

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,
Petitioner,

v.

MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC,
Patent Owner.

Case IPR2015-01725
Patent 5,915,210

Before MEREDITH C. PETRAVICK, SCOTT A. DANIELS, and
MIRIAM L. QUINN, *Administrative Patent Judges*.

DANIELS, *Administrative Patent Judge*.

DECISION

Decision Denying Institution of *Inter Partes* Review
37 C.F.R. § 42.108

I. INTRODUCTION

A. Background

Petitioner, Samsung Electronics Co., Ltd., filed a Petition to institute an *inter partes* review of claims 1, 7, 8, 10, 15–17, and 19 of U.S. Patent No. 5,915,210 (“the ’210 patent”). Paper 1 (“Pet.”). Patent Owner, Mobile Telecommunications Technologies, LLC, timely filed a Preliminary Response. Paper 8 (“Prelim. Resp.”).

We have authority to determine whether to institute an *inter partes* review under 35 U.S.C. § 314 and 37 C.F.R. § 42.4(a). Upon consideration of the evidence in the Petition and the Preliminary Response, we determine that Petitioner has not established a reasonable likelihood of prevailing on the claims challenged in the Petition. Accordingly, we do not institute an *inter partes* review of any of the challenged claims in the ’210 patent.

B. Additional Proceedings

Currently, the ’210 patent is also challenged in IPR2015-01724. Petitioner states that the ’210 patent is asserted against Petitioner in the U. S. District Court for the Eastern District of Texas, *Mobile Telecommunications Technologies, LLC v. Samsung Electronics Co.*, Case No. 2:15-CV-183. Pet. 1. Petitioner also notes that the ’210 patent is asserted against other parties in at least (1) *Mobile Telecommunications Technologies, LLC v. Apple, Inc.*, Case No. 2:13-CV-258; (2) *Mobile Telecommunications Technologies, LLC v. Leap Wireless International, Inc.*, Case No. 2:13-CV-885; (3) *Mobile Telecommunications Technologies, LLC v. T-Mobile USA, Inc.*, Case No. 2:13-CV-886; and (4) *Mobile Telecommunications Technologies, LLC v. AT&T Mobility LLC*, Case No. 2:14-CV-897, all in the Eastern District of Texas. *Id.* at 1–2.

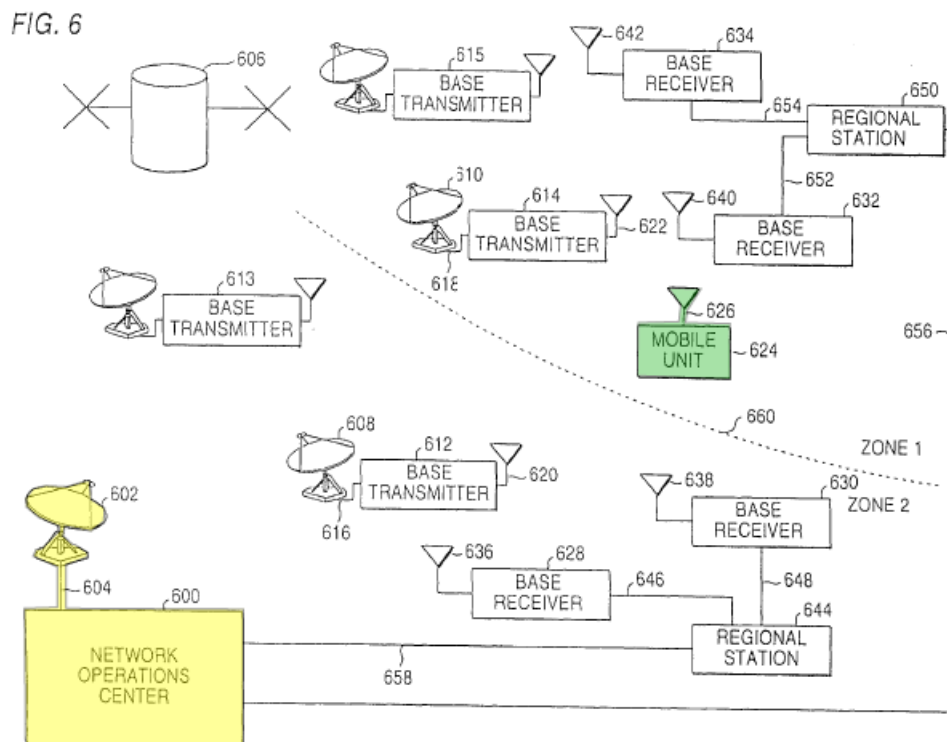
Petitioner states further that the '210 patent was also challenged in previous *inter partes* review proceedings, namely *Apple Inc. v. Mobile Telecommunications Technologies, LLC*, Case IPR2014-01036 (PTAB filed June 27, 2014); and *T-Mobile USA, Inc. v. Mobile Telecommunications Technologies, LLC*, Case IPR2015-00015 (PTAB filed Oct. 3, 2014).¹ *Id.* at 2.

C. The '210 Patent

The '210 patent (Ex. 1001), titled “Method and System for Providing Multicarrier Simulcast Transmission,” describes a system for two-way communication between a network operations center and a mobile device located somewhere in a wide geographic region. Ex. 1001, Abstract. The '210 patent explains that an important aspect of the invention is to “provide a communication system with wide area coverage and high message throughput while minimizing frequency bandwidth usage.” *Id.* at 4:46–48.

Annotated Figure 6 of the '210 patent, reproduced below, illustrates the major components of the communication system for sending a data signal between networks operation center 600, highlighted in yellow, and mobile unit 624, highlighted in green. *Id.* at 8:46–48.

¹ IPR2014-01036 and IPR2015-00015 were both terminated pursuant to settlement agreements between the respective parties. *See T-Mobile USA, Inc. v. Mobile Telecomms. Techs., LLC*, Case IPR2015-00015 (PTAB filed Oct. 3, 2014) (Paper 14); *Apple Inc. v. Mobile Telecomms. Techs., LLC*, Case IPR2014-01036 (PTAB filed June 27, 2014) (Paper 20).



Annotated Figure 6 is a schematic diagram of a communication system.

As depicted by Figure 6 of the '210 patent, above, the communication system provides network operations center 600 connected to satellite uplink 602, which in turn, provides data to satellite 606. *Id.* at 8:48–51. Satellite 606 communicates the received data to several satellite downlink stations 608, 610. *Id.* at 8:52–53. Satellite downlink stations 608, 610 send the data signal to geographically spaced apart base transmitters 612, 614 which emit the signal via antennas 620 and 622, respectively, in different geographic defined regions, i.e., “zones,” for reception by mobile unit 624. *Id.* at 8:62–9:5. Dash line 660 indicates the boundary between zones 1 and 2, and each zone may include additional base transmitters 613, 615, respectively, as shown in Figure 6. *Id.* at 8:62–9:56. Mobile unit 624, shown in zone 1, is a

portable communication device, for instance, a pager, and can both receive and transmit a signal. *Id.* at 9:6–11.

Observing Figure 6 of the '210 patent, above, in one embodiment of the invention base transmitters 612, 614 receive a data signal from satellite 606 via down link stations 608, 610, and then transmit the same data signal at the same time, i.e., in simulcast, in both zones 1 and 2, to be received by mobile unit 624. *Id.* at 10:35–41. The '210 patent explains that this method is “useful to deliver the message if, for example, the location of mobile unit 624 in zone 1 or zone 2 is *unknown* and broad coverage is desired.” *Id.* at 10:41–44 (emphasis added). In another embodiment, if for instance the location of mobile unit 624 is *known* to be in zone 1, base transmitter 614 transmits a data signal within zone 1, and at the same time, base transmitter 612 can transmit different data for a different mobile unit within zone 2 to “increase information throughput and system efficiency.” *Id.* at 10:45–58.

D. Illustrative Claim

Claims 1, 10 and 19 are independent. Claim 1 illustrates the claimed subject matter and is reproduced below:

1. A multi-carrier simulcast transmission system for transmitting in a desired frequency band at least one message contained in an information signal, the system comprising:
 - a first transmitter configured to transmit a first plurality of carrier signals within the desired frequency band, each of the first plurality of carrier signals representing a portion of the information signal substantially not represented by others of the first plurality of carrier signals; and
 - a second transmitter, spatially separated from the first transmitter, configured to transmit a second plurality of carrier signals in simulcast with the first plurality of carrier signals, each of the second plurality of carrier signals corresponding to and representing substantially the same information as a respective carrier signal of

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