

Filed on behalf of: IPR LICENSING, INC.

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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ZTE CORPORATION AND ZTE (USA) INC.  
Petitioner

V.

IPR LICENSING, INC.  
Patent Owner

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Case IPR2014-00525  
Patent 8,380,244

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Before SALLY C. MEDLEY, MIRIAM L. QUINN, and  
BEVERLY M. BUNTING, *Administrative Patent Judges.*

**PATENT OWNER'S RESPONSE TO PETITION FOR  
INTER PARTES REVIEW OF U.S. PATENT NO. 8,380,244**

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**STATEMENT OF MATERIAL FACTS IN DISPUTE**

Petitioner did not submit statements of material facts in its petition for *inter partes* review. Accordingly, no response is due pursuant to 37 C.F.R. §42.23(a), and no facts are admitted.

## **I. INTRODUCTION**

On September 17, 2014, the Patent Trial and Appeal Board (“Board”) granted ZTE Corporation’s (“ZTE”) Petition for *inter partes* review of claims 1-8, 14-16, 19-29, 36-38, and 41-44 of U.S. Patent No. 8,380,244 (the “’244 patent”).

## **II. RELATED LITIGATION AND EXPERTS**

Petitioner ZTE and Patent Owner IPR Licensing, Inc. (“Patent Owner”), InterDigital Communications, Inc., InterDigital Technology Corporation, and InterDigital Holdings, Inc. (collectively, “InterDigital”) are in litigation in the District of Delaware (the “Delaware Litigation”), in which InterDigital asserted the ’244 patent against ZTE and others. In the Delaware Litigation, ZTE’s expert, Dr. Steven McLaughlin, testified regarding the ’244 patent. On October 28, 2014, the jury returned a verdict, finding the ’244 patent valid and infringed.

InterDigital also asserted a related patent, U.S. Patent No. 7,616,970 (the “’970 patent”), in an investigation against Nokia before the U.S. International Trade Commission, Investigation No. 337-TA-800 (the “ITC 800 Investigation”). In the ITC 800 Investigation, Nokia Corporation and Nokia Inc.’s expert was Dr. Harry Bims. ZTE has submitted a declaration from Dr. Bims in this proceeding. In the ITC 800 Investigation, InterDigital’s expert was Dr. Wayne Stark.

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