

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TESLA, INC.,
Petitioner

v.

AUTONOMOUS DEVICES, INC.,
Patent Owner

Case IPR2024-00745
Patent 11,663,474

**PETITIONER'S OPPOSITION TO PATENT OWNER'S MOTION TO
STRIKE PORTIONS OF PETITIONER'S SUR-REPLY TO PATENT
OWNER'S MOTION TO AMEND**

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EXHIBIT LIST

TESLA-1001	U.S. Patent No. 11,663,474 (“the ’474 Patent”)
TESLA-1002	U.S. Patent No. 11,663,474 File History
TESLA-1003	Expert Declaration of Jason Janet, Ph.D.
TESLA-1004	First Amended Complaint, <i>Autonomous Devices LLC v. Tesla, Inc.</i> , Case No. 22:1466-MN (D. Del.), Doc. 92 (Sept. 15, 2023)
TESLA-1005	U.S. Patent Pub. No. 2014/0089232 to Buibas et al. (“Buibas”)
TESLA-1006	U.S. Patent Pub. No. 2013/0325768 to Sinyavskiy et al. (“Sinyavskiy”)
TESLA-1007	U.S. Patent Pub. No. 2017/0024877 to Versace et al. (“Versace”)
TESLA-1008	U.S. Patent No. 9,604,359 to Grotmol et al. (“Grotmol”)
TESLA-1009	U.S. Patent No. 5,219,264 to McClure et al. (“McClure”)
TESLA-1010	U.S. Patent Pub. No. 2018/0137403 to Kaur et al. (“Kaur”)
TESLA-1011	U.S. Patent Pub. No. 2016/0167226 to Schnittman (“Schnittman”)
TESLA-1012	Scheduling Order, <i>Autonomous Devices LLC v. Tesla, Inc.</i> , Case No. 22:1466-MN (D. Del.), Doc. 25 (March 22, 2023)
TESLA-1013	Stipulation and [Proposed] Order to Stay Pending <i>Inter Partes</i> Review, <i>Autonomous Devices LLC v. Tesla, Inc.</i> , Case No. 22:1466-MN (D. Del.), Doc. 143 (Jan. 9, 2024)
TESLA-1014	Stay Order, <i>Autonomous Devices LLC v. Tesla, Inc.</i> , Case No. 22:1466-MN (D. Del.), (Jan. 10, 2024)
TESLA-1015	Original Complaint, <i>Autonomous Devices LLC v. Tesla, Inc.</i> , Case No. 22:1466-MN (D. Del.), Doc. 1 (Nov. 7, 2022)

TESLA-1016	Email Correspondence from Patent Owner’s Counsel Mr. John Holley re Asserted Claims of ’474 Patent (Nov. 3, 2023)
TESLA-1017	Autonomous Device’s Infringement Contention Chart for U.S. Patent No. 11,663,474 (Exhibit K), <i>Autonomous Devices LLC v. Tesla, Inc.</i> , Case No. 22:1466-MN (D. Del.), Doc. 92-1 (Sept. 15, 2023) (Public)
TESLA-1018	U.S. Patent Pub. No. 2003/0216834A1 to Allard (“Allard”)
TESLA-1019	U.S. Patent Pub. No. 2006/0181236A1 to Brogardh (“Brogardh”)
TESLA-1020	U.S. Patent Pub. No. 2013/0226345A1 to Zhao et al. (“Zhao”)
TESLA-1021	Federal Court Management Statistics—Profiles, U.S. District Courts—Combined Civil and Criminal (December 31, 2023 Reporting Period), <i>retrieved from</i> https://www.uscourts.gov/sites/default/files/fcms_na_distprofile1231.2023_0.pdf
TESLA-1022	Second Expert Declaration of Jason Janet, Ph.D
TESLA-1023	U.S. Patent No. 9,221,396 to Zhu et al. (“Zhu”)
TESLA-1024	<i>Neural Network Design</i> , Second Edition (“Hagan”)
TESLA-1025	Declaration of June Munford
TESLA-1026	<i>Tesla, Inc. v. Autonomous Devices, Inc.</i> , IPR2023-01054, Paper 46 (PTAB December 12, 2024) – Final Written Decision on U.S. Patent No. 10,452,974
TESLA-1027	<i>Tesla, Inc. v. Autonomous Devices, Inc.</i> , IPR2023-01055, Paper 47 (PTAB December 12, 2024) – Final Written Decision on U.S. Patent No. 11,238,344
TESLA-1028	Eli Saber Deposition Transcript (April 4, 2025)

TESLA-1029	U.S. Patent Application Serial No. 13/623,820 (“Fisher”)
TESLA-1030	U.S. Patent No. 10,131,052 (“Gabardos”)
TESLA-1031	U.S. Patent No. 8,793,205 (“Fisher205”)
TESLA-1032	Eli Saber Deposition Transcript in ’583 Patent IPR, IPR2023-00172, Exhibit 1011 (June 21, 2024)
TESLA-1033	<i>Tesla, Inc. v. Autonomous Devices, Inc.</i> , IPR2023-01054, Paper 26 – Patent Owner’s Response
TESLA-1034	<i>Tesla, Inc. v. Autonomous Devices, Inc.</i> , IPR2023-01055, Paper 26 – Patent Owner’s Response
TESLA-1035	U.S. Patent Pub. No. 2017/0200078 A1 (“Bichler”)
TESLA-1036	U.S. Patent Pub. No. 2015/0363687 A1 (“Gocek”)
TESLA-1037	U.S. Patent Pub. No. 2013/0304684 A1 (“Yufik”)
TESLA-1038	U.S. Patent Pub. No. 2017/0010106 A1 (“Shashua”)
TESLA-1039	Eli Saber Deposition Transcript (June 27, 2025)
TESLA-1040	Petitioner’s Demonstratives

I. INTRODUCTION

Petitioner's Motion to Amend Sur-Reply ("**MTA Sur-Reply**") arguments are responsive to arguments raised in Patent Owner's ("**PO**") Motion to Amend Reply ("**MTA Reply**") and consistent with the obviousness theories presented in the Opposition. PO even concedes in several of their objections that the passages cited in the Sur-Reply were also cited in the Opposition. Patent Owner's Motion to Strike ("**Motion to Strike**") should therefore be denied.

II. LEGAL STANDARDS

"[U]nder the Board's rules and consistent with the Supreme Court's decision in *SAS*, a petitioner is entitled to respond to new arguments" made in a patent owner's brief. *Axonics Inc. v. Medtronic Inc.*, 75 F.4th 1374, 1380 (Fed. Cir. 2023); *see also id.*, ("[W]e have regularly held, the petitioner in an *inter partes* review proceeding may introduce new evidence after the petition stage if the evidence is a legitimate reply to evidence introduced by the patent owner."); 37 C.F.R. 42.23(b). Arguments that "fairly respond[] only to arguments made in ... [patent owner's] response" are appropriately made in and should not be struck. *Belden Inc. v. Berk-Tek LLC*, 805 F.3d 1064 (Fed. Cir. 2015). "[S]triking the entirety or a portion of a party's brief is an exceptional remedy that the Board expects will be granted rarely." 2019 Consolidated Trial Practice Guide, p. 80.

III. ARGUMENT

Each of PO's objections are unfounded and should be denied.

A. Objection 1 Should be Denied

PO concedes that Zhu's disclosure at 15:1-20 was cited in the Opposition. Motion, 2; Opposition ("Opp"), 4-5, 12. PO simply failed to address pertinent teachings from this cited portion of Zhu in its MTA Reply, choosing instead to advance arguments about "pixels" that are contradicted by Zhu's disclosure at col. 15:1-20 and Zhu's related teachings. Additionally, the point made in the MTA Sur-Reply that Zhu's bounding boxes "can be measured in physical units," including the citations to col. 18:36-47, 20:34-40, and 20:67-21:17, is directly responsive to PO's erroneous and unforeseeable argument that Zhu's bounding boxes cannot represent "the location and size of the detected objects themselves." Reply, 7-8 (emphasis removed); Sur-Reply, 5; Opp, 4-5, 12. Zhu's disclosure at col. 15:1-20 cited in the Opposition is also consistent with this argument and lends further explanation to what a "pixel coordinate" signifies in Zhu, including physical units (e.g., "3 meters"). PO's objection merely seeks to discard portions of Zhu that were overlooked in PO's MTA Reply that contradict the substance of PO's argument, but a motion to strike is not a proper vehicle to cure PO's own errors.

B. Objection 2 Should be Denied

Again, PO concedes that Zhu's disclosure at 8:39-46 was cited in the Opposition. Motion, 2-3; Opp., 5, 13. Additionally, the MTA Sur-Reply's argument that Zhu discloses "distances of detected objects to the vehicle" is directly responsive

to PO's and Dr. Saber's erroneous and unforeseeable argument that Zhu's images are strictly two-dimensional and supposedly lack depth information. TESLA-1039, 51:21-52:20; Sur-reply, 5-6. The MTA Sur-Reply properly cites portions of Zhu that demonstrate the position advanced by PO and Dr. Saber is false. The MTA Sur-Reply is thus responsive to the MTA Reply and consistent with the Opposition's original theories. Motion, 2-3; Opp., 5, 13. The objection should be denied.

C. Objection 3 Should be Denied

PO's third objection should likewise be denied. The Sur-Reply's argument that Zhu discloses "objects being represented in a 'point cloud image'" is directly responsive to PO's and Dr. Saber's erroneous and unforeseeable argument that Zhu's images are strictly two-dimensional and supposedly lack depth information. TESLA-1039, 51:21-52:20; Sur-reply, 5-6. Moreover, disclosure of Zhu's point clouds is present in cited portions of Zhu in the Opposition. TESLA-1023, 14:43-53; Opp. 11-12. This disclosure describes Zhu's "point cloud image 802," present in FIG. 8 (what PO mistakenly alleges is a "new" figure). Motion, 3. The Opposition also cited to Zhu's laser sensors, which are part and parcel to Zhu's laser-generated point cloud. TESLA-1023, 15:1-20; Opp., 11-12.

IV. CONCLUSION

The Board should deny PO's Motion to Strike in full. PO has not shown that the Board should invoke the "exceptional remedy" requested. TPG, p. 80.

Respectfully submitted,

Dated 07/29/2025

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 29, 2025, a complete and entire copy of this Petitioner's Opposition to Patent Owner's Motion to Strike Portions of Petitioner's Sur-Reply to Patent Owner's Motion to Amend was provided via email to the Patent Owner by serving the email correspondence addresses of record as follows:

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