

Filed on behalf of: Dabico Airport Solutions Inc.

Entered: June 12, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DABICO AIRPORT SOLUTIONS INC.,
Petitioner,

v.

AXA POWER APS,
Patent Owner.

Case IPR2025-00408
Patent 9,771,169

**PETITIONER'S REPLY TO
PATENT OWNER'S PRELIMINARY RESPONSE**

I. Patent Owner's Narrow Construction of "Cooling" Is Wrong.

Independent claim 2 recites "wherein the central controller automatically *adjusts the cooling performed by the preconditioned air unit* according to at least one of: the selected type of aircraft, the ambient temperature, the humidity, the cabin temperature, or the outgoing airflow from the preconditioned air unit."

Patent Owner ("PO") construes adjusting the "cooling" in claim 2 to exclude adjustments in airflow through the PCA. Paper 11 ("POPR") 46. PO thus attempts to limit the claimed "cooling" adjustment to a reduction in temperature of the air flowing through the PCA, while excluding adjustments to a blower/fan that creates the airflow. For example, PO argues that Kreymer's blower-speed adjustment only "automatically adjusts the *airflow*" and not the "cooling." POPR 46-47.

PO is wrong. The '169 patent explicitly discusses "cooling" by adjusting airflow: A "condenser fan[] may be powered from a separate variable frequency driver that may individually control and possibly *adjust the cooling capacity* of the respective condenser fan *by control of the condenser air flow rate* generated by the condenser fan." '169 patent 3:6-12 (emphasis added). The '169 patent also uses nearly identical language to describe temperature adjustments. '169 patent 4:6-15 ("VFD-controllers control[] the cooling capacity of the... compressor to adjust the temperature of the airflow...."). PO cites only the latter passage describing temperature and ignores the nearly identical passage describing airflow. POPR 46.

PO appears to interpret “cooling” to be the temperature drop of air forced through the PCA. But the ordinary meaning of “cooling performed by” the PCA encompasses cooling *the aircraft cabin*. *E.g.*, ’169 patent 1:16-19 (“cool or heat the aircraft cabin”); *id.* 4:52-56 (“cabin of the aircraft has already been cooled”). And one way to cool the aircraft cabin is to adjust the airflow. This is just like cooling a car—a passenger can control the cooling of the car either by turning the temperature down *or turning the fan up*. Indeed, fans alone can cool a space without air conditioning.

This construction does not render “cooling” superfluous or equate “cooling” with “airflow.” *Cf.* POPR 46. As discussed above, adjusting cooling is broader than adjusting airflow because there are other ways to adjust the cooling performed by the PCA. The correct construction merely reflects that adjusting fan speed is one way to adjust this cooling. This construction is also consistent the claim limitation that cooling can be adjusted “according to... the outgoing airflow from” the PCA. For example, if airflow is too high, a fan can be slowed to reduce airflow. *See* ’169 patent 9:1-10 (varying power to the blower to “control the blower in accordance with the current operational requirements”). Nevertheless, claim 2 does not require all possible cooling adjustments according to all enumerated factors.

In short, nothing in the intrinsic record supports excluding fan speed adjustments as part of the “cooling performed by” the PCA.

Respectfully submitted,

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CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. § 42.6(e), I certify that on this 12th day of June, 2025, a true and correct copy of the foregoing **Petitioner's Reply to Patent Owner's Preliminary Response** was served by electronic mail on Patent Owner's lead and backup counsel at the following email addresses:

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