

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SMR AUTOMOTIVE SYSTEMS USA, INC.,
Petitioner,

v.

MAGNA MIRRORS OF AMERICA, INC.,
Patent Owner.

Case IPR2018-00520
Patent 8,267,534 B2

Before SALLY C. MEDLEY, JESSICA C. KAISER, and
SCOTT E. BAIN, *Administrative Patent Judges*.

BAIN, *Administrative Patent Judge*.

DECISION
Denying Institution of *Inter Partes* Review
35 U.S.C. § 314(a)

I. INTRODUCTION

SMR Automotive Systems USA, Inc. (“Petitioner”)¹ filed a Petition for *inter partes* review of claims 1–20 of U.S. Patent No. 8,267,534 B2 (Ex. 1001, “the ’534 patent”). Paper 2 (“Pet.”). Magna Mirrors of America, Inc. (“Patent Owner”) filed a Preliminary Response. Paper 8 (“Prelim. Resp.”). Institution of an *inter partes* review is authorized, though not required, by statute when “the information presented in the petition . . . and any response . . . shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.” 35 U.S.C. § 314(a). We have considered the Petition, the Preliminary Response, and accompanying exhibits submitted by the parties. For the reasons set forth herein, we decline to institute *inter partes* review of claims 1–20 of the ’534 patent.

A. Related Matters

The parties indicate that the ’534 patent is the subject of *Magna Mirrors of America, Inc. v. Samvardhana Motherson Reflectec Group Holdings Ltd.*, Case No. 1:17-cv-00077-RJJ-PJG (W.D. Mich.). Pet. 3; Paper 6, 1. The parties also identify numerous other petitions for *inter partes* review filed by Petitioner challenging claims of patents related to the ’534 patent:

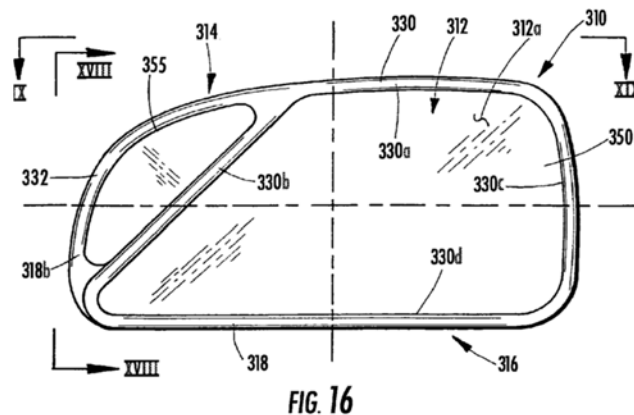
¹ Petitioner identifies itself and the following additional entities as the real parties-in-interest: Samvardhana Motherson Reflectec Group Holdings Ltd., SMR Automotive Mirror Parts and Holdings UK Limited, SMR Mirrors UK Limited, SMR Automotive Mirrors UK Limited, SMR Automotive Mirror Systems Holding Deutschland GmbH, SMR Automotive Mirrors Stuttgart GmbH, SMR Automotive Vision Systems Mexico S.A. de C.V., and SMR Automotive Servicios Mexico S.A. de C.V. Pet. 2–3.

IPR2018-00491	U.S. Patent No. 7,934,843 B2
IPR2018-00505	U.S. Patent No. 8,147,077 B2
IPR2018-00506	U.S. Patent No. 8,591,047 B2
IPR2018-00517	U.S. Patent No. 8,128,244 B2
IPR2018-00533	U.S. Patent No. 8,783,882 B2
IPR2018-00536	U.S. Patent No. 8,550,642 B2
IPR2018-00541	U.S. Patent No. 8,899,762 B2
IPR2018-00545	U.S. Patent No. 9,694,750 B2
IPR2018-00931 ²	U.S. Patent No. 8,128,243 B2

Pet. 3; *see also* Paper 6, 1.

B. The '534 Patent

The '534 patent is directed to an automobile mirror. Ex. 1001, Abstract. The claims recite an “exterior rearview mirror assembly.” *Id.* at cols. 27–30. The mirror assembly includes a plano reflective element and an auxiliary reflective element mounted adjacent to each other in a side-by-side relationship. *Id.*; Pet. 5–6. Figure 16 of the '534 patent, reproduced below, is illustrative of the invention:



² *See* IPR2018-00931, Paper 1, 3.

Figure 16 depicts an embodiment of a plano reflective element assembly. As indicated in Figure 16, plano-auxiliary reflective element assembly 310 includes a first reflective element 312 and an auxiliary reflective element 314 supported in frame assembly 316. *Id.* at 15:59–64. Reflective element 312 comprises a plano reflective element 350, such as a flat reflector coated glass substrate. *Id.* at 16:21–23. Reflective element 314 comprises a radiused reflective element, preferably, a multiradiused reflective element 355 having a multiradiused curvature. *Id.* at 17:46–48.

C. Illustrative Claims

Petitioner challenges all claims (i.e., claims 1–20) of the '534 patent. Claims 1, 7, and 13 are independent. Claims 1 and 13 are reproduced below (with Petitioner's notations included for clarity).

1. An exterior rearview mirror assembly suitable for a motor vehicle, said exterior rearview mirror assembly comprising:

[a] a bracket fixedly secured to the motor vehicle;

[b] a mirror casing secured to said bracket, said mirror casing defining a primary opening;

[c] a single mirror support movably secured within said mirror casing disposed adjacent said primary opening;

[d] a primary mirror fixedly secured to said single mirror support and disposed within said primary opening for providing a view rearward of the motor vehicle through a primary field of view; and

[e] a spotting mirror fixedly secured to said single mirror support and disposed adjacent said primary mirror, said spotting mirror defined by a single radius of curvature differing from said primary mirror such that said spotting mirror provides a second field of view rearward of the motor vehicle, such that said first field of view of said primary mirror overlaps said second field of view of said spotting mirror.

13. An exterior rearview mirror assembly for a motor vehicle, said exterior rearview mirror assembly comprising:

[a] a bracket fixedly secured to the motor vehicle;

[b] a mirror casing secured to said bracket, said mirror casing defining a primary opening;

[c] a single mirror support movably secured within said mirror casing disposed adjacent said primary opening;

[d] a primary mirror fixedly secured to said single mirror support and disposed within said primary opening for providing a view rearward of the motor vehicle through a primary field of view;

[e] a spotting mirror fixedly secured to said single mirror support and disposed adjacent said primary mirror, said spotting mirror defined by a single radius of curvature differing from said primary mirror such that said spotting mirror provides a second field of view rearward of the motor vehicle, such that said primary field of view of said primary mirror overlaps said second field of view of said spotting mirror;

[f] wherein said spotting mirror is at an angle relative to said primary mirror; and

[g] wherein said primary mirror comprises one of (a) a generally flat glass substrate having a surface coated with a metallic reflector coating and (b) a generally flat polymeric substrate having a thin glass element applied to a surface thereof and with an opposing surface thereof having a reflecting layer applied thereto.

Pet. 63, 65; Ex. 1001, 27:61–28:12, 29:7–30:2.

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