

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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BROADCOM CORPORATION

Petitioner

v.

WI-FI ONE, LLC

Patent Owner

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Case IPR2013-00636

U.S. Patent No. 6,424,625

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**PATENT OWNER'S REPLY TO PETITIONER'S OPPOSITION  
TO MOTION TO AMEND U.S. PATENT NO. 6,424,625**

<b>EXHIBIT NO.</b>	<b>EXHIBIT DESCRIPTION</b>
Exhibit 2001	PO's Request for Production
Exhibit 2002	Texas D-Link Complaint
Exhibit 2003	Texas D-Link Amended Complaint
Exhibit 2004	Texas D-Link Docket as of 11-1-13
Exhibit 2005	Form 10-Q SEC Filing
Exhibit 2006	Texas D-Link Intel Intervention
Exhibit 2007	E-mail String 06-04-10
Exhibit 2008	E-mail String 12-09-13
Exhibit 2009	EC Complaint
Exhibit 2010	Letter from Ayers to Massa 11-15-13
Exhibit 2011	Letter from Massa to Ayers 11-25-13
Exhibit 2012	Email String 11-12-13
Exhibit 2013	E-mail String 11-13-13
Exhibit 2014	Texas D-Link Docket December 2013
Exhibit 2015	Texas D-Link Amended Disclosures
Exhibit 2016	D-Link Order
Exhibit 2017	Motion of Broadcom et al for Leave to File Amicus Brief in Ericsson v. D-Link
Exhibit 2018	Final Judgment Pursuant to FRCP 54(b)
Exhibit 2019	Black's Law Dictionary 9 <sup>th</sup> Ed 2009 (definition of privity)
Exhibit 2020	Declaration of Robert Akl, D.Sc. in Support of Patent Owner's Response
Exhibit 2021	Merriam Webster Dictionary (definition of command)
Exhibit 2022	Declaration of Robert Akl, D.Sc. in Support of Patent Owner's

<b>EXHIBIT NO.</b>	<b>EXHIBIT DESCRIPTION</b>
	Motion to Amend
Exhibit 2023	Application No. 09/179,952
Exhibit 2024	Petras and Hettich Article
Exhibit 2025	Petras et al (Candidate protocol stack for a wireless ATM air interface)
Exhibit 2026	Vornefeld
Exhibit 2027	Reply Declaration of Robert Akl, D.Sc., in Support of Patent Owner's Motion to Amend

**I. The proposed amendment “wherein the sequence number of the at least one packet is outside of the receiver window” is supported by the ’625 patent.**

Broadcom’s argument that the ’625 patent allegedly does not support the proposed amendment is premised on the faulty assumption that the receiver and transmitter windows must be of identical size  $W$ , where  $W=2^{k-1}$ . (Paper No. 44 at 4.) The ’625 patent has no such requirement. In a Go-Back-N Scheme, the receiver window includes “just one position” (’625 pat. at 2:61-63), whereas in the Selective Reject Scheme, the receiver window “can include up to  $2^{k-1}$  positions,” (*id.* at 2:61-62; Akl Tr. (Ex. 1021) at 114:21-115:2). In either scheme, the transmitter window is “an arbitrary window size  $W$ ” in the general case, or “[i]n the special case, the window size is  $W=2^{k-1}$ .” (’625 pat. at 5:58-63.) In an embodiment of the ’625 patent, “the receiver and the transmitter must both use the same arbitrary value for  $W$ .” (*Id.* at 7:21-22.) But that does not require identical transmitter and receiver window size. Because the receiver window size in a Go-Back-N Scheme is “just one position” (*id.* at 2:61-63), the size of the receiver window cannot be limited to  $2^{k-1}$  as Broadcom erroneously suggests (Paper No. 44 at 4.)  $W$  refers to the **transmitter**, not receiver window size. (Akl Dec. ¶ 10.)

The receiver and the transmitter must use the same arbitrary value for  $W$  so that the receiver knows which packets to properly receive. “If the difference between  $N(S)$  and  $ESN . . .$  is less than  $2^{k-1}$  and  $RPEB=TRUE$  at a packet

reception, then the packet will be accepted and forwarded to higher layer as long as the data carried in the packet is also correct.” (’625 pat. at 6:31-35.) Furthermore, in a Selective Reject Scheme, “A packet shall be accepted, apart from the normal Go-Back-N function, when  $N(S)-ESN < 2^k - W$ , RPEB=TRUE and the data in the packet are correct.” (*Id.* at 7:23-25.) These calculations occur so that the receiver knows whether the received packet was within the transmitter window – if so, the packet is accepted, otherwise rejected, including a packet whose sequence number is outside the receiver window. (Akl Tr. (Ex. 1021) at 116:3-118:19; ’625 pat. at 6:36-43; Akl Dec. at ¶ 11.)

Besides factually inaccurate, Broadcom’s contention that the proposed amendment is not supported by the ’625 patent is based solely on attorney argument. The ’625 patent specification and Dr. Akl’s testimony relating to the receiver window size is un rebutted by Broadcom’s expert.

## **II. Claim 20 is not anticipated by Vornefeld.**

Vornefeld creates, rather than releases, expectations of cells having a lower sequence number. (Paper No. 36 at 10-11; Ex. 2022 at ¶ 26.) When packets are accepted outside a receiver window in Vornefeld, the receiver window is adjusted so that the **last sequence number** (not the first sequence number) in the receiver window is sequence number of the just received packet, and continues to wait for outstanding packets before releasing the received packets to the higher layer.

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