

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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BMW OF NORTH AMERICA, LLC,

Petitioner

v.

BLITZSAFE TEXAS, LLC

Patent Owner

U.S. Patent No. 7,489,786  
Filing Date: December 11, 2002  
Issue Date: February 10, 2009

Title: AUDIO DEVICE INTEGRATION SYSTEM

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Case No. IPR2018-01204

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**PETITION FOR *INTER PARTES* REVIEW**

**TABLE OF CONTENTS**

I.	INTRODUCTION .....	1
II.	U.S. PATENT 7,489,786.....	2
	A. Overview .....	2
	B. Level of Ordinary Skill in the Art.....	6
III.	CLAIM CONSTRUCTION .....	6
IV.	CLAIMS 92-94, 97, AND 98 OF THE '786 PATENT ARE UNPATENTABLE.....	13
	A. The Prior Art .....	13
	1. <i>Herley</i> .....	13
	2. <i>Ido</i> .....	15
	3. <i>Lutter</i> .....	16
	B. Ground 1: Claims 92-94, 97, and 98 are invalid under 35 U.S.C. § 103 as unpatentable over <i>Herley</i> in view of <i>Ido</i> and <i>Lutter</i> .....	17
	1. Claim 92.....	17
	a) 92[1]: “An audio device integration system” .....	17
	b) 92[2]: “a car stereo” .....	18
	c) 92[3]: “a portable audio device external to the car stereo” .....	20
	d) 92[4]: “an interface connected between the car stereo and the portable audio device, the interface including a microcontroller pre-programmed to execute”.....	21
	e) 92[5]: “first pre-programmed means for generating a device presence signal and transmitting the signal to the car stereo to maintain the car stereo in an operational state” .....	23
	i. “first pre-programmed means for generating a device presence signal” .....	24
	ii. “first pre-programmed means for . . . transmitting the signal to the car stereo to maintain the car stereo in an operational state” .....	30
	f) 92[6]: “second pre-programmed means for remotely controlling the portable audio device using the car stereo by receiving a control command from the car stereo in a format incompatible with the portable audio device, processing the control command into a formatted control command compatible with the portable	

audio device, and transmitting the formatted control command to the portable audio device for execution thereby” .....	31
i. “second pre-programmed means for remotely controlling...by receiving...” .....	37
ii. “second pre-programmed means for remotely controlling...by processing...” .....	38
iii. “second pre-programmed means for remotely controlling...by transmitting...” .....	38
g) 92[7]: “means for transmitting audio from the portable audio device to the car stereo” .....	39
2. Claim 93: “the portable audio device comprises a portable CD player” .....	46
3. Claim 94: “the portable audio device comprises a portable MP3 player” .....	46
4. Claim 97: “the second electrical connector further comprises a bus connection established between the portable audio device and said interface” .....	46
5. Claim 98: “the bus connection comprises a Universal Serial Bus (USB) connection” .....	48
V. MANDATORY NOTICES UNDER 37 C.F.R. § 42.8(a)(1).....	48
A. REAL PARTY-IN-INTEREST UNDER 37 C.F.R. § 42.8(b)(1).....	48
B. RELATED MATTERS UNDER 37 C.F.R. § 42.8(b)(2) .....	48
C. LEAD AND BACK-UP COUNSEL .....	50
D. SERVICE INFORMATION .....	51
VI. PAYMENT OF FEES UNDER 37 C.F.R. § 42.103 .....	51
VII. Grounds for Standing Under 37 C.F.R. § 42.104(a) .....	51
VIII. CONCLUSION.....	52

**EXHIBITS**

<b>Exhibit</b>	<b>Description</b>
1001	U.S. Patent No. 7,489,786 (“the ’786 patent”)
1002	Declaration of James T. Geier
1003	U.S. Patent Publication No. 2005/0262528 A1 (“Herley”)
1004	<i>Reserved</i>
1005	European. Patent Application Publication No. EP 0950570 A2 (“Ido”)
1006	U.S. Patent No. 6,394,774
1007	Decision Instituting <i>Inter Partes</i> Review, Case IPR2016-00421, Paper No. 13 (July 7, 2016)
1008	U.S. Patent Publication No. 2002/0196134 (“Lutter”)
1009	Plaintiff’s Proposed Claim Constructions in Case No. 2:17-cv-00430 (E.D. Tex.), served March 14, 2018.
1010	<i>Reserved</i>
1011	File History of the ’786 Patent
1012	<i>Reserved</i>
1013	Plaintiff’s Infringement Contentions Exhibit A, served September 2017 in Blitzsafe Texas, LLC v. Bayerische Motoren Werke AG et al., 2:17-cv-00418 (E.D. Tex.)

## I. INTRODUCTION

Petitioner BMW of North America, LLC (“BMWNA,” or “Petitioner”), requests *Inter Partes* Review of claims 92-94, 97, and 98 of U.S. Patent No. 7,489,786 (EX1001, “the ’786 patent”). The patent is currently assigned to Blitzsafe Texas, LLC. (“Blitzsafe” or “Patent Owner”) based on Patent Office records.

Last fall, the Board made its decision in *General Plastic Industrial Co., Ltd. v. Canon Kabushiki Kaisha*, IPR2016-01357, Paper 19 (P.T.A.B. Sept. 6, 2017). In that case, the Board denied institution of a second set of follow-on petitions that challenged the same claims as the first set of petitions by modifying the prior grounds to address the Board’s concerns using prior art from a search conducted after the Board denied institution. *Id.* at 10. But that is not the case here.

BMWNA has not filed any *Inter Partes* Review petitions for the ’786 patent prior to this petition,<sup>1</sup> and BMWNA was also not a real party in interest to the prior proceedings for the ’786 patent.

Furthermore, this petition cites new prior art references that were not previously considered by the Board or by the patent examiner during prosecution, such as the *Herley*, *Ido*, and *Lutter* references. In conducting newly commissioned prior art searches for the ’786 patent between September 2017 and May 2018,

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<sup>1</sup> BMWNA is filing this petition concurrently with IPR2018-01124.

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