

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the *Inter Partes* Review of:

Trial Number: To Be Assigned

U.S. Patent No. 6,778,074

Filed: March 18, 2002

Issued: August 17, 2004

Attorney Docket No.: 1559.327

Inventor(s): Cuzzo, Giuseppe A.

Assignee: Cuzzo Speed Technologies LLC

Title: SPEED LIMIT INDICATOR AND METHOD FOR DISPLAYING SPEED AND THE RELEVANT SPEED LIMIT Panel: To Be Assigned

Mail Stop *Inter Partes* Review
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION FOR *INTER PARTES* REVIEW UNDER 37 C.F.R. § 42.100

TABLE OF CONTENTS

I.	MANDATORY NOTICES UNDER 37 C.F.R. § 42.8(a)(1)	1
A.	Real Party-In-Interest Under 37 C.F.R. § 42.8(b)(1).....	1
B.	Related Matters Under 37 C.F.R. § 42.8(b)(2)	1
C.	Lead and Back-Up Counsel Under 37 C.F.R. § 42.8(b)(3)	2
D.	Service Information Under 37 C.F.R. § 42.8(b)(4).....	2
II.	PAYMENT OF FEES UNDER 37 C.F.R. § 42.103	3
III.	REQUIREMENTS FOR INTER PARTES REVIEW UNDER 37 C.F.R. §§ 42.104	3
A.	Grounds for Standing Under 37 C.F.R. § 42.104(a).....	3
B.	Identification of Challenge Under 37 C.F.R. § 42.104(b) and Relief Requested	4
1.	Claims for Which Inter Partes Review Is Requested Under 37 C.F.R. § 42.104(b)(1)	4
2.	The Specific Art and Statutory Ground(s) on Which the Challenge Is Based Under 37 C.F.R. § 42.104(b)(2)	4
3.	How the Challenged Claim(s) Are to Be Construed Under 37 C.F.R. § 42.104(b)(3)	6
4.	How the Construed Claim(s) Are Unpatentable Under 37 C.F.R. § 42.104(b)(4)	7
5.	Supporting Evidence Under 37 C.F.R. § 42.104(b)(5)	7
IV.	SUMMARY OF THE '074 PATENT	8
A.	Description of the Alleged Invention of the '074 Patent	8
B.	Summary of the Prosecution History of the '074 Patent	9
V.	THERE IS A REASONABLE LIKELIHOOD THAT AT LEAST ONE CLAIM OF THE '074 PATENT IS UNPATENTABLE UNDER 37 C.F.R. § 42.104(b)(4)	11
A.	Identification of the References as Prior Art	11
B.	Summary of Invalidity Arguments	13

VI.	DETAILED EXPLANATION UNDER 37 C.F.R. §§ 42.104(b)	16
A.	Claim 1 (Independent)	16
B.	Claim 2 (Dependent)	24
C.	Claim 3 (Dependent)	25
D.	Claim 4 (Dependent)	27
E.	Claim 5 (Dependent)	28
F.	Claim 6 (Dependent)	29
G.	Claim 7 (Dependent)	30
H.	Claim 8 (Dependent)	31
I.	Claim 9 (Dependent)	33
J.	Claim 10 (Independent)	34
K.	Claim 11 (Dependent)	41
L.	Claim 12 (Dependent)	43
M.	Claim 13 (Dependent)	44
N.	Claim 14 (Dependent)	45
O.	Claim 15 (Dependent)	48
P.	Claim 16 (Dependent)	49
Q.	Claim 17 (Dependent)	50
R.	Claim 18 (Dependent)	52
S.	Claim 19 (Dependent)	53
T.	Claim 20 (Independent)	54
VII.	CONCLUSION.....	60

...

On behalf of Garmin International, Inc. (“Garmin”) and in accordance with 35 U.S.C. § 311 and 37 C.F.R. § 42.100, *inter partes* review is respectfully requested for claims 1-20 of U.S. Patent No. 6,778,074 (“the ’074 Patent”).

I. MANDATORY NOTICES UNDER 37 C.F.R. § 42.8(a)(1)

As set forth below and pursuant to 37 C.F.R. § 42.8(a)(1), the following mandatory notices are provided as part of this Petition.

A. Real Party-In-Interest Under 37 C.F.R. § 42.8(b)(1)

Garmin International, Inc. and Garmin USA, Inc. are the real parties-in-interest for Petitioner.

B. Related Matters Under 37 C.F.R. § 42.8(b)(2)

The ’074 Patent is presently the subject of a patent infringement lawsuit brought by the assignee, Cuozzo Speed Technologies LLC, against Garmin International, Inc. and Garmin USA, Inc. and captioned *Cuozzo Speed Technologies LLC v. Garmin International Inc. et al.*, USDC District of New Jersey, Case No.: 2:12-cv-03623-CCC-JAD. Petitioner also identifies the following judicial proceedings that may affect, or be affected by, a decision in this proceeding: (1) *Cuozzo Speed Technologies LLC v. General Motors Company*, USDC District of New Jersey, Case No.: 2:12-cv-03624-CCC-JAD; (2) *Cuozzo*

Speed Technologies LLC v. JVC Americas Corporation, USDC District of New Jersey, Case No.: 2:12-cv-03625-CCC-JAD; and (3) *Cuozzo Speed Technologies LLC v. TomTom, Inc. et al.*, USDC District of New Jersey, Case No.: 2:12-cv-03626-CCC-JAD.

C. Lead and Back-Up Counsel Under 37 C.F.R. § 42.8(b)(3)

Pursuant to 37 C.F.R. §§ 42.8(b)(3) and 42.10(a), Petitioner provides the following designation of counsel.

Lead Counsel	Back-Up Counsel
Jennifer C. Bailey (Reg. No. 52,583) jcb@hoveywilliams.com Postal and Hand-Delivery Address: HOVEY WILLIAMS LLP 10801 Mastin Boulevard, Suite 1000 84 Corporate Woods Overland Park, Kansas 66210 Telephone: (913) 647 – 9050 Fax: (913) 647 – 9057	Scott R. Brown (Reg. No. 40,535) srb@hoveywilliams.com Postal and Hand-Delivery Address: HOVEY WILLIAMS LLP 10801 Mastin Boulevard, Suite 1000 84 Corporate Woods Overland Park, Kansas 66210 Telephone: (913) 647 – 9050 Fax: (913) 647 – 9057

Pursuant to 37 C.F.R. § 42.10(b), a Power of Attorney accompanies this Petition.

D. Service Information Under 37 C.F.R. § 42.8(b)(4)

Service information for lead and back-up counsel is provided in the designation of lead and back-up counsel, above. Service of any documents via

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.