UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE PATENT TRIAL AND APPEAL BOARD
BAYERISCHE MOTOREN WERKE AKTIENGESELLSCHAFT and BMW OF NORTH AMERICA, LLC, Petitioners,
V.
PAICE LLC and THE ABELL FOUNDATION, INC., Patent Owners.
Case IPR2020-00994 Patent 7,104,347

PATENT OWNERS' SUR-REPLY



TABLE OF CONTENTS

I.	I. Introduction				
П.	BMW's Grounds Fail To Demonstrate Obviousness 1				
	A.	Grounds 3a and 3b – Severinsky in View of Nii Does Not Render Claims 2 and 24 Obvious			
		1. The prior art does not teach or suggest "varying said setpoint accordingly"			
		2. BMW's reasons to combine are flawed9			
	В.	Grounds 1a and 2a – Severinsky in View of Graf Does Not Render Claims 2 and 24 Obvious			
		Severinsky in view of Graf does not teach or suggest "varying said setpoint accordingly"			
		2. Severinsky in view of Graf does not teach or suggest "monitor[ing] patterns of vehicle operation over time" 17			
	C.	Grounds 1b and 2b – Severinsky in View of Ma Does Not Render Claims 11 and 33 Obvious			
	D.	Grounds 1c and 2c – Severinsky in View of Ehsani Does Not Render Claims 38 and 17 Obvious			
		 Severinsky in view of Ehsani does not teach or suggest "control[] such that when said clutch is engaged the speeds of the first and second output shafts are substantially equal" (claim 38)			
		2. Severinsky in view of Ehsani does not render claim 17 obvious23			
	E.	Ground 4a – The Bumby References in View of Graf Do Not Render Claims 2 and 24 Obvious			
	F.	Ground 4b – The Bumby References in View of Ma Do Not Render Claims 11 and 33 Obvious			
	G.	Ground 4c – The Bumby References in View of Ehsani Do Not Render Claims 38 and 17 Obvious			
		 The Bumby References in view of Ehsani do not teach or suggest "control[] such that when said clutch is engaged the 			



		speeds of the first and second output shafts are substantially equal" (claim 38)) 6
	2.	The Bumby References in view of Ehsani do not render claim	
		17 obvious2	27
IV	Conclusion		Q

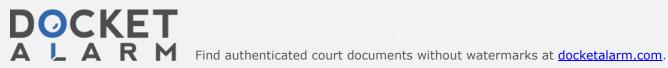


EXHIBIT LIST

Exhibit No.	Description
PAICE 2001	Patent Owners' Preliminary Response to Petition for IPR in
	IPR2014-00571 Dated July 11, 2014
PAICE 2002	Patent Owner's Response to Petition in IPR2014-00884 dated
	March 10, 2015
PAICE 2003	Decision on Institution in IPR2015-00794 dated November 2,
	2015
PAICE 2004	Decision on Institution in IPR2015-00795 dated November 2,
	2015
PAICE 2005	Petition for IPR in IPR2014-00571 dated April 4, 2014
PAICE 2006	Response to Interrogatory 27, BMW Responses to PAICE 1st
	Set of Interrogatories [1-28] dated May 6, 2020
PAICE 2007	Paice/Toyota Complaint dated June 8, 2004
PAICE 2008	Paice/Toyota Amended Complaint dated July 3, 2007
PAICE 2009	Scheduling Order [Docket No. 36] from 1:19-cv-03348-SAG
	(USDC-DMD) dated February 25, 2020
PAICE 2010	Docket Navigator Statistics – Top Patents by Number of IPRs
PAICE 2011	Ex. E to BMW Invalidity Contentions dated June 8, 2020
PAICE 2012	Ex. C to BMW Invalidity Contentions dated June 8, 2020
PAICE 2013	IPR2017-00226 Petition dated November 14, 2016
PAICE 2014	UK Patent Application GB 2,318,105 Cover Page
PAICE 2015	Printout of http://www.paicehybrid.com/licensing-agreements/
PAICE 2016	Declaration of Mahdi Shahbakhti, Ph.D.
PAICE 2017	Curriculum Vitae of Mahdi Shahbakhti, Ph.D.
PAICE 2018	Bosch Gasoline-engine Management
PAICE 2019	Selected Pages From John Heywood, Internal Combustion
	Engines Fundamentals
PAICE 2020	Selected Pages From Merhdad Ehsani et al, Modern Electric,
	Hybrid Electric, and Fuel Cell Vehicles
PAICE 2021	Matthew Cuddy et al., Analysis of the Fuel Economy Benefit
	of Drivetrain Hybridization
PAICE 2022	Selected Pages From Draft Technical Assessment Report:
	Midterm Evaluation of Light-Duty Vehicle Greenhouse Gas
	Emission Standards and Corporate Average Fuel Economy
	Standards for Model Years 2022-2025
PAICE 2023	Selected Pages From Assessment of Fuel Economy of Fuel
	Economy Technologies for Light Duty Vehicles



PAICE 2024	Selected Pages From Richard Stone, Introduction to Internal
	Combustion Engines
PAICE 2025	Heinz Heisler, Advanced Vehicle Technology, SAE
PAICE 2026	Hitoshi Inoue et al., A Performance Improvement in Idle-Speed
	Control System with Feedforward Compensation for the
	Alternator Load Current, SAE
PAICE 2027	Satoru Watanabe, Development of Model-Following Idle
	Speed Control System Incorporating Engine Torque Models,
	SAE
PAICE 2028	Guzzella et al., Introduction to Modeling Control of Internal
	Combustion Engine Systems
PAICE 2029	June 16, 2021 Deposition Transcript of Dr. Gregory Davis



DOCKET A L A R M

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.

