

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SMR AUTOMOTIVE SYSTEMS USA, INC.,
Petitioner,

v.

MAGNA MIRRORS OF AMERICA, INC.,
Patent Owner.

Case IPR2018-00506
Patent 8,591,047 B2

Before SALLY C. MEDLEY, JESSICA C. KAISER, and
AMBER L. HAGY, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

DECISION
Denying Institution of *Inter Partes* Review
35 U.S.C. § 314(a)

I. INTRODUCTION

SMR Automotive Systems USA, Inc. (“Petitioner”)¹ filed a Petition for *inter partes* review of claims 1–40 of U.S. Patent No. 8,591,047 B2 (Ex. 1001, “the ’047 patent”). Paper 2 (“Pet.”). Magna Mirrors of America, Inc. (“Patent Owner”) filed a Preliminary Response. Paper 8 (“Prelim. Resp.”). Institution of an *inter partes* review is authorized by statute when “the information presented in the petition . . . and any response . . . 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.” 35 U.S.C. § 314(a). Upon consideration of the Petition and Preliminary Response, we decline to institute review of claims 1–40 of the ’047 patent.

A. Related Matters

The parties indicate that the ’047 patent is the subject of *Magna Mirrors of America, Inc. v. Samvardhana Motherson Reflectec Group Holdings Ltd.*, Case No. 1:17-cv-00077-RJJ-PJG (W.D. Mich.). Pet. 3; Paper 5, 1. The parties also identify numerous other petitions for *inter partes* review filed by Petitioner challenging claims of patents related to the ’047 patent:

IPR2018-00491	U.S. Patent No. 7,934,843 B2
IPR2018-00505	U.S. Patent No. 8,147,077 B2
IPR2018-00517	U.S. Patent No. 8,128,244 B2
IPR2018-00520	U.S. Patent No. 8,267,534 B2
IPR2018-00533	U.S. Patent No. 8,783,882 B2
IPR2018-00536	U.S. Patent No. 8,550,642 B2

¹ Petitioner, SMR Automotive Systems USA, Inc., identifies several entities as real parties-in-interest. Pet. 2–3.

IPR2018-00541	U.S. Patent No. 8,899,762 B2
IPR2018-00545	U.S. Patent No. 9,694,750 B2
IPR2018-00931	U.S. Patent No. 8,128,243 B2 ²

Pet. 3; Paper 4, 1.

B. The '047 Patent

The '047 patent is directed to an exterior sideview mirror. Ex. 1001, Abstract. The mirror includes a plano mirror element and an auxiliary mirror element mounted adjacent to each other. *Id.* Figure 16, reproduced below, is illustrative of the mirror.

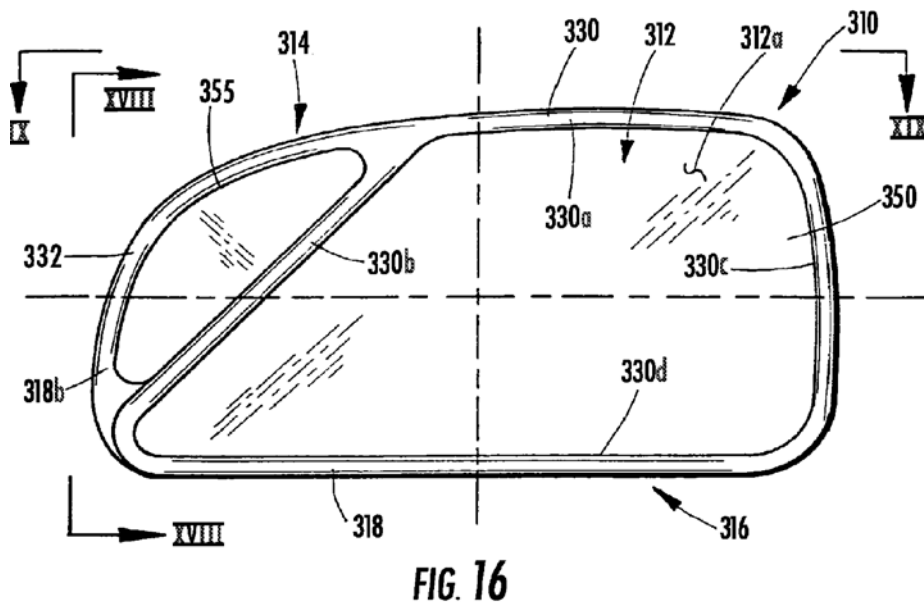


Figure 16 of the '047 patent shows an embodiment of a plano reflective element assembly.

As seen from above, plano-auxiliary reflective element assembly 310 includes a first reflective element 312 and an auxiliary reflective element

² IPR2018-00913 was not identified by either party, but is related to this proceeding. IPR2018-00913, Paper 1, 3; Paper 4, 1.

314 supported in frame assembly 316. *Id.* at 15:59–64. Reflective element 312 comprises a plano reflective element 350, such as a flat reflector coated glass substrate. *Id.* at 16:21–23. Reflective element 314 comprises a radiused reflective element, preferably, a multiradiused reflective element 355 having a multiradiused curvature. *Id.* at 17:46–48.

C. Illustrative Claims

Petitioner challenges claims 1–40 of the '047 patent. Claim 1, the sole independent claim, is reproduced below.

1. An exterior sideview mirror assembly suitable for use on a vehicle, said exterior sideview mirror assembly comprising:

a mirror housing;

a mirror backing plate element;

wherein said mirror backing plate element is movable within said mirror housing by an electrically-operated actuator;

a main plano mirror element fixedly disposed at a first portion of said mirror backing plate element;

said main plano mirror element having a first primary field of view rearward of a vehicle equipped with said exterior sideview mirror assembly;

an auxiliary non-plano curved mirror element fixedly disposed at a second portion of said mirror backing plate element;

wherein said main plano mirror element and said auxiliary non-plano curved mirror element are adjacently disposed at said mirror backing plate element in a side-by-side relationship and are not superimposed with one mirror element on top of the other mirror element;

wherein said mirror backing plate element comprises a polymeric molding;

said auxiliary non-plano curved mirror element having a second auxiliary field of view rearward of the equipped vehicle;

wherein said first primary field of view of said main plano mirror element overlaps said second auxiliary field of view of said auxiliary non-plano curved mirror element;

wherein said auxiliary non-plano curved mirror element that is at said second portion of said mirror backing plate element is angled relative to said main plano mirror element that is at said first portion of said mirror backing plate element;

wherein said mirror backing plate element mounts to said actuator such that movement of said mirror backing plate element by said actuator simultaneously and similarly moves said main plano mirror element and said auxiliary non-plano curved mirror element;

wherein said main plano mirror element comprises one of (a) a generally flat glass substrate having a surface coated with a metallic reflector coating and (b) a generally flat polymeric substrate having a thin glass element applied to a surface thereof and within opposing surface thereof having a reflecting layer applied thereto; and

wherein said first primary field of view of said main plano mirror element overlaps said second auxiliary field of view of said auxiliary non-plano curved mirror element by between about 2 degrees and about 20 degrees.

Id. at 27:38–28:18.

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.