

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TOYOTA MOTOR CORPORATION,

Petitioner,

v.

SIGNAL IP, INC.,

Patent Owner.

Case IPR2016-01382

Patent 5,732,375

PATENT OWNER'S PRELIMINARY RESPONSE

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35 U.S.C. § 314(a)	15, 16
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EXHIBIT LIST

Exhibit No.	Description
2001	<i>Signal IP, Inc. v. Fiat USA, Inc. et al.</i> , 2-14-cv-13864, OPINION AND ORDER CONSTRUING DISPUTED CLAIM TERMS, Slip Op. (Sep. 20, 2016 MIED)
2002	Transcript of deposition of Scott Andrews in IPR2016-00292.
2003	Toyota's Petition for <i>Inter Partes</i> Review in IPR2016-00291.

1. Introduction.

Petitioner challenges the patentability of claim 11 of U.S. Pat. 5,732,375 (the “’375 patent”). For at least the reasons explained below, the Patent Trial and Appeal Board (“PTAB” or “Board”) should not institute an *inter partes* review because Petitioner has not met its burden to show a reasonable likelihood that claim 11 is unpatentable. 37 C.F.R. § 42.108(c) (“Inter partes review shall not be instituted for a ground of unpatentability unless the Board decides that the petition supporting the ground would demonstrate that there is a reasonable likelihood that at least one of the claims challenged in the petition is unpatentable.”)

2. Overview of the ‘375 Patent.

The ’375 patent discloses a method of controlling airbag deployment using an array of pressure sensors on a vehicle passenger seat. *Ex. 1001* at Abst.¹ The passenger seat of a vehicle may be occupied or unoccupied, and, if occupied, may be occupied by a child in an infant seat. *Id.* at 1:18-20, 44-47. In the latter case, if the seat is occupied by a rear-facing infant seat it is

¹ The disclosure of the ’375 patent was also discussed by the Board in IPR2015-01003, Ex. 1006 at 3 *et seq.*, IPR2016-00291, Ex. 1013 at 2 *et seq.*, and IPR2016-00369, Ex. 1014 at 2 *et seq.*

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