

RECORD OF ORAL HEARING  
UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TRW AUTOMOTIVE US LLC,  
Petitioner,  
vs.  
MAGNA ELECTRONICS INC.,  
Patent Owner.

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Case IPR 2014-00266  
Patent No. 7,994,462

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Oral Hearing Held: Thursday, February 19, 2015

Before: JUSTIN T. ARBES, BENJAMIN D. M. WOOD, and NEIL  
T. POWELL, Administrative Patent Judges.

The above-entitled matter came on for hearing on Thursday, February  
19, 2015 at the U.S. Patent and Trademark Office, 600 Dulany Street,  
Alexandria, Virginia in Hearing Room B at 3:10 p.m.

APPEARANCES:

ON BEHALF OF THE PETITIONER:

TIMOTHY SENDEK, ESQ.

Lathrop & Gage LLP

155 North Wacker Drive, Suite 3000

Chicago, Illinois 60602

312-920-3319

A. JUSTIN POPLIN, ESQ.

HISSAN ANIS, ESQ.

Lathrop & Gage LLP

10851 Mastin Boulevard

Building 82, Suite 1000

Overland Park, Kansas 66210

913-451-5100

ON BEHALF OF THE PATENT OWNER:

ROBERT GREENE STERNE, ESQ.

DAVID K.S. CORNWELL, ESQ.

RICHARD D. COLLIER, III, ESQ.

JASON D. EISENBERG, ESQ.

Sterne Kessler Goldstein Fox

1000 New York Avenue, N.W.

Washington, D.C. 20005

202-371-2600

P R O C E E D I N G S

(3:10 p.m.)

JUDGE ARBES: Everyone ready? Okay. We can go back on the record. This is the final hearing of the day in IPR2014-00266, involving patent 7,994,462.

We will follow the same procedures as the last hearings. Petitioner, you have 45 minutes.

MR. SENDEK: Thank you, Your Honor. If it pleases the Board, we will hand up a copy of our last set of demonstratives.

Good afternoon, Your Honors, Tim Sendek again appearing on behalf of the Petitioner, TRW Automotive US LLC. With me again is Mr. Hissan Anis and Justin Poplin. We're addressing, as the Board noted before, the '462 patent.

If you look at slide 1 we have a single ground of rejection, all under 102 under the Kenue reference, covering five different claims.

The Board has instituted that one ground and in so doing has found that Petitioner is likely to prevail on the arguments contained within that ground. The challenges with regard to -- by Magna with regard to Kenue should be familiar to the Board by now. We have covered all of them at least in some way, shape, or form.

The first, if you go to slide 3, Kenue discloses a two-dimensional array of light sensing photosensor elements.

1 And Magna argues, as it has in other contexts, that the array  
2 of Kenue is not two-dimensional or need not be  
3 two-dimensional. Magna, again, ignores the straightforward  
4 admission of its own expert, Dr. Turk.

5 And that -- if you go to slide 4, you see where we  
6 explain where that is found. Kenue discloses a  
7 two-dimensional imager when it refers to a camera image  
8 plane. Dr. Turk admits that the camera image plane is the  
9 imager and the plane connotes a two-dimensional surface.  
10 This is at page 198 of Dr. Turk's transcript.

11 Further, Kenue discloses that the image is  
12 512-by-512. Kenue talks about a single raw image being  
13 digitized into this identified two-dimensional image. There is  
14 no reason to believe that a one-dimensional scanner as argued  
15 by Dr. Turk is being used. And Dr. Miller notes that that  
16 would be impractical in this application.

17 Moreover, as I mentioned a moment ago, the  
18 512-by-512 image talks about being digitized from a single  
19 raw image. If Magna were correct that it was from a single  
20 line scanner or something like that, it would be digitized from  
21 512 images, not a single raw image.

22 If we go to slide 5 of the presentation, Magna yet  
23 again argues for a distinction between detecting and  
24 identifying that its expert has thoroughly disclaimed. And  
25 here on slide 6 we have that disclaimer itself.

1           Detection is a binary question, yes or no? In  
2 detection, what is the question you are answering yes or no  
3 to? Does the thing of interest -- and these are Dr. Turk's  
4 words -- does the thing of interest appear here? And then the  
5 question. Now we're asking about identification. The  
6 identification is a binary question between whether the thing  
7 you are interested in is deemed present or not?

8           And the answer is: Yes.

9           Both detection and identification, according to  
10 Dr. Turk, is answering the question of whether or not  
11 something is present.

12           Magna's argument that they mean different things,  
13 which we have covered at length, is without support, when its  
14 own expert undercuts that argument.

15           On to slide 7.

16           JUDGE ARBES: Counsel, the language of these  
17 claims is a little bit different than the language we had dealt  
18 with earlier regarding detection and identification where we  
19 don't have the same language of detect to identify. Can you  
20 talk about the difference between -- is there a difference  
21 between how we should interpret those terms in the other case  
22 versus this case?

23           MR. SENDEK: I believe -- our position is the  
24 same, that the detect -- our position matches Dr. Turk's  
25 position, that detect and identify are used interchangeably and

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