

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Cameron *et al.*

U.S. Patent No.: 5,915,210

Attorney Docket No.: 39521-0005IP1

Issue Date: Jun. 22, 1999

Appl. Serial No.: 08/899,476

Filing Date: Jul. 24, 1997

Title: METHOD AND SYSTEM FOR PROVIDING MULTICARRIER
SIMULCAST TRANSMISSION

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**CORRECTED PETITION FOR *INTER PARTES* REVIEW OF UNITED
STATES PATENT NO. 5,915,210
PURSUANT TO 35 U.S.C. §§ 311–319, 37 C.F.R. § 42**

TABLE OF CONTENTS

I.	MANDATORY NOTICES UNDER 37 C.F.R § 42.8(a)(1).....	1
A.	Real Party-In-Interest Under 37 C.F.R. § 42.8(b)(1)	1
B.	Related Matters Under 37 C.F.R. § 42.8(b)(2)	1
C.	Counsel Under 37 C.F.R. § 42.8(b)(3) and Service Information	2
II.	PAYMENT OF FEES – 37 C.F.R. § 42.103	2
III.	REQUIREMENTS FOR IPR UNDER 37 C.F.R. §§ 42.104.....	2
A.	Grounds for Standing.....	2
B.	Challenge and Relief Requested	3
C.	Claim Construction	4
1.	“a . . . transmitter” (Claims 1 and 10)	5
2.	“means for transmitting a first plurality of carrier signals...” (Claim 19)	6
3.	“means for transmitting a second plurality of carrier signals...” (Claim 19)	9
4.	“transmit[ting]...in simulcast” (Claims 1, 10 and 19).....	12
IV.	SUMMARY OF THE ‘210 PATENT	12
A.	Brief Description	12
B.	Summary of the Prosecution History of the ‘210 Patent.....	13
V.	MANNER OF APPLYING CITED PRIOR ART TO EVERY CLAIM FOR WHICH AN IPR IS REQUESTED, THUS ESTABLISHING A REASONABLE LIKELIHOOD THAT AT LEAST ONE CLAIM OF THE ‘210 PATENT IS UNPATENTABLE.....	14
A.	[GROUND 1] – Saalfrank Anticipates Claims 1 and 10.....	15
1.	Claim 1.....	19
2.	Claim 10	23
B.	[GROUND 2] – Saalfrank in view of Nakamura Renders Claim 19 Obvious	29
C.	[GROUND 3] – Witsaman in view of Bingham Render Claims 1, 10, and 19 Obvious	36
1.	Claim 1.....	42
2.	Claim 10	47
3.	Claim 19	55
VI.	REDUNDANCY	59
VII.	CONCLUSION	60

EXHIBITS

- APPLE-1001 U.S. Patent No. 5,915,210 to Cameron *et al.* (“the ‘210 patent”)
- APPLE-1002 Excerpts from the Prosecution History of the ‘210 Patent (“the Prosecution History”)
- APPLE-1003 Docket for *Mobile Telecommunications Technologies, LLC v. Apple Inc.*, Case No. 2:13-CV-258 (E.D. Tex.)
- APPLE-1004 Declaration of Dr. Apostolous Kakaes (“Kakaes Declaration”)
- APPLE-1005 Plaintiff’s Opening Brief on Issues of Claim Construction from *Mobile Telecommunications Technologies, LLC v. Apple Inc.*, Civil Action No. 2:13-cv-258-JRG-RSP (E.D. Tex.) (“Plaintiff’s Opening Brief”)
- APPLE-1006 Claim Construction Order from *Mobile Telecommunications Technologies, LLC v. Apple Inc.*, Civil Action No. 2:13-cv-258-JRG-RSP (E.D. Tex.) (“Markman Order”)
- APPLE-1007 Claim Construction Order from *Mobile Telecommunications Technologies, LLC v. Clearwire Corp.*, Civil Action No. 2:12-cv-308-JRG-RSP (E.D. Tex.) (“Clearwire Order”)
- APPLE-1008 English Translation of German Patent Publication No. DE4102408 to Saalfrank (“Saalfrank”)
- APPLE-1009 Yasuhisa Nakamura *et al.*, *256 QAM Modem for Multicarrier 400 Mbit/s Digital Radio*, 5 IEEE Journal on Selected Areas in Communications 329 (Apr. 1987) (“Nakamura”)
- APPLE-1010 U.S. Patent No. 5,365,569 to Witsaman *et al.* (“Witsaman”)
- APPLE-1011 John A. C. Bingham, *Multicarrier Modulation for Data Transmission: An Idea Whose Time Has Come*, 28 IEEE Communications Magazine 5 (May 1990) (“Bingham”)

- APPLE-1012 Bernard Le Floch *et al.*, *Digital Sound Broadcasting to Mobile Receivers*, 35 IEEE Transactions on Consumer Electronics 493 (Aug. 1989) (“Le Floch”)
- APPLE-1013 Certificate of Translation of German Patent Publication No. DE4102408 to Saalfrank
- APPLE-1014 U.S. Patent No. 5,381,449 to Jasper *et al.*
- APPLE-1015 U.S. Patent No. 5,544,198 to Saalfrank
- APPLE-1016 John D. Oetting, *A Comparison of Modulation Techniques for Digital Radio*, 27 IEEE Transactions on Communications 1752 (Dec. 1979)
- APPLE-1017 U.S. Patent No. 5,168,509 to Nakamura *et al.*
- APPLE-1018 German Patent Publication No. DE4102408 to Saalfrank

Apple Inc. (“Petitioner” or “Apple”) petitions for *Inter Partes* Review (“IPR”) under 35 U.S.C. §§ 311–319 and 37 C.F.R. § 42 of claims 1, 10 and 19 (“the Challenged Claims”) of U.S. Patent No. 5,915,210 (“the ‘210 patent”). As explained in this petition, there exists a reasonable likelihood that Apple will prevail with respect to at least one of the Challenged Claims. Apple respectfully submits that an IPR should be instituted, and that the Challenged Claims should be canceled as unpatentable.

I. MANDATORY NOTICES UNDER 37 C.F.R § 42.8(a)(1)

A. Real Party-In-Interest Under 37 C.F.R. § 42.8(b)(1)

Petitioner, Apple Inc., is the real party-in-interest.

B. Related Matters Under 37 C.F.R. § 42.8(b)(2)

Apple is not aware of any terminal disclaimers for the ‘210 Patent. The ‘210 Patent is presently involved in five pending litigations (the Litigations), one of which names Apple as a defendant: *Mobile Telecommunications Technologies, LLC v. Sprint Nextel Corp.*, Case No. 2:12-CV-832 (E.D. Tex.); *Mobile Telecommunications Technologies, LLC v. Apple Inc.*, Case No. 2:13-CV-258 (E.D. Tex.) (hereinafter “the Apple litigation”); *Mobile Telecommunications Technologies, LLC v. Leap Wireless International, Inc.*, Case No. 2-13-CV-885 (E.D. Tex.); *Mobile Telecommunications Technologies, LLC v. T-Mobile USA, Inc.*, Case No. 2-13-CV-886 (E.D. Tex.); and *Mobile Telecommunications Technologies, LLC v.*

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