

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TESLA, INC.,
Petitioner,

v.

BULLETPROOF PROPERTY MANAGEMENT, LLC.,
Patent Owner.

IPR2026-00228
Patent 12,240,456

**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 claim element 1[f] that would inject a requirement for “operator” steering angle movements that appear nowhere in the claim as issued (*see* POPR, 2-5):

P.O. Proposed Construction - Claim 1	
1[f]	the drive system operable to select a direction for driving the wheels in response to a pattern of steering angle movements <u>of the operator</u> , without operator indication of a direction.

The plain language of the claim does not support this construction. Claim 1 merely refers to “a pattern of steering angle movements,” and the only reference to an “operator” at all is to ***exclude*** any “operator indication of a direction.” Nothing in the language of claim 1 mandates that the pattern of steering angle movements be made by an operator.

PO instead drafted the claims of the '456 Patent broadly to ***not*** require steering angle movements of an operator or 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 '456 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, 3-4. 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]s the controller is responding to the pattern of steering angle movements, it must be responding to the *operator's* steering angle movement" since "[a] controller cannot respond to itself." 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 selecting a drive direction in response to steering angle movements. For

example, as in Joos, the controller may be configured with logic or sensors that allow it to detect steering angle movements, and the controller may respond to such movements by selecting a forward drive direction—even if the steering angle movements were issued by the controller. *See* Pet., 22-26; EX1003, ¶¶86-90 (addressing how Joos both discloses and renders obvious “in response to” in 1[f]). As the Petition’s evidence demonstrates, controller-issued steering angle movements can also cause the controller to select a drive direction, such as when the steering angle movements are a prerequisite to the selection as in Joos. *Id.* Indeed, the controller could not then select the drive direction absent the steering angle movements. *Id.*

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

Even if PO’s construction applied, the Petition presents grounds that would render the challenged claims obvious. For example, Grounds 3A-3E cite Bayer’s driver-led steering assistance techniques, and the proposed combinations integrate Bayer’s techniques in Joos consistent with Joos’s semi-autonomous operation. EX1007, [0014]-[0016], [0045]-[0046], [0057]-[0058], [0065]; Pet., 60-70.

The Joos-Bettger combinations in Grounds 2A-2D likewise address how a driver’s steering angle movements cause the controller to shift to drive consistent with Bettger’s teachings as applied in Joos. *See* EX1006, [0044]-[0045]; Pet., 51-57.

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Respectfully submitted,

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/Nicholas W. Stephens/

W. Karl Renner, Reg. No. 41,265

Nicholas Stephens, Reg. No. 74,320

Kim H. Leung, Reg. No. 64,399

Fish & Richardson P.C.

60 South Sixth Street, Suite 3200

Minneapolis, MN 55402

T: 202-783-5070

F: 877-769-7945

Counsel for Petitioner

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:

Michael W. Doell (Reg No. 79,493)
1700 Pacific Avenue, Suite 4750
Dallas, Texas 75201
Telephone: (214) 466-1270
Facsimile: (214) 635-4562
Email: mike.doell@bjciplaw.com

Robert J. Rando, *pro hac vice*
Patrick Doerr LLC
1501 Broadway, Suite 2310
New York, New York 10036
Telephone: (917) 886-8396
Email: robert.rando@patrickdoerr.com

/Crena Pacheco/
Crena Pacheco
Fish & Richardson P.C.
60 South Sixth Street, Suite 3200
Minneapolis, MN 55402
pacheco@fr.com