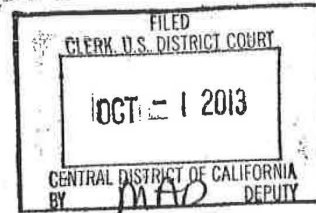


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10  
11  
12 UNITED STATES DISTRICT COURT  
13 CENTRAL DISTRICT OF CALIFORNIA

14  
15 The CALIFORNIA INSTITUTE OF  
TECHNOLOGY, a California  
16 corporation,

17 Plaintiff,

18 vs.

19 HUGHES COMMUNICATIONS,  
INC., a Delaware corporation,  
20 HUGHES NETWORK SYSTEMS,  
LLC, a Delaware limited liability  
21 company, DISH NETWORK  
CORPORATION, a Nevada  
22 corporation, DISH NETWORK L.L.C.,  
a Colorado limited liability company,  
23 and DISHNET SATELLITE  
BROADBAND L.L.C., a Colorado  
24 limited liability company,

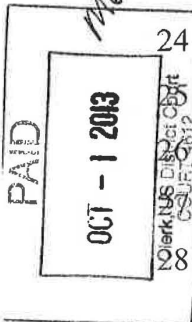
Defendants.

CV 13-07245-PA  
CASE NO. (JEM)

COMPLAINT FOR PATENT  
INFRINGEMENT

JURY TRIAL DEMANDED

IS  
21



1 Plaintiff the California Institute of Technology (“Caltech” or “Plaintiff”), by  
2 and through its undersigned counsel, complains and alleges as follows against  
3 Hughes Communications, Inc., Hughes Network Systems, LLC, DISH Network  
4 Corporation, DISH Network L.L.C., and dishNET Satellite Broadband L.L.C.  
5 (collectively, “Defendants”):

6 **NATURE OF THE ACTION**

7 1. This is a civil action for patent infringement arising under the patent  
8 laws of the United States, 35 U.S.C. §§ 1 *et seq.*

9 2. Defendants have infringed and continue to infringe, contributed to and  
10 continue to contribute to the infringement of, and/or actively induced and continue  
11 to induce others to infringe Caltech’s U.S. Patent No. 7,116,710, U.S. Patent No.  
12 7,421,032, U.S. Patent No. 7,916,781, and U.S. Patent No. 8,284,833 (collectively,  
13 “the Asserted Patents”). Caltech is the legal owner by assignment of the Asserted  
14 Patents, which were duly and legally issued by the United States Patent and  
15 Trademark Office. Caltech seeks injunctive relief and monetary damages.

16 **THE PARTIES**

17 3. Caltech is a non-profit private university organized under the laws of  
18 the State of California, with its principal place of business at 1200 East California  
19 Boulevard, Pasadena, California 91125.

20 4. On information and belief, Hughes Communications, Inc. (“Hughes  
21 Communications”) is a corporation organized under the laws of the State of  
22 Delaware, with its principal place of business located at 11717 Exploration Lane,  
23 Germantown, Maryland 20876. On information and belief, Hughes  
24 Communications is a wholly-owned subsidiary of Hughes Satellite Systems  
25 Corporation, which is a wholly-owned subsidiary of EchoStar Corporation  
26 (“EchoStar”).

27 5. On information and belief, Hughes Network Systems, LLC (“Hughes  
28 Network”) is a limited liability company organized under the laws of the State of

1 Delaware, with its principal place of business located at 11717 Exploration Lane,  
2 Germantown, Maryland 20876. On information and belief, Hughes Network is a  
3 wholly owned subsidiary of Hughes Communications. Hughes Communications  
4 and Hughes Network, collectively, are referred to as "Hughes Defendants."

5 6. On information and belief, DISH Network Corporation ("DISH Corp.")  
6 is a corporation organized under the laws of the State of Nevada with its principal  
7 place of business located at 9601 South Meridian Boulevard, Englewood, Colorado  
8 80112.

9 7. On information and belief, DISH Network L.L.C. ("DISH L.L.C.") is a  
10 limited liability company organized under the laws of the State of Colorado with its  
11 principal place of business located at 9601 South Meridian Boulevard, Englewood,  
12 Colorado 80112. On information and belief, DISH L.L.C. is a wholly owned  
13 subsidiary of DISH Corp.

14 8. On information and belief, dishNET Satellite Broadband L.L.C.  
15 ("dishNET") is a limited liability company organized under the laws of the State of  
16 Colorado with its principal place of business located at 9601 South Meridian  
17 Boulevard, Englewood, Colorado 80112. On information and belief, dishNET is a  
18 wholly owned subsidiary of DISH Corp. On information and belief, dishNET and  
19 DISH L.L.C. are related entities. DISH Corp., DISH L.L.C., and dishNET,  
20 collectively, are referred to as "Dish Defendants."

21 9. On information and belief, Hughes Defendants' parent company,  
22 EchoStar, and Dish Defendants were previously one company. On information and  
23 belief, around January 2008, EchoStar and Dish Defendants became two separate  
24 companies (the "spin-off").

25 10. On information and belief, the business relationship among Dish  
26 Defendants, EchoStar and Hughes Defendants remains extremely integrated. The  
27 same individual serves as the Chairman of both Dish Defendants and EchoStar.  
28 Further, since the spin-off, a substantial majority of the voting power of the shares

1 of both Dish Defendants and EchoStar is owned beneficially by the Chairman, or by  
2 certain trusts established by the Chairman. Additionally, on information and belief,  
3 in addition to the Chairman, an individual responsible for the development and  
4 implementation of advanced technologies that are of potential utility and importance  
5 to both Dish Defendants and EchoStar serves on the board of both companies. On  
6 information and belief, in 2010, Dish Defendants accounted for 82.5% of EchoStar's  
7 total revenue and in 2012, Dish Defendants accounted for 49.5% of EchoStar's total  
8 revenue. Additionally, on information and belief, in October 2012, Dish Defendants  
9 and Hughes Defendants entered into a distribution agreement relating to Hughes  
10 Defendants' satellite internet service.

11 **JURISDICTION AND VENUE**

12 11. This Court has jurisdiction over the subject matter of this action under  
13 28 U.S.C. §§ 1331 and 1338(a).

14 12. Hughes Defendants are subject to this Court's personal jurisdiction. On  
15 information and belief, Hughes Defendants regularly conduct business in the State  
16 of California, including in the Central District of California, and have committed  
17 acts of patent infringement and/or contributed to or induced acts of patent  
18 infringement by others in this District and elsewhere in California and the United  
19 States. As such, Hughes Defendants have purposefully availed themselves of the  
20 privilege of conducting business within this District; have established sufficient  
21 minimum contacts with this District such that they should reasonably and fairly  
22 anticipate being haled into court in this District; have purposefully directed activities  
23 at residents of this State; and at least a portion of the patent infringement claims  
24 alleged herein arise out of or are related to one or more of the foregoing activities.

25 13. Dish Defendants are subject to this Court's personal jurisdiction. On  
26 information and belief, Dish Defendants regularly conduct business in the State of  
27 California, including in the Central District of California, maintain employees in this  
28 District and elsewhere in California, and have committed acts of patent infringement

1 and/or contributed to or induced acts of patent infringement by others in this District  
2 and elsewhere in California and the United States. As such, Dish Defendants have  
3 purposefully availed themselves of the privilege of conducting business within this  
4 District; have established sufficient minimum contacts with this District such that  
5 they should reasonably and fairly anticipate being haled into court in this District;  
6 have purposefully directed activities at residents of this State; and at least a portion  
7 of the patent infringement claims alleged herein arise out of or are related to one or  
8 more of the foregoing activities.

9 14. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391  
10 and 1400 because Defendants regularly conduct business in this District, and certain  
11 of the acts complained of herein occurred in this District.

12 **CALTECH'S ASSERTED PATENTS**

13 15. On October 3, 2006, the United States Patent Office issued U.S. Patent  
14 No. 7,116,710, titled "Serial Concatenation of Interleaved Convolutional Codes  
15 Forming Turbo-Like Codes" (the "'710 patent"). A true and correct copy of the  
16 '710 patent is attached hereto as Exhibit A.

17 16. On September 2, 2008, the United States Patent Office issued U.S.  
18 Patent No. 7,421,032, titled "Serial Concatenation of Interleaved Convolutional  
19 Codes Forming Turbo-Like Codes" (the "'032 patent"). A true and correct copy of  
20 the '032 patent is attached hereto as Exhibit B. The '032 patent is a continuation of  
21 the application that led to the '710 patent.

22 17. On March 29, 2011, the United States Patent Office issued U.S. Patent  
23 No. 7,916,781, titled "Serial Concatenation of Interleaved Convolutional Codes  
24 Forming Turbo-Like Codes" (the "'781 patent"). A true and correct copy of the  
25 '781 patent is attached hereto as Exhibit C. The '781 patent is a continuation of the  
26 application that led to the '032 patent, which is a continuation of the application that  
27 led to the '710 patent.

28 18. On October 9, 2012, the United States Patent Office issued U.S. Patent

1 No. 8,284,833, titled “Serial Concatenation of Interleaved Convolutional Codes  
2 Forming Turbo-Like Codes” (the “’833 patent”). A true and correct copy of the  
3 ’833 patent is attached hereto as Exhibit D. The ’833 patent is a continuation of the  
4 application that led to the ’781 patent, which is a continuation of the application that  
5 led to the ’032 patent, which is a continuation of the application that led to the ’710  
6 patent.

7 19. The Asserted Patents identify Hui Jin, Aamod Khandekar, and Robert  
8 J. McEliece as the inventors (the “Named Inventors”).

9 20. Caltech is the owner of all right, title, and interest in and to each of the  
10 Asserted Patents with full and exclusive right to bring suit to enforce the Asserted  
11 Patents, including the right to recover for past damages and/or royalties.

12 21. The Asserted Patents are valid and enforceable.

13 **BACKGROUND TO THIS ACTION**

14 22. The Asserted Patents disclose a seminal improvement to coding  
15 systems and methods used for digital satellite transmission. The Asserted Patents  
16 disclose an ensemble of codes called irregular repeat-accumulate (IRA) codes,  
17 which are specific types of low-density parity check (LDPC) codes. The IRA codes  
18 disclosed in the Asserted Patents enable a transmission rate close to the theoretical  
19 limit, while also providing the advantage of a low encoding complexity.

20 23. In September 2000, the Named Inventors of the Asserted Patents  
21 published a paper regarding their invention, titled “Irregular Repeat-Accumulate  
22 Codes” for the Second International Conference on Turbo Codes. (Exhibit E.) This  
23 paper has been widely cited by experts in the industry.

24 24. Experts recognize the importance and usefulness of the IRA codes  
25 disclosed in the September 2000 paper by the Named Inventors of the Asserted  
26 Patents. For example, a paper praising these IRA codes was published in August  
27 2004 by Aline Roumy, Souad Guemghar, Giuseppe Caire, and Sergio Verdú in the  
28 IEEE Transactions on Information Theory. This paper, titled “Design Methods for

1 Irregular Repeat-Accumulate Codes,” states:

2 IRA codes are, in fact, special subclasses of both irregular  
3 LDPCs and irregular turbo codes. . . . IRA codes are an  
4 appealing choice because the encoder is extremely simple, their  
5 performance is quite competitive with that of turbo codes and  
6 LDPCs, and they can be decoded with a very-low-complexity  
7 iterative decoding scheme.

8 (Exhibit F, at 1.) This paper also notes that, four years after the September 2000  
9 paper, the Named Inventors were the only ones to propose a method to design IRA  
10 codes. (*Id.*)

11 25. The current standard for digital satellite transmissions embodies the  
12 invention of the Asserted Patents by using channel codes that are IRA codes. This  
13 digital satellite transmission standard is titled “Digital Video Broadcasting (DVB);  
14 Second generation framing structure, channel coding and modulation systems for  
15 Broadcasting, Interactive Services, News Gathering and other broadband satellite  
16 applications” (the “DVB-S2 standard”).

17 26. Experts in the industry recognize that the DVB-S2 standard uses the  
18 IRA codes initially disclosed by the Named Inventors of the Asserted Patents. For  
19 example, a 2005 paper published by the highly regarded Institute of Electrical and  
20 Electronics Engineers (IEEE), titled “A Synthesizable IP Core for DVB-S2 LDPC  
21 Code Decoding,” and authored by Frank Kienle, Torben Brack, and Norbert Wehn  
22 recognizes:

23 The LDPC codes as defined in the DVB-S2 standard are IRA  
24 codes, thus the encoder realization is straight forward.  
25 Furthermore, the DVB-S2 code shows regularities which can be  
26 exploited for an efficient hardware realization.

27 (Exhibit G, at 1.)

28 27. Moreover, this paper provides credit to the September 2000 paper  
29 authored by the Named Inventors of the Asserted Patents for the origination of the  
30 IRA codes that are defined in the DVB-S2 standard. (*Id.* at 1 & n.8.)

1           28. Similarly, on information and belief, a 2007 paper titled “Factorizable  
2 Modulo  $M$  Parallel Architecture for DVB-S2 LDPC Decoding,” and published in the  
3 Proceedings of the 6th Conference on Telecommunications, recognizes that the  
4 DVB-S2 standard uses the IRA codes initially disclosed by the Named Inventors of  
5 the Asserted Patents. This paper, authored by Marco Gomes, Gabriel Falcão, Vitor  
6 Silva, Vitor Ferreira, Alexandre Sengo, and Miguel Falcão, states:

7           The new DVB-S2 [] standard adopted a special class of LDPC  
8 codes known by IRA codes [] as the main solution for the FEC  
9 system.

10 (Exhibit H, at 1.)

11           29. Moreover, this paper also credits the September 2000 paper authored  
12 by the Named Inventors of the Asserted Patents for the origination of the IRA codes  
13 that are defined in the DVB-S2 standard. (*Id.* at 1 & n.8.)

14           30. As even further support, on information and belief, a 2006 industry  
15 paper published in the Journal of Communications Software and Systems, titled  
16 “Design of LDPC Codes: A Survey and New Results” and authored by Gianluigi  
17 Liva, Shumei Song, Lan Lan, Yifei Zhang, Shu Lin, and William E. Ryan, confirms  
18 that the DVB-S2 standard uses the IRA codes, stating:

19           The ETSI DVB S2 [] standard for digital video broadcast  
20 specifies two IRA code families with block lengths 64800 and  
21 16200.

22 (Exhibit I, at 10-11.)

23           31. As such, products, methods, equipment, and/or services that implement  
24 the DVB-S2 standard practice one or more claims of each of the Asserted Patents  
25 because the DVB-S2 standard embodies the invention of the Asserted Patents by  
26 using IRA codes.

27           32. On information and belief, Hughes Defendants manufacture, use,  
28 import, offer for sale, or sell products, methods, equipment, and/or services that  
implement the DVB-S2 standard. For example, Hughes Defendants provide satellite



1 broadband internet access to consumers and broadband network services to the  
2 enterprise markets, among other activities, including through their HN System and  
3 HX System product lines. Hughes Defendants have extensively publicized that their  
4 flagship HN System and HX System satellite broadband internet product lines  
5 implement the DVB-S2 standard. On information and belief, Hughes Defendants  
6 market and sell, among other activities, certain broadband equipment and services  
7 that implements the DVB-S2 standard through the HughesNet brand. On  
8 information and belief, Hughes Defendants further sell or provide certain broadband  
9 equipment and services that implements the DVB-S2 standard to Dish Defendants.  
10 On information and belief, Hughes Defendants use their broadband equipment that  
11 implements the DVB-S2 standard for testing, consulting, and/or support services,  
12 among other activities.

13 33. On information and belief, Dish Defendants manufacture, use, import,  
14 offer for sale, or sell products, methods, equipment, and/or services that implement  
15 the DVB-S2 standard. For example, on information and belief, Dish Defendants  
16 market, offer for sale, sell, and distribute, among other activities, Hughes  
17 Defendants' satellite internet service, among other products and services, under the  
18 dishNET brand pursuant to a distribution agreement entered into with Hughes  
19 Defendants in October 2012. On information and belief, Dish Defendants purchase  
20 certain broadband equipment and services that implements the DVB-S2 standard  
21 from Hughes Defendants and offer for sale, sell, provide, and/or distribute this  
22 equipment and service to its customers. On information and belief, Dish Defendants  
23 use this broadband equipment and service that implements the DVB-S2 standard for  
24 testing, consulting and/or support services, among other activities. On information  
25 and belief, the dishNET services are primarily bundled with other services offered  
26 by Dish Defendants.

27 34. Hughes Defendants admit that their broadband satellite systems are  
28 compliant with "high-speed DVB-S2." (Exhibit J.) Additionally, Hughes

1 Defendants have touted that implementation of this DVB-S2 standard “provides for  
2 higher throughputs, better coding efficiency, and improved satellite resource  
3 utilization for the outbound channel.” (Exhibit K.)

4 35. Further, Hughes Defendants’ website advertises its HX System and  
5 provides a link to a brochure titled “High-Performance IP Satellite Broadband  
6 System.” (Exhibit L.) This brochure similarly highlights Hughes Defendants’  
7 implementation of the DVB-S2 standard, stating that the core component of the HX  
8 System, the HX Gateway, “uses a DVB-S2 carrier . . . for the outbound channel  
9 received by all HX System remote terminals.” (*Id.*)

10 36. Hughes Defendants’ website also advertises its HN System and states  
11 that it is compliant with DVB-S2. (Exhibit M.)

12 **COUNT I**

13 **Infringement of the ’710 Patent**

14 37. Plaintiff re-alleges and incorporates by reference the allegations of the  
15 preceding paragraphs of this Complaint as if fully set forth herein.

16 38. On information and belief, in violation of 35 U.S.C. § 271, Defendants  
17 have infringed and are currently infringing, directly and/or through intermediaries,  
18 the ’710 patent by making, using, selling, offering for sale, and/or importing into the  
19 United States, without authority, products, methods, equipment, and/or services that  
20 practice one or more claims of the ’710 patent. These products, methods,  
21 equipment, and/or services include products that implement the DVB-S2 standard,  
22 including without limitation products in the HN System and HX System product  
23 lines, satellite internet product lines distributed under the dishNET brand, network  
24 and network services that employ these products, and/or marketing, consulting,  
25 and/or support services provided for these products and services (collectively, the  
26 “Accused Services and Products”). For example, at least Paragraphs 32 and 33  
27 illustrate a limited number of examples of Defendants’ direct infringement of the  
28 ’710 patent. Defendants have infringed and are currently infringing literally and/or

1 under the doctrine of equivalents.

2 39. On information and belief, in violation of 35 U.S.C. § 271, Defendants  
3 have infringed and are continuing to infringe the '710 patent by contributing to  
4 and/or actively inducing the infringement by others of the '710 patent by making,  
5 using, selling, offering for sale, and/or importing into the United States, without  
6 authority, products, methods, equipment, and/or services, including the Accused  
7 Services and Products, that practice one or more claims of the '710 patent.

8 40. Hughes Defendants have had actual knowledge of their infringement of  
9 the '710 patent before the filing date of this Complaint through letters alleging such  
10 infringement, or at least have had actual knowledge of their infringement of the '710  
11 patent since no later than the filing date of this Complaint.

12 41. On information and belief, Dish Defendants have had actual  
13 knowledge of their infringement of the '710 patent before the filing date of this  
14 Complaint based on their marketing, sale, and distribution, among other activities,  
15 of Hughes Defendants' satellite internet service and their relationship with Hughes  
16 Defendants (*see* Paragraphs 9, 10, 33). Dish Defendants at least have had actual  
17 knowledge of their infringement of the '710 patent since no later than the filing  
18 date of this Complaint.

19 42. Notwithstanding Defendants' actual notice of infringement,  
20 Defendants have continued, directly and/or through intermediaries, to manufacture,  
21 use, import, offer for sale, or sell the Accused Services and Products with  
22 knowledge of or willful blindness to the fact that their actions will induce others,  
23 including but not limited to their customers, partners, and/or end users, to infringe  
24 the '710 patent. Defendants have induced and continue to induce others to infringe  
25 the '710 patent in violation of 35 U.S.C. § 271 by encouraging and facilitating  
26 others to perform actions that Defendants know to be acts of infringement of the  
27 '710 patent with intent that those performing the acts infringe the '710 patent.  
28 Upon information and belief, Defendants, directly and/or through intermediaries,

1 advertise and distribute the Accused Services and Products, publish instruction  
2 materials, specifications and/or promotional literature describing the operation of  
3 the Accused Services and Products, and/or offer training and/or consulting services  
4 regarding the Accused Services and Products to their customers, partners, and/or  
5 end users. At least consumers, partners, and/or end users of these Accused Services  
6 and Products then directly or jointly infringe the '710 patent by making, using,  
7 selling, offering for sale, and/or importing into the United States, without authority,  
8 the Accused Services and Products.

9 43. Upon information and belief, Defendants know that the Accused  
10 Services and Products are especially made or especially adapted for use in the  
11 infringement of the '710 patent. The infringing components of these products are  
12 not staple articles or commodities of commerce suitable for substantial non-  
13 infringing use, and the infringing components of these products are a material part  
14 of the invention of the '710 patent. Accordingly, in violation of 35 U.S.C. § 271,  
15 Defendants are also contributing, directly and/or through intermediaries, to the  
16 direct infringement of the '710 patent by at least the customers, partners, and/or end  
17 users of these Accused Services and Products. The customers, partners, and/or end  
18 users of these Accused Services and Products directly infringe the '710 patent by  
19 making, using, selling, offering for sale, and/or importing into the United States,  
20 without authority, the Accused Services and Products.

21 44. As but one example of Hughes Defendants' contributory and/or  
22 induced infringement, Hughes Defendants explicitly encourage their customers to  
23 practice the methods disclosed and claimed in the '710 patent by using the Accused  
24 Services and Products. As detailed in Paragraphs 34 through 36, Hughes  
25 Defendants' website advertises its HN System and HX System, and provides  
26 information and brochures regarding these systems. (See Exhibits J, K, L, M.)  
27 These webpages and brochures highlight Hughes Defendants' implementation of the  
28 DVB-S2 standard. On information and belief, through materials such as these, the

1 Hughes Defendants actively encourage their consumers, partners, and/or end users  
2 to infringe the '710 patent through at least use of the HN System and HX System  
3 product lines, knowing those acts to be infringement of the '710 patent with intent  
4 that those performing the acts infringe the '710 patent.

5 45. As but one example of Dish Defendants' contributory and/or induced  
6 infringement, Dish Defendants explicitly encourage their customers to practice the  
7 methods disclosed and claimed in the '710 patent by using the Accused Services and  
8 Products. According to Dish Defendants' 2012 Annual Report (10-K), Dish  
9 Defendants lease to dishNET satellite internet subscribers the customer premise  
10 equipment. On information and belief, this equipment implements the DVB-S2  
11 standard. On information and belief, through providing this equipment, Dish  
12 Defendants actively encourage their consumers and end users to infringe the '710  
13 patent through at least use of the equipment, knowing those acts to be infringement  
14 of the '710 patent with intent that those performing the acts infringe the '710 patent.

15 46. Defendants are not licensed or otherwise authorized to practice,  
16 contributorily practice and/or induce third parties to practice the claims of the '710  
17 patent.

18 47. By reason of Defendants' infringing activities, Caltech has suffered,  
19 and will continue to suffer, substantial damages.

20 48. Caltech is entitled to recover from Defendants the damages sustained as  
21 a result of Defendants' wrongful acts in an amount subject to proof at trial.

22 49. Defendants' continuing acts of infringement are irreparably harming  
23 and causing damage to Caltech, for which Caltech has no adequate remedy at law,  
24 and will continue to suffer such irreparable injury unless Defendants' continuing  
25 acts of infringement are enjoined by the Court. The hardships that an injunction  
26 would impose are less than those faced by Caltech should an injunction not issue.  
27 The public interest would be served by issuance of an injunction. Thus, Caltech is  
28 entitled to a preliminary and a permanent injunction against further infringement.



1 and/or support services provided for these products and services (collectively, the  
2 “Accused Services and Products”). For example, at least Paragraphs 32 and 33  
3 illustrate a limited number of examples of Defendants’ direct infringement of the  
4 ’032 patent. Defendants have infringed and are currently infringing literally and/or  
5 under the doctrine of equivalents.

6 54. On information and belief, in violation of 35 U.S.C. § 271, Defendants  
7 have infringed and are continuing to infringe the ’032 patent by contributing to  
8 and/or actively inducing the infringement by others of the ’032 patent by making,  
9 using, selling, offering for sale, and/or importing into the United States, without  
10 authority, products, methods, equipment, and/or services, including the Accused  
11 Services and Products, that practice one or more claims of the ’032 patent.

12 55. Hughes Defendants have had actual knowledge of their infringement of  
13 the ’032 patent before the filing date of this Complaint through letters alleging such  
14 infringement, or at least have had actual knowledge of their infringement of the ’032  
15 patent since no later than the filing date of this Complaint.

16 56. On information and belief, Dish Defendants have had actual knowledge  
17 of their infringement of the ’032 patent before the filing date of this Complaint  
18 based on their marketing, sale, and distribution, among other activities, of Hughes  
19 Defendants’ satellite internet service and their relationship with Hughes Defendants  
20 (*see* Paragraphs 9, 10, 33). Dish Defendants at least have had actual knowledge of  
21 their infringement of the ’032 patent since no later than the filing date of this  
22 Complaint.

23 57. Notwithstanding Defendants’ actual notice of infringement, Defendants  
24 have continued, directly and/or through intermediaries, to manufacture, use, import,  
25 offer for sale, or sell the Accused Services and Products with knowledge of or  
26 willful blindness to the fact that their actions will induce others, including but not  
27 limited to their customers, partners, and/or end users, to infringe the ’032 patent.  
28 Defendants have induced and continue to induce others to infringe the ’032 patent in

1 violation of 35 U.S.C. § 271 by encouraging and facilitating others to perform  
2 actions that Defendants know to be acts of infringement of the '032 patent with  
3 intent that those performing the acts infringe the '032 patent. Upon information and  
4 belief, Defendants, directly and/or through intermediaries, advertise and distribute  
5 the Accused Services and Products, publish instruction materials, specifications  
6 and/or promotional literature describing the operation of the Accused Services and  
7 Products, and/or offer training and/or consulting services regarding the Accused  
8 Services and Products to their customers, partners, and/or end users. At least  
9 consumers, partners, and/or end users of these Accused Services and Products then  
10 directly or jointly infringe the '032 patent by making, using, selling, offering for  
11 sale, and/or importing into the United States, without authority, the Accused  
12 Services and Products.

13 58. Upon information and belief, Defendants know that the Accused  
14 Services and Products are especially made or especially adapted for use in the  
15 infringement of the '032 patent. The infringing components of these products are  
16 not staple articles or commodities of commerce suitable for substantial non-  
17 infringing use, and the infringing components of these products are a material part  
18 of the invention of the '032 patent. Accordingly, in violation of 35 U.S.C. § 271,  
19 Defendants are also contributing, directly and/or through intermediaries, to the  
20 direct infringement of the '032 patent by at least the customers, partners, and/or end  
21 users of these Accused Services and Products. The customers, partners, and/or end  
22 users of these Accused Services and Products directly infringe the '032 patent by  
23 making, using, selling, offering for sale, and/or importing into the United States,  
24 without authority, the Accused Services and Products.

25 59. As but one example of Hughes Defendants' contributory and/or  
26 induced infringement, Hughes Defendants explicitly encourage their customers to  
27 practice the methods disclosed and claimed in the '032 patent by using the Accused  
28 Services and Products. As detailed in Paragraphs 34 through 36, Hughes



1 Defendants' website advertises its HN System and HX System, and provides  
2 information and brochures regarding these systems. (See Exhibits J, K, L, M.)  
3 These webpages and brochures highlight Hughes Defendants' implementation of the  
4 DVB-S2 standard. On information and belief, through materials such as these, the  
5 Hughes Defendants actively encourage their consumers, partners, and/or end users  
6 to infringe the '032 patent through at least use of the HN System and HX System  
7 product lines, knowing those acts to be infringement of the '032 patent with intent  
8 that those performing the acts infringe the '032 patent.

9         60. As but one example of Dish Defendants' contributory and/or induced  
10 infringement, Dish Defendants explicitly encourage their customers to practice the  
11 methods disclosed and claimed in the '032 patent by using the Accused Services and  
12 Products. According to Dish Defendants' 2012 Annual Report (10-K), Dish  
13 Defendants lease to dishNET satellite internet subscribers the customer premise  
14 equipment. On information and belief, this equipment implements the DVB-S2  
15 standard. On information and belief, through providing this equipment, Dish  
16 Defendants actively encourage their consumers and end users to infringe the '032  
17 patent through at least use of the equipment, knowing those acts to be infringement  
18 of the '032 patent with intent that those performing the acts infringe the '032 patent.

19         61. Defendants are not licensed or otherwise authorized to practice,  
20 contributorily practice and/or induce third parties to practice the claims of the '032  
21 patent.

22         62. By reason of Defendants' infringing activities, Caltech has suffered,  
23 and will continue to suffer, substantial damages.

24         63. Caltech is entitled to recover from Defendants the damages sustained as  
25 a result of Defendants' wrongful acts in an amount subject to proof at trial.

26         64. Defendants' continuing acts of infringement are irreparably harming  
27 and causing damage to Caltech, for which Caltech has no adequate remedy at law,  
28 and will continue to suffer such irreparable injury unless Defendants' continuing

1 acts of infringement are enjoined by the Court. The hardships that an injunction  
2 would impose are less than those faced by Caltech should an injunction not issue.  
3 The public interest would be served by issuance of an injunction. Thus, Caltech is  
4 entitled to a preliminary and a permanent injunction against further infringement.

5 65. Hughes Defendants' infringement of the '032 patent has been and  
6 continues to be willful and deliberate, justifying a trebling of damages under 35  
7 U.S.C. § 284. Among other facts, Hughes Defendants have had knowledge of their  
8 infringement of the '032 patent before the filing date of this Complaint through  
9 letters alleging such infringement. Upon information and belief, Hughes  
10 Defendants' accused actions continued despite an objectively high likelihood that  
11 they constituted infringement of the '032 patent. Hughes Defendants either knew or  
12 should have known about their risk of infringing the '032 patent. Hughes  
13 Defendants' conduct despite this knowledge was made with both objective and  
14 subjective reckless disregard for the infringing nature of their activities as  
15 demonstrated by Hughes Defendants' knowledge regarding the claims of the '032  
16 patent.

17 66. Defendants' infringement of the '032 patent is exceptional and entitles  
18 Caltech to attorneys' fees and costs incurred in prosecuting this action under 35  
19 U.S.C. § 285.

### 20 COUNT III

#### 21 Infringement of the '781 Patent

22 67. Plaintiff re-alleges and incorporates by reference the allegations of the  
23 preceding paragraphs of this Complaint as if fully set forth herein.

24 68. On information and belief, in violation of 35 U.S.C. § 271, Defendants  
25 have infringed and are currently infringing, directly and/or through intermediaries,  
26 the '781 patent by using, without authority, products, methods, equipment, and/or  
27 services that practice one or more claims of the '781 patent. These products,  
28 methods, equipment, and/or services include products that implement the DVB-S2

1 standard, including without limitation products in the HN System and HX System  
2 product lines, satellite internet product lines distributed under the dishNET brand,  
3 network and network services that employ these products, and/or marketing,  
4 consulting, and/or support services provided for these products and services  
5 (collectively, the "Accused Services and Products"). For example, at least  
6 Paragraphs 32 and 33 illustrate a limited number of examples of Defendants' direct  
7 infringement of the '781 patent. Defendants have infringed and are currently  
8 infringing literally and/or under the doctrine of equivalents.

9         69. On information and belief, in violation of 35 U.S.C. § 271, Defendants  
10 have infringed and are continuing to infringe the '781 patent by contributing to  
11 and/or actively inducing the infringement by others of the '781 patent by making,  
12 using, selling, offering for sale, and/or importing into the United States, without  
13 authority, products, methods, equipment, and/or services, including the Accused  
14 Services and Products, that practice one or more claims of the '781 patent.

15         70. On information and belief, Hughes Defendants have had actual  
16 knowledge of their infringement of the '781 patent, the subject matter of the '781  
17 patent, and/or the invention of the '781 patent before the filing date of this  
18 Complaint. On information and belief, Hughes Defendants also had knowledge of  
19 the application that led to the '781 patent before the filing date of this Complaint.  
20 Hughes Defendants at least have had actual knowledge of their infringement of the  
21 '781 patent since no later than the filing date of this Complaint.

22         71. On information and belief, Dish Defendants have had actual knowledge  
23 of their infringement of the '781 patent before the filing date of this Complaint  
24 based on their marketing, sale, and distribution, among other activities, of Hughes  
25 Defendants' satellite internet service and their relationship with Hughes Defendants  
26 (see Paragraphs 9, 10, 33). Dish Defendants at least have had actual knowledge of  
27 their infringement of the '781 patent since no later than the filing date of this  
28 Complaint.

1           72. Notwithstanding Defendants' actual notice of infringement, Defendants  
2 have continued, directly and/or through intermediaries, to manufacture, use, import,  
3 offer for sale, or sell the Accused Services and Products with knowledge of or  
4 willful blindness to the fact that their actions will induce others, including but not  
5 limited to their customers, partners, and/or end users, to infringe the '781 patent.  
6 Defendants have induced and continue to induce others to infringe the '781 patent in  
7 violation of 35 U.S.C. § 271 by encouraging and facilitating others to perform  
8 actions that Defendants know to be acts of infringement of the '781 patent with  
9 intent that those performing the acts infringe the '781 patent. Upon information and  
10 belief, Defendants, directly and/or through intermediaries, advertise and distribute  
11 the Accused Services and Products, publish instruction materials, specifications  
12 and/or promotional literature describing the operation of the Accused Services and  
13 Products, and/or offer training and/or consulting services regarding the Accused  
14 Services and Products to their customers, partners, and/or end users. At least  
15 consumers, partners, and/or end users of these Accused Services and Products then  
16 directly or jointly infringe the '781 patent by making, using, selling, offering for  
17 sale, and/or importing into the United States, without authority, the Accused  
18 Services and Products.

19           73. Upon information and belief, Defendants know that the Accused  
20 Services and Products are especially made or especially adapted for use in the  
21 infringement of the '781 patent. The infringing components of these products are  
22 not staple articles or commodities of commerce suitable for substantial non-  
23 infringing use, and the infringing components of these products are a material part  
24 of the invention of the '781 patent. Accordingly, in violation of 35 U.S.C. § 271,  
25 Defendants are also contributing, directly and/or through intermediaries, to the  
26 direct infringement of the '781 patent by at least the customers, partners, and/or end  
27 users of these Accused Services and Products. The customers, partners, and/or end  
28 users of these Accused Services and Products directly infringe the '781 patent by

1 making, using, selling, offering for sale, and/or importing into the United States,  
2 without authority, the Accused Services and Products.

3 74. As but one example of Hughes Defendants' contributory and/or  
4 induced infringement, Hughes Defendants explicitly encourage their customers to  
5 practice the methods disclosed and claimed in the '781 patent by using the Accused  
6 Services and Products. As detailed in Paragraphs 34 through 36, Hughes  
7 Defendants' website advertises its HN System and HX System, and provides  
8 information and brochures regarding these systems. (See Exhibits J, K, L, M.)  
9 These webpages and brochures highlight Hughes Defendants' implementation of the  
10 DVB-S2 standard. On information and belief, through materials such as these, the  
11 Hughes Defendants actively encourage their consumers, partners, and/or end users  
12 to infringe the '781 patent through at least use of the HN System and HX System  
13 product lines, knowing those acts to be infringement of the '781 patent with intent  
14 that those performing the acts infringe the '781 patent.

15 75. As but one example of Dish Defendants' contributory and/or induced  
16 infringement, Dish Defendants explicitly encourage their customers to practice the  
17 methods disclosed and claimed in the '781 patent by using the Accused Services and  
18 Products. According to Dish Defendants' 2012 Annual Report (10-K), Dish  
19 Defendants lease to dishNET satellite internet subscribers the customer premise  
20 equipment. On information and belief, this equipment implements the DVB-S2  
21 standard. On information and belief, through providing this equipment, Dish  
22 Defendants actively encourage their consumers and end users to infringe the '781  
23 patent through at least use of the equipment, knowing those acts to be infringement  
24 of the '781 patent with intent that those performing the acts infringe the '781 patent.

25 76. Defendants are not licensed or otherwise authorized to practice,  
26 contributorily practice and/or induce third parties to practice the claims of the '781  
27 patent.

28 77. By reason of Defendants' infringing activities, Caltech has suffered,

1 and will continue to suffer, substantial damages.

2 78. Caltech is entitled to recover from Defendants the damages sustained as  
3 a result of Defendants' wrongful acts in an amount subject to proof at trial.

4 79. Defendants' continuing acts of infringement are irreparably harming  
5 and causing damage to Caltech, for which Caltech has no adequate remedy at law,  
6 and will continue to suffer such irreparable injury unless Defendants' continuing  
7 acts of infringement are enjoined by the Court. The hardships that an injunction  
8 would impose are less than those faced by Caltech should an injunction not issue.  
9 The public interest would be served by issuance of an injunction. Thus, Caltech is  
10 entitled to a preliminary and a permanent injunction against further infringement.

11 80. Hughes Defendants' infringement of the '781 patent has been and  
12 continues to be willful and deliberate, justifying a trebling of damages under 35  
13 U.S.C. § 284. Among other facts, on information and belief, Hughes Defendants  
14 have had knowledge of their infringement of the '781 patent, the subject matter of  
15 the '781 patent, and/or the invention of the '781 patent before the filing date of this  
16 Complaint. Upon information and belief, Hughes Defendants' accused actions  
17 continued despite an objectively high likelihood that they constituted infringement  
18 of the '781 patent. Hughes Defendants either knew or should have known about  
19 their risk of infringing the '781 patent. Hughes Defendants' conduct despite this  
20 knowledge was made with both objective and subjective reckless disregard for the  
21 infringing nature of their activities as demonstrated by Hughes Defendants'  
22 knowledge regarding the claims of the '781 patent.

23 81. Defendants' infringement of the '781 patent is exceptional and entitles  
24 Caltech to attorneys' fees and costs incurred in prosecuting this action under 35  
25 U.S.C. § 285.

26 **COUNT IV**

27 **Infringement of the '833 Patent**

28 82. Plaintiff re-alleges and incorporates by reference the allegations of the

1 preceding paragraphs of this Complaint as if fully set forth herein.

2 83. On information and belief, in violation of 35 U.S.C. § 271, Defendants  
3 have infringed and are currently infringing, directly and/or through intermediaries,  
4 the '833 patent by making, using, selling, offering for sale, and/or importing into the  
5 United States, without authority, products, methods, equipment, and/or services that  
6 practice one or more claims of the '833 patent. These products, methods,  
7 equipment, and/or services include products that implement the DVB-S2 standard,  
8 including without limitation products in the HN System and HX System product  
9 lines, satellite internet product lines distributed under the dishNET brand, network  
10 and network services that employ these products, and/or marketing, consulting,  
11 and/or support services provided for these products and services (collectively, the  
12 "Accused Services and Products"). For example, at least Paragraphs 32 and 33  
13 illustrate a limited number of examples of Defendants' direct infringement of the  
14 '833 patent. Defendants have infringed and are currently infringing literally and/or  
15 under the doctrine of equivalents.

16 84. On information and belief, in violation of 35 U.S.C. § 271, Defendants  
17 have infringed and are continuing to infringe the '833 patent by contributing to  
18 and/or actively inducing the infringement by others of the '833 patent by making,  
19 using, selling, offering for sale, and/or importing into the United States, without  
20 authority, products, methods, equipment, and/or services, including the Accused  
21 Services and Products, that practice one or more claims of the '833 patent.

22 85. On information and belief, Hughes Defendants have had actual  
23 knowledge of their infringement of the '833 patent, the subject matter of the '833  
24 patent, and/or the invention of the '833 patent before the filing date of this  
25 Complaint. On information and belief, Hughes Defendants also had knowledge of  
26 the application that led to the '833 patent before the filing date of this Complaint.  
27 Hughes Defendants at least have had actual knowledge of their infringement of the  
28 '833 patent since no later than the filing date of this Complaint.

1           86. On information and belief, Dish Defendants have had actual knowledge  
2 of their infringement of the '833 patent before the filing date of this Complaint  
3 based on their marketing, sale, and distribution, among other activities, of Hughes  
4 Defendants' satellite internet service and their relationship with Hughes Defendants  
5 (*see* Paragraphs 9, 10, 33). Dish Defendants at least have had actual knowledge of  
6 their infringement of the '833 patent since no later than the filing date of this  
7 Complaint.

8           87. Notwithstanding Defendants' actual notice of infringement, Defendants  
9 have continued, directly and/or through intermediaries, to manufacture, use, import,  
10 offer for sale, or sell the Accused Services and Products with knowledge of or  
11 willful blindness to the fact that their actions will induce others, including but not  
12 limited to their customers, partners, and/or end users, to infringe the '833 patent.  
13 Defendants have induced and continue to induce others to infringe the '833 patent in  
14 violation of 35 U.S.C. § 271 by encouraging and facilitating others to perform  
15 actions that Defendants know to be acts of infringement of the '833 patent with  
16 intent that those performing the acts infringe the '833 patent. Upon information and  
17 belief, Defendants, directly and/or through intermediaries, advertise and distribute  
18 the Accused Services and Products, publish instruction materials, specifications  
19 and/or promotional literature describing the operation of the Accused Services and  
20 Products, and/or offer training and/or consulting services regarding the Accused  
21 Services and Products to their customers, partners, and/or end users. At least  
22 consumers, partners, and/or end users of these Accused Services and Products then  
23 directly or jointly infringe the '833 patent by making, using, selling, offering for  
24 sale, and/or importing into the United States, without authority, the Accused  
25 Services and Products.

26           88. Upon information and belief, Defendants know that the Accused  
27 Services and Products are especially made or especially adapted for use in the  
28 infringement of the '833 patent. The infringing components of these products are



1 not staple articles or commodities of commerce suitable for substantial non-  
2 infringing use, and the infringing components of these products are a material part  
3 of the invention of the '833 patent. Accordingly, in violation of 35 U.S.C. § 271,  
4 Defendants are also contributing, directly and/or through intermediaries, to the  
5 direct infringement of the '833 patent by at least the customers, partners, and/or end  
6 users of these Accused Services and Products. The customers, partners, and/or end  
7 users of these Accused Services and Products directly infringe the '833 patent by  
8 making, using, selling, offering for sale, and/or importing into the United States,  
9 without authority, the Accused Services and Products.

10 89. As but one example of Hughes Defendants' contributory and/or  
11 induced infringement, Hughes Defendants explicitly encourage their customers to  
12 practice the methods disclosed and claimed in the '833 patent by using the Accused  
13 Services and Products. As detailed in Paragraphs 34 through 36, Hughes  
14 Defendants' website advertises its HN System and HX System, and provides  
15 information and brochures regarding these systems. (See Exhibits J, K, L, M.)  
16 These webpages and brochures highlight Hughes Defendants' implementation of the  
17 DVB-S2 standard. On information and belief, through materials such as these, the  
18 Hughes Defendants actively encourage their consumers, partners, and/or end users  
19 to infringe the '833 patent through at least use of the HN System and HX System  
20 product lines, knowing those acts to be infringement of the '833 patent with intent  
21 that those performing the acts infringe the '833 patent.

22 90. As but one example of Dish Defendants' contributory and/or induced  
23 infringement, Dish Defendants explicitly encourage their customers to practice the  
24 methods disclosed and claimed in the '833 patent by using the Accused Services and  
25 Products. According to Dish Defendants' 2012 Annual Report (10-K), Dish  
26 Defendants lease to dishNET satellite internet subscribers the customer premise  
27 equipment. On information and belief, this equipment implements the DVB-S2  
28 standard. On information and belief, through providing this equipment, Dish

1 Defendants actively encourage their consumers and end users to infringe the '833  
2 patent through at least use of the equipment, knowing those acts to be infringement  
3 of the '833 patent with intent that those performing the acts infringe the '833 patent.

4 91. Defendants are not licensed or otherwise authorized to practice,  
5 contributorily practice and/or induce third parties to practice the claims of the '833  
6 patent.

7 92. By reason of Defendants' infringing activities, Caltech has suffered,  
8 and will continue to suffer, substantial damages.

9 93. Caltech is entitled to recover from Defendants the damages sustained as  
10 a result of Defendants' wrongful acts in an amount subject to proof at trial.

11 94. Defendants' continuing acts of infringement are irreparably harming  
12 and causing damage to Caltech, for which Caltech has no adequate remedy at law,  
13 and will continue to suffer such irreparable injury unless Defendants' continuing  
14 acts of infringement are enjoined by the Court. The hardships that an injunction  
15 would impose are less than those faced by Caltech should an injunction not issue.  
16 The public interest would be served by issuance of an injunction. Thus, Caltech is  
17 entitled to a preliminary and a permanent injunction against further infringement.

18 95. Hughes Defendants' infringement of the '833 patent has been and  
19 continues to be willful and deliberate, justifying a trebling of damages under 35  
20 U.S.C. § 284. Among other facts, on information and belief, Hughes Defendants  
21 have had knowledge of their infringement of the '833 patent, the subject matter of  
22 the '833 patent, and/or the invention of the '833 patent before the filing date of this  
23 Complaint. Upon information and belief, Hughes Defendants' accused actions  
24 continued despite an objectively high likelihood that they constituted infringement  
25 of the '833 patent. Hughes Defendants either knew or should have known about  
26 their risk of infringing the '833 patent. Hughes Defendants' conduct despite this  
27 knowledge was made with both objective and subjective reckless disregard for the  
28

1 infringing nature of their activities as demonstrated by Hughes Defendants'  
2 knowledge regarding the claims of the '833 patent.

3 96. Defendants' infringement of the '833 patent is exceptional and entitles  
4 Caltech to attorneys' fees and costs incurred in prosecuting this action under 35  
5 U.S.C. § 285.

6 **PRAYER FOR RELIEF**

7 WHEREFORE, Plaintiff respectfully prays for the following relief:

8 (a) A judgment that Defendants have infringed each and every one of the  
9 Asserted Patents;

10 (b) A preliminary and permanent injunction against Defendants, its  
11 respective officers, agents, servants, employees, attorneys, parent and subsidiary  
12 corporations, assigns and successors in interest, and those persons in active concert  
13 or participation with them, enjoining them from infringement, inducement of  
14 infringement, and contributory infringement of each and every one of the Asserted  
15 Patents, including but not limited to an injunction against making, using, selling,  
16 and/or offering for sale within the United States, and/or importing into the United  
17 States, any products, methods, equipment and/or services that infringe the Asserted  
18 Patents;

19 (c) Damages adequate to compensate Caltech for Defendants' infringement  
20 of the Asserted Patents pursuant to 35 U.S.C. § 284;

21 (d) Prejudgment interest;

22 (e) Post-judgment interest;

23 (f) A judgment holding Hughes Defendants' infringement of the Asserted  
24 Patents to be willful, and a trebling of damages pursuant to 35 U.S.C. § 284;

25 (g) A declaration that this Action is exceptional pursuant to 35 U.S.C.  
26 § 285, and an award to Caltech of its attorneys' fees, costs and expenses incurred in  
27 connection with this Action; and  
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(h) Such other relief as the Court deems just and equitable.

DATED: October 1, 2013

Respectfully submitted,

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

By   
James R. Asperger  
*Attorneys for Plaintiff California Institute  
of Technology*

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**DEMAND FOR JURY TRIAL**

Pursuant to Rule 38 of the Federal Rules of Civil Procedure and Local Rule 38-1 of this Court, Plaintiff hereby demands a trial by jury as to all issues so triable.

DATED: October 1, 2013

Respectfully submitted,

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

By   
James R. Asperger  
*Attorneys for Plaintiff California Institute  
of Technology*



(12) **United States Patent**  
**Jin et al.**

(10) **Patent No.:** US 7,116,710 B1  
 (45) **Date of Patent:** Oct. 3, 2006

(54) **SERIAL CONCATENATION OF INTERLEAVED CONVOLUTIONAL CODES FORMING TURBO-LIKE CODES**

(75) **Inventors:** Hui Jin, Glen Gardner, NJ (US);  
 Aamod Khandekar, Pasadena, CA (US);  
 Robert J. McEliece, Pasadena, CA (US)

(73) **Assignee:** California Institute of Technology,  
 Pasadena, CA (US)

(\*) **Notice:** Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 735 days.

(21) **Appl. No.:** 09/861,102

(22) **Filed:** May 18, 2001

**Related U.S. Application Data**

(60) **Provisional application No. 60/205,095, filed on May 18, 2000.**

(51) **Int. Cl.**  
*H04B 1/66* (2006.01)

(52) **U.S. Cl.** ..... 375/240; 375/262; 375/265; 375/341; 341/51; 341/102; 714/752

(58) **Field of Classification Search** ..... 375/259, 375/262, 265, 285, 296, 341, 346, 348; 714/746, 714/752, 755, 756, 786, 792, 794, 795, 796; 341/51, 52, 56, 102, 103

See application file for complete search history.

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(Continued)

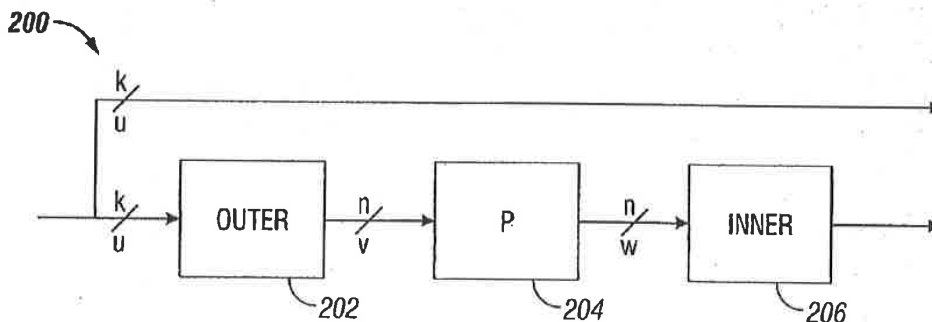
*Primary Examiner*—Dac V. Ha

(74) *Attorney, Agent, or Firm*—Fish & Richardson P.C.

(57) **ABSTRACT**

A serial concatenated coder includes an outer coder and an inner coder. The outer coder irregularly repeats bits in a data block according to a degree profile and scrambles the repeated bits. The scrambled and repeated bits are input to an inner coder, which has a rate substantially close to one.

33 Claims, 5 Drawing Sheets



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Page 2

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Exhibit A  
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Oct. 3, 2006

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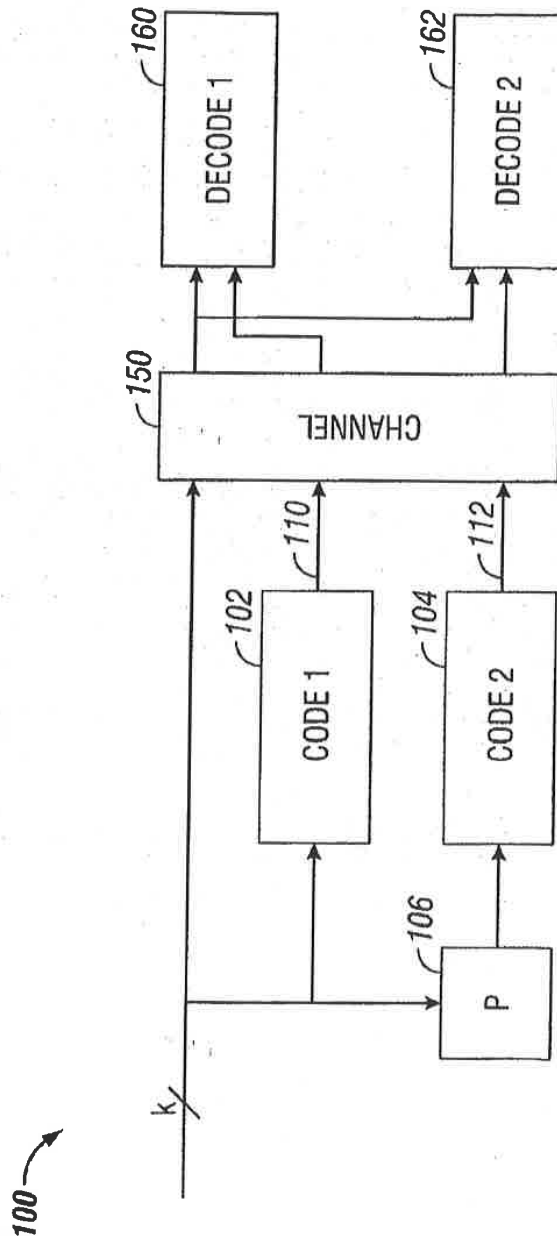


FIG. 1  
(Prior Art)



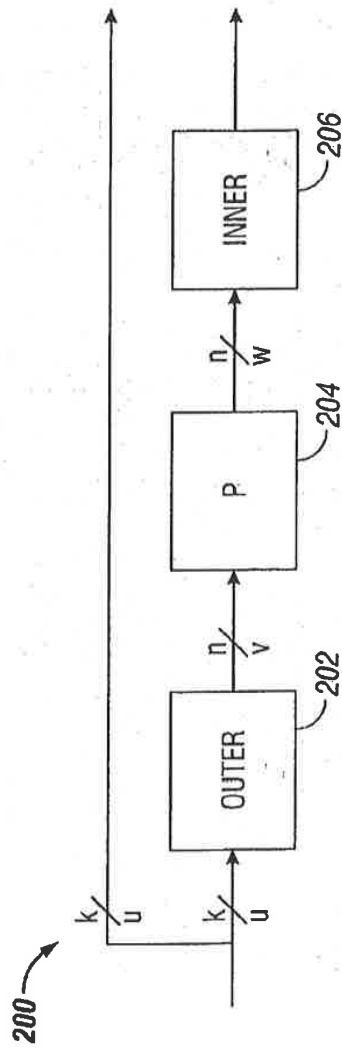


FIG. 2

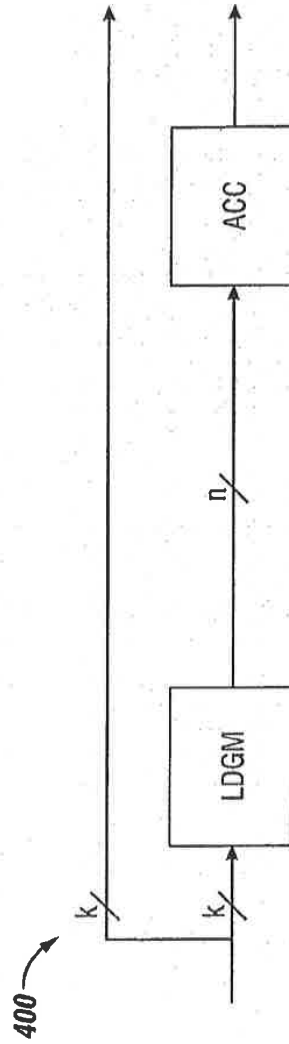


FIG. 4

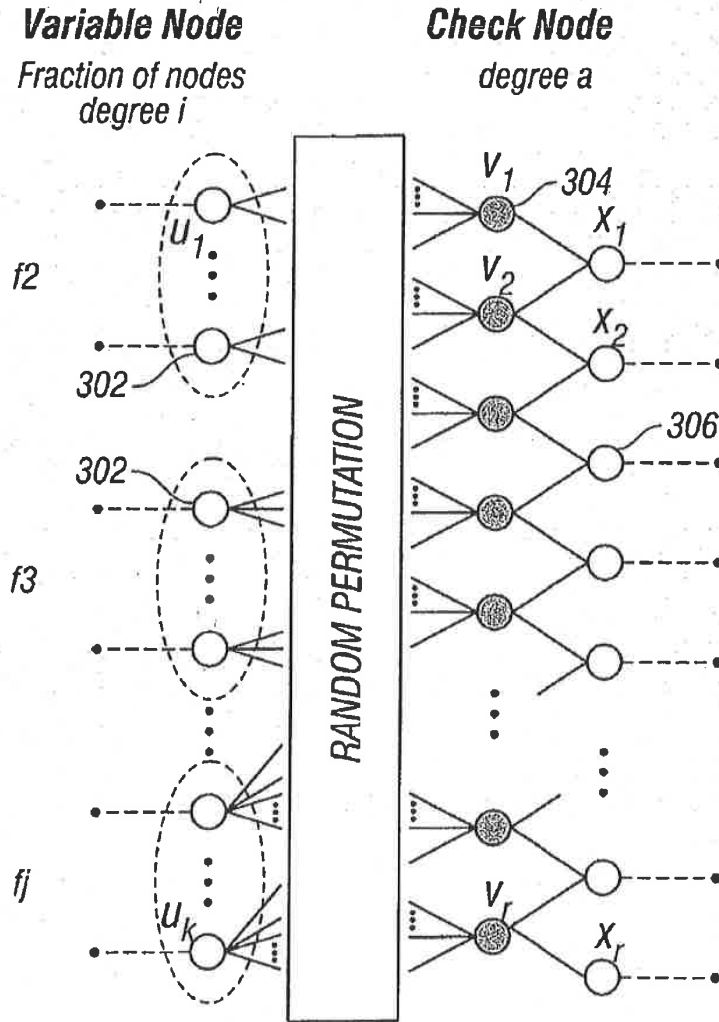


FIG. 3

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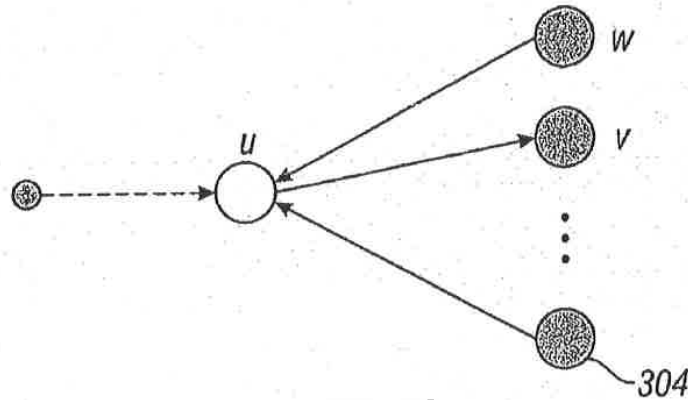


FIG. 5A

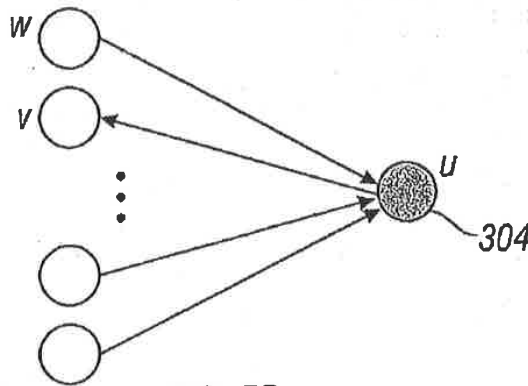


FIG. 5B

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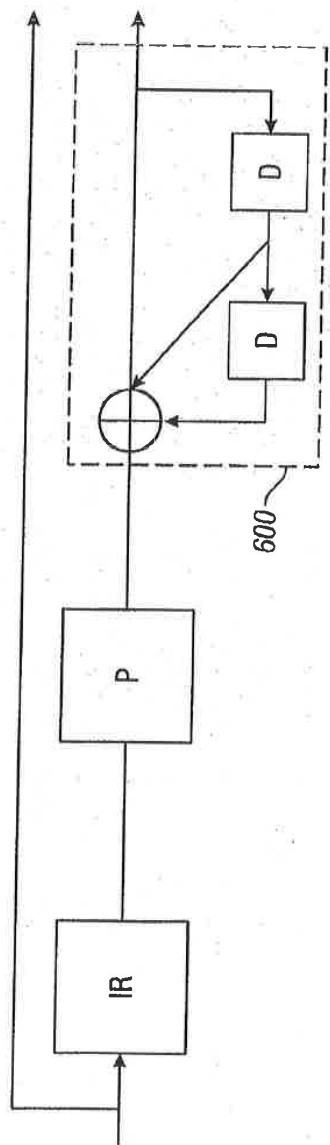


FIG. 6

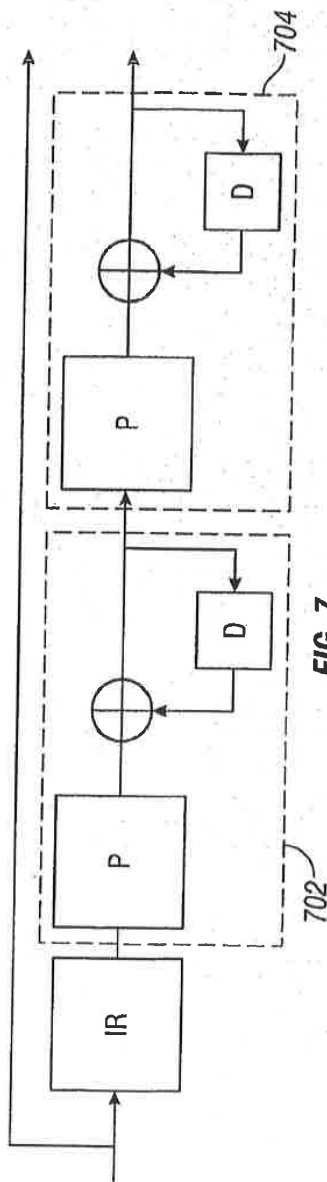


FIG. 7

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SERIAL CONCATENATION OF INTERLEAVED CONVOLUTIONAL CODES FORMING TURBO-LIKE CODES

CROSS-REFERENCE TO RELATED APPLICATIONS

This application claims priority to U.S. Provisional Application Ser. No. 60/205,095, filed on May 18, 2000, and to U.S. application Ser. No. 09/922,852, filed on Aug. 18, 2000 and entitled Interleaved Serial Concatenation Forming Turbo-Like Codes.

GOVERNMENT LICENSE RIGHTS

The U.S. Government has a paid-up license in this invention and the right in limited circumstances to require the patent owner to license others on reasonable terms as provided for by the terms of Grant No. CCR-9804793 awarded by the National Science Foundation.

BACKGROUND

Properties of a channel affect the amount of data that can be handled by the channel. The so-called "Shannon limit" defines the theoretical limit of the amount of data that a channel can carry.

Different techniques have been used to increase the data rate that can be handled by a channel. "Near Shannon Limit Error-Correcting Coding and Decoding: Turbo Codes," by Berrou et al. ICC, pp 1064-1070, (1993), described a new "turbo code" technique that has revolutionized the field of error correcting codes. Turbo codes have sufficient randomness to allow reliable communication over the channel at a high data rate near capacity. However, they still retain sufficient structure to allow practical encoding and decoding algorithms. Still, the technique for encoding and decoding turbo codes can be relatively complex.

A standard turbo coder 100 is shown in FIG. 1. A block of k information bits is input directly to a first coder 102. A k bit interleaver 106 also receives the k bits and interleaves them prior to applying them to a second coder 104. The second coder produces an output that has more bits than its input, that is, it is a coder with rate that is less than 1. The coders 102, 104 are typically recursive convolutional coders.

Three different items are sent over the channel 150: the original k bits, first encoded bits 110, and second encoded bits 112. At the decoding end, two decoders are used: a first constituent decoder 160 and a second constituent decoder 162. Each receives both the original k bits, and one of the encoded portions 110, 112. Each decoder sends likelihood estimates of the decoded bits to the other decoders. The estimates are used to decode the uncoded information bits as corrupted by the noisy channel.

SUMMARY

A coding system according to an embodiment is configured to receive a portion of a signal to be encoded, for example, a data block including a fixed number of bits. The coding system includes an outer coder, which repeats and scrambles bits in the data block. The data block is apportioned into two or more sub-blocks, and bits in different sub-blocks are repeated a different number of times according to a selected degree profile. The outer coder may include a repeater with a variable rate and an interleaver. Alternatively, the outer coder may be a low-density generator matrix (LDGM) coder.

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The repeated and scrambled bits are input to an inner coder that has a rate substantially close to one. The inner coder may include one or more accumulators that perform recursive modulo two addition operations on the input bit stream.

The encoded data output from the inner coder may be transmitted on a channel and decoded in linear time at a destination using iterative decoding techniques. The decoding techniques may be based on a Tanner graph representation of the code.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a schematic diagram of a prior "turbo code" system.

FIG. 2 is a schematic diagram of a coder according to an embodiment.

FIG. 3 is a Tanner graph for an irregular repeat and accumulate (IRA) coder.

FIG. 4 is a schematic diagram of an IRA coder according to an embodiment.

FIG. 5A illustrates a message from a variable node to a check node on the Tanner graph of FIG. 3.

FIG. 5B illustrates a message from a check node to a variable node on the Tanner graph of FIG. 3.

FIG. 6 is a schematic diagram of a coder according to an alternate embodiment.

FIG. 7 is a schematic diagram of a coder according to another alternate embodiment.

DETAILED DESCRIPTION

FIG. 2 illustrates a coder 200 according to an embodiment. The coder 200 may include an outer coder 202, an interleaver 204, and inner coder 206. The coder may be used to format blocks of data for transmission, introducing redundancy into the stream of data to protect the data from loss due to transmission errors. The encoded data may then be decoded at a destination in linear time at rates that may approach the channel capacity.

The outer coder 202 receives the uncoded data. The data may be partitioned into blocks of fixed size, say k bits. The outer coder may be an (n,k) binary linear block coder, where n>k. The coder accepts as input a block u of k data bits and produces an output block v of n data bits. The mathematical relationship between u and v is v=T<sub>0</sub>u, where T<sub>0</sub> is an n×k matrix, and the rate of the coder is k/n.

The rate of the coder may be irregular, that is, the value of T<sub>0</sub> is not constant, and may differ for sub-blocks of bits in the data block. In an embodiment, the outer coder 202 is a repeater that repeats the k bits in a block a number of times q to produce a block with n bits, where n=qk. Since the repeater has an irregular output, different bits in the block may be repeated a different number of times. For example, a fraction of the bits in the block may be repeated two times, a fraction of bits may be repeated three times, and the remainder of bits may be repeated four times. These fractions define a degree sequence, or degree profile, of the code.

The inner coder 206 may be a linear rate-1 coder, which means that the n-bit output block x can be written as x=T<sub>1</sub>w, where T<sub>1</sub> is a nonsingular n×n matrix. The inner coder 210 can have a rate that is close to 1, e.g., within 50%, more preferably 10% and perhaps even more preferably within 1% of 1.

In an embodiment, the inner coder 206 is an accumulator, which produces outputs that are the modulo two (mod-2) partial sums of its inputs. The accumulator may be a

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truncated rate-1 recursive convolutional coder with the transfer function  $1/(1+D)$ . Such an accumulator may be considered a block coder whose input block  $[x_1, \dots, x_n]$  and output block  $[y_1, \dots, y_n]$  are related by the formula

$$y_1 = x_1$$

$$y_2 = x_1 \oplus x_2$$

$$y_3 = x_1 \oplus x_2 \oplus x_3$$

$$y_n = x_1 \oplus x_2 \oplus x_3 \oplus \dots \oplus x_n$$

where " $\oplus$ " denotes mod-2, or exclusive-OR (XOR), addition. An advantage of this system is that only mod-2 addition is necessary for the accumulator. The accumulator may be embodied using only XOR gates, which may simplify the design.

The bits output from the outer coder 202 are scrambled before they are input to the inner coder 206. This scrambling may be performed by the interleaver 204, which performs a pseudo-random permutation of an input block  $v$ , yielding an output block  $w$  having the same length as  $v$ .

The serial concatenation of the interleaved irregular repeat code and the accumulate code produces an irregular repeat and accumulate (IRA) code. An IRA code is a linear code, and as such, may be represented as a set of parity checks. The set of parity checks may be represented in a bipartite graph, called the Tanner graph, of the code. FIG. 3 shows a Tanner graph 300 of an IRA code with parameters  $(f_1, \dots, f_r; a)$ , where  $f_i \geq 0$ ,  $\sum_i f_i = 1$  and " $a$ " is a positive integer. The Tanner graph includes two kinds of nodes: variable nodes (open circles) and check nodes (filled circles). There are  $k$  variable nodes 302 on the left, called information nodes. There are  $r$  variable nodes 306 on the right, called parity nodes. There are  $r = (k \sum_i f_i) / a$  check nodes 304 connected between the information nodes and the parity nodes. Each information node 302 is connected to a number of check nodes 304. The fraction of information nodes connected to exactly  $i$  check nodes is  $f_i$ . For example, in the Tanner graph 300, each of the  $f_2$  information nodes are connected to two check nodes, corresponding to a repeat of  $q=2$ , and each of the  $f_3$  information nodes are connected to three check nodes, corresponding to  $q=3$ .

Each check node 304 is connected to exactly " $a$ " information nodes 302. In FIG. 3,  $a=3$ . These connections can be made in many ways, as indicated by the arbitrary permutation of the  $ra$  edges joining information nodes 302 and check nodes 304 in permutation block 310. These connections correspond to the scrambling performed by the interleaver 204.

In an alternate embodiment, the outer coder 202 may be a low-density generator matrix (LDGM) coder that performs an irregular repeat of the  $k$  bits in the block, as shown in FIG. 4. As the name implies, an LDGM code has a sparse (low-density) generator matrix. The IRA code produced by the coder 400 is a serial concatenation of the LDGM code and the accumulator code. The interleaver 204 in FIG. 2 may be excluded due to the randomness already present in the structure of the LDGM code.

If the permutation performed in permutation block 310 is fixed, the Tanner graph represents a binary linear block code with  $k$  information bits  $(u_1, \dots, u_k)$  and  $r$  parity bits  $(x_1, \dots, x_r)$ , as follows. Each of the information bits is associated with one of the information nodes 302, and each of the parity bits is associated with one of the parity nodes 306. The value of a parity bit is determined uniquely by the condition that the mod-2 sum of the values of the variable nodes connected

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to each of the check nodes 304 is zero. To see this, set  $x_0=0$ . Then if the values of the bits on the  $ra$  edges coming out the permutation box are  $(v_1, \dots, v_{ra})$ , then we have the recursive formula

$$x_j = x_{j-1} + \sum_{i=1}^k v_{j-1+i}$$

for  $j=1, 2, \dots, r$ . This is in effect the encoding algorithm.

Two types of IRA codes are represented in FIG. 3, a nonsystematic version and a systematic version. The nonsystematic version is an  $(r, k)$  code, in which the codeword corresponding to the information bits  $(u_1, \dots, u_k)$  is  $(x_1, \dots, x_r)$ . The systematic version is a  $(k+r, k)$  code, in which the codeword is  $(u_1, \dots, u_k; x_1, \dots, x_r)$ .

The rate of the nonsystematic code is

$$R_{\text{nsys}} = \frac{a}{\sum_i f_i}$$

The rate of the systematic code is

$$R_{\text{sys}} = \frac{a}{a + \sum_i f_i}$$

For example, regular repeat and accumulate (RA) codes can be considered nonsystematic IRA codes with  $a=1$  and exactly one  $f_i$  equal to 1, say  $f_q=1$ , and the rest zero, in which case  $R_{\text{nsys}}$  simplifies to  $R=1/q$ .

The IRA code may be represented using an alternate notation. Let  $\lambda_i$  be the fraction of edges between the information nodes 302 and the check nodes 304 that are adjacent to an information node of degree  $i$ , and let  $\rho_i$  be the fraction of such edges that are adjacent to a check node of degree  $i+2$  (i.e., one that is adjacent to  $i$  information nodes). These edge fractions may be used to represent the IRA code rather than the corresponding node fractions. Define  $\lambda(x) = \sum_i \lambda_i x^{i-1}$  and  $\rho(x) = \sum_i \rho_i x^{i-1}$  to be the generating functions of these sequences. The pair  $(\lambda, \rho)$  is called a degree distribution. For  $L(x) = \sum_i f_i x^i$ ,

$$f_i = \frac{\lambda_i / i}{\sum_j \lambda_j / j}$$

$$L(x) = \int_0^x \lambda(t) dt / \int_0^1 \lambda(t) dt$$

The rate of the systematic IRA code given by the degree distribution is given by

$$\text{Rate} = \left( 1 + \frac{\sum_j \rho_j / j}{\sum_i \lambda_i / i} \right)^{-1}$$

"Belief propagation" on the Tanner Graph realization may be used to decode IRA codes. Roughly speaking, the belief

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propagation decoding technique allows the messages passed on an edge to represent posterior densities on the bit associated with the variable node. A probability density on a bit is a pair of non-negative real numbers  $p(0)$ ,  $p(1)$  satisfying  $p(0)+p(1)=1$ , where  $p(0)$  denotes the probability of the bit being 0,  $p(1)$  the probability of it being 1. Such a pair can be represented by its log likelihood ratio,  $m=\log(p(0)/p(1))$ . The outgoing message from a variable node  $u$  to a check node  $v$  represents information about  $u$ , and a message from a check node  $u$  to a variable node  $v$  represents information about  $u$ , as shown in FIGS. 5A and 5B, respectively.

The outgoing message from a node  $u$  to a node  $v$  depends on the incoming messages from all neighbors  $w$  of  $u$  except  $v$ . If  $u$  is a variable message node, this outgoing message is

$$m(u \rightarrow v) = \sum_{w \neq v} m(w \rightarrow u) + m_0(u)$$

where  $m_0(u)$  is the log-likelihood message associated with  $u$ . If  $u$  is a check node, the corresponding formula is

$$\tanh \frac{m(u \rightarrow v)}{2} = \prod_{w \neq v} \tanh \frac{m(w \rightarrow u)}{2}$$

Before decoding, the messages  $m(w \rightarrow u)$  and  $m(u \rightarrow v)$  are initialized to be zero, and  $m_0(u)$  is initialized to be the log-likelihood ratio based on the channel received information. If the channel is memoryless, i.e., each channel output only relies on its input, and  $y$  is the output of the channel code bit  $u$ , then  $m_0(i)=\log(p(u=0|y)/p(u=1|y))$ . After this initialization, the decoding process may run in a fully parallel and local manner. In each iteration, every variable/check node receives messages from its neighbors, and sends back updated messages. Decoding is terminated after a fixed number of iterations or detecting that all the constraints are satisfied. Upon termination, the decoder outputs a decoded sequence based on the messages  $m(u)=\sum w_m(w \rightarrow u)$ .

Thus, on various channels, iterative decoding only differs in the initial messages  $m_0(u)$ . For example, consider three memoryless channel models: a binary erasure channel (BEC); a binary symmetric channel (BSC); and an additive white Gaussian noise (AGWN) channel.

In the BEC, there are two inputs and three outputs. When 0 is transmitted, the receiver can receive either 0 or an erasure E. An erasure E output means that the receiver does not know how to demodulate the output. Similarly, when 1 is transmitted, the receiver can receive either 1 or E. Thus, for the BEC,  $y \in \{0, E, 1\}$ , and

$$m_0(u) = \begin{cases} +\infty & \text{if } y = 0 \\ 0 & \text{if } y = E \\ -\infty & \text{if } y = 1 \end{cases}$$

In the BSC, there are two possible inputs (0,1) and two possible outputs (0, 1). The BSC is characterized by a set of

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conditional probabilities relating all possible outputs to possible inputs. Thus, for the BSC  $y \in \{0, 1\}$ ,

$$m_0(u) = \begin{cases} \log \frac{1-p}{p} & \text{if } y = 0 \\ -\log \frac{1-p}{p} & \text{if } y = 1 \end{cases}$$

and

In the AWGN, the discrete-time input symbols  $X$  take their values in a finite alphabet while channel output symbols  $Y$  can take any values along the real line. There is assumed to be no distortion or other effects other than the addition of white Gaussian noise. In an AWGN with a Binary Phase Shift Keying (BPSK) signaling which maps 0 to the symbol with amplitude  $\sqrt{E_s}$  and 1 to the symbol with amplitude  $-\sqrt{E_s}$ , output  $y \in \mathbb{R}$ , then

$$m_0(u) = 4y\sqrt{E_s}/N_0$$

where  $N_0/2$  is the noise power spectral density.

The selection of a degree profile for use in a particular transmission channel is a design parameter, which may be affected by various attributes of the channel. The criteria for selecting a particular degree profile may include, for example, the type of channel and the data rate on the channel. For example, Table 1 shows degree profiles that have been found to produce good results for an AWGN channel model.

TABLE 1

a	2	3	4
$\lambda_2$	0.139025	0.078194	0.054485
$\lambda_3$	0.2221555	0.128085	0.104315
$\lambda_5$		0.160813	
$\lambda_6$	0.638820	0.036178	0.126755
$\lambda_{10}$			0.229816
$\lambda_{11}$			0.016484
$\lambda_{12}$		0.108828	
$\lambda_{13}$		0.487902	
$\lambda_{14}$			
$\lambda_{16}$			
$\lambda_{27}$			0.450302
$\lambda_{28}$			0.017842
Rate	0.333364	0.333223	0.333218
$\sigma_{GA}$	1.1840	1.2415	1.2615
$\sigma^*$	1.1981	1.2607	1.2780
$(E_b/N_0)^* \text{ (dB)}$	0.190	-0.250	-0.371
S.L. (dB)	-0.4953	-0.4958	-0.4958

Table 1 shows degree profiles yielding codes of rate approximately  $1/3$  for the AWGN channel and with  $a=2, 3, 4$ . For each sequence, the Gaussian approximation noise threshold, the actual sum-product decoding threshold and the corresponding energy per bit ( $E_b$ )-noise power ( $N_0$ ) ratio in dB are given. Also listed is the Shannon limit (S.L.).

As the parameter "a" is increased, the performance improves. For example, for  $a=4$ , the best code found has an iterative decoding threshold of  $E_b/N_0=-0.371$  dB, which is only 0.12 dB above the Shannon limit.

The accumulator component of the coder may be replaced by a "double accumulator" 600 as shown in FIG. 6. The double accumulator can be viewed as a truncated rate 1 convolutional coder with transfer function  $1/(1+D+D^2)$ .

Alternatively, a pair of accumulators may be added, as shown in FIG. 7. There are three component codes: the "outer" code 700, the "middle" code 702, and the "inner"

code 704. The outer code is an irregular repetition code, and the middle and inner codes are both accumulators.

IRA codes may be implemented in a variety of channels, including memoryless channels, such as the BEC, BSC, and AWGN, as well as channels having non-binary input, non-symmetric and fading channels, and/or channels with memory.

A number of embodiments have been described. Nevertheless, it will be understood that various modifications may be made without departing from the spirit and scope of the invention. Accordingly, other embodiments are within the scope of the following claims.

The invention claimed is:

1. A method of encoding a signal, comprising:

obtaining a block of data in the signal to be encoded; partitioning said data block into a plurality of sub-blocks, each sub-block including a plurality of data elements; first encoding the data block to form a first encoded data block, said first encoding including repeating the data elements in different sub-blocks a different number of times; interleaving the repeated data elements in the first encoded data block; and second encoding said first encoded data block using an encoder that has a rate close to one.

2. The method of claim 1, wherein said second encoding is via a rate 1 linear transformation.

3. The method of claim 1, wherein said first encoding is carried out by a first coder with a variable rate less than one, and said second encoding is carried out by a second coder with a rate substantially close to one.

4. The method of claim 3, wherein the second coder comprises an accumulator.

5. The method of claim 4, wherein the data elements comprises bits.

6. The method of claim 5, wherein the first coder comprises a repeater operable to repeat different sub-blocks a different number of times in response to a selected degree profile.

7. The method of claim 4, wherein the first coder comprises a low-density generator matrix coder and the second coder comprises an accumulator.

8. The method of claim 1, wherein the second encoding uses a transfer function of  $1/(1+D)$ .

9. The method of claim 1, wherein the second encoding uses a transfer function of  $1/(1+D+D^2)$ .

10. The method of claim 1, wherein said second encoding utilizes two accumulators.

11. A method of encoding a signal, comprising:

receiving a block of data in the signal to be encoded, the data block including a plurality of bits; first encoding the data block such that each bit in the data block is repeated and two or more of said plurality of bits are repeated a different number of times in order to form a first encoded data block; and second encoding the first encoded data block in such a way that bits in the first encoded data block are accumulated.

12. The method of claim 11, wherein the said second encoding is via a rate 1 linear transformation.

13. The method of claim 11, wherein the first encoding is via a low-density generator matrix transformation.

14. The method of claim 11, wherein the signal to be encoded comprises a plurality of data blocks of fixed size.

15. A coder comprising:

a first coder having an input configured to receive a stream of bits, said first coder operative to repeat said stream of bits irregularly and scramble the repeated bits; and a second coder operative to further encode bits output from the first coder at a rate within 10% of one.

16. The coder of claim 15, wherein the stream of bits includes a data block, and wherein the first coder is operative to apportion said data block into a plurality of sub-blocks and to repeat bits in each sub-block a number of times, wherein bits in different sub-blocks are repeated a different number of times.

17. The coder of claim 16, wherein the second coder comprises a recursive convolutional encoder with a transfer function of  $1/(1+D)$ .

18. The coder of claim 16, wherein the second coder comprises a recursive convolutional encoder with a transfer function of  $1/(1+D+D^2)$ .

19. The coder of claim 15, wherein the first coder comprises a repeater having a variable rate and an interleaver.

20. The coder of claim 15, wherein the first coder comprises a low-density generator matrix coder.

21. The coder of claim 15, wherein the second coder comprises a rate 1 linear encoder.

22. The coder of claim 21, wherein the second coder comprises an accumulator.

23. The coder of claim 22, wherein the second coder further comprises a second accumulator.

24. The coder of claim 15, wherein the second coder comprises a coder operative to further encode bits output from the first coder at a rate within 1% of one.

25. A coding system comprising:

a first coder having an input configured to receive a stream of bits, said first coder operative to repeat said stream of bits irregularly and scramble the repeated bits; a second coder operative to further encode bits output from the first coder at a rate within 10% of one in order to form an encoded data stream; and a decoder operative to receive the encoded data stream and decode the encoded data stream using an iterative decoding technique.

26. The coding system of claim 25, wherein the first coder comprises a repeater operative to receive a data block including a plurality of bits from said stream of bits and to repeat bits in the data block a different number of times according to a selected degree profile.

27. The coding system of claim 26, wherein the first coder comprises an interleaver.

28. The coding system of claim 25, wherein the first coder comprises a low-density generator matrix coder.

29. The coding system of claim 25, wherein the second coder comprises a rate 1 accumulator.

30. The coding system of claim 25, wherein the decoder is operative to decode the encoded data stream using a posterior decoding techniques.

31. The coding system of claim 25, wherein the decoder is operative to decode the encoded data stream based on a Tanner graph representation.

32. The coding system of claim 25, wherein the decoder is operative to decode the encoded data stream in linear time.

33. The coding system of claim 25, wherein the second coder comprises a coder operative to further encode bits output from the first coder at a rate within 1% of one.

\* \* \* \* \*



UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : 7,116,710 B1  
APPLICATION NO. : 09/861102  
DATED : October 3, 2006  
INVENTOR(S) : Hui Jin, Aamod Khandekar and Robert J. McElicce

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

At column 1, line 8, please amend the paragraph as follows:

This application claims the priority ~~[[to]]~~ of U.S. Provisional Application Ser. No. 60/205,095, filed on May 18, 2000, and ~~[[to]]~~ is a continuation-in-part of U.S. application Ser. No. 09/922,852, filed on Aug. 18, 2000 and entitled Interleaved Serial Concatenation Forming Turbo-Like Codes.

Signed and Sealed this

Twenty-second Day of July, 2008



JON W. DUDAS  
*Director of the United States Patent and Trademark Office*

**Exhibit A**  
**Page 41**



(12) **United States Patent**  
Jin et al.

(10) **Patent No.:** US 7,421,032 B2  
(45) **Date of Patent:** Sep. 2, 2008

(54) **SERIAL CONCATENATION OF INTERLEAVED CONVOLUTIONAL CODES FORMING TURBO-LIKE CODES**

(75) **Inventors:** Hui Jin, Glen Gardner, NJ (US); Aamod Khandekar, Pasadena, CA (US); Robert J. McElice, Pasadena, CA (US)  
(73) **Assignee:** California Institute of Technology, Pasadena, CA (US)  
(\* ) **Notice:** Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

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(60) Provisional application No. 60/205,095, filed on May 18, 2000.

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(52) **U.S. Cl.** 375/262; 375/265; 375/348; 714/755; 714/786; 714/792; 341/52; 341/102  
(58) **Field of Classification Search** 375/259, 375/262, 265, 285, 296, 341, 346, 348; 714/746, 714/752, 755, 756, 786, 792, 794-796; 341/51, 341/52, 56, 102, 103

See application file for complete search history.

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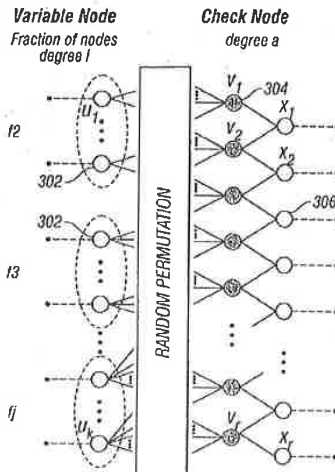
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(74) *Attorney, Agent, or Firm*—Fish & Richardson P.C.

(57) **ABSTRACT**

A serial concatenated coder includes an outer coder and an inner coder. The outer coder irregularly repeats bits in a data block according to a degree profile and scrambles the repeated bits. The scrambled and repeated bits are input to an inner coder, which has a rate substantially close to one.

23 Claims, 5 Drawing Sheets



**Exhibit B**  
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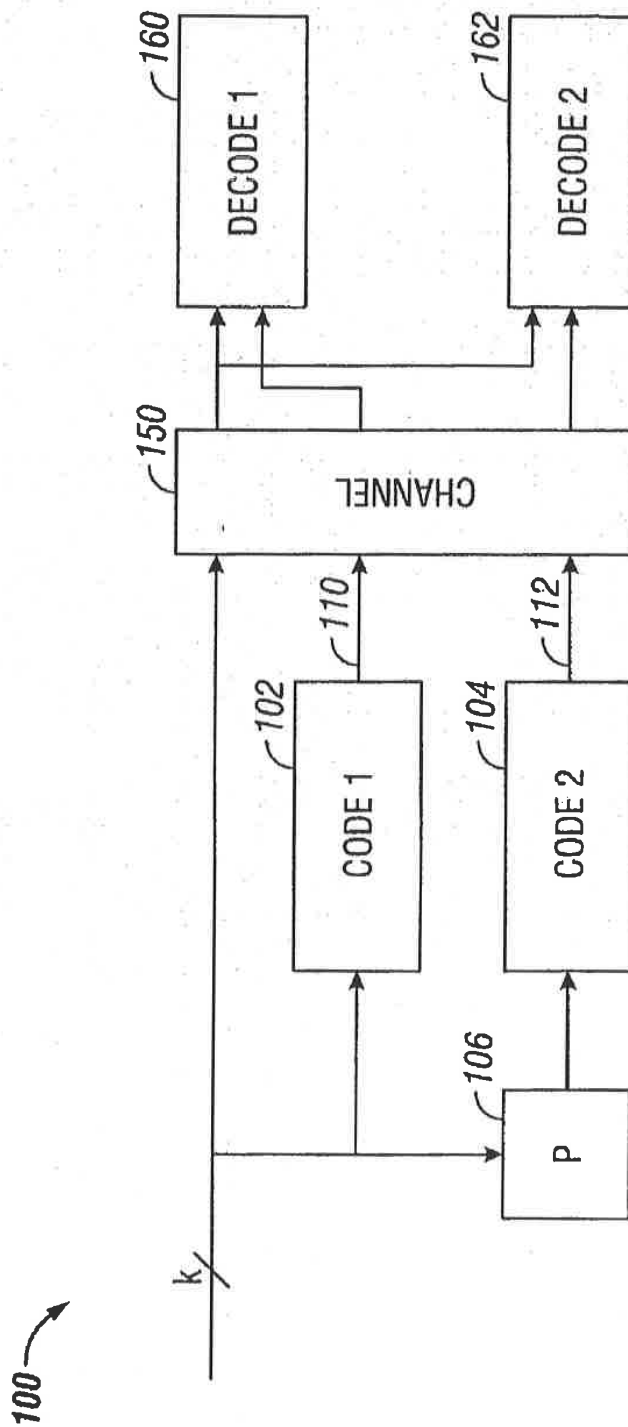


FIG. 1  
(Prior Art)

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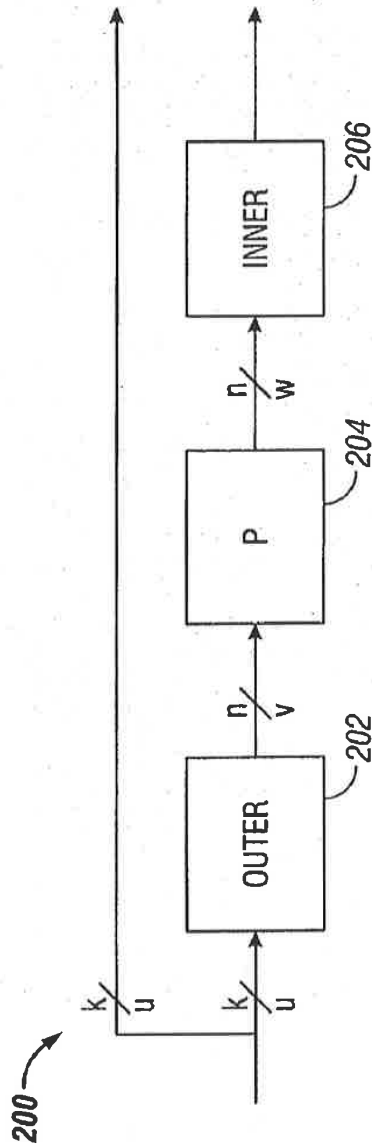


FIG. 2

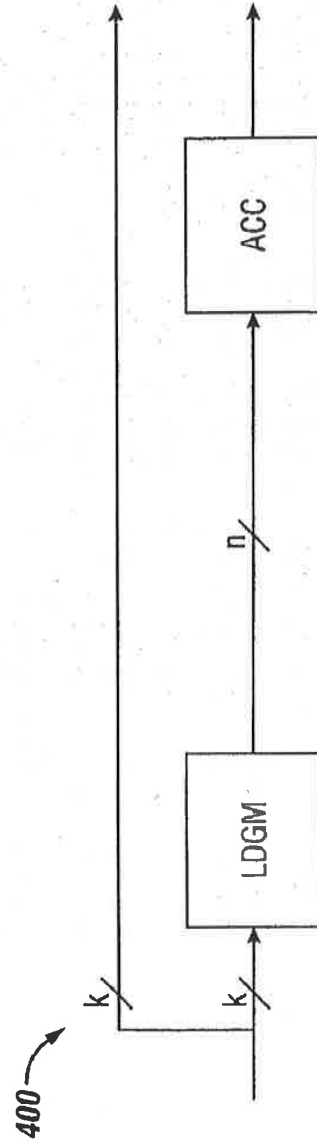


FIG. 4

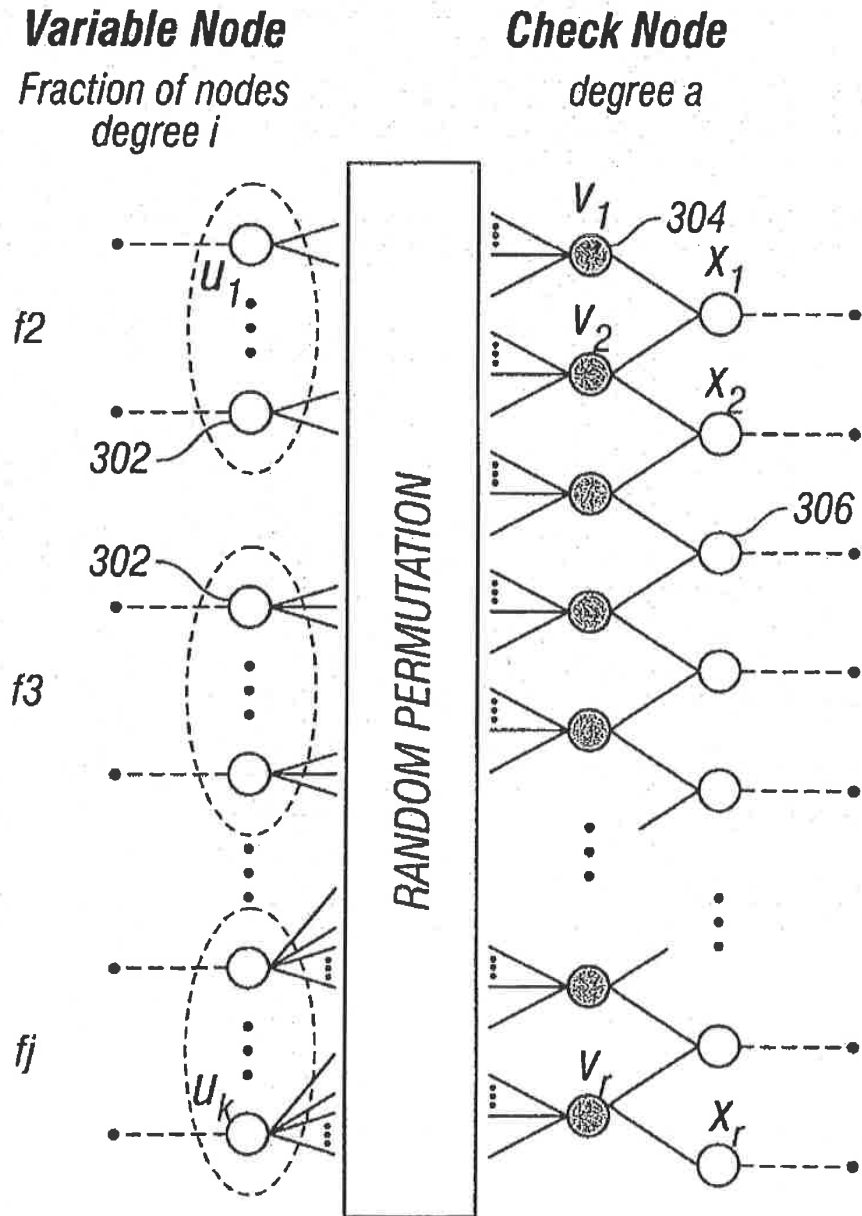


FIG. 3

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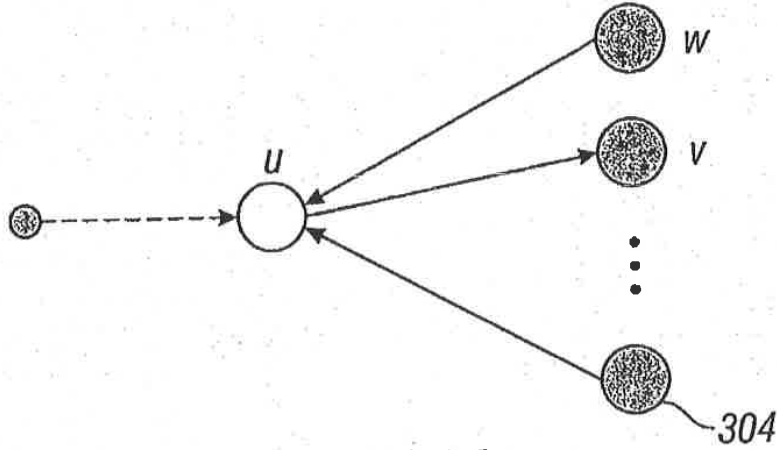


FIG. 5A

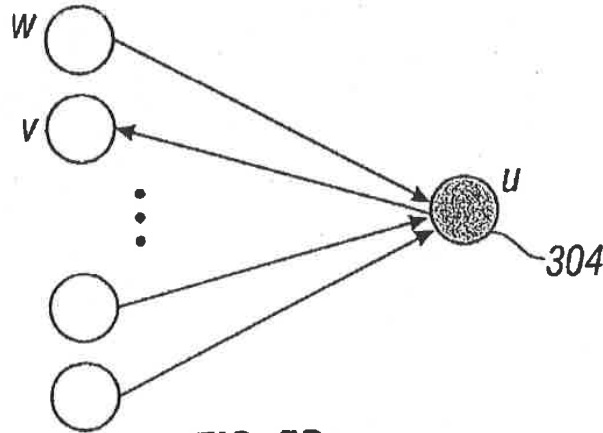


FIG. 5B

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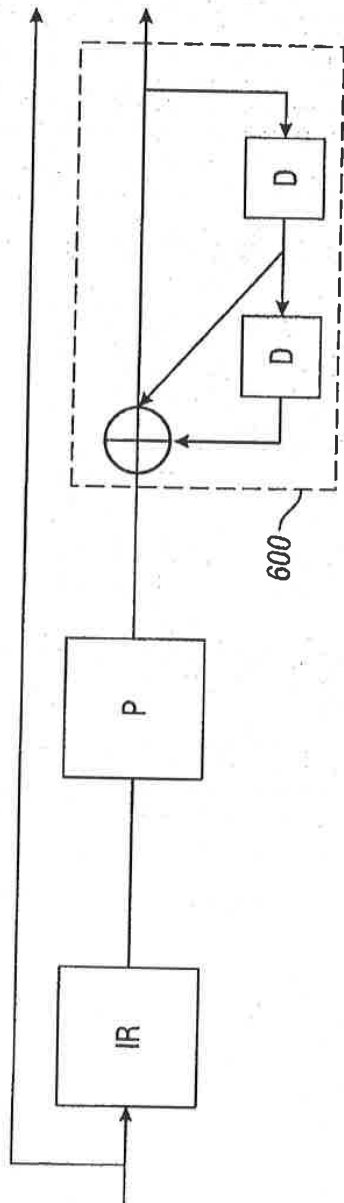


FIG. 6

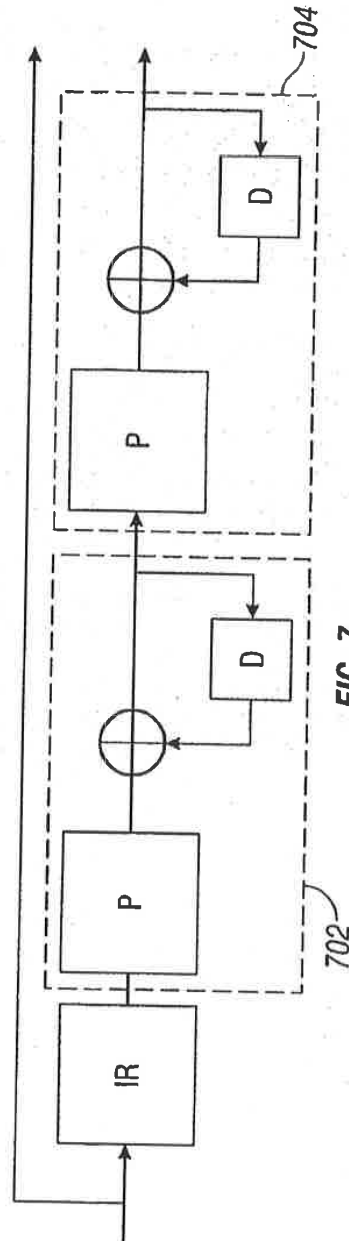


FIG. 7

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**SERIAL CONCATENATION OF  
INTERLEAVED CONVOLUTIONAL CODES  
FORMING TURBO-LIKE CODES**

**CROSS-REFERENCE TO RELATED  
APPLICATIONS**

This application is a continuation of U.S. application Ser. No. 09/861,102, filed May 18, 2001, now U.S. Pat. No. 7,116,710, which claims the priority of U.S. provisional application Ser. No. 60/205,095, filed May 18, 2000, and is a continuation-in-part of U.S. application Ser. No. 09/922,852, filed Aug. 18, 2000, now U.S. Pat. No. 7,089,477.

**GOVERNMENT LICENSE RIGHTS**

The U.S. Government has a paid-up license in this invention and the right in limited circumstances to require the patent owner to license others on reasonable terms as provided for by the terms of Grant No. CCR-9804793 awarded by the National Science Foundation.

**BACKGROUND**

Properties of a channel affect the amount of data that can be handled by the channel. The so-called "Shannon limit" defines the theoretical limit of the amount of data that a channel can carry.

Different techniques have been used to increase the data rate that can be handled by a channel. "Near Shannon Limit Error-Correcting Coding and Decoding: Turbo Codes," by Berrou et al. ICC, pp 1064-1070, (1993), described a new "turbo code" technique that has revolutionized the field of error correcting codes. Turbo codes have sufficient randomness to allow reliable communication over the channel at a high data rate near capacity. However, they still retain sufficient structure to allow practical encoding and decoding algorithms. Still, the technique for encoding and decoding turbo codes can be relatively complex.

A standard turbo coder 100 is shown in FIG. 1. A block of k information bits is input directly to a first coder 102. A k bit interleaver 106 also receives the k bits and interleaves them prior to applying them to a second coder 104. The second coder produces an output that has more bits than its input, that is, it is a coder with rate that is less than 1. The coders 102, 104 are typically recursive convolutional coders.

Three different items are sent over the channel 150: the original k bits, first encoded bits 110, and second encoded bits 112. At the decoding end, two decoders are used: a first constituent decoder 160 and a second constituent decoder 162. Each receives both the original k bits, and one of the encoded portions 110, 112. Each decoder sends likelihood estimates of the decoded bits to the other decoders. The estimates are used to decode the uncoded information bits as corrupted by the noisy channel.

**SUMMARY**

A coding system according to an embodiment is configured to receive a portion of a signal to be encoded, for example, a data block including a fixed number of bits. The coding system includes an outer coder, which repeats and scrambles bits in the data block. The data block is apportioned into two or more sub-blocks, and bits in different sub-blocks are repeated a different number of times according to a selected degree profile. The outer coder may include a

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repeater with a variable rate and an interleaver. Alternatively, the outer coder may be a low-density generator matrix (LDGM) coder.

The repeated and scrambled bits are input to an inner coder that has a rate substantially close to one. The inner coder may include one or more accumulators that perform recursive modulo two addition operations on the input bit stream.

The encoded data output from the inner coder may be transmitted on a channel and decoded in linear time at a destination using iterative decoding techniques. The decoding techniques may be based on a Tanner graph representation of the code.

**BRIEF DESCRIPTION OF THE DRAWINGS**

FIG. 1 is a schematic diagram of a prior "turbo code" system.

FIG. 2 is a schematic diagram of a coder according to an embodiment.

FIG. 3 is a Tanner graph for an irregular repeat and accumulate (IRA) coder.

FIG. 4 is a schematic diagram of an IRA coder according to an embodiment.

FIG. 5A illustrates a message from a variable node to a check node on the Tanner graph of FIG. 3.

FIG. 5B illustrates a message from a check node to a variable node on the Tanner graph of FIG. 3.

FIG. 6 is a schematic diagram of a coder according to an alternate embodiment.

FIG. 7 is a schematic diagram of a coder according to another alternate embodiment.

**DETAILED DESCRIPTION**

FIG. 2 illustrates a coder 200 according to an embodiment. The coder 200 may include an outer coder 202, an interleaver 204, and inner coder 206. The coder may be used to format blocks of data for transmission, introducing redundancy into the stream of data to protect the data from loss due to transmission errors. The encoded data may then be decoded at a destination in linear time at rates that may approach the channel capacity.

The outer coder 202 receives the uncoded data. The data may be partitioned into blocks of fixed size, say k bits. The outer coder may be an (n,k) binary linear block coder, where n>k. The coder accepts as input a block u of k data bits and produces an output block v of n data bits. The mathematical relationship between u and v is  $v = T_0 u$ , where  $T_0$  is an  $n \times k$  matrix, and the rate of the coder is  $k/n$ .

The rate of the coder may be irregular, that is, the value of  $T_0$  is not constant, and may differ for sub-blocks of bits in the data block. In an embodiment, the outer coder 202 is a repeater that repeats the k bits in a block a number of times q to produce a block with n bits, where  $n = qk$ . Since the repeater has an irregular output, different bits in the block may be repeated a different number of times. For example, a fraction of the bits in the block may be repeated two times, a fraction of bits may be repeated three times, and the remainder of bits may be repeated four times. These fractions define a degree sequence, or degree profile, of the code.

The inner coder 206 may be a linear rate-1 coder, which means that the n-bit output block x can be written as  $x = T_1 w$ , where  $T_1$  is a nonsingular  $n \times n$  matrix. The inner coder 210 can have a rate that is close to 1, e.g., within 50%, more preferably 10% and perhaps even more preferably within 1% of 1.

In an embodiment, the inner coder 206 is an accumulator, which produces outputs that are the modulo two (mod-2)

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partial sums of its inputs. The accumulator may be a truncated rate-1 recursive convolutional coder with the transfer function  $1/(1+D)$ . Such an accumulator may be considered a block coder whose input block  $[x_1, \dots, x_n]$  and output block  $[y_1, \dots, y_n]$  are related by the formula

$$y_1 = x_1$$

$$y_2 = x_1 \oplus x_2$$

$$y_3 = x_1 \oplus x_2 \oplus x_3$$

$$y_n = x_1 \oplus x_2 \oplus x_3 \oplus \dots \oplus x_n$$

where " $\oplus$ " denotes mod-2, or exclusive-OR (XOR), addition. An advantage of this system is that only mod-2 addition is necessary for the accumulator. The accumulator may be embodied using only XOR gates, which may simplify the design.

The bits output from the outer coder 202 are scrambled before they are input to the inner coder 206. This scrambling may be performed by the interleaver 204, which performs a pseudo-random permutation of an input block  $v$ , yielding an output block  $w$  having the same length as  $v$ .

The serial concatenation of the interleaved irregular repeat code and the accumulate code produces an irregular repeat and accumulate (IRA) code. An IRA code is a linear code, and as such, may be represented as a set of parity checks. The set of parity checks may be represented in a bipartite graph, called the Tanner graph, of the code. FIG. 3 shows a Tanner graph 300 of an IRA code with parameters  $(f_1, \dots, f_r; a)$ , where  $f_i \geq 0$ ,  $\sum_i f_i = 1$  and " $a$ " is a positive integer. The Tanner graph includes two kinds of nodes: variable nodes (open circles) and check nodes (filled circles). There are  $k$  variable nodes 302 on the left, called information nodes. There are  $r$  variable nodes 306 on the right, called parity nodes. There are  $r = (k \sum_i f_i) / a$  check nodes 304 connected between the information nodes and the parity nodes. Each information node 302 is connected to a number of check nodes 304. The fraction of information nodes connected to exactly  $i$  check nodes is  $f_i$ . For example, in the Tanner graph 300, each of the  $f_2$  information nodes are connected to two check nodes, corresponding to a repeat of  $q=2$ , and each of the  $f_3$  information nodes are connected to three check nodes, corresponding to  $q=3$ .

Each check node 304 is connected to exactly " $a$ " information nodes 302. In FIG. 3,  $a=3$ . These connections can be made in many ways, as indicated by the arbitrary permutation of the  $ra$  edges joining information nodes 302 and check nodes 304 in permutation block 310. These connections correspond to the scrambling performed by the interleaver 204.

In an alternate embodiment, the outer coder 202 may be a low-density generator matrix (LDGM) code that performs an irregular repeat of the  $k$  bits in the block, as shown in FIG. 4. As the name implies, an LDGM code has a sparse (low-density) generator matrix. The IRA code produced by the coder 400 is a serial concatenation of the LDGM code and the accumulator code. The interleaver 204 in FIG. 2 may be excluded due to the randomness already present in the structure of the LDGM code.

If the permutation performed in permutation block 310 is fixed, the Tanner graph represents a binary linear block code with  $k$  information bits  $(u_1, \dots, u_k)$  and  $r$  parity bits

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$(x_1, \dots, x_r)$ , as follows. Each of the information bits is associated with one of the information nodes 302, and each of the parity bits is associated with one of the parity nodes 306. The value of a parity bit is determined uniquely by the condition that the mod-2 sum of the values of the variable nodes connected to each of the check nodes 304 is zero. To see this, set  $x_0=0$ . Then if the values of the bits on the  $ra$  edges coming out the permutation box are  $(v_1, \dots, v_{ra})$ , then we have the recursive formula

$$x_j = x_{j-1} + \sum_{i=1}^{\lambda} v_{(j-1)a+i}$$

for  $j=1, 2, \dots, r$ . This is in effect the encoding algorithm.

Two types of IRA codes are represented in FIG. 3, a non-systematic version and a systematic version. The nonsystematic version is an  $(r,k)$  code, in which the codeword corresponding to the information bits  $(u_1, \dots, u_k)$  is  $(x_1, \dots, x_r)$ . The systematic version is a  $(k+r, k)$  code, in which the codeword is  $(u_1, \dots, u_k; x_1, \dots, x_r)$ .

The rate of the nonsystematic code is

$$R_{nsys} = \frac{a}{\sum_i f_i}$$

The rate of the systematic code is

$$R_{sys} = \frac{a}{a + \sum_i f_i}$$

For example, regular repeat and accumulate (RA) codes can be considered nonsystematic IRA codes with  $a=1$  and exactly one  $f_i$  equal to 1, say  $f_q=1$ , and the rest zero, in which case  $R_{nsys}$  simplifies to  $R=1/q$ .

The IRA code may be represented using an alternate notation. Let  $\lambda_i$  be the fraction of edges between the information nodes 302 and the check nodes 304 that are adjacent to an information node of degree  $i$ , and let  $\rho_i$  be the fraction of such edges that are adjacent to a check node of degree  $i+2$  (i.e., one that is adjacent to  $i$  information nodes). These edge fractions may be used to represent the IRA code rather than the corresponding node fractions. Define  $\lambda(x) = \sum_i \lambda_i x^{i-1}$  and  $\rho(x) = \sum_i \rho_i x^{i-1}$  to be the generating functions of these sequences. The pair  $(\lambda, \rho)$  is called a degree distribution. For  $L(x) = \sum_i f_i x_i$ ,

$$f_i = \frac{\lambda_i / i}{\sum_j \lambda_j / j}$$

$$L(x) = \int_0^x \lambda(t) dt / \int_0^1 \lambda(t) dt$$

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The rate of the systematic IRA code given by the degree distribution is given by

$$\text{Rate} = \left( 1 + \frac{\sum_j \rho_j / j}{\sum_j \lambda_j / j} \right)^{-1}$$

"Belief propagation" on the Tanner Graph realization may be used to decode IRA codes. Roughly speaking, the belief propagation decoding technique allows the messages passed on an edge to represent posterior densities on the bit associated with the variable node. A probability density on a bit is a pair of non-negative real numbers  $p(0)$ ,  $p(1)$  satisfying  $p(0) + p(1) = 1$ , where  $p(0)$  denotes the probability of the bit being 0,  $p(1)$  the probability of it being 1. Such a pair can be represented by its log likelihood ratio,  $m = \log(p(0)/p(1))$ . The outgoing message from a variable node  $u$  to a check node  $v$  represents information about  $u$ , and a message from a check node  $u$  to a variable node  $v$  represents information about  $u$ , as shown in FIGS. 5A and 5B, respectively.

The outgoing message from a node  $u$  to a node  $v$  depends on the incoming messages from all neighbors  $w$  of  $u$  except  $v$ . If  $u$  is a variable message node, this outgoing message is

$$m(u \rightarrow v) = \sum_{w \neq v} m(w \rightarrow u) + m_0(u)$$

where  $m_0(u)$  is the log-likelihood message associated with  $u$ . If  $u$  is a check node, the corresponding formula is

$$\tanh \frac{m(u \rightarrow v)}{2} = \prod_{w \neq v} \tanh \frac{m(w \rightarrow u)}{2}$$

Before decoding, the messages  $m(w \rightarrow u)$  and  $m(u \rightarrow v)$  are initialized to be zero, and  $m_0(u)$  is initialized to be the log-likelihood ratio based on the channel received information. If the channel is memoryless, i.e., each channel output only

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relies on its input, and  $y$  is the output of the channel code bit  $u$ , then  $m_0(u) = \log(p(u=0|y)/p(u=1|y))$ . After this initialization, the decoding process may run in a fully parallel and local manner. In each iteration, every variable/check node receives messages from its neighbors, and sends back updated messages. Decoding is terminated after a fixed number of iterations or detecting that all the constraints are satisfied. Upon termination, the decoder outputs a decoded sequence based on the messages  $m(u) = \sum_w m(w \rightarrow u)$ .

Thus, on various channels, iterative decoding only differs in the initial messages  $m_0(u)$ . For example, consider three memoryless channel models: a binary erasure channel (BEC); a binary symmetric channel (BSC); and an additive white Gaussian noise (AWGN) channel.

In the BEC, there are two inputs and three outputs. When 0 is transmitted, the receiver can receive either 0 or an erasure E. An erasure E output means that the receiver does not know how to demodulate the output. Similarly, when 1 is transmitted, the receiver can receive either 1 or E. Thus, for the BEC,  $y \in \{0, E, 1\}$ , and

$$m_0(u) = \begin{cases} +\infty & \text{if } y = 0 \\ 0 & \text{if } y = E \\ -\infty & \text{if } y = 1 \end{cases}$$

In the BSC, there are two possible inputs (0,1) and two possible outputs (0, 1). The BSC is characterized by a set of conditional probabilities relating all possible outputs to possible inputs. Thus, for the BSC  $y \in \{0, 1\}$ ,

$$m_0(u) = \begin{cases} \log \frac{1-p}{p} & \text{if } y = 0 \\ -\log \frac{1-p}{p} & \text{if } y = 1 \end{cases}$$

and

In the AWGN, the discrete-time input symbols  $X$  take their values in a finite alphabet while channel output symbols  $Y$  can take any values along the real line. There is assumed to be no distortion or other effects other than the addition of white Gaussian noise. In an AWGN with a Binary Phase Shift Keying (BPSK) signaling which maps 0 to the symbol with amplitude  $\sqrt{E_s}$  and 1 to the symbol with amplitude  $-\sqrt{E_s}$ , output  $y \in \mathbb{R}$ , then

$$m_0(u) = 4y\sqrt{E_s}/N_0$$

where  $N_0/2$  is the noise power spectral density.

**Exhibit B**  
**Page 51**

The selection of a degree profile for use in a particular transmission channel is a design parameter, which may be affected by various attributes of the channel. The criteria for selecting a particular degree profile may include, for example, the type of channel and the data rate on the channel. For example, Table 1 shows degree profiles that have been found to produce good results for an AWGN channel model.

TABLE 1

a	2	3	4
λ2	0.139025	0.078194	0.054485
λ3	0.2221555	0.128085	0.104315
λ5		0.160813	
λ6	0.638820	0.036178	0.126755
λ10			0.229816
λ11			0.016484
λ12		0.108828	
λ13		0.487902	
λ14			
λ16			
λ27			0.450302
λ28			0.017842
Rate	0.333364	0.333223	0.333218
σGA	1.1840	1.2415	1.2615
σ*	1.1981	1.2607	1.2780
(Eb/N0) * (dB)	0.190	-0.250	-0.371
S.L. (dB)	-0.4953	-0.4958	-0.4958

Table 1 shows degree profiles yielding codes of rate approximately 1/3 for the AWGN channel and with a=2, 3, 4. For each sequence, the Gaussian approximation noise threshold, the actual sum-product decoding threshold and the corresponding energy per bit (Eb)-noise power (N0) ratio in dB are given. Also listed is the Shannon limit (S.L.).

As the parameter "a" is increased, the performance improves. For example, for a=4, the best code found has an iterative decoding threshold of Eb/N0=-0.371 dB, which is only 0.12 dB above the Shannon limit.

The accumulator component of the coder may be replaced by a "double accumulator" 600 as shown in FIG. 6. The double accumulator can be viewed as a truncated rate 1 convolutional coder with transfer function 1/(1+D+D<sup>2</sup>).

Alternatively, a pair of accumulators may be added, as shown in FIG. 7. There are three component codes: the "outer" code 700, the "middle" code 702, and the "inner" code 704. The outer code is an irregular repetition code, and the middle and inner codes are both accumulators.

IRA codes may be implemented in a variety of channels, including memoryless channels, such as the BEC, BSC, and AWGN, as well as channels having non-binary input, non-symmetric and fading channels, and/or channels with memory.

A number of embodiments have been described. Nevertheless, it will be understood that various modifications may be made without departing from the spirit and scope of the invention. Accordingly, other embodiments are within the scope of the following claims.

The invention claimed is:

1. A method comprising: receiving a collection of message bits having a first sequence in a source data stream; generating a sequence of parity bits, wherein each parity bit "x<sub>j</sub>" in the sequence is in accordance with the formula

$$x_j = x_{j-1} + \sum_{i=1}^a v_{(j-1)\lambda+i}$$

where

"x<sub>j-1</sub>" is the value of a parity bit "j-1," and

$$v_{(j-1)\lambda+i}$$

is the value of a sum of "a" randomly chosen irregular repeats of the message bits; and

making the sequence of parity bits available for transmission in a transmission data stream.

2. The method of claim 1, wherein the sequence of parity bits is generated in accordance with "a" being constant.

3. The method of claim 1, wherein the sequence of parity bits is generated in accordance with "a" varying for different parity bits.

4. The method of claim 1, wherein generating the sequence of parity bits comprises performing recursive modulo two addition operations on the random sequence of bits.

5. The method of claim 1, wherein generating the sequence of parity bits comprises:

- generating a random sequence of bits that repeats each of the message bits one or more times with the repeats of the message bits being distributed in a random sequence, wherein different fractions of the message bits are each repeated a different number of times and the number of repeats for each message bit is irregular; and

XOR summing in linear sequential fashion a predecessor parity bit and "a" bits of the random sequence of bits.

6. The method of claim 5, wherein generating the random sequence of bits comprises coding the collection of message bits using a low-density generator matrix (LDGM) coder.

7. The method of claim 5, wherein generating the random sequence of bits comprises:

- producing a block of data bits, wherein different message bits are each repeated a different number of times in a sequence that matches the first sequence; and
- randomly permuting the different bits to generate the random sequence.

8. The method of claim 1, further comprising transmitting the sequence of parity bits.

9. The method of claim 8, wherein transmitting the sequence of parity bits comprises transmitting the sequence of parity bits as part of a nonsystematic code.

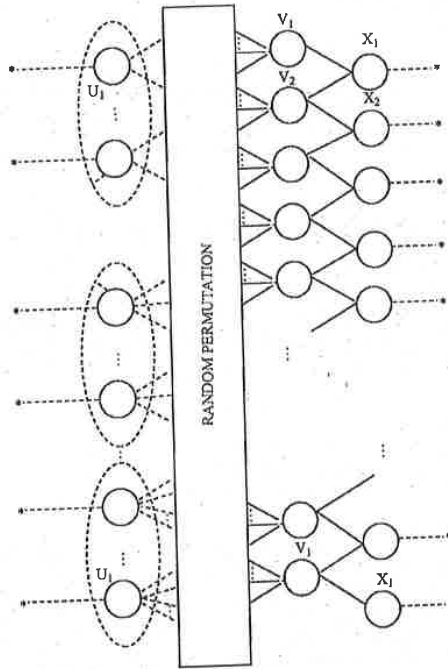
10. The method of claim 8, wherein transmitting the sequence of parity bits comprises transmitting the sequence of parity bits as part of a systematic code.

11. A device comprising:

- an encoder configured to receive a collection of message bits and encode the message bits to generate a collection of parity bits in accordance with the following Tanner graph:

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12. The device of claim 11, wherein the encoder is configured to generate the collection of parity bits as if a number of inputs into nodes  $v_i$  was not constant.

13. The device of claim 11, wherein the encoder comprises: a low-density generator matrix (LDGM) coder configured to perform an irregular repeat on message bits having a first sequence in a source data stream to output a random sequence of repeats of the message bits; and an accumulator configured to XOR sum in linear sequential fashion a predecessor parity bit and "a" bits of the random sequence of repeats of the message bits.

14. The device of claim 12, wherein the accumulator comprises a recursive convolutional coder.

15. The device of claim 14, wherein the recursive convolutional coder comprises a truncated rate-1 recursive convolutional coder.

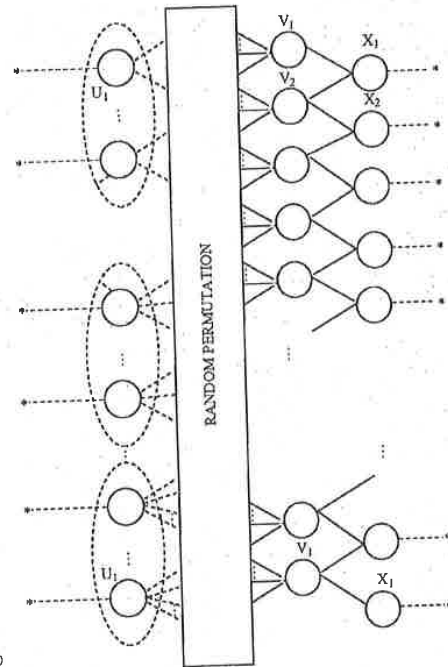
16. The device of claim 14, wherein the recursive convolutional coder has a transfer function of  $1/(1+D)$ .

17. The device of claim 12, further comprising a second accumulator configured to determine a second sequence of parity bits that defines a second condition that constrains the random sequence of repeats of the message bits.

18. A device comprising: a message passing decoder configured to decode a received data stream that includes a collection of parity bits, the

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message passing decoder comprising two or more check/variable nodes operating in parallel to receive messages from neighboring check/variable nodes and send updated messages to the neighboring variable/check nodes, wherein the message passing decoder is configured to decode the received data stream that has been encoded in accordance with the following Tanner graph:



19. The device of claim 18, wherein the message passing decoder is configured to decode the received data stream that includes the message bits.

20. The device of claim 18, wherein the message passing decoder is configured to decode the received data stream as if a number of inputs into nodes  $v_i$  was not constant.

21. The device of claim 18, wherein the message passing decoder is configured to decode in linear time at rates that approach a capacity of a channel.

22. The device of claim 18, wherein the message passing decoder comprises a belief propagation decoder.

23. The device of claim 18, wherein the message passing decoder is configured to decode the received data stream without the message bits.

\* \* \* \* \*

UNITED STATES PATENT AND TRADEMARK OFFICE  
**CERTIFICATE OF CORRECTION**

PATENT NO. : 7,421,032 B2  
APPLICATION NO. : 11/542950  
DATED : September 2, 2008  
INVENTOR(S) : Hui Jin, Aamod Khandekar and Robert J. McEliece

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title Page, item [73] (Assignee), line 1, please delete "Callifornia" and insert --California--, therefor.

Claim 11, Column 9, line 28, delete "V<sub>1</sub>" and insert --V<sub>r</sub>--, therefor.

Claim 11, Column 9, line 29, delete "U<sub>1</sub>" and insert --U<sub>k</sub>--, therefor.

Claim 11, Column 9, line 29, delete "X<sub>1</sub>" and insert --X<sub>r</sub>--, therefor.

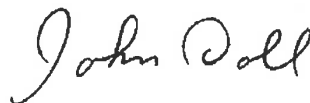
Claim 18, Column 10, line 35, delete "V<sub>1</sub>" and insert --V<sub>r</sub>--, therefor.

Claim 18, Column 10, line 36, delete "U<sub>1</sub>" and insert --U<sub>k</sub>--, therefor.

Claim 18, Column 10, line 37, delete "X<sub>1</sub>" and insert --X<sub>r</sub>--, therefor.

Signed and Sealed this

Seventeenth Day of February, 2009



JOHN DOLL  
*Acting Director of the United States Patent and Trademark Office*

**Exhibit B**  
**Page 54**

UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

PATENT NO. : 7,421,032 B2  
APPLICATION NO. : 11/542950  
DATED : September 2, 2008  
INVENTOR(S) : Hui Jin, Aamod Khandekar and Robert J. McEliece

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

$$x_j = x_{j-1} + \sum_{i=1}^{\lambda} v_{(j-1)\lambda+i}$$

At column 4, line 14, please delete “ ” and insert

$$x_j = x_{j-1} + \sum_{i=1}^a v_{(j-1)a+i}$$

$$x_j = x_{j-1} + \sum_{i=1}^{\lambda} v_{(j-1)\lambda+i},$$

In claim 1, column 8, line 4, please delete “ ” and insert

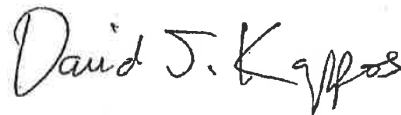
$$x_j = x_{j-1} + \sum_{i=1}^a v_{(j-1)a+i},$$

In claim 1, column 8, line 13, please delete “  $\sum_{i=1}^a v_{(j-1)a+i}$  ” and insert

$$\sum_{i=1}^a v_{(j-1)a+i}$$

Signed and Sealed this

Twenty-seventh Day of July, 2010



David J. Kappos  
Director of the United States Patent and Trademark Office

Exhibit B  
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