

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DAIMLER AG,
Petitioner,

v.

BLITZSAFE TEXAS, LLC,
Patent Owner.

Case IPR2018-01209
Patent 8,155,342 B2

Before JAMES T. MOORE, THOMAS L. GIANNETTI, and
MIRIAM L. QUINN, *Administrative Patent Judges*.

QUINN, *Administrative Patent Judge*.

DECISION

Denying Institution of *Inter Partes* Review and Denying Motion for Joinder
37 C.F.R. § 42.108

I. INTRODUCTION

Petitioner, Daimler AG, filed a Petition requesting an *inter partes* review of claims 49–57, 62–64, 66, 68, 70, 71, 73–80, 83, 86–88, 94, 95, 97, 99–103, 106, 109–111, 113, 115, and 120 (“the challenged claims”) of U.S. Patent No. 8,155,342 B2 (Ex. 1001, “the ’342 patent”). Paper 2 (“Pet.”). Concurrent with the filing of its Petition, Petitioner filed a Motion for Joinder under 35 U.S.C. § 315(c), seeking to join IPR2018-00544. Paper 3 (“Mot.”).

Patent Owner filed a Preliminary Response and an Opposition to Petitioner’s Motion for Joinder. Paper 9 (“Prelim. Resp.”); Paper 7 (“Opp’n”). Petitioner filed a Reply to Patent Owner’s Opposition to the Motion for Joinder. Paper 8 (“Reply”).

Under 35 U.S.C. § 315(c), at the discretion of the Director, a party may be joined to an instituted *inter partes* review. Under 35 U.S.C. § 314, *inter partes review* may not be instituted unless “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.” Because we did not institute *inter partes* review in IPR2018-00544, there is no *inter partes* review to which we could join Petitioner, and, therefore, we deny the Motion for Joinder. And further, for the same reasons we denied institution in IPR2018-00544, we do not institute *inter partes* review here.

A. *Related Matters*

Petitioner asserts that the '342 patent is the subject matter of district court litigation pending in the Eastern District of Texas, including *Blitzsafe Texas, LLC v. Daimler AG, et al.*, 2:17-cv-00422. Pet. 3. We observe that the litigation is still pending.

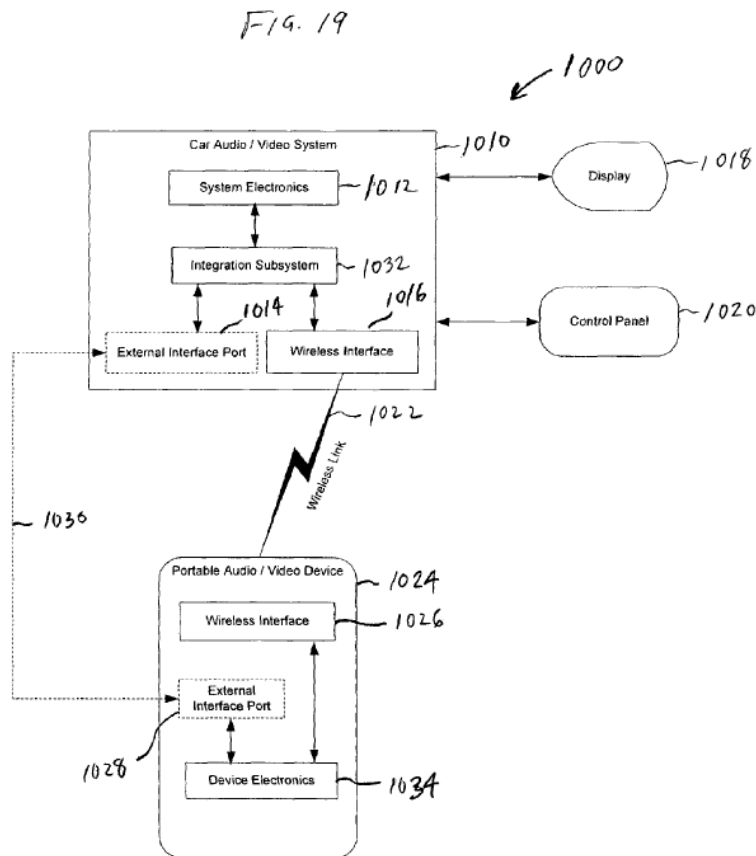
The '342 patent has been challenged in many AIA proceedings: IPR2016-00118, IPR2016-00418, IPR2016-00419, IPR2016-01445, IPR2016-01449, IPR2016-01473, IPR2016-01476, IPR2016-01533, IPR2016-01557, IPR2016-01560, IPR2018-00090. Pet. 3–4; Paper 6.

B. *The '342 Patent (Ex. 1001)*

The '342 patent is entitled “Multimedia Device Integration System.” Ex. 1001, [54]. The '342 patent describes that a “particular problem with integrating after-market audio and video systems with existing car stereo and video systems is that signals generated by both systems are in proprietary formats, and are not capable of being processed by the after-market system.” *Id.* at 1:54–58. “Thus, in order to integrate after-market systems with existing car stereo and video systems, it is necessary to convert signals between such systems.” *Id.* at 1:60–63.

Certain embodiments of the '342 patent provide a multimedia device integration system that allows “for the wireless integration of a portable audio and/or video device with a car audio and/or video system.” *Id.* at 5:7–10. “The portable device could comprise a CD changer, CD player, satellite receiver (e.g., XM or Sirius), digital media device (e.g., MP3, MP4, WMV, or Apple iPod device), video device (e.g., DVD player), or a cellular

telephone.” *Id.* at 5:9–13. In particular, an integration module, which could be positioned within the car system, receives data from the portable device (including track information, song information, artist information, time information, and other related information) and processes the data into a format compatible with the car system. *Id.* at 5:23–30. One embodiment illustrated in Figure 19, reproduced below, for example, shows an integration subsystem. *Id.* at 8:3–8.



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 portable device 1024 and car audio/video system 1010, and processes and formats data accordingly so that instructions and data from car audio/video system 1010 are processed by portable device 1024, and vice versa. *See id.* at 33:43–35:62, Fig. 19. Wireless interface 1016 in the car system and wireless interface 1026 in the portable device form wireless link 1022. *Id.* at 34:15–18; *see id.* at 35:21–23.

C. *Illustrative Claim*

Of the challenged claims, claims 49, 73, 97, and 120 are independent. Claims 50–57, 62–64, 66, 68, 70, and 71 depend directly or indirectly from claim 49. Claims 74–80, 83, 86–88, 94, and 95 depend directly or indirectly from claim 73. Claims 98–103, 106, 109–111, 113, and 115 depend directly or indirectly from claim 97.

Claim 49, reproduced below, is illustrative.

49. A multimedia device integration system, comprising:

an integration subsystem in communication with a car audio/video system; and

a first wireless interface in communication with said integration subsystem, said first wireless interface establishing a wireless communication link with a second wireless interface in communication with a portable device external to the car audio/video system,

wherein said integration subsystem obtains, using said wireless communication link, information about an audio file stored on the portable device, transmits the information to the car audio/video system for subsequent display of the information on a display of the car audio/video system, instructs the portable device to play the audio file in response to a user selecting the

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