

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE INC.,
Petitioner

v.

MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC
Patent Owner

Case IPR2014-01035
Patent 5,659,891

**PATENT OWNER MOBILE TELECOMMUNICATIONS
TECHNOLOGIES, LLC'S PRELIMINARY RESPONSE**

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I. INTRODUCTION

Patent Owner, Mobile Telecommunications Technologies, LLC, submits this Preliminary Response to the Petition for *Inter Partes* Review of claims 1-5 of U.S. Patent No. 5,659,891 (“the ‘891 Patent”). 37 C.F.R. § 42.107.

Patent Owner respectfully requests that the Board deny the Petition on every ground alleged by Petitioner for, at least, the following reasons.

First, with regard to Ground 1, Dr. Rade Petrovic et al., Permutation Modulation for Advanced Radio Paging, IEEE Proceedings of Southeastcon ‘93 (7 April, 1993) (Exhibit 1008, “*Petrovic*”) does not teach, at least, the following elements of claims 1, 3 and 5 of the ‘891 Patent: (i) “a single mask-defined, bandlimited channel;” (ii) “operating or transmitting said carriers... such that the frequency difference between the center frequency of the outer most of said carriers and the band edge of the mask ... is more than half the frequency difference between the center frequencies of each adjacent carrier;” and (iii) “operating or transmitting said carriers from the same location.” Dependent claims 2 and 4 are not anticipated by *Petrovic*, because independent claims 1 and 3, from which they depend respectively, are not anticipated by *Petrovic* and because of the additional features they recite.

Second, with regard to Ground 2, *Petrovic* does not teach limitations (i), (ii), and (iii) of claim 5, as described above. Therefore, *Petrovic* does not teach claim

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