

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TESLA, INC.,
Petitioner,

v.

BULLETPROOF PROPERTY MANAGEMENT, LLC.,
Patent Owner.

IPR2026-00205
Patent 12,240,457

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

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I. PO's Construction Improperly Imports an Unclaimed Limitation

A. The Claims' Plain Language Does Not Support PO's Construction

Seeking to distinguish Joos, PO advances a construction of “steering control” as recited in claims 1 and 12 to mean “steering by the driver”—effectively injecting a requirement for driver steering that appears nowhere in the issued claims. *See* POPR, 2-5. Claim 1 is representative:

Claim 1	
1[p]	A method of operating a motor vehicle having a steering control and a drive system operable to selectably drive wheels in a drive mode and in a reverse mode, the method comprising:
1[b]	the drive system offering a driver a change from one of the drive mode and reverse mode to the other of the drive mode and reverse mode based on the steering control; and

The plain language of the claims does not support this construction. Claim 1 merely recites “a motor vehicle having a steering control,” indicating that the steering control is an element of the vehicle apart from the driver. Claim 1 elsewhere refers to the vehicle “driving in a first direction” and “an approval by the driver,” but never mandates that the driver be involved in steering the vehicle during the claimed method. Record evidence confirms that a driver may operate the vehicle in various ways without necessarily steering. *See e.g.*, EX1004, [0002], [0008].

PO instead drafted the claims of the '457 Patent broadly to *not* require steering by a driver. This is evident from the fact that PO secured claims in a related patent explicitly reciting that “the driver [] generate[s] a steering input.” *See* U.S. Pat.

12,221,104, cl. 1. The '457 claims omit any comparable language, and PO's *post hoc* importation of such a limitation is improper. *Magnolia Med. Techs., Inc. v. Kurin, Inc.*, 169 F.4th 1094, 1104 (Fed. Cir. 2026) ("presumed that different words used in different claims result in a difference in meaning").

B. The Specification Does Not Support PO's Construction

PO contends that the specification supports its construction. POPR, 4. Not so. PO's citations to the specification merely describe examples of a driver steering the vehicle, such as in a "PREFERRED EMBODIMENT" or in "typical operation." EX1001, 2:24-25, 2:61. Nowhere does the specification limit the claimed invention to these examples. On the contrary, the specification discloses that the vehicle 10 can be alternately configured to "enable autonomous or assisted driving" where "autonomous control by the controller ... mov[es] the steering wheel in concert with the wheel angle." *Id.*, 2:36, 2:53-56. PO errs in excluding these embodiments. *Sisvel Int'l S.A. v. Sierra Wireless, Inc.*, 81 F.4th 1231, 1236 (Fed. Cir. 2023) ("repeatedly warned against confining the claims to those embodiments.") (quoting *Phillips v. AWH Corp.*, 415 F.3d 1303, 1323 (Fed. Cir. 2005) (en banc)).

C. PO's Flawed Logical Reasoning Does Not Support The Construction

PO argues that a "controller" or "drive system cannot respond to itself, and it is logically unsound to conclude otherwise." POPR, 4. But as noted above, this assertion is at odds with the specification, which itself discloses autonomous steering

of the exact kind PO now seeks to exclude. EX1001, 2:36, 2:53-56. PO's position is also reductive. Nothing logically precludes a controller from both controlling steering and offering a change in drive direction based on the steering control. For example, as in Joos-Kischkat, the controller may be configured with logic or sensors that allow it to detect the steering control, and the controller may respond to the steering control by offering a shift to drive—even if the steering control is controlled by the controller. *See* Pet., 21-26; EX1003, ¶¶90-97. As the Petition's evidence demonstrates, a steering control steered by the drive system can also cause the system to offer a shift to drive, such as when certain steering angle movements are a prerequisite to the offer as in Joos-Kischkat. *Id.* Indeed, the controller could not then offer or shift to drive absent the steering angle movements. *Id.*

II. The Petition's Joos-Kischkat-Bayer and Joos-Kischkat-Bettger Grounds Still Meet PO's Construction

Even if PO's construction applied, the Petition presents grounds that render the claims obvious nonetheless. For example, Grounds 3A-3C cite Bayer's driver-led steering assistance techniques, and the proposed combinations integrate Bayer's techniques in Joos-Kischkat consistent with Joos's semi-autonomous operation. EX1007, [0014]-[0016], [0045]-[0046], [0057]-[0058], [0065]; Pet., 63-70.

The Joos-Kischkat-Bettger combinations in Grounds 2A-2C likewise address how a driver's steering angle movements cause the controller to shift to drive consistent with Bettger's teachings. *See* EX1006, [0044]-[0045]; Pet., 52-62.

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CERTIFICATE OF SERVICE

Pursuant to 37 CFR § 42.6(e)(4), the undersigned certifies that on June 2, 2026, a complete and entire copy of this Petitioner's Reply to Patent Owner's Preliminary Response was provided by email to the Patent Owner by serving the correspondence address of record as follows:

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