

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

AISIN SEIKI CO., LTD, TOYOTA MOTOR CORP. and
AMERICAN HONDA MOTOR CO., INC.,
Petitioner,

v.

INTELLECTUAL VENTURES II LLC,
Patent Owner.

Case IPR2017-01537¹
Patent 7,154,200 B2

Before KRISTEN L. DROESCH, JOHN A. HUDALLA, and
AMANDA F. WIEKER, *Administrative Patent Judges*.

HUDALLA, *Administrative Patent Judge*.

FINAL WRITTEN DECISION
Inter Partes Review
35 U.S.C. § 318(a) and 37 C.F.R. § 42.73

Aisin Seiki Co., Ltd. and Toyota Motor Corporation (collectively,
“Lead Petitioner”) filed a Petition (Paper 3, “Pet.”) requesting an *inter partes*

¹ Case IPR2018-00442 has been joined with this proceeding. All citations to the record are made with reference to IPR2017-01537 unless otherwise specified.

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review of claims 1, 2, and 4–7 of U.S. Patent No. 7,154,200 B2 (Ex. 1001, “the ’200 patent”) pursuant to 35 U.S.C. §§ 311–319. Patent Owner, Intellectual Ventures II LLC (“Patent Owner”), filed a Preliminary Response (Paper 7, “Prelim. Resp.”) to the Petition. We determined that the information presented in the Petition established that there was a reasonable likelihood that Lead Petitioner would prevail in challenging claims 1, 2, and 4–7 of the ’200 patent under 35 U.S.C. § 103(a) on certain grounds of unpatentability presented. Pursuant to 35 U.S.C. § 314, we instituted this proceeding on November 1, 2017, as to claims 1, 2, and 4–7 of the ’200 patent. Paper 10 (“Dec. on Inst.”).

American Honda Motor Co., Inc. (“Honda”) subsequently filed a similar petition and motion for joinder in Case IPR2018-00442, to which Patent Owner filed a Preliminary Response. *See* IPR2018-00442, Papers 1, 3, 7 (also consenting to joinder). We instituted an *inter partes* review and joined Honda as a party to this proceeding with certain provisions for its participation (substantially as proposed by Honda). *See* IPR2018-00442, Paper 8. Henceforth, we refer collectively to Lead Petitioner and Honda as “Petitioner.”

During the course of trial, Patent Owner filed a Patent Owner Response (Paper 16, “PO Resp.”). Then, in light of the U.S. Supreme Court’s decision in *SAS Institute, Inc. v. Iancu*, 138 S. Ct. 1348 (2018), we modified the Institution Decision to institute on all of the grounds presented in the Petition. Paper 18. As authorized by the panel, Patent Owner filed a Supplemental Patent Owner Response (Paper 25, “Supp. PO Resp.”) covering the newly instituted grounds. Petitioner filed a consolidated Reply

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to both the Patent Owner Response and the Supplemental Patent Owner Response (Paper 27, “Pet. Reply”).

Petitioner filed a Declaration of Gerald John Micklow, Ph.D. (Ex. 1004) with its Petition. Patent Owner filed a Declaration of Dr. Hamid A. Toliyat (Ex. 2005) with its Patent Owner Response. Patent Owner also filed transcripts of the depositions of Dr. Micklow (Exs. 2007, 2010).

We have jurisdiction under 35 U.S.C. § 6. This decision is a Final Written Decision under 35 U.S.C. § 318(a) as to the patentability of claims 1, 2, and 4–7 of the ’200 patent. For the reasons discussed below, Petitioner has demonstrated by a preponderance of the evidence that claims 1, 2, and 4–7 of the ’200 patent are unpatentable.

I. BACKGROUND

A. *Related Proceedings*

The parties identify the following matters related to the ’200 patent (Pet. 2–3; Paper 6, 1–2; Paper 13, 1–2):

Intellectual Ventures II LLC v. Honda Motor Co., No. 1:17-cv-00294-LPS-CJB (D. Del. filed Mar. 20, 2017);

Intellectual Ventures II LLC v. Aisin Seiki Co., No. 1:17-cv-00295-LPS-CJB (D. Del. filed Mar. 20, 2017);

Intellectual Ventures II LLC v. Bayerische Motoren Werke AG, No. 1:17-cv-00296-LPS-CJB (D. Del. filed Mar. 20, 2017);

Intellectual Ventures II LLC v. Toyota Motor Corp., No. 1:17-cv-00300-LPS-CJB (D. Del. filed Mar. 20, 2017);

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Intellectual Ventures II LLC v. Honda Motor Co., No. 2:17-cv-07680-GW-PJW (C.D. Cal. filed Oct. 20, 2017);

Intellectual Ventures II LLC v. Toyota Motor Corp., No. 2:17-cv-07681-GW-JC (C.D. Cal. filed Oct. 20, 2017);

Intellectual Ventures II LLC v. Bayerische Motoren Werke AG, No. 2:17-cv-08870-CCC-JBC (D.N.J. filed Oct. 20, 2017);

Intellectual Ventures II LLC v. Aisin Seiki Co., No. 2:17-cv-13551-PDB-EAS (E.D. Mich. filed Oct. 31, 2017);

Certain Thermoplastic-Encapsulated Elec. Motors, Components Thereof, and Prods. & Vehicles Containing Same, USITC Inv. No. 337-TA-1052 (filed Mar. 21, 2017); and

Certain Thermoplastic-Encapsulated Elec. Motors, Components Thereof, and Prods. & Vehicles Containing Same II, USITC Inv. No. 337-TA-1073 (filed Sept. 5, 2017) (“the -1073 ITC investigation”).

BMW challenged the ’200 patent in Case IPR2017-01558. Paper 6, 2; Paper 13, 1. We instituted an *inter partes* review in that case, but the case was terminated before issuance of a Final Written Decision.

Honda also challenged the ’200 patent in Case IPR2018-00347. Paper 13, 2. We denied institution of an *inter partes* review in that case.

B. The ’200 patent

The ’200 patent is directed to a high-speed motor. Ex. 1001, 1:17–18. Figures 2 and 3 of the ’200 patent are reproduced below.

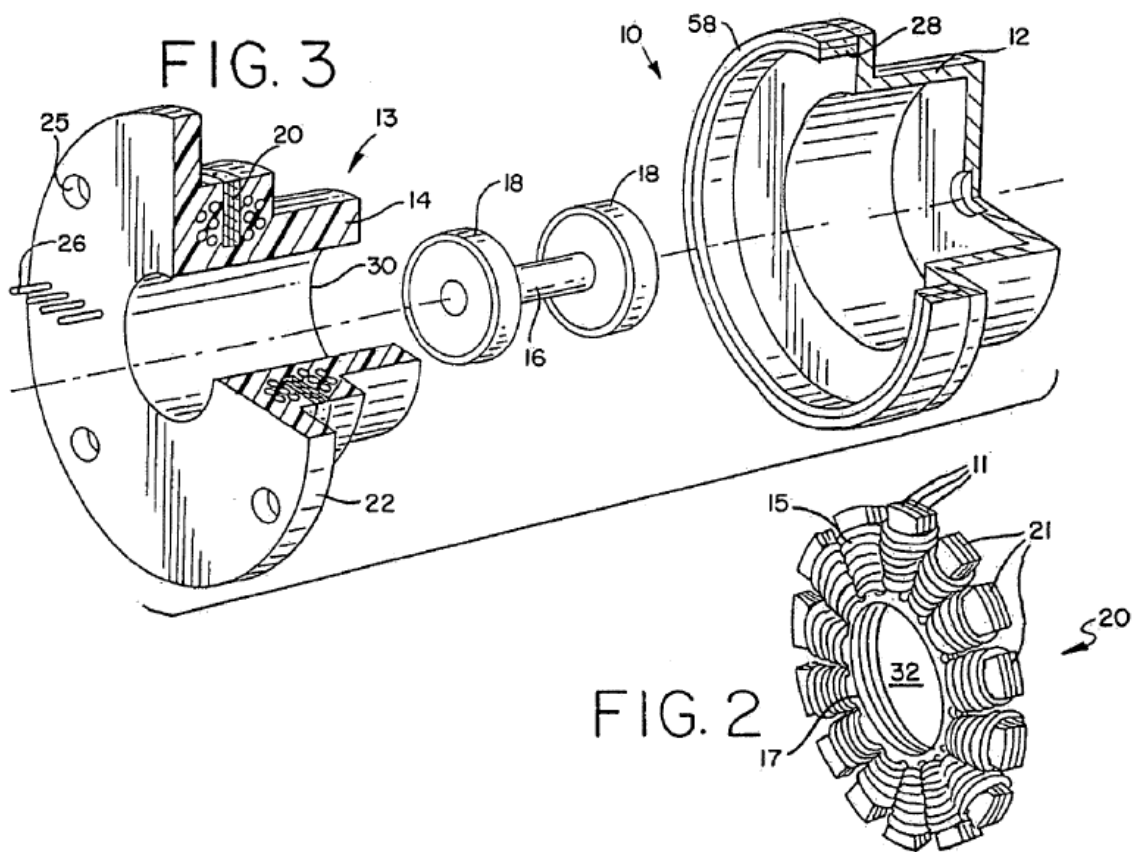


Figure 2 depicts a stator and Figure 3 depicts a high speed motor in accordance with the '200 patent. *Id.* at 4:6–10. Referring to Figure 2, stator 20 has conventional steel laminations 11 that form magnetically inducible core 17 having a plurality of poles 21. *Id.* at 5:6–9. Wire windings 15 on core 17 serve as conductors, which induce or otherwise create magnetic fields in core 17 when electrical current is conducted through the conductors. *Id.* at 5:6–12.

Stator 20 is used to construct spindle motor 10, as depicted in Figure 3. *Id.* at 5:14–15. Spindle motor 10 includes hub 12, stator 20, and body 14. *Id.* at 5:15–17. Body 14 substantially encapsulates stator 20 and preferably is formed of phase change materials such as thermoplastics. *Id.* at 5:20–49. Body 14 and stator 20 together make up stator assembly 13. *Id.* at

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