

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

UNIFIED PATENTS INC,
Petitioner

v.

BLITZSAFE TEXAS, LLC,
Patent Owner

Case IPR2016-00118
Patent 8,155,342 B2

Before JAMESON LEE, THOMAS L. GIANNETTI, and HUNG H. BUI,
Administrative Patent Judges.

BUI, *Administrative Patent Judge.*

DECISION
Denying Institution of *Inter Partes* Review
37 C.F.R. § 42.108

I. INTRODUCTION

Petitioner, Unified Patents Inc., filed a Petition requesting an *inter partes* review of claims 1–25, 49, 73, 97, 120, and 121 of U.S. Patent No. 8,155,342 B2 (Ex. 1001, “the ’342 patent”). Paper 1 (“Pet.”). In response, Patent Owner, Blitzsafe Texas, LLC, filed a Preliminary Response. Paper 11 (“Prelim. Resp.”). We have jurisdiction under 35 U.S.C. § 314, which provides that an *inter partes* review may not be instituted “unless . . . the information presented in the petition . . . 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 arguments and evidence presented by Petitioner and Patent Owner, we are not persuaded that Petitioner has demonstrated a reasonable likelihood that it would prevail in showing the unpatentability of any one of claims 1–25, 49, 73, 97, 120, and 121 of the ’342 patent. For reasons discussed below, we deny the Petition as to all challenges.

A. Related Matters

The ’342 patent is involved in the following on-going litigations: (1) *Blitzsafe Texas, LLC v. Nissan Motor Co., Ltd. et al.*, 2-15-cv-01276, TXED, July 16, 2015; (2) *Blitzsafe Texas, LLC v. Toyota Motor Corp. et al.*, 2-15-cv-01277, TXED, July 16, 2015; (3) *Blitzsafe Texas, LLC v. Volkswagen Group of Am., Inc. et al.*, 2-15-cv-01278, TXED, July 16, 2015; (4) *Blitzsafe Texas, LLC v. Hyundai Motor Co. et al.*, 2-15-cv-01275, TXED, July 16, 2015; (5) *Blitzsafe Texas, LLC v. Honda Motor Co., Ltd. et al.*, 2-15-cv-

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01274, TXED, July 16, 2015; (6) *Marlowe Patent Holdings LLC v. Dice Elects., LLC, et al.*, 3-10-cv-01199, NJD, March 5, 2010; and (7) *Card Verification Solutions, LLC v. JP Morgan Chase & Co.*, 1-13-cv-006338, ILND, September 4, 2013. Pet. 1–2.

Patent Owner also identifies other petitions requesting *inter partes* review of the '342 patent based on different prior art references, including: (1) *Toyota Motor Corp. v. Blitzsafe Texas, LLC*, IPR2016-00418, Petition for *Inter Partes* Review, (Dec. 30, 2015); and (2) *Toyota Motor Corp. v. Blitzsafe Texas, LLC*, IPR2016-00419, Petition for *Inter Partes* Review, (Dec. 30, 2015).

B. Real Party-in-Interest¹

Petitioner certifies that Unified Patents Inc. is the real party-in-interest, and “further certifies that no other party exercised control or could exercise control over Unified’s participation in this proceeding, the filing of this petition, or the conduct of any ensuing trial.” Pet. 1. In support of this assertion, Petitioner files “Voluntary Interrogatory Responses,” signed by its counsel and verified by its CEO. Ex. 1019.

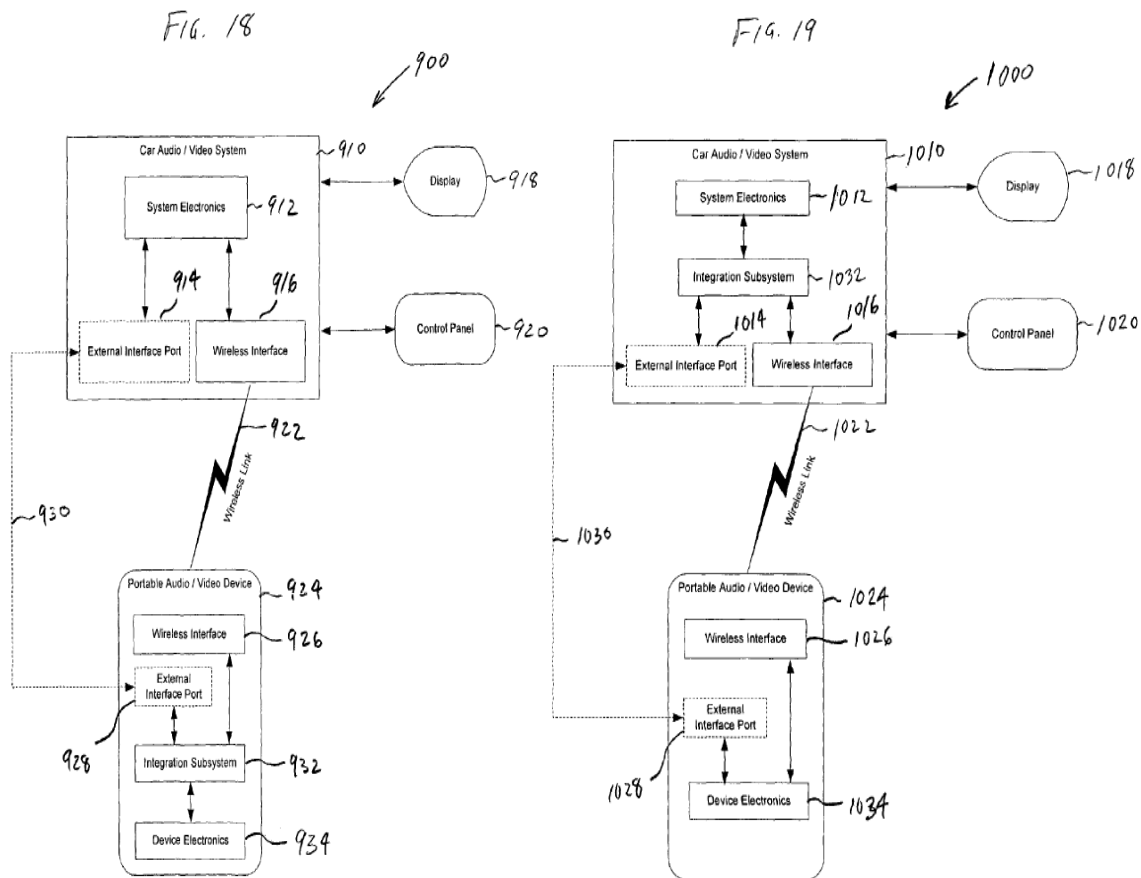
¹ Patent Owner contends that the Petition fails to identify all real parties-in-interest, as required under 35 U.S.C. § 312(a)(2). Prelim. Resp. 4–10. However, because we do not institute *inter partes* review, we need not address the real-parties-in-interest (RPI) issue substantively.

C. *The '342 Patent*

The '342 patent relates to a multimedia device integration system that allows a plurality of “after-market” portable devices to be integrated into an existing car audio/video (stereo) system, via an “integration subsystem,” while allowing information to be displayed on, and control to be provided from, the car audio/video system. *See* Ex. 1001, 2:44–54; Abstract. Examples of these portable devices include CD players, CD changers, digital media devices (e.g., MP3 players, Apple iPod, WMV players, portable media centers, and other devices), satellite receivers, DAB receivers, auxiliary input sources, video devices (e.g., DVD players), cellular telephones, or any combination thereof. *Id.*

The '342 patent claims are directed to certain embodiments where wireless integration is provided between a car audio/video system and a portable device, via an integration subsystem. Ex. 1001, 33:43–46.

Figure 18 shows an integration subsystem positioned within a portable device, and Figure 19 shows an integration subsystem positioned within a car audio/video system, as reproduced below.



Figures 18 and 19 of the '342 patent show integration subsystems 932 and 1032 positioned, respectively, within portable device 924 or within car audio/video system 1010.

As shown in Figure 18, integration subsystem 932 positioned within portable device 924 allows information (data and control signals) to be exchanged between portable device 924 and car audio/video system 910, and processes and formats data accordingly so that instructions and data from car audio/video system 910 are processed by portable device 924, and vice versa. *See id.* at 33:43–35:62; Fig. 18. Similarly, as shown in Figure 19, integration subsystem 1032 positioned within car audio/video system 1010 allows information (data and control signals) to be exchanged between

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