

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

BMW OF NORTH AMERICA, LLC,
Petitioner,

v.

BLITZSAFE TEXAS, LLC,
Patent Owner.

Case IPR2018-01204
Patent 7,489,786 B2

Before JAMESON LEE, THOMAS L. GIANNETTI, and
MIRIAM L. QUINN, *Administrative Patent Judges*.

QUINN, *Administrative Patent Judge*.

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

I. INTRODUCTION

BMW of North America, LLC (“Petitioner”) filed a Petition requesting *inter partes* review of claims 92–94, 97, and 98 (“the challenged claims”) of U.S. Patent No. 7,489,786 B2 (Ex. 1001, “the ’786 patent”). Paper 2 (“Pet.”). Blitzsafe Texas, LLC (“Patent Owner”) filed a Preliminary Response. Paper 7 (“Prelim. Resp.”).

We have jurisdiction under 35 U.S.C. § 314, which states that *inter partes review* may not be instituted unless “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.” Having considered the Petition and the Preliminary Response, and for the reasons stated below, we do not institute *inter partes* review of the ’786 patent.

A. Related Matters

The parties indicate that the ’786 patent is the subject matter of district court litigation pending in the Eastern District of Texas. Pet. 48–49; Paper 6, 1–2.

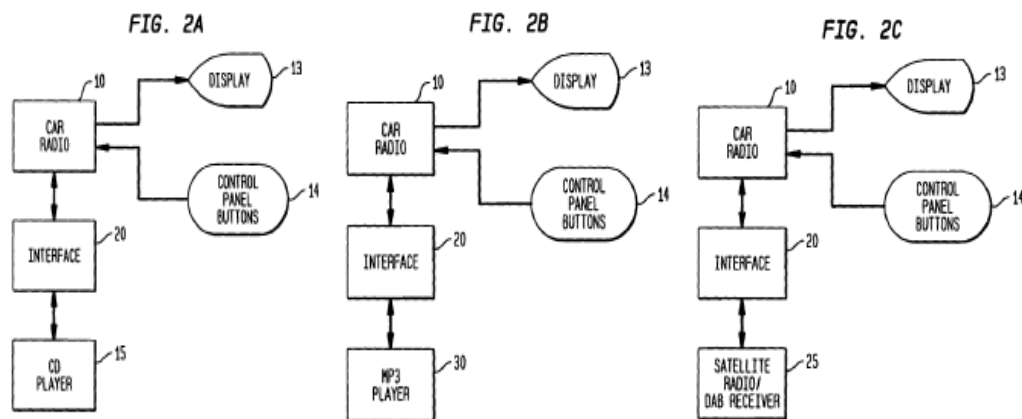
The ’786 patent has been challenged in many AIA proceedings: IPR2016-00421, IPR2016-00422, IPR2016-01448, IPR2016-01472, IPR2016-01477, IPR2018-01142, IPR2018-01203, IPR2018-01211, and IPR2018-01214. Pet. 49–50; Paper 6, 2.

B. The ’786 Patent (Ex. 1001)

The ’786 patent is entitled “Audio Device Integration System.” Ex. 1001, [54] (emphasis omitted). According to the ’786 patent, a “particular problem with integrating after-market audio systems with existing car

stereos is that signals generated by the car stereo is in a proprietary format, and is not capable of being processed by the after-market system.” *Id.* at 1:36–39. “Thus, in order to integrate after-market systems with car stereos, it is necessary to convert signals between such systems.” *Id.* at 1:42–44.

The ’786 patent is directed to an audio device integration system that allows after-market audio devices to be integrated for use with an existing car stereo system, such that control commands can be issued at the car stereo for execution by the audio device and data from the audio device can be displayed on the car stereo. *Id.* at [57], 2:12–42. More specifically, control commands generated at the car stereo are received, converted into a format recognizable by the after-market audio device, and dispatched to the device for execution. *Id.* at [57], 2:35–40. In addition, information from the audio device, such as track, channel, song, and artist information, is received, processed, converted into a format recognizable by the car stereo, and dispatched to the stereo for display. *Id.* at [57], 2:40–47. The audio device could, for example, comprise a “CD player, CD changer, MP3 player, satellite receiver, [or] digital audio broadcast (DAB) receiver.” *Id.* at 4:28–30; *see id.* at [57], 2:23–26. Figures 2A–2C are reproduced below:



Figures 2A–C illustrate embodiments in which a car stereo is integrated with

a CD player (Figure 2A), an MP3 player (Figure 2B), and a satellite radio or DAB receiver (Figure 2C). *Id.* at 3:14–23.

In addition, an external audio device as well as auxiliary input sources may be integrated with a car stereo. *Id.* at [57], 2:53–56. A user then “can select between the external audio device and the auxiliary input using the controls of the car stereo.” *Id.* at 2:56–57. Figure 1 is reproduced below:

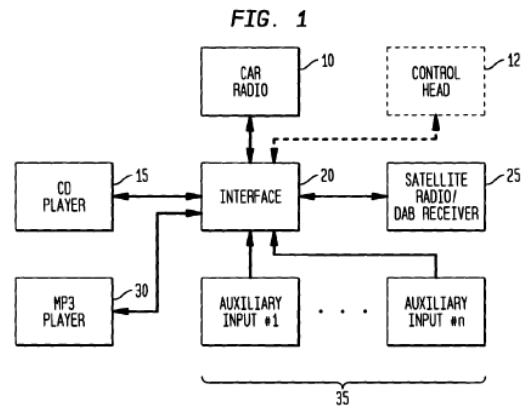


Figure 1 illustrates an embodiment integrating a car stereo with a CD player, an MP3 player, and a satellite radio or DAB receiver, as well as a number of auxiliary input sources. *Id.* at 3:12–13, 5:14–27.

As shown in the above figures, central to the ’786 patent is an “interface” positioned between the car stereo and the audio device(s) and auxiliary input(s). *See, e.g., id.* at Fig. 1, 2A–C, 5:33–36. The interface allows for the integration of the audio devices and auxiliary inputs with the OEM or after-market car stereo. *Id.* at 5:33–36.

C. Illustrative Claim

Of the challenged claims, claim 92 is independent. Claims 93, 94, 97, and 98 depend directly or indirectly from claim 92.

Claim 92, reproduced below, is illustrative:

92. An audio device integration system comprising:

a car stereo;

a portable audio device external to the car stereo;

an interface connected between the car stereo and the portable audio device, the interface including a microcontroller pre-programmed to execute:

first pre-programmed means for generating a device presence signal and transmitting the signal to the car stereo to maintain the car stereo in an operational state;

second pre-programmed means for remotely controlling the portable audio device using the car stereo by receiving a control command from the car stereo in a format incompatible with the portable audio device, processing the control command into a formatted control command compatible with the portable audio device, and transmitting the formatted control command to the portable audio device for execution thereby; and

means for transmitting audio from the portable audio device to the car stereo.

Ex. 1001, 29:11–31.

D. Asserted Prior Art and Grounds of Unpatentability

The Petition identifies the following references in connection with Petitioner's challenge of unpatentability (Pet. 13–17):

- a) *Herley*: U.S. Patent Application Pub. No. 2005/0262528 A1, filed in the record as Exhibit 1003;
- b) *Ido*: European Patent Application Pub. No. EP 0950570 A2, filed in the record as Exhibit 1005; and
- c) *Lutter*: U.S. Patent Application Pub. No. 2002/0196134 A1, filed in the record as Exhibit 1008.

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