UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DATASPEED INC.,

Petitioner,

v.

SUCXESS LLC,

Patent Owner.

Case IPR2020-00116

Patent 9,871,671

PATENT OWNER'S PRELIMINARY RESPONSE

DOCKET ALARM

Find authenticated court documents without watermarks at docketalarm.com.

EXHIBIT LIST

Exhibit No.	Description
2001	Declaration of Maxwell Goss in Support of Motion to Appear Pro Hac Vice on behalf of patent owner Sucxess LLC
2002	ISO 11898-1, Road vehicles – Controller area network (CAN) – Part 1: Data link layer and physical signalling, First edition 2003-12-01 ("ISO")
2003	Denton, Tom. Advanced automotive fault diagnosis. Oxford Burlington, MA: Butterworth-Heinemann, 2006 ("Denton")
2004	BAE Systems, Inc., Job posting "Vehicle Systems Architect", retrieved from https://jobs.baesystems.com/global/en/job/56889BR on 02-Jan-2020
2005	Fiat Chrysler Automobiles, Job posting "Electrical Technician", retrieved from https://careers.fcagroup.com/job/10316315/ on 02-Jan-2020

DOCKET ALARM
Find authenticated court documents without watermarks at docketalarm.com.

TABLE OF CONTENTS

I. Introduction 1

II. The '671 patent 1

III. Summary of the argument 3

IV. Claim construction.....5

A. "data bus".....6

B. “adding a second data bus” 6

C. “responds” 10

V. Person having ordinary skill in the art.....10

VI. Ground 1: The Claims are not obvious over Munoz alone or in combination with Negley, SAE, and Bosch.....13

A. Independent Claim 1 16

1. Munoz does not teach adding a second data bus. 16

2. Munoz does not teach connecting a retrofit apparatus to the vehicle bus and the second data bus.....19

3. Munoz does not teach connecting the factory-installed first apparatus to the second data bus. 19

DOCKET ALARM
Find authenticated court documents without watermarks at docketalarm.com.

4. Munoz does not teach transmitting a second message being indistinguishable from a first message.....19

B. Dependent Claim 2: Munoz fails to teach that the second message uses the identifier of the first message.....22

C. Dependent Claim 4: Munoz fails to teach wherein the retrofit apparatus re-transmits messages received on the vehicle data bus to the factory-installed first apparatus through the second data bus. 24

D. Independent Claim 6 25

1. Munoz fails to teach a retrofit apparatus connected to the vehicle data bus including a second processor programmed to transmit a second message that mimics the first message through a second data bus. 25

E. Independent Claim 10 27

1. Munoz fails to teach a retrofit apparatus, operatively connected to the vehicle data bus, including a second processor programmed to send a second message having the same message identifier.....27

VII. Ground 2: Claims 16-18 Are not obvious over Munoz in combination with Negley, SAE, Bosch, and Lobaza. 28

VIII. Ground 3: Claims 1-15 and 19 are not obvious over Dietz in combination with Negley, SAE, and Bosch.....28

DOCKET ALARM
Find authenticated court documents without watermarks at docketalarm.com.

A. Independent Claim 1 31

1. Dietz fails to teach adding a second data bus to the vehicle. 31

2. Dietz fails to teach transmitting a second message from the retrofit apparatus to the factory-installed first apparatus through the second data bus, the second message being indistinguishable from the first message. 35

B. Dependent Claim 2: Dietz fails to teach wherein the second message uses the identifier of the first message. 36

C. Dependent Claim 4: Dietz fails to teach wherein the retrofit apparatus re-transmits messages received on the vehicle data bus to the factory-installed first apparatus through the second data bus. 38

D. Independent Claim 6: Dietz fails to teach a retrofit apparatus connected to the vehicle data bus including a second processor programmed to transmit a second message that mimics the first message through a second data bus. 41

E. Dependent Claim 7: Dietz fails to teach the second message with the same message identifier as the first message. 42

F. Independent Claim 10 43

1. Dietz fails to teach a retrofit apparatus, operatively connected to the vehicle data bus, including a second processor programmed to send a second message having the same message identifier. 43

DOCKET ALARM
Find authenticated court documents without watermarks at docketalarm.com.

DOCKET ALARM

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts

Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research

With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips

Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS
Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS
Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS
Sync your system to PACER to automate legal marketing.