# REQUEST FOR INTER PARTES REVIEW

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Docket No:

Duane Donald Fortune et al.

Issued: January 4, 2000

U.S. Patent No. 6,012,007 Application No. 08/8687,338

Filing Date: June 3, 1997

# For: OCCUPANT DETECTION METHOD AND APPARATUS FOR AIR BAG SYSTEM

### REQUEST FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 6,012,007 UNDER 35 U.S.C. §§311-319, 37 C.F.R. § 42

Mail Patent Board US Patent and Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450

Pursuant to 35 U.S.C. §§ 311-319 and 37 C.F.R. § 42, Petitioner Aisin Seiki Co., Ltd. ("Aisin Seiki" or "Petitioner") respectfully request *Inter Partes* Review of claims 17, 21 and 22 of U.S. Patent No. 6,012,007 (Ex. 1001, "the '007 patent"), which was filed on June 3, 1997 and issued on January 4, 2000 to Duane Donald Fortune and is currently assigned to Signal IP, Inc. ("Patent Owner") according to the US Patent and Trademark Office assignment records. There is a reasonable likelihood that Petitioner will prevail with respect to at least one of the claims challenged in this Petition.

# TABLE OF CONTENTS

I.	MANDATORY NOTICES UNDER 37 C.F.R. § 42.8(A)(1)1					
	A.	REAL PARTY-IN-INTEREST UNDER 37 C.F.R. § 42.8(b)(1)1				
	B.	RELATED MATTERS UNDER 37 C.F.R. § 42.8(b)(2)1				
	C.	LEAD AND BACK-UP COUNSEL				
	D.	SERV	VICE INFORMATION	3		
II.	PAYN	MENT OF FEES — 37 C.F.R. § 42.103				
III.	REQUIREMENTS FOR IPR UNDER 37 C.F.R. §§ 42.104					
	A.	Grounds for Standing Under 37 C.F.R. § 42.104(a)4				
	B.	Prior Art Patents and Printed Publications4				
	C.	Identification of Challenge Under 37 C.F.R. § 42.104(b) and Relief Requested				
IV.	SUMMARY OF THE '007 PATENT7					
	A.	Brief	Description	7		
	B.	Summ	nary of the Prosecution History of the '007 Patent	9		
V.	CLAIM CONSTRUCTION					
	A.	Terms	s Not Requiring the District Court's Construction			
	B.	Terms Construed By the District Court13				
		1.	Means for Inhibiting and Allowing Deployment			
		2.	A Level Indicative of an Empty Seat			
		3.	Relative Weight Parameter	14		
VI.	THERE IS A REASONABLE LIKELIHOOD THAT AT LEAST ONE CLAIM OF THE '007 PATENT IS UNPATENTABLE16					
	A.	A. Grounds 1-3 in view of Schousek				
		1.	Ground 1: Claims 17 and 21 are anticipated by Schousek			
		2.	Ground 2: Claims 17 and 21 are obvious over Schousek in view of Fu	29		
		3.	Ground 3: Claim 22 is obvious over Schousek in view of Fu and Cashler.	35		
	B.	Grour	nds 4-5 based on Blackburn	41		

ii

Reque	est for Inter Par	rtes Review U.S. Patent N	U.S. Patent No. 6,012,007	
	1.	Ground 4: Claims 17 and 21 are obvious from Blaview of JP 258 and Schousek		
	2.	Ground 5: Claim 22 of the '007 patent is obvious u U.S.C. §103(a) by Blackburn in view of Schousek and Cashler	, JP 258	
VII.	CONCLUSI	ON	60	

Request for Inter Partes Review

# **EXHIBITS**

	Exhibit	Description
	1001	U.S. Patent No. 6,012,007
_	1002	File History of U.S. Patent No. 6,012,007 ("'007 Patent")
	1003	U.S. Patent 5,474,327 to Schousek ("Schousek")
	1004	U.S. Patent 5,848,661 to Fu ("Fu")
	1005	U.S. Patent 5,232,243 to Blackburn ("Blackburn")
	1006	Japanese Patent Application 09-127258 ("JP 258")
	1007	Certified Translation of Japanese Patent Application 09-127258
	1008	U.S. Patent 5,732,375 to Cashler ("Cashler")
	1009	Order RE Claim Construction, Signal IP v. American Honda Motor
		<i>Co., Inc.,</i> No. 2:14-cv-02454
	1010	Expert Declaration of Dr. Stephen W. Rouhana

Find authenticated court documents without watermarks at <u>docketalarm.com</u>.

# I. MANDATORY NOTICES UNDER 37 C.F.R. § 42.8(a)(1) A. REAL PARTY-IN-INTEREST UNDER 37 C.F.R. § 42.8(b)(1)

The Petitioner and real party-in-interest is Aisin Seiki Co., Ltd..

### B. RELATED MATTERS UNDER 37 C.F.R. § 42.8(b)(2)

Pursuant to 37 C.F.R. § 42.8(b)(2), Petitioners state that the '007 patent is the subject of a series of patent infringement lawsuits brought by the assignee, Signal IP, Inc. ("Signal IP"), each of which may affect, or be affected by, a decision in this proceeding: 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.

# DOCKET A L A R M



# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

# **Real-Time Litigation Alerts**



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

# **Advanced Docket Research**



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

# **Analytics At Your Fingertips**



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

# API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

### LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

### FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.