**UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF DELAWARE**

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| **AUTOCONNECT HOLDINGS, LLC**<br><br>Plaintiff,<br>**v.**<br><br>**FORD MOTOR COMPANY,**<br><br>Defendant. | **Case No.: 1:24-cv-01327-JCG**<br><br>**Hon. Jennifer Choe-Groves**<br><br>**JURY TRIAL DEMANDED** |

# FORD MOTOR COMPANY'S PRELIMINARY INVALIDITY CONTENTIONS


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## 12. U.S. Patent No. 9,082,239

| Ex. | Country | Name/Patent/ Application No. | Filing/ Publication/Issue Date | Inventor(s) | 35 U.S.C. Section 102 |
|---|---|---|---|---|---|
| | JP | 4441962 | Nov. 18, 1999 / May 29, 2001 / Mar. 31, 2010 | Ito et al. | AIA 102(a)(1) and 102(a)(2) |
| | JP | 2007-331519 | June 14, 2006 / Dec. 27, 2007 / N/A | Hirose et al. | AIA 102(a)(1) and 102(a)(2) |
| | EP | 1944724 | Jan. 11, 2007 / July 16, 2008 / N/A | Bauer et al. | AIA 102(a)(1) and 102(a)(2) |
| L-1 | EP | 1909069 | Oct. 2, 2006 / Dec.8, 2010 / N/A | Bauer et al. | AIA 102(a)(1) and 102(a)(2) |
| L-2 | EP | 2273469 | July 8, 2009 / Jan. 12, 2011 / N/A | N/A | AIA 102(a)(1) and 102(a)(2) |
| | JP | 2012-147580 | Jan. 12, 2011 / Aug. 2, 2012 / N/A | Nakagawa et al. | AIA 102(a)(1) and 102(a)(2) |
| L-4 | US | 8,014,943 | Nov. 13, 2008 / Nov. 12, 2009 / Sep. 6, 2011 | Jakobson | AIA 102(a)(1) and 102(a)(2) |
| L-6 | US | 2011-0106375 | Dec. 28, 2010 / May 5, 2011 / N/A | Sundaram | AIA 102(a)(1) and 102(a)(2) |
| | US | 5,977,964 | Jan. 5, 1998 / N/A / Nov. 2, 1999 | Williams et al. | AIA 102(a)(1) and 102(a)(2) |
| | US | 6,198,996 | Jan. 28, 1999 / N/A / Mar. 6, 2001 | Bertis | AIA 102(a)(1) and 102(a)(2) |
| | US | 6,826,472 | Nov. 16, 2000 / N/A / Nov. 30, 2004 | Kamei et al. | AIA 102(a)(1) and 102(a)(2) |



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| Ex. | Country | Name/Patent/ Application No. | Filing/ Publication/Issue Date | Inventor(s) | 35 U.S.C. Section 102 |
|---|---|---|---|---|---|
| | US | 7,216,022 | June 21, 2005 / Jan. 19, 2006 / May 8, 2007 | Kynast et al. | AIA 102(a)(1) and 102(a)(2) |
| | US | 7,893,849 | Aug. 27, 2008 / Dec. 25, 2008 / Feb. 22, 2011 | Poltorak | P AIA 102(a)(1) and 102(a)(2) |
| | US | 8,478,642 | Oct. 20, 2009 / Apr. 29, 2010 / July 2, 2013 | Dey et al. | AIA 102(a)(1) and 102(a)(2) |
| | US | 8,577,543 | May 28, 2010 / Dec. 2, 2010 / Nov. 5, 2013 | Basir et al. | AIA 102(a)(1) and 102(a)(2) |
| | US | 8,704,668 | Apr. 19, 2006 / N/A / Apr. 22, 2014 | Darrell et al. | AIA 102(a)(1) and 102(a)(2) |
| L-7 | US | 8,793,031 | Nov. 10, 2011 / May 16, 2013 / July 29, 2014 | Anantha et al. | AIA 102(a)(1) and 102(a)(2) |
| | US | 8,976,040 | Feb. 15, 2013 / Aug. 29, 2013 / Mar. 10, 2015 | Ray Avalani | AIA 102(a)(1) and 102(a)(2) |
| | US | 9,020,876 | June 7, 2012 / Dec. 12, 2013 / Apr. 28, 2015 | Rakshit | AIA 102(a)(1) and 102(a)(2) |
| | US | 9,092,309 | Feb. 14, 2013 / Aug. 14, 2014 / July 28, 2015 | MacNeille et al. | AIA 102(a)(1) and 102(a)(2) |
| | US | 9,188,985 | Sept. 28, 2012 / N/A / Nov. 17, 2015 | Hobbs et al. | AIA 102(a)(1) and 102(a)(2) |
| | US | 10,317,225 | Sept. 28, 2012 / Apr. 3, 2014 / June 11, 2019 | Healey et al. | AIA 102(a)(1) and 102(a)(2) |
| | US | 2004/0090346 | Oct. 29, 2003 / May, 13, 2004 / N/A | Simonds et al. | AIA 102(a)(1) and 102(a)(2) |
| | US | 2006/0142902 | Dec. 1, 2005 / June 29, 2006 / N/A | Hohl et al. | AIA 102(a)(1) and 102(a)(2) |
| L-5 | US | 2010/0049397 | Oct. 23, 2008 / Feb. 25, 2010 / N/A | Liu et al. | AIA 102(a)(1) and 102(a)(2) |



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| Ex. | Country | Name/Patent/ Application No. | Filing/ Publication/Issue Date | Inventor(s) | 35 U.S.C. Section 102 |
|---|---|---|---|---|---|
| | US | 2010/0222939 | Feb. 27, 2009 / Sept. 2, 2010 / Sept. 2, 2014 | Namburu et al. | AIA 102(a)(1) and 102(a)(2) |
| | US | 2012/0001771 | June 30, 2011 / Jan. 5, 2012 / N/A | Roth et al. | AIA 102(a)(1) and 102(a)(2) |
| | US | 2012/0111937 | July 7, 2011 / May 10, 2012 / N/A | Rogich | AIA 102(a)(1) and 102(a)(2) |
| | US | 2012/0136666 | Nov. 29, 2011 / May 31, 2012 / Dec. 30, 2014 | Corpier et al. | AIA 102(a)(1) and 102(a)(2) |
| | US | 2012/0206252 | Feb. 16, 2011 / Aug. 16, 2012 / N/A | Sherony et al. | AIA 102(a)(1) and 102(a)(2) |
| | US | 2012/0208520 | Apr. 20, 2012 / Aug. 16, 2012 / Sept. 17, 2013 | Howarter et al. | AIA 102(a)(1) and 102(a)(2) |
| L-3 | US | 2012/0220258 | Feb. 28, 2011 / Aug. 30, 2012 / Aug. 26, 2014 | Hatton | AIA 102(a)(1) and 102(a)(2) |
| | US | 2014/0142948 | Nov. 21, 2012 / May 22, 2014 / N/A | Rathi, et al. | AIA 102(a)(1) and 102(a)(2) |
| | US | 2014/0108307 | Jan. 23, 2013 / Apr. 17, 2014 / N/A | Raghunathan et al. | AIA 102(a)(1) and 102(a)(2) |
| | US | 2014/0279707 | Mar. 15, 2013 / Sept. 18, 2014 / N/A | Joshua et al. | AIA 102(a)(1) and 102(a)(2) |
| | | Advanced Driver Assistance Systems<br><br>Information Management and Presentation | June 2004 | Dugarry | AIA 102(a)(1) |

| Ex. | Country | Name/Patent/ Application No. | Filing/ Publication/Issue Date | Inventor(s) | 35 U.S.C. Section 102 |
|---|---|---|---|---|---|
| | | Survey of Pedestrian Detection for<br><br>Advanced Driver Assistance Systems | May 21, 2009 | Gerónimo et al. | AIA 102(a)(1) |
| L-8 | US | 9,285,944 | March 5, 2013/<br><br>March 20, 2016 | Penilla et al. | AIA 102(a)(1) and 102(a)(2) |

## 13. U.S. Patent No. 9,098,367

| Ex. | Country | Name/Patent/ Application No. | Filing/ Publication/Issue Date | Inventor(s) | 35 U.S.C. Section 102 |
|---|---|---|---|---|---|
| | DE | 102010009760 | Mar. 1, 2010 / Sept. 1, 2011 / N/A | N/A | AIA 102(a)(1) and 102(a)(20) |
| | JP | 3951328 | Dec. 26, 1996 / July 7, 1998 / Aug. 1, 2007 | Sumiya et al. | AIA 102(a)(1) and 102(a)(2) |
| | JP | 4902294 | Aug. 18, 2006 / Feb. 28, 2008 / Mar. 21, 2012 | Tanaka et al. | AIA 102(a)(1) and 102(a)(2) |
| | JP | 2005-028997 | July 11, 2003 / Feb. 3, 2005 / N/A | Kaneko et al. | AIA 102(a)(1) and 102(a)(2) |
| | JP | 2006-048232 | Aug. 2, 2004 / Feb. 16, 2006 / N/A | Nagata | AIA 102(a)(1) and 102(a)(2) |
| | JP | 2007-058412 | Aug. 23, 2005 / Mar. 8, 2007 / N/A | Nagata | AIA 102(a)(1) and 102(a)(2) |
| | JP | 2012-048611 | Aug. 30, 2010 / Mar. 8, 2012 / Apr. 23, 2014 | Suzuki | AIA 102(a)(1) and 102(a)(2) |
| | JP | 2012-060396 | Sept. 8, 2010 / Mar. 22, 2012 / Feb. 5, 2014 | Watanabe | AIA 102(a)(1) and 102(a)(2) |
| | US | 6,161,071 | Mar. 12, 1999 / N/A / Dec. 12, 2000 | Shuman et al. | AIA 102(a)(1) and 102(a)(2) |
| | US | 6,918,112 | Nov. 29, 2000 / Sept. 19, 2002 / July 12, 2005 | Bourke-Dunphy et al. | AIA 102(a)(1) and 102(a)(2) |
| | US | 8,151,210 | May 20, 2005 / Dec. 1, 2005 / Apr. 3, 2012 | Nezu et al. | AIA 102(a)(1) and 102(a)(2) |

embodiments that serve similar ultimate security goals but using either a standalone, centralized system, a multi-ECU distributed system, or something in between. *See, E.g.*, Litichever '165 at 11:6-21.

Thus, one skilled in the art would have been motivated to develop a system that uses the combinations of these features in the same way allegedly disclosed in the '100 patent, and to do so without undue experimentation using methodologies that were commonly understood in the art.

It would further been obvious to combine any system identified in Section II.C.15 with any of the references charted in Exhibit K.

## I. Regarding the '239 Patent

The '239 patent relates to the provision of assistance to a vehicle occupant based on vehicle-related information and an occupant's "persona."

The independent claims of the '239 patent recite the maintenance of a "persona" of a vehicle occupant (with examples of various types of information), the determination of "vehicle-related information" (with examples of various types, including location and travel data), the determination of a type of assistance to provide the vehicle occupant based on the persona and vehicle information, and performing an action assisting the occupant (again with examples of types of action). That is, the claims are directed to assisting a vehicle occupant based on information about the occupant and the vehicle. This concept was well known and routine to the person of ordinary skill in the art before the earliest priority date of the '239 patent. For example, long before the '239 patent, the OnStar system implemented location-based assistance to a vehicle occupant based on information about occupant and the vehicle, including location. *See e.g.*, Shanna Freeman, "How OnStar Works (Feb. 8, 2006) available at https://auto.howstuffworks.com/onstar.htm/ ("If you're in an accident your car can 'tell' OnStar without you having to do a thing. Most people still associate OnStar with emergencies, but today's



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OnStar offers a host of services, from helping you find a good restaurant to giving you the latest stock quotes.")

Dependent claims state further information about how the persona information is collected, including that it is gathered through sensors or from a remote information source. Dependent claims also describe maintaining additional information (such as a persona of a someone who is not in the vehicle), examples of assistance involving notifications of communication and calendar notification, and vehicle location-based triggers. A dependent claim also describes that the persona of the occupant relates to information gathered from sensors or a remote information source. Each of these functions would be well within the knowledge of a person of ordinary skill at the time of the earliest priority date of the '239 patent, including based on the POSITA's background knowledge and as disclosed in the prior art, examples of which are shown in the invalidity charts attached as Exhibit L. A person of ordinary skill in the art would be motivated to combine prior art references or systems with a reasonable expectation of success. For example, embodiments of the asserted claims of the '239 patent would be obvious to a POSITA based one or more of the following exemplary combinations of references:

- Jakobson '943 in view of one or more of Sundaram '375, Liu '397, Bauer '069, Hatton '258, EPO '469, Anantha '031, and Hohl '902.
- Sundaram '375 in view of one or more of Jakobson '943, Liu '397, Bauer '069, Hatton '258, EPO '469, Anantha '031 and Hohl '902.
- Liu '397 in view of one or more of Jakobson '943, Sundaram '375, Bauer '069, Hatton '258, EPO '469, Anantha '031, and Hohl '902.
- Bauer '069 in view of one or more of Jakobson '943, Sundaram '375, Liu '397, Hatton '258, EPO '469, and Hohl '902.



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- Anantha ’031 in view of one or more n of Jakobson ’943, Sundaram ’375, Liu ’397, Hatton ’258, EPO ’469, and Hohl ’90, and Bauer ’069.

For example, many of these references describe connections between a vehicle’s human machine interface (navigation system or infotainment unit) and a mobile phone in a way that the functionality and information from the mobile phone is extended to the vehicle. E.g. Jakobson ’943 at 13:17–28 (populating a vehicle’s map with social media information from a phone); Anantha ‘031 at 5:47-61, 10:16-30 (presenting a user with information about points of interest using a mobile device’s social networking capabilities and downloading information from cloud based sources related to locations and entertainment options). Further, Sundaram ’375 is generally directed at developing applications for a vehicle entertainment and navigation system that are inspired by the capabilities of mobile phones. Sundaram ’375 at [0004] (These components when working separately, offer just only their specific functionalities, but when converged, they open up immense possibilities for building applications which can result in new services, applications and new levels of comfort and personalization to the users). That is, a person of ordinary skill would be motivated to combine the functionalities of mobile phones and vehicles into a vehicle-based environment based on at least these disclosures, and to the extent that a routine function of a mobile phone is not disclosed as a type of assistance that may be provided to an occupant (for example, calendar syncing), it would be obvious to implement it in a vehicle control system. Bauer ’069 further suggests a motivation to combine mobile device functionality with vehicle navigation systems (“Moreover, the functionality of some electronic Personal Information Manager can be integrated in the navigation system providing synergetic effects with respect to the scheduling of tasks and guidance to the locations associated with appointments.”) The success of complex navigation applications in vehicle systems, including functions like dynamically determining a



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most fuel efficient route, e.g., Liu ’397 at [0015], would provide a POSITA with a reasonable expectation of success that other capabilities of a mobile phone system, such messaging, notifications, and providing information on social connections, would also be possible (and indeed had already been demonstrated) in a vehicle. Such functionalities known in the mobile computing context include the limitations recited in the claims of the ’239 patent, such as maintaining the persona of a person not in the vehicle, which is essentially social networking. Indeed, it was obvious to a POSITA at the time of the ‘239 patent to implement functionality present in other personal computing devices in a vehicle’s computing environment, which effectively became another personal computing device. For example, as music, text messages and navigation became an important feature of personal computing devices, drivers also demanded similar features in their vehicles. Also, to the extent that references relate to primarily to emergency notifications based on occupant and vehicle information in the context of an emergency, a POSTIA would understand that the same methods used to implement these concepts apply to other types of assistance recited in the claims of the ’239 patent. For example, a POSITA would have a reasonable expectation of success in extending a technology used to contact emergency personnel an apprise them of the location of the vehicle and medical information of an occupant, *see, e.g.,* Hatton ’258 at [0110]; EPO ’469 at Abstract. A POSITA would understand that the same technologies could apply towards informing a friend of a vehicle location, appointment time, and send a message, for example.

It would further been obvious to combine any system identified in Section II.C.12 with any of the references charted in Exhibits L.

## J. Regarding the ’367 Patent

The ’367 patent relates to an application manager with an application store for applications available to be installed on a vehicle.



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