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Paper 7
Date: October 7, 2020

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MOTHERSON INNOVATIONS CO., LTD.,
Petitioner,

v.

MAGNA MIRRORS OF AMERICA, INC.,
Patent Owner.

IPR2020-00777
Patent 10,261,648 B2

Before SALLY C. MEDLEY, JESSICA C. KAISER, and SCOTT E. BAIN, *Administrative Patent Judges.*

KAISER, *Administrative Patent Judge*.

DECISION
Granting Institution of *Inter Partes* Review
35 U.S.C. § 314, 37 C.F.R. § 42.4

On March 31, 2020, Motherson Innovations Co., Ltd. ("Petitioner") filed a Petition requesting an *inter partes* review of claims 1–13 and 15–36 of U.S. Patent No. 10,261,648 B2, issued on April 16, 2019 (Ex. 1001, "the '648 patent"). Paper 1 ("Pet."). Magna Mirrors of America, Inc. ("Patent Owner") filed a Preliminary Response. Paper 6 ("Prelim. Resp."). Applying the standard set forth in 35 U.S.C. § 314(a), which requires demonstration of a reasonable likelihood that Petitioner would prevail with respect to at least one challenged claim, we grant Petitioner's request and institute an *inter partes* review of all challenged claims based on the grounds asserted in the Petition.

I. BACKGROUND

A. The '648 Patent (Ex. 1001)

The '648 patent describes an exterior rearview mirror assembly for a vehicle, e.g., a side mirror, mounted on the exterior of a vehicle. Ex. 1001, code (57), 58:49–52. Typically, exterior review mirror assemblies include a mirror casing (or housing) which holds a mirror reflective element. *Id.* at 70:4–6. Further, the position of the mirror reflective element can be adjusted so that the driver of the vehicle can see a particular "rearward field of view" in the mirror reflective element. *See id.* at 61:57–59. One "typical known exterior mirror construction" has the mirror reflective element "disposed in or housed in a mirror casing 764 (and is inboard of the open end of the mirror casing and not attached thereto) and is adjustable relative to the mirror." *Id.* at 70:4–11; *see id.* at Fig. 68B. That is, the mirror reflective element itself is adjusted (or repositioned), while the mirror casing is not repositioned. *See id.* In the '648 patent, the mirror assembly, instead, has its mirror reflective element "disposed at and attached to or

otherwise fixed relative to the mirror casing 744, such that, during adjustment, the reflective element and mirror casing move in tandem." *Id.* at 70:17–23; *see id.* at 71:45–57. That is, the mirror casing and the attached mirror reflective element are repositioned together to adjust the rearward field of view in the mirror reflective element, rather than only repositioning the mirror reflective element.

Figure 56 shows such a mirror assembly and is reproduced below.

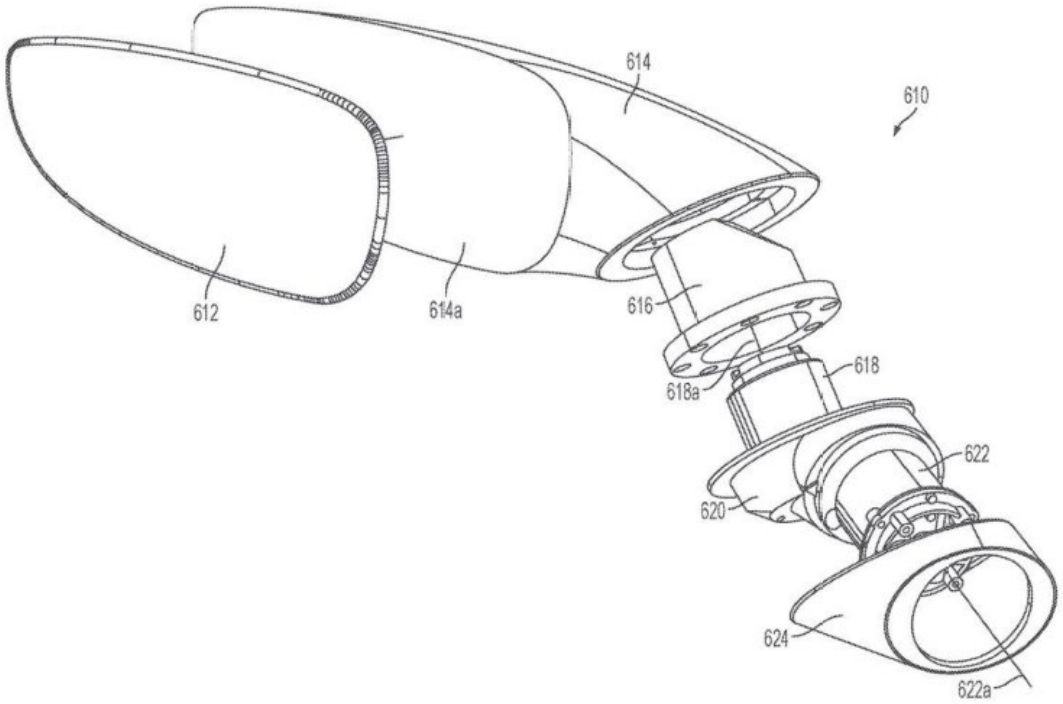

FIG. 56

Figure 56 is an exploded perspective view of an exterior rearview mirror assembly for "an exterior rearview mirror assembly that is configured for mounting at a side region of a vehicle." Ex. 1001, 5:6–8, 58:50–52. Starting at the leftmost element, "exterior rearview mirror assembly 610 comprises a reflective element 612," e.g., a mirror. *Id.* at 58:56–64. Reflective element 612 "is attached at a rear attaching portion 614*a* of a mirror head housing 614." *Id.* at 58:58–65; *see id.* at 70:18–21 ("a mirror assembly that has the

reflective element 742 disposed at and attached to or otherwise fixed relative to the mirror casing 744"), Fig. 68B. For example, reflective element 612 can be "adhered or otherwise fixedly attached" to rear attaching portion 614a (of mirror head housing 614). *Id.* at 58:65–67, 71:53–55. Furthermore, "the front perimeter edge regions of the reflective element [can be] curved or rounded or beveled to provide a smooth or continuous transition between the generally planar front surface of the reflective element and the side walls or surfaces of the mirror housing." *Id.* at 58:67–59:6; *see id.* at 34:57–36:22, Figs. 32–34, 37–39.

Continuing clockwise in Figure 56, mirror head housing 614 and affixed reflective element 612 are attached to a series of brackets and rotating actuators. Specifically, "mirror head housing 614 is attached at an inner bracket or mounting element 616" which is then "attached at a first actuator 618." *Id.* at 59:7–9. First actuator 618 can be driven rotationally, and, accordingly, "imparts a rotation of bracket 616 and mirror head housing 614 about a first pivot axis 618a." *Id.* at 59:9–12. Still following the components clockwise, first actuator 618 "is attached to or mounted at an outer bracket 620 that is mounted to or attached to a second actuator 622." *Id.* at 59:12–14. Second actuator 622 can also be driven rotationally and so, "imparts of rotation of bracket 620 and first actuator 618 and bracket 616 and mirror head housing 614 about a second pivot axis 622*a*." *Id.* at 59:12–18. Finally, "second actuator 622 . . . is attached at or disposed at or in an outer cover 624" and "outer cover 624 is disposed at or attached to or mounted at the side portion of the vehicle (and pivotally or rotatably mounted thereat, such as via the actuator 622) when the exterior mirror assembly is normally mounted at the side of the vehicle." *Id.* at 59:13–22.

With such an assembly and mounting design, the driver of a vehicle is able to adjust his or her rearward and/or sideward field of view, which is reflected in the assembly's reflective element. *Id.* at 59:23–26; *see id.* at 67:55–67. Specifically, "the mirror head is adjustable about the first and second axes (via selective actuation of one or both actuators) to adjust the rearward field of view for the driver of the vehicle." *Id.* at 59:23–26, 66:48–52. The actuators rotate their respective brackets, thereby adjusting the position of the mirror head attached to the brackets. *Id.* at 59:26–39. And, because the mirror head and reflective element are attached, adjusting the position of the mirror head via the actuators adjusts the position of the reflective element in tandem. *Id.* at 69:5–9, 70:21–23, 71:45–47 ("[A]ctuators adjust the mirror head and the reflective element in tandem (and do not adjust the reflective element relative to the mirror casing).").

Further, the actuators are relatively positioned to allow the mirror head (and attached reflective element) to be rotated about multiple axes. *See id.* at 59:26–47, 59:55–60:4. For example, "the pivot axes [of the actuators] may be angled relative to one another at an angle of at least about 15 degrees or at least about 30 degrees or more, such as an angle of up to about 90 degrees." *Id.* at 59:42–46. Further, the multiple axes of rotation include "pitch, yaw and roll axes or about a generally vertical axis and/or other axes non-coaxial with the first or generally vertical axis or the like." *Id.* at 68:19–22; *see id.* at 68:47–50. And, "[b]ecause of the angled relationship of the axes of rotation of the actuators and the angled interface or mounting interface of the mirror head housing 614 and outer cover 624, the first and second actuators may be operated together or cooperatively operated to laterally adjust the rearward field of view." *Id.* at 59:55–59. Alternatively, in other embodiments, "the first and second actuators may be operated

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