UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DATASPEED INC., Petitioner,

v.

SUCXESS, INC., Patent Owner.

Case IPR2020-00147 U.S. Patent No. 10,027,505

PETITIONER'S REPLY

DOCKET

TABLE OF CONTENTS

I.	INTRODUCTION1		
II.	CON	ENT OWNER'S RESPONSE THEORY FAILS TO FULLY SIDER MUNOZ, AND DIRECTLY CONTRADICTS MANY OF NOZ'S EXPRESS TEACHINGS	
	A.	Patent Owner's Discussion of Various Convertible Cars Is Irrelevant to Munoz's Teachings	
	B.	Patent Owner Interprets Munoz in a Manner Contrary to Munoz's Own Teachings	
	C.	Patent Owner's Own Admissions Confirm that Munoz Teaches Spoofing	
	D.	Patent Owner's "Diagnostic Message" Theory is Not Supported by Munoz	
	E.	Munoz Teaches Gateway Functions Performed by the Roof Control Module	
III.	THE CHALLENGED CLAIMS ARE UNPATENTABLE WHEN MUNOZ'S TEACHINGS ARE CONSIDERED IN FULL10		
	A.	Munoz Teaches A Retrofit Device Architecture That Terminates The Original Data Connection, Interfaces With Two Separate Buses, and Routes All Communications Through The Retrofit Device	
	B.	Petitioner Interprets Munoz as a POSITA Would—Consistently with Munoz's Own Teachings	
	C.	Munoz's Claims Support Petitioner, Not Patent Owner	
	D.	Claims 14-16 Are Rendered Obvious by Munoz alone or in view of Negley, SAE and Bosch, further in view of Lobaza22	
IV.	PETITIONER'S COMBINATION BASED ON ALLEN ESTABLISHES THAT CLAIMS 6-12 ARE UNPATENTABLE		

V.	PETITIONER'S COMBINATION BASED ON LOBAZA ESTABLISHE	ES
	THAT CLAIMS 10 AND 14-16 ARE UNPATENTABLE	.25
VI.	CONCLUSION	.28

TABLE OF AUTHORITIES

Cases

<i>ClassCo, Inc. v. Apple, Inc.,</i> 838 F.3d 1214 (Fed. Cir. 2016)	25
<i>Graham v. John Deere Co.,</i> 383 U.S. 1 (1966)	4
<i>In re Heck</i> , 699 F.2d 1331 (Fed. Cir. 1983)	1, 22
Merck & Co., Inc. v. Biocraft Labs., Inc., 874 F.2d 804 (Fed. Cir. 1989)	1, 21
Novartis Pharm. Corp. v. West-Ward Pharm. Int'l Ltd., 923 F.3d 1051 (Fed. Cir. 2019)	25
<i>Uber Technologies, Inc. v. X One, Inc.,</i> 2020 WL 2123399 (Fed. Cir. May 5, 2020)	26

PATENT OWNER'S LIST OF EXHIBITS

Exhibit Number	Exhibit Description
1001-1003	Reserved
1004	U.S. Patent No. 7,737,831 to Munoz ("Munoz")
1005	Installation Manual For A Multimedia Interface 1280 ("Dietz")
1006	"Getting Control Through CAN," <i>Sensors</i> , October 2000, Vol. 17, #10 ("Negley")
1007	Annotated Version of Munoz (Ex. 1004), Fig. 1
1008	Annotated Version of U.S. Patent No. 9,871,671 (Ex. 1001), Fig. 4
1009	SAE Technical Paper Series, 930005, "A Gateway For CAN Specification 2.0 Non-Passive Devices," by Szydlowski ("SAE")
1010	Robert Bosch GbmH, "CAN Specification, Version 2.0" ("Bosch")
1011	Johansson, Vehicle Applications Of Controller Area Network, Handbook of Networked and Embedded Control Systems, 2005, pages 741-765 ("Johansson")
1012	Dietz Invoice dated October 21, 2005 to Perzan Auto Radio, Inc., 6409 Market Street, Upper Darby PA 19082 for Order No. 101505
1013	Archived Version of Ex. 1005 ("Dietz"), Archived on March 16, 2005, Retrieved from Internet Archive (https://web.archive.org/web/20050316204956/http://www.tm- techmark.com/touareg/PDFfiles/1280anl.pdf)

DOCKET A L A R M



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.