

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TOYOTA MOTOR CORPORATION,  
Petitioner,

v.

CELLPORT SYSTEMS, INC.,  
Patent Owner.

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Case IPR2015-00634  
Patent 5,479,479

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Before JAMESON LEE, JAMES B. ARPIN, and SCOTT C. MOORE,  
*Administrative Patent Judges.*

LEE, *Administrative Patent Judge.*

DECISION  
Denying Institution of *Inter Partes* Review  
37 C.F.R. § 42.108

## I. INTRODUCTION

### A. Background

Toyota Motor Corporation (“Petitioner”) filed a Petition (Paper 2, “Pet.”) to institute *inter partes* review of claims 1–29 of expired U.S. Patent No. 5,479,479 (Ex. 1001, “the ’479 patent”). Cellport Systems, Inc. (“Patent Owner”) filed a Preliminary Response (Paper 6, “Prelim. Resp.”).

Upon consideration of the Petition and Preliminary Response, we are not persuaded, under 35 U.S.C. § 314(a), that Petitioner has demonstrated a reasonable likelihood that it would prevail in showing the unpatentability of any of claims 1–29 of the ’479 patent. Accordingly, we do not institute an *inter partes* review of any claim of the ’479 patent.

### B. Related Matters

The ’479 patent has been asserted in two lawsuits in the United States District Court for the District of Colorado. Pet. 3; Paper 4, 2.

### C. References Relied Upon

Petitioner relies on the following references:<sup>1</sup>

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<sup>1</sup> Petitioner also relies on the Declaration of John Villasenor (Ex. 1004).

Reference		Date	Exhibit
Boatwright	US 5,465,207	Issued: Nov. 7, 1995 Filed: Sep. 21, 1992	Ex. 1002
Mansell	US 5,223,844	Issued: June 29, 1993 Filed: Apr. 17, 1992	Ex. 1014
Hoto	US 5,410,541	Issued: Apr. 25, 1995 Filed: May 4, 1992	Ex. 1015
Guy	US 5,187,591	Filed: Feb. 16, 1993 Filed: Jan. 24, 1991	Ex. 1016
Thompson	US 5,444,855	Issued: Aug. 22, 1995 Filed: Apr. 17, 1992	Ex. 1017
RS-485	<i>Standard for Electrical Characteristics of Generators and Receivers for Use in Balanced Digital Multipoint Systems, RS-485, Electronic Industries Association (April 1983)</i>	April 1983	Ex. 1011

*D. The Asserted Grounds*

Petitioner asserts the following grounds of unpatentability:<sup>2</sup>

Reference(s)	Basis	Claims Challenged
Boatwright, RS-485, and Mansell	§ 103(a)	1, 2, 4, 6–19, 21–25, and 27–29
Boatwright, RS-285, <sup>3</sup> Mansell, and Hotto	§ 103(a)	3 and 5
Boatwright, RS-285, <sup>4</sup> Mansell, and Guy	§ 103(a)	20
Boatwright, RS-285, <sup>5</sup> Mansell, and Thompson	§ 103(a)	26
Mansell and RS-485	§ 103(a)	1, 2, 4, 6–12, 15–19, 22–24, and 27–29

II. ANALYSIS

*A. The '479 Patent*

The '479 patent relates to transmitting and receiving digital information through an air link. Ex. 1001, Title. The specific disclosure

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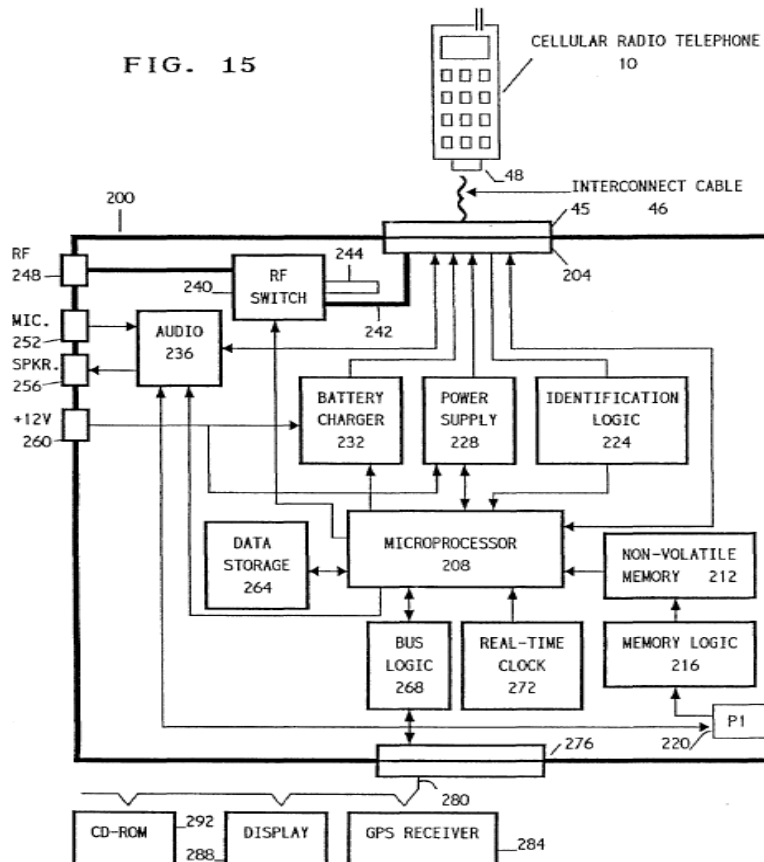
<sup>2</sup> Petitioner's identification of "RS-285" in the grounds of unpatentability identified in the table above appears to be a typographical error. Patent Owner has regarded "RS-285" as referring, instead, to RS-485. Hereinafter, we will state and regard these grounds as based on RS-485, not "RS-285."

<sup>3</sup> See note 2, *supra*.

<sup>4</sup> See note 2, *supra*.

<sup>5</sup> See note 2, *supra*.

pertains to sending and receiving digital data between a plurality of peripheral devices, through a cellular telephone, to remote devices. *Id.* at Abstr. One aspect of the '479 patent concerns providing a universal interface to different kinds of cellular phones in the form of an adaptor cable that provides for selectable coding to identify the type of the attached phone, and the application environment for that aspect of the invention can be that of a car kit environment. *Id.* at 2:40–55. Another aspect of the '479 patent concerns using a controller attached to a common bus to which a plurality of peripheral devices also are attached to permit digital data to be communicated to and from the peripheral devices via a wireless telephone. *Id.* at 3:30–44. Figure 15 of the '479 patent is reproduced below:



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