

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.

Signal IP, Inc.,

Patent Owner.

Case No. IPR 2016-00291

Patent No. 5,732,375

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**UNOPPOSED MOTION TO CORRECT EXHIBIT 1009  
(DECLARATION OF SCOTT ANDREWS)**

Petitioner Toyota Motor Corporation (“TMC”) respectfully moves pursuant to 37 C.F.R. § 42.104(c) for permission to file a corrected Exhibit 1009 to correct certain inadvertent clerical errors in the exhibit as filed.

Exhibit 1009 was intended to be the Declaration of Scott Andrews, which Mr. Andrews executed in support of TMC’s Petition for *Inter Partes* Review of U.S. Patent No. 5,732,375 (Paper 2). However, to comply with the pagination requirements for exhibits set forth in 37 C.F.R. § 42.63, TMC’s counsel repaginated Mr. Andrews’ executed declaration and in that process inadvertently deleted four patent figures which had been included in the declaration when executed. As a result, Exhibit 1009 as filed does not include those four patent figures. In particular, the four patent figures inadvertently deleted are:

- a) Figure 3 of U.S. Patent No. 5,732,375, which was cited, discussed and reproduced in paragraph 22 on pages 8–9 of Mr. Andrews’ declaration;
- b) Figure 8 of U.S. Patent No. 5,732,375, which was cited, discussed and reproduced in paragraph 24 on page 10 of Mr. Andrews’ declaration;
- c) Figure 6 of U.S. Patent No. 5,732,375, which was cited, discussed and reproduced in paragraph 32 on page 14 of Mr. Andrews’ declaration; and
- d) Figure 2 of U.S. Patent No. 5,474,327, which was cited, discussed and reproduced in paragraph 41 on page 18 of Mr. Andrews’ declaration.

The above four figures that were inadvertently deleted from Exhibit 1009 appear in the copies of U.S. Patent Nos. 5,732,375 and 5,474,327 that were filed as Exhibits 1001 and 1002 with the petition.

In sum, as explained above, the inadvertent omission of these four patent figures in Exhibit 1009 arose due to an inadvertent clerical mistake that occurred in complying with the formatting requirements, and the missing figures appear in Exhibits 1001 and 1002. Therefore, TMC respectfully moves for permission to file a corrected version of Exhibit 1009 that includes the four omitted figures but is otherwise identical to the Exhibit 1009 as originally filed with the petition. TMC has attached the proposed Corrected Exhibit 1009 to this motion.

Counsel for TMC contacted counsel for patent owner Signal IP, Inc. (“Signal”), who indicated that Signal does not oppose this motion. The Board authorized the filing of this motion by email on May 16, 2016.

Respectfully submitted,

Dated: May 17, 2016

/John Flock/  
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Case No. IPR2016-00291

U.S. Patent No. 5,732,375

*Counsel for Petitioner Toyota  
Motor Corporation*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing UNOPPOSED MOTION TO CORRECT EXHIBIT 1009 (DECLARATION OF SCOTT ANDREWS) was served via e-mail on May 17, 2016, in its entirety, on the following:

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