

Prepared for: Matthew Bultman

 [Manage Subscription](#)

Bloomberg Law
Toyota, Honda's Motor Protection Patent Win Upheld by Fed. Cir.
By Blake Brittain
May 15, 2020, 4:37 PM

- Patent covers way to prevent coolant from corroding motors
 - Invention would have been obvious, court said
-

Bloomberg Law News 2020-05-22T14:37:03164-04:00

By Blake Brittain 2020-05-15T16:37:35000-04:00

Patent covers way to prevent coolant from corroding motors

Invention would have been obvious, court said

Toyota Motor Corp., American Honda Motor Co., and Aisin Seiki Co. maintained their Patent Trial and Appeal Board win in a dispute over a patent covering a system to prevent coolants from corroding a motor, under a Friday ruling from the Federal Circuit.

An innovation of Intellectual Ventures II LLC's patent had been disclosed in an earlier Japanese patent application, the court said in a nonprecedential opinion.

IV's U.S. Patent No. 7,928,348 covers a system for keeping cooling liquids from touching a fluid-cooled electromagnetic device such as a motor, generator, or transformer to avoid corroding or damaging it.

The motor companies challenged the validity of parts of the patent at the PTAB, arguing they were obvious in light of a Japanese patent application the court called Konishi.

The board agreed the relevant parts of the patent were invalid because Konishi disclosed a "stator can" that met the patent's limitation of a "monolithic body of injection-molded thermoplastic material" that encapsulates part of the device.

IV appealed, arguing it wouldn't have been obvious or feasible to make Konishi's can from thermoplastic because it would soften or melt in high heat.

The board properly rejected IV's argument after considering similar arguments based on the text of Konishi and Aisin's expert testimony, the court said.

Konishi expressly said that "thermoplastic resins" can be used in the can, and Aisin's expert testified that a person of ordinary skill would have "easily chosen" a thermoplastic because the materials are "well known to have properties well-suited for use in these environments."

The PTAB also wasn't wrong in crediting this evidence over IV's expert testimony, the Federal Circuit said.

Judge Kathleen M. O'Malley wrote the opinion, joined by Judges Pauline Newman and Richard G. Taranto.

Knobbe Martens Olson & Bear LLP represented IV. Finnegan, Henderson, Farabow, Garrett & Dunner LLP represented all of the motor companies. Oblon, McClelland, Maier & Neustadt LLP represented Aisin. Steptoe & Johnson LLP represented Honda.

The case is Intellectual Ventures II LLC v. Aisin Seiki Co. , Fed. Cir., No. 2019-1718, unpublished 5/15/20 .

To contact the reporter on this story: Blake Brittain in Washington at bbrittain@bloomberglaw.com

To contact the editor responsible for this story: Rob Tricchinelli at rttricchinelli@bloomberglaw.com

© 2020 The Bureau of National Affairs, Inc. All Rights Reserved

[Contact Us](#)

[View Full Desktop Site](#)

BLAW® 24 / 7 Help Desk (888) 560-2529

[Terms of service](#) , [Privacy](#) , [Copyright](#) , [Accessibility](#)

© 2020 The Bureau of National Affairs, Inc.
All Rights Reserved