

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TESLA, INC.,
Petitioner

v.

GRANITE VEHICLE VENTURES LLC,
Patent Owner

Inter Partes Review Case No. IPR2025-00943
U.S. Patent No. 11,597,402

PETITIONER'S REPLY TO
PATENT OWNER'S PRELIMINARY RESPONSE

To circumvent the Petition’s cited prior art, the Patent Owner Preliminary Response introduces a claim construction for *active learning data* that imports the unsupported limitation that the data must be used “for learning” or “to improve in the future.” (Paper 13, 8-9). Patent Owner further restricts the claim by importing an unsupported negative limitation, arguing that data used to “make a one-time (i.e., non-learning) determination” is not *active learning data*. (Paper 13, 9). Even applying PO’s construction, the art teaches the remaining Challenged Claims.

The Claims do not recite “using data for learning” or “to improve in the future”; rather, the Claims recite using data to determine competence level (Claim 6), determine whether a fault has occurred (Claim 10), or to take a corrective action (Claim 13). PO cites the ’402 Specification, 9:7-10 for support, but this section supports Petitioner’s proposed plain and ordinary meaning. (Paper 1, 3). The ’402 Specification describes employing “active learning” so that the system “learns from the experiences of many SDVs and drivers....” (EX1001, 9:7-10). Similarly, 14:28-37 describes learning as taking information from other SDVs. Thus, the system actively learns by taking data from, at the least, other SDVs, and then using that data for various-claimed purposes, e.g., Claim 6’s determining the competence level.

Patent Owner’s construction improperly imports a purpose requirement into the claims, namely that the data must be used for learning or to improve in the future. Neither of these purposes is claimed. *Toshiba Corp. v. Imation Corp.*, 681 F.3d 1358,

1369 (Fed. Cir. 2012) (rejecting district court’s construction that inserted a purpose requirement into the claimed “identifying information”). The claimed purpose for the *active learning data* is already expressly recited in the claims, e.g., to “determine[] the competence level of the processor.” (Ex. 1001, Claim 6). Other uses for *active learning data* are claimed, as discussed above. See EX1001, Claims 10, 13. Patent Owner’s imported purpose is also not supported in the specification. The ’402 Specification’s single discussion on “active learning” describes learning from other SDVs, as opposed to using information from other SDVs to learn something, as PO contends. (EX1001, 9:7-10). This disclosure does not import some ambiguous temporal limitation, e.g., to “improve” in some indefinite time “in the future.”

Patent Owner imports a negative limitation into the claim, arguing that data used to “make a one-time (i.e., non-learning) determination” is not *active learning data*. (Paper 13, 9). This negative limitation is not in the claim language nor the ’402 Specification’s discussions of learning and is otherwise arbitrary. See EX1001, 9:7-10, 14:28-37. Patent Owner’s examples from the ’402 Specification of alleged one-time determination of location or an environmental report are also not germane to determining a proper construction. Neither example is discussing using data as claimed, e.g., to determine the competence level for Claim 6.

Finally, even applying Patent Owner’s construction, the Petition’s cited art teaches *active learning data*. Scofield teaches using information from other SDVs

to determine driving conditions for a road segment (expressway onramp) and whether the driving conditions are too complex for autonomous driving. (Paper 1, 42; EX1022, 3:53–4:1). Applying PO’s imported limitation that the data “must be used for learning,” Scofield’s system is using the information from other SDVs to **learn** the driving condition for the road segment. This is akin to the ’402 Specification’s discussion of learning “operational anomalies [] significant to the safe operation of SDV.” (Paper 13, 8; EX1001, 14:32-34). Applying PO’s imported limitation that the data must be used to improve future operation, Scofield’s system uses the information from other SDVs to **improve** operation in the future, i.e., whether to continue autonomous driving based on the complexity of safely navigating the road segment. (EX1022, 4:4-7, 4:17-22, 5:28-29). Similarly, Grimm (EX1031, applied for Claims 8-10) teaches collecting data “from many participative sensing vehicles” and using this data to determine a fault, e.g., reduced visibility of the road. (Paper 1, 63). This learned data is then used to improve operation in the future by identifying hazardous road conditions. *Id.*, 6:45-64, 7:18-34. Again, PO does not dispute that this art teaches the Claims’ plain language.

Petitioner requests the plain and ordinary meaning of *active learning data* as expressly recited in the remaining Challenged Claims be applied.

Respectfully submitted,

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COUNSEL FOR PETITIONER

CERTIFICATE OF SERVICE ON PATENT OWNER
UNDER 37 C.F.R. § 42.105

I hereby certify that a true and correct copy of the foregoing *Petitioner's Reply* to *Patent Owner's Preliminary Response* was served on September 29, 2025, by email on the following counsel of record for Petitioner:

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