'S REPLY**

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Petitioner Toyota Motor Corporation (“Toyota” or “Petitioner”) respectfully submits this Reply to the Patent Owner Response (Paper 19) of Signal IP, Inc. (“Signal” or “Patent Owner”).

## **I. INTRODUCTION**

The Board should find that claims 17 and 21 of U.S. Patent No. 6,012,007 are anticipated by the Schousek reference (Ex. 1002). In its Institution Decision, the Board correctly rejected Patent Owner’s arguments that Schousek did not disclose the disputed claim limitations. Patent Owner’s Response now repeats these same arguments without addressing the Board’s reasoning in its Institution Decision. The Board should reject these arguments again, and find the challenged claims unpatentable because Schousek discloses all the limitations of the claims, including each of the disputed limitations.

First, Schousek “allow[s] deployment when the relative weight parameter is above the first threshold” as recited in claim 17 because Schousek allows deployment when the measured total weight is above the 10 pound minimum infant seat weight threshold. Patent Owner argues that Schousek does not disclose this limitation because deployment is allowed above the minimum threshold only if the center of weight distribution is not forward of the seat reference line. The Board should reject this argument. As the Board explained in its Institution Decision, the claim does not prohibit further restrictions on deployment, and it is

sufficient that Schousek discloses instances in which deployment is allowed above the minimum threshold.

Second, the Board should reject Patent Owner's straw man argument that Schousek's 50 pound maximum infant seat weight threshold does not correspond to the claimed "first threshold" because the argument responds to a contention that Petitioner never made. As the Board recognized in its Institution Decision, Petitioner contends that Schousek's 50 pound threshold corresponds to the claimed "lock threshold," not the "first threshold."

Third, Schousek "set[s] a lock flag when the relative weight parameter is above the lock threshold and deployment has been allowed for a given time" as recited in claim 17. Schousek sets a lock flag when it transmits the current decision to deploy to the airbag module and replaces the previous decision with that current decision. Patent Owner argues that Schousek does not set a lock flag when "deployment has been allowed for a given time" because Schousek does not consult the previous decision previously transmitted to the module in determining whether to replace that decision with the current decision to deploy. The Board should reject this argument as off-point because Petitioner's contention for this limitation does not depend on Schousek consulting the previous decision transmitted to the module. Instead, Petitioner contends that Schousek sets a lock flag when deployment has been allowed for a given time because Schousek

transmits the current decision to deploy to the module after five decisions to deploy have been made over five consecutive cycles during which the total weight has been above the 50 pound threshold. Patent Owner's argument does not address Petitioner's contention.

Fourth, Schousek "clear[s] the flag when the relative weight parameter is below the unlock threshold for a time" as recited in claim 17. Schousek clears the lock flag when it transmits the current decision to not deploy to the module and replaces the previous decision to deploy. Patent Owner argues that Schousek does not clear the flag "when the relative weight parameter is below the unlock threshold for a time" because there is a case where Schousek transmits the current decision not to deploy to the module when the weight is *above* the minimum threshold. The Board correctly rejected this argument in its Institution Decision because there is another case where Schousek inhibits deployment when the relative weight parameter is *below* the unlock threshold. Specifically, Schousek transmits the current decision not to deploy to the module and replaces the previous decision with that current decision after the total weight has been below the 10 pound threshold for five consecutive cycles and five consecutive decisions to not deploy have been made. This is the case on which Petitioner relies, but Patent Owner's argument does not address this case.

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