

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BMW OF NORTH AMERICA, LLC,

Petitioner,

v.

BLITZSAFE TEXAS, LLC,

Patent Owner.

Patent No. 7,489,786

Issue Date: December 11, 2002

Title: AUDIO DEVICE INTEGRATION SYSTEM

PATENT OWNER'S PRELIMINARY RESPONSE

Case No. IPR2018-01142

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TABLE OF AUTHORITIES

Cases

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Statutes

35 U.S.C. § 301	4, 5
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Other Authorities

37 C.F.R. § 42.100	4
37 C.F.R. § 42.104	4, 5

EXHIBIT LIST

Exhibit	Description
2001	Defendants' Joint Disclosures Pursuant to P.R. 4-2 in <i>Blitzsafe Texas, LLC v. Mitsubishi Electric Corporation, et al.</i> , Case No. 2:17-cv-00430 (E.D. Tex.), served March 14, 2018

Institution should be denied because, as shown herein, Petitioner has failed to demonstrate that the references teach or disclose each of the limitations of the challenged claims.

I. BACKGROUND

A. Prior Unsuccessful Challenges

Five prior petitions for *inter partes* review of the '786 Patent have been filed. The previous petitions all resulted in zero claims cancelled or amended. A brief summary of the previous IPRs is below:¹

IPR	PETITIONER(S)	OUTCOME
IPR2016-00421	Toyota Motor Corp.	Institution as to all claims at issue here denied (July 7, 2016) ²
IPR2016-00422		Institution denied (July 6, 2016)
IPR2016-01448	Volkswagen Group of Am., Inc.	Institution denied (Jan. 13, 2017)

¹ Three additional petitions were filed on June 6, 2018: IPR2018-01203 by Jaguar Land Rover Ltd. and Jaguar Land Rover North America, LLC; and IPR2018-01211 and IPR2018-01214 by Daimler AG.

² The Board instituted the '421 Petition only as to claims 44 and 47, which relate to “docking stations,” and which are not challenged in the present petition. The '421 IPR was terminated due to settlement on February 21, 2017.

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