

Petitioner's Demonstrative for Oral Argument

December 11, 2024

Topics

- Claim Construction
- Invalidity under 35 U.S.C. § 101
- Prior art invalidity

Claim Construction

“directional ... guidance”

- “horizontal deviation with respect to the center line of a path” is not in the claim.
- Plain and ordinary meaning does not require it.
 - Reply at 2-4
- Specification does not require it.
 - '349 Patent at 10:8-15

Claim Construction

“speed guidance”

- “instructions concerning maximum speeds for approaching a gate” is not in the claim.
- Plain and ordinary meaning does not require it.
 - Reply at 4-5
- Specification does not require it.
 - '349 Patent at 10:16-19

Claim Construction

“displaying ... guidance... with the merged data set”

- No basis for construing that guidance is determined by the merged data set without the phrase “with the merged data set.”
 - Petition at 54; Reply at 6
- Patent Owner improperly construing “with the merged data set” to mean using it to determine guidance AND to be displayed with guidance – can only be one or the other.
 - POR at 26 n.3, 36, 41, 59; EX1045 at 112:8-15

§ 101 Invalidity *Thales* is Inapposite

- Unlike *Thales*, '349 claims do not require a particular or unconventional configuration of the camera and LIDAR/RADAR.
 - Reply at 7-9
- Unlike *Thales*, '349 claims do not recite a particular method of using the data from the sensors in order to more accurately provide guidance.
 - Reply at 7-9

§ 101 Invalidity

'349 Claim Recitations are Entirely Well-Understood, Routine, and Conventional

- Receiving camera image data and LIDAR/RADAR data is conventional.
- Merging data is conventional.
- Displaying data is conventional.
- Claim as a whole is conventional.
 - Petition at 25-30, 31-35; Reply at 15-18

§ 101 Invalidity

'349 Claims are Analogous to Claims in *Electric Power Group*

- “Collecting information, analyzing it, and displaying certain results of the collection and analysis” is not overgeneralization.
- *EPG* claims mirror claims of '394 Patent:
 - Receiving data from multiple data sources;
 - Detecting and analyzing events in real-time;
 - Displaying event analysis results;
 - Deriving a composite indicator from a combination of measurements.
- Reply at 10-11

§ 101 Invalidity

'349 Claims are Analogous to Claims in *Electric Power Group*

- Nothing in '349 claims limits:
 - How the data is merged;
 - How the guidance is determined.
 - Reply at 12-14, 17-18
- Listed data is merely what kind of data *can be* determined from merged data, not what data is *actually* determined.
 - Reply at 17-18

§ 101 Invalidity

'349 Claims Do Not Recite Advancement Over Prior Art

- To the extent the '349 Patent discloses advances, those advances are not recited in or reflected in the claims.
 - Reply at 12-14
- Instead, claims merely recite high-level functions like "receiving," "merging," and "displaying" that are disconnected from the elements disclosed in the '349 Patent as purportedly providing advances.
 - Reply at 12-14, 15-18

Prior Art Invalidity

Prior Art Teaches “Directional ... Guidance”

- “Continue approaching the stand” is directional guidance.
 - Petition at 54; Reply at 20-22
- “Maneuvering guidance” necessarily and obviously includes directional guidance.
 - Reply at 22-23

Prior Art Invalidity

Prior Art Teaches “Speed Guidance”

- “Stop,” just like “slow down” in ‘349 Patent, is speed guidance.
 - Petition at 54; Reply at 21-22
- “Maneuvering guidance” necessarily and obviously includes speed guidance.
 - Reply at 22-23

Prior Art Invalidity

Prior Art Teaches “Displaying ... Guidance ... with the Merged Data Set”

- If construed to require displaying “with the merged data set,” then met by displaying any single piece of merged data, such as speed or direction of the aircraft.
 - Reply at 22 n.3
- Would have been obvious for Berkmo’s “maneuvering guidance” to include aircraft speed or direction.
 - Reply at 22-23

Prior Art Invalidity

Prior Art Teaches Merging Camera Image Data with LIDAR/RADAR Data

- Berkmo expressly discloses merging camera data with LIDAR/RADAR data.
 - Petition at 46-55; Reply at 23-24; EX1004 at ¶¶ 22-25, 32, 129, 130