

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TOYOTA MOTOR NORTH AMERICA, INC. and

TOYOTA MOTOR SALES, U.S.A., INC.

Petitioners

Patent No. 6,012,007

Issue Date: January 4, 2000

Title: OCCUPANT DETECTION METHOD AND
APPARTUS FOR AIR BAG SYSTEM

**PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 6,012,007
PURSUANT TO 35 U.S.C. § 312 and 37 C.F.R. § 42.104**

Case No. IPR 2016-00292

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EXHIBITS

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| Exhibit 1001 | U.S. Patent No. 6,012,007 to Fortune et al. |
| Exhibit 1002 | U.S. Patent No. 5,474,327 to Schousek |
| Exhibit 1003 | U.S. Patent No. 5,848,661 to Fu |
| Exhibit 1004 | U.S. Patent No. 5,732,375 to Cashler |
| Exhibit 1005 | File History of U.S. Patent No. 6,012,007 to Fortune et al. |
| Exhibit 1006 | Order RE Claim Construction from <i>Signal IP v. American Honda Motor Co., Inc.</i> , No. 2:14-cv-02454 (C.D. Cal.) |
| Exhibit 1007 | Expert Declaration of Scott Andrews |

Pursuant to 35 U.S.C. §§ 311-319 and 37 C.F.R. Part 42, Toyota Motor Corporation (“Toyota” or “Petitioner”) respectfully requests *inter partes* review of claims 17 and 21 of U.S. Patent No. 6,012,007 (“the ’007 patent”), filed on June 3, 1997, and issued on January 4, 2000, to Duane Donald FORTUNE et al., and currently assigned to Signal IP Inc. (“Signal” or “Patent Owner”) according to the U.S. Patent and Trademark Office (“USPTO”) assignment records. There is a reasonable likelihood that Petitioner will prevail with respect to at least one claim challenged in this Petition.

I. MANDATORY NOTICES (37 C.F.R. § 42.8)

A. Real Party-In-Interest (37 C.F.R. § 42.8(b)(1))

Petitioner, Toyota, and its corporate subsidiaries Toyota Motor Sales U.S.A., Inc. and Toyota Motor North America, Inc. are the real parties-in-interest.

B. Related Matters (37 C.F.R. § 42.8(b)(2))

The ’007 patent has been asserted by the Patent Owner in the following litigations: *Signal IP, Inc. v. Toyota Motor North America, Inc. et al.*, No. 2:15-cv-05162 (C.D. Cal.) (“C.D. Cal. *Signal IP v. Toyota* litigation”); *Signal IP, Inc. v. Hyundai Motor America*, Case No. 8:15-cv-01085 (C.D. Cal.); *Signal IP, Inc. v. Fiat U.S.A., Inc. et al.*, Case No. 2: 14-cv-13864 (E.D. Mich., formerly C.D. Cal. Case No. 2:14-cv-03105); *Signal IP, Inc. v. Ford Motor Company*, Case No. 2:14-cv-13729 (E.D. Mich., formerly C.D. Cal. Case No. 2:14-cv-03106); *Signal IP, Inc. v. Porsche Cars North America, Inc.*, Case No. 2:14-cv-03114 (C.D. Cal.);

Signal IP, Inc. v. Volkswagen Group of America, Inc. d/b/a Audi of America, Inc. et al., Case No. 2:14-cv-03113 (C.D. Cal.); *Signal IP, Inc. v. Jaguar Land Rover North America, LLC*, Case No. 2:14-cv-03108 (C.D. Cal.); *Signal IP, Inc. v. Volvo Cars of North America, LLC*, Case No. 2:14-cv-03107 (C.D. Cal.); *Signal IP, Inc. v. BMW of North America, LLC et al.*, Case No. 2:14-cv-03111 (C.D. Cal.); *Signal IP, Inc. v. Mercedes-Benz USA, LLC et al.*, Case No. 2:14-cv-03109 (C.D. Cal.); *Signal IP, Inc. v. Nissan North America, Inc.*, Case No. 2:14-cv-02962 (C.D. Cal.); *Signal IP, Inc. v. Subaru of America, Inc.*, Case No. 2:14-cv-02963 (C.D. Cal.); *Signal IP, Inc. v. Suzuki Motor of America, Inc.*, Case No. 8:14-cv-00607 (C.D. Cal.); *Signal IP, Inc. v. Kia Motors America, Inc.*, Case No. 2:14-cv-02457 (C.D. Cal.); *Signal IP, Inc. v. American Honda Motor Co., Inc. et al.*, Case No. 2:14-cv-02454 (C.D. Cal.); *Signal IP, Inc. v. Mazda Motor of America, Inc.*, Case No. 8:14-cv-00491 (C.D. Cal.); *Signal IP, Inc. v. Mazda Motor of America, Inc.*, Case No. 2:14-cv-02459 (C.D. Cal.); *Signal IP, Inc. v. Mitsubishi Motors North America, Inc.*, Case No. 8:14-cv-00497 (C.D. Cal.); *Signal IP, Inc. v. Mitsubishi Motors North America, Inc.*, Case No. 2:14-cv-02462 (C.D. Cal.).

The '007 was previously asserted in *Takata Seat Belts In v. Delphi Automotive Sys, et al.*, Case No. 5-04-cv-00464 (W.D. Tex.), which is no longer pending.

The '007 patent is subject to at least the following IPR proceedings:

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