

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SMR AUTOMOTIVE SYSTEMS USA, INC.,  
Petitioner,

v.

MAGNA MIRRORS OF AMERICA, INC.,  
Patent Owner.

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Case IPR2018-00533  
Patent 8,783,882 B2

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Before SALLY C. MEDLEY, JESSICA C. KAISER, and  
AMBER L. HAGY, *Administrative Patent Judges*.

HAGY, *Administrative Patent Judge*.

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

## I. INTRODUCTION

SMR Automotive Systems USA, Inc. (“Petitioner”)<sup>1</sup> filed a Petition for *inter partes* review of claims 1–20 of U.S. Patent No. 8,783,882 B2 (Ex. 1001, “the ’882 patent”). Paper 1 (“Pet.”). Magna Mirrors of America, Inc. (“Patent Owner”) filed a Preliminary Response. Paper 6 (“Prelim. Resp.”). Institution of an *inter partes* review is authorized 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). Upon consideration of the Petition and Preliminary Response, we decline to institute review of claims 1–20 of the ’882 patent.

### A. Related Matters

The parties indicate that the ’882 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 4, 1. The parties also identify numerous other petitions for *inter partes* review filed by Petitioner challenging claims of patents related to the ’882 patent:

IPR2018-00491	U.S. Patent No. 7,934,843 B2
IPR2018-00505	U.S. Patent No. 8,591,077 B2
IPR2018-00506	U.S. Patent No. 8,591,047 B2
IPR2018-00517	U.S. Patent No. 8,128,244 B2
IPR2018-00520	U.S. Patent No. 8,267,534 B2
IPR2018-00536	U.S. Patent No. 8,550,642 B2

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<sup>1</sup> Petitioner, SMR Automotive Systems USA, Inc., identifies several entities as real parties-in-interest. Pet. 2–3.

IPR2018-00541	U.S. Patent No. 8,899,762 B2
IPR2018-00545	U.S. Patent No. 9,694,750 B2
IPR2018-00931	U.S. Patent No. 8,128,243 B2 <sup>2</sup>

Pet. 3; *see also* Paper 4, 1.

### B. The '882 Patent

The '882 patent is directed to an exterior sideview mirror. Ex. 1001, Abstract. The mirror includes a plano reflective element and an auxiliary reflective element mounted adjacent to each other in a side-by-side relationship. *Id.* Figure 16, reproduced below, is illustrative of the mirror.

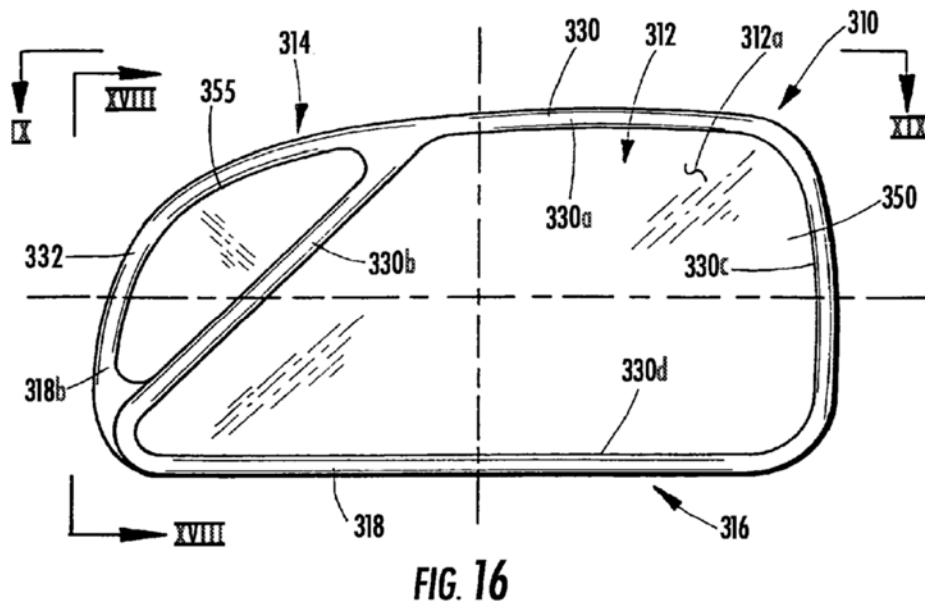


Figure 16 of the '882 patent, reproduced above, shows an embodiment of a plano reflective element assembly. Ex. 1001, 4:22–23.

As seen from the above, plano-auxiliary reflective element assembly 310 includes a first reflective element 312 and an auxiliary reflective

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<sup>2</sup> IPR2018-00931 was not identified by either party, but is related to this proceeding. IPR2018-00931, Paper 1, 3; Paper 4, 1.

element 314 supported in frame assembly 316. *Id.* at 16:23–27. Reflective element 312 comprises a plano reflective element 350, such as a flat reflector coated glass substrate. *Id.* at 16:52–54. Reflective element 314 comprises a radiused reflective element, preferably, a multiradiused reflective element 355 having a multiradiused curvature. *Id.* at 18:10–12.

### *C. Illustrative Claim*

Petitioner challenges claims 1–20 of the '882 patent. Claims 1, 15, and 18 are independent claims. Claim 1 is reproduced below.<sup>3</sup>

1. An exterior sideview mirror assembly suitable for use on vehicle, said exterior sideview mirror assembly comprising:
  - [a] a mirror housing;
  - [b] a mirror backing plate element;
  - [c] wherein said mirror backing plate element is movable within said mirror housing by an electrically-operable actuator;
  - [d] a main plano mirror element fixedly disposed at a first portion of said mirror backing plate element;
  - [e] said main plano mirror element having a first primary field of view rearward of a vehicle equipped with said exterior sideview mirror assembly;
  - [f] an auxiliary non-plano curved mirror element fixedly disposed at a second portion of said mirror backing plate element;
  - [g] wherein said main plano mirror element and said auxiliary non-plano curved mirror element are adjacently disposed at said mirror backing plate element in a side-by-side relationship and are not

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<sup>3</sup> For expediency, Petitioner annotates claim 1 into limitations 1[a]–[o]. Pet. 84–85. We adopt that format herein for ease of reference.

superimposed with one mirror element on top of the other mirror element;

- [h] said auxiliary non-plano curved mirror element having a second auxiliary field of view rearward of the equipped vehicle;
- [i] wherein said first primary field of view of said main plano mirror element overlaps said second auxiliary field of view of said auxiliary non-plano curved mirror element;
- [j] wherein said auxiliary non-plano curved mirror element that is at said second portion of said mirror backing plate element is angled relative to said main plano mirror element that is at said first portion of said mirror backing plate element;
- [k] wherein said mirror backing plate element mounts to said actuator such that movement of said mirror backing plate element by said actuator simultaneously and similarly moves said main plano mirror element and said auxiliary non-plano curved mirror element;
- [l] wherein said mirror backing plate element comprises a polymeric molding;
- [m] wherein said main plano mirror element comprises a generally flat glass substrate having a surface coated with a metallic reflector coating;
- [n] wherein the overall rearward field of view of said main plano mirror element combined with said auxiliary nonplano curved mirror element is at least about 25 degrees relative to the side of the equipped vehicle; and
- [o] wherein the overall rearward field of view of said main plano mirror element combined with said auxiliary nonplano curved mirror element is less than about 50 degrees relative to the side of the equipped vehicle.

*Id.* at 32:11–59 (annotations [a]–[o] added).

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