

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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TESLA, INC.,  
Petitioner

v.

GRANITE VEHICLE VENTURES LLC,  
Patent Owner

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Inter Partes Review Case No. IPR2025-01035  
U.S. Patent No. 12,037,004  
(Claims 10-24, 27)

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

To circumvent the Petition's cited prior art, the Patent Owner Preliminary Response introduces a claim construction for *active learning data* that imports the unsupported limitation that the data must be used "for learning" or "to improve in the future." (Paper 10, 8-11). Patent Owner further restricts the claim by importing an unsupported negative limitation, arguing that data used to "make one-off (i.e., non-learning) determinations" is not *active learning data*. (Paper 10, 11). Even applying PO's construction, the art teaches the remaining Challenged Claims.

The Claims do not recite "using data for learning" or "to improve in the future." PO cites the '004 Specification, 9:5-8 for support, but this section supports Petitioner's proposed plain and ordinary meaning. (Paper 1, 4). The '004 Specification describes employing "active learning" so that the system "learns from the experiences of many SDVs and drivers..." (EX1001, 9:5-8). Similarly, 14:26-35 describes learning as taking information from other SDVs. Thus, the system actively learns by taking data from, at the least, other SDVs, and then using that data for various-claimed purposes.

Patent Owner's construction improperly imports a purpose requirement into the claims, namely that the data must be used for learning or to improve in the future. Neither of these purposes is claimed. *Toshiba Corp. v. Imation Corp.*, 681 F.3d 1358, 1369 (Fed. Cir. 2012) (rejecting district court's construction that inserted a purpose requirement into the claimed "identifying information"). The claimed purpose for

the *active learning data* is already expressly recited in the claims, e.g., “weights comprising first/second active learning data” (Claim 10). Patent Owner’s imported purpose is also not supported in the ’004 Specification’s single discussion on “active learning,” which describes learning from other SDVs, as opposed to using information from other SDVs to learn something, as PO contends. (EX1001, 9:5-8). This disclosure does not import some ambiguous temporal limitation, e.g., to “improve” in some indefinite time “in the future.”

Patent Owner imports a negative limitation into the claim, arguing that data used to “make one-off (i.e., non-learning) determinations” is not *active learning data*. (Paper 10, 11; cf. IPR2025-00943, Paper 13, 9 (arguing *active learning data* means no “one-time” determinations, as compared to “one-off” determinations)). This negative limitation is not in the claim language nor the ’004 Specification’s discussions of learning and is otherwise arbitrary. See EX1001, 9:5-8, 14:26-35. Patent Owner’s examples from the ’004 Specification of alleged one-off determinations of location or an environmental report are also not germane to determining a proper construction, as neither example uses the data as claimed.

Finally, even applying Patent Owner’s construction, the Petition’s cited art teaches *active learning data*, including data from a current human driver and cohorts of other SDVs. Regarding Gunderson (EX1012), PO does not dispute that Gunderson teaches *active learning data* but only that it does not meet PO’s imported

limitation of being used for learning. (Paper 10, 15-16). The Petition relied on Hampiholi-Attard's SDV (Paper 1, 22-23), modified to include Gunderson's data that is used to "identify trends in driving behavior that relate to risk factors," which is learning and improvement for future driving, per PO's construction. (Paper 1, 21-22). Regarding Grimm (EX1031), PO similarly argues that Grimm does not meet PO's imported limitation of being used for learning. (Paper 10, 16-17). The Petition relied on Hampiholi-Attard's SDV (Paper 1, 25-26), modified to include Grimm's teachings of a second plurality of weights from "crowd-sourced data from vehicles to determine traffic conditions and events" including autonomous vehicle systems. (Paper 1, 24). Further, Grimm teaches receiving active learning data from other vehicles using V2V (vehicle-to-vehicle) communications. (Paper 1, 75-76).

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**CERTIFICATE OF SERVICE ON PATENT OWNER**  
**UNDER 37 C.F.R. § 42.105**

I hereby certify that a true and correct copy of the foregoing *Petitioner's Reply* to *Patent Owner's Preliminary Response* was served on October 15, 2025, by email on the following counsel of record for Petitioner:

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