

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FORD MOTOR COMPANY,

Petitioner

v.

AUTOCONNECT HOLDINGS LLC,

Patent Owner

Case No. IPR2025-01383

Patent No. 9,290,153

**PATENT OWNER'S AUTHORIZED REPLY BRIEF IN SUPPORT OF
REQUEST FOR DIRECTOR REVIEW**

In addition to the settled-expectations grounds for denial, the Petition independently warrants discretionary denial because Ford advances materially inconsistent indefiniteness and claim construction positions across forums.

In the Petition, Ford adopts what it calls the “plain and ordinary meaning” for all claim terms except two. Pet. at 7. It proposes constructions for “daemon” and “access or attempt to access the vehicle network and/or communication subsystem.” *Id.* at 7-12. The Petition contains no suggestion that any claim term is indefinite.

Months later—well after the Director’s November 3 guidance in *Revvo*—Ford served invalidity contentions in the district court asserting that all challenged claims are indefinite. Ford identifies as indefinite numerous terms for which it relied on plain meaning or proposed constructions in the Petition, such as: **(1)** “for each of the discovered one or more communication devices, populating, by the microprocessor executing the device discovery daemon, system data with device information and capabilities” (claim 1); **(2)** “refreshing, by the microprocessor executing a microprocessor executable desktop manager, graphical elements of a graphical display of the vehicle to reflect the discovered one or more communication devices” (claim 1); **(3)** “A non-transitory and tangible computer readable medium comprising processor executable instructions that, when executed, perform the steps of claim 1” (claim 11); **(4)** “the predetermined event being one or more starting the vehicle and a vehicle door opens or closes” (claims 2 and 13); **(5)** “determine that a

computational device is connected to or attempting to connect to a network and/or communication subsystem of a vehicle” (claim 15); (6) “one or more” (claims 1-3, 7, 9, 12-14, 18 and 20); and (7) “and/or” (claims 1-2, 4, 7-10, 12-13, 15, and 18-21).

Petitions are denied under such circumstances unless there is an adequate explanation. *E.g.*, *Revvo Techs., Inc. v. Cerebrum Sensor Techs., Inc.*, IPR2025-00632, Paper 20 at 5 (Director Nov. 3, 2025) (precedential); Paper 36 at 3 (Director Jan. 26, 2026) (explaining that “you can’t have it both ways and certainly not without a sufficient explanation”); *Tesla, Inc., v. Intellectual Ventures II LLC*, IPR2025-00340, Paper 18 at 4 (Director Nov. 5, 2025) (informative); *Generac Power Sys., Inc. v. Champion Power Equipment, Inc.*, IPR2025-00805, Paper 40 at 4-5 (Director Feb. 3, 2026).

There is no sufficient explanation for Ford’s approach here. Ford chose to file its Petition on the premise that the claims are sufficiently definite to be construed under *Phillips* and compared to the prior art. Only later did it assert in district court that the same claims are indefinite in their entirety. That sequence reflects a strategic attempt to advance incompatible positions across forums—precisely the “have it both ways” conduct the Director has rejected. Permitting institution under these circumstances would undermine the Office’s goal of harmonizing claim construction across forums and promoting predictability in the patent system. *See Tesla*, at 4.

Accordingly, the Director should vacate the decision and deny institution.

Date: February 20, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing **PATENT OWNER'S AUTHORIZED REPLY BRIEF IN SUPPORT OF REQUEST FOR DIRECTOR REVIEW** was served electronically via e-mail on February 20, 2026, in its entirety on the following counsel of record for Petitioner:

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