

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TOYOTA MOTOR CORPORATION

Petitioner

v.

BLITZSAFE TEXAS, LLC

Patent Owner

Patent No. 7,489,786

Issue Date: Feb. 10, 2009

Title: AUDIO DEVICE INTEGRATION SYSTEM

PATENT OWNER'S RESPONSE PURSUANT TO 37 CFR § 42.120

Case No. IPR2016-00421

I. INTRODUCTION

Patent Owner Blitzsafe Texas, LLC (“Patent Owner”) submits the following response under 37 CFR § 42.120 to the Petition filed by Toyota Motor Corporation (“Petitioner”) requesting *inter partes* review of certain claims of U.S. Patent No. 7,489,786 (“the ’786 Patent”). This filing is timely pursuant to the Board’s Scheduling Order and the parties’ stipulation extending the deadline to September 30, 2016. (See Paper No. 14, Scheduling order, and Paper No. 17, Stipulation to Adjust Schedule.).

II. ARGUMENT

Patent Owner respectfully submits that claims 44 and 47 are not obvious over combinations based on the JP H7-6954 (“JP ’954”) reference, Lau, and Bhogal. Patent Owner respectfully requests that the Board confirm the patentability of claims 44 and 47 of the ’786 Patent.

In instituting this proceeding, the Board did not consider whether “portable” devices are “external.” As Petitioner points out, some of the terms at issue in this proceeding have been construed in other proceedings. Pet. at 12-15. For example, the term “external” was construed as “an after-market device that is outside and alien to the environment of an OEM or after-market stereo system.” See, e.g., Ex. 1112 at 24. Portable devices are a subset of these after-market external devices. See, e.g., Ex. 1101 at 2:50-52 (“A docking port is provided for allowing portable

external audio devices to be connected to the interface of the present invention.”)

However, the Board only considered whether a portable device was “capable of being carried by a user.” Paper No. 13 at 12.

In light of the “external” nature of portable devices, JP ’954 cannot be combined with Lau and Bhogal to arrive at claims 44 and 47 without impermissible hindsight. The disclosure of JP ’954 is sparse and does not disclose any algorithms for converting control commands from a car stereo to a format compatible with an MP3 player or other “alien” devices, as required by the claims (i.e., “external” devices). JP ’954 only discusses a CD-changer which, in the context of the disclosure, would have been understood to be a standard car-mounted CD-changer. These CD-changers are not “external” or “portable devices” within the scope of the claims, and thus, JP ’954 gives no insight with regard to the type of command conversion and data conversion necessary to integrate an external device.

Similarly, Lau does not teach or disclose “external” or “portable devices.” Rather, Lau discloses a system with only two components, a “music server” and a “head unit.” The music server is one structural, functional, and physical component and thus cannot be both the “interface” and the “external device” required by the claims. Ex. 1103 at 7. Accordingly, Lau gives no insight with regard to the type of command conversion and data conversion necessary to

integrate an external device.

Finally, Bhogal does not remedy these deficiencies and the Petition does not explain how or why one of ordinary skill in the art would combine the JP '954 system with three components (car, interface, and non-external CD changer) with the Lau system that includes only two components (car and "music server") to arrive at claims 44 and 47.

III. CONCLUSION

For the foregoing reasons, Patent Owner respectfully requests that the Board confirm the validity of claims 44 and 47 of the '786 Patent over the grounds raised in Toyota's Petition, including those for which review was instituted.

Respectfully submitted,

Dated September 30, 2016

/Peter Lambrianakos/

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