

Hyundai, Toyota Latest Automakers Hit By Busy Patent Holder

By **Aebra Coe**

Law360, New York (July 9, 2015, 2:19 PM ET) -- After firing off more than a dozen patent suits against automakers last spring, patent holder Signal IP Inc. launched another two in California federal court Wednesday, accusing Hyundai Motor America and Toyota Motor NA of selling vehicles using Signal's car safety patents, including for a blind spot radar system.

The suits launched last year involve much of the same intellectual property as Wednesday's litigation and federal court records show that while Signal — a subsidiary of patent acquisition and monetization firm Marathon Patent Group Inc.— only became active in the courts in April 2014, it now has 19 patent suits pending against automakers in federal court and has stipulated dismissal in two others.

Three of those suits are in Michigan, but the rest are in California federal court and in all of them the patent holder is represented by Los Angeles-based Liner LLP.

Signal's patents cover a host of safety and efficiency features, including a radar system used to detect when objects enter a driver's blind spot and a method for determining whether to deploy an air bag based on which direction an infant is facing. The patents also cover technology used in the car companies' cruise control, collision warning and keyless entry systems. Another patent describes a method for when to use electric power in a hybrid vehicle.

Nissan North America Inc., Mazda Motor of America Inc., Subaru of America Inc., Ford Motor Co. and the U.S. arms of Mercedes-Benz and BMW Group are just a few of the auto industry giants that are currently battling the patent holder.

In its Wednesday suit against Hyundai, Signal said the automaker had fair warning it was allegedly infringing the patents-in-suit because of an April, 2014 lawsuit Signal filed against Hyundai subsidiary Kia Motors America Inc. alleging infringement of the same patents.

"Defendant has purposefully and voluntarily placed one or more of its infringing products and services into the stream of commerce with the expectation that the products and services will be purchased or used by customers in California and within this judicial district," the complaint said.

The number of vehicle models encompassed by the litigation is sweeping: The suit Wednesday against Hyundai alone includes Hyundai's Azera, Elantra, Equus, Genesis, Sonata, Tucson, Veloster and Santa Fe models.

Attorneys for Signal IP and a representative for Toyota were not immediately available to comment on the litigation Thursday. A Hyundai spokesperson declined to comment.

The patents-in-suit are U.S. Patent Nos. 5,714,927, 6,434,486, 5,732,375 and 6,012,007.

Signal IP is represented by Ryan E. Hatch and Jason L. Haas of Liner LLP.

Counsel information for the automakers was not immediately available.

The cases are Signal IP Inc. v. Hyundai North America, case number 2:15-cv-05166; and Signal IP Inc. v. Toyota North America, case number 2:15-cv-05162; both in the U.S. District Court for the Central District of California.

--Additional reporting by Lisa Ryan. Editing by Rebecca Flanagan.

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