

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SONY MOBILE COMMUNICATIONS (USA) INC.

Petitioner,

v.

CELLULAR COMMUNICATIONS EQUIPMENT LLC

Patent Owner.

Case IPR2016-00384

U.S. Patent No. 8,385,966

PETITION FOR *INTER PARTES* REVIEW

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LIST OF EXHIBITS

- 1001 U.S. Patent No. 8,385,966 to Lindholm et al. (“the ‘966 patent”)
- 1002 U.S. Provisional Patent Application No. 61/126,617
- 1003 Excerpts from the Prosecution History of Application No. 12/387,661, which matured into the ‘966 patent
- 1004 3GPP TS 36.213 v8.2.0 (2008-03); Technical Specification; 3rd Generation Partnership Project; Technical Specification Group Radio Access Network; Evolved Universal Terrestrial Radio Access (E-UTRA); Physical layer procedures (Release 8) (“TS 36.213”)
- 1005 WIPO International Publication No. WO 2008/042967 A2 to Damnjanovic et al. (“Damnjanovic”)
- 1006 WIPO International Publication No. WO 2008/042187 A2 to Shin et al. (“Shin”)
- 1007 Declaration of Professor Bruce McNair (“McNair Decl.”)
- 1008 Declaration of Dr. Raziq Yaquub (“Yaquub Decl.”)
- 1009 Petition for *Inter Partes* Review from IPR2015-01559 (*Kyocera Communications, Inc. v. Cellular Communications Equipment LLC*)

I. INTRODUCTION

Petitioner Sony Mobile Communications (USA) Inc. (“Petitioner”) respectfully requests *inter partes* review of claims 1-4 and 9-13 of U.S. Patent No. 8,385,966 (“the ‘966 patent,” Ex. 1001) in accordance with 35 U.S.C. §§ 311–319 and 37 C.F.R. § 42.100 *et seq.*

II. MANDATORY NOTICES PURSUANT TO 37 C.F.R. § 42.8

A. Real Party-In-Interest

Sony Mobile Communications (USA) Inc., Sony Mobile Communications Inc., and Sony Corporation are the real parties-in-interest.

B. Related Matters

The ‘966 patent is asserted in the following co-pending litigation, each in the District Court for the Eastern District of Texas.

<i>Cellular Communications Equipment LLC v. LG Electronics, Inc. et al.</i>	6-14-cv-00982
<i>Cellular Communications Equipment LLC v. Sony Mobile Communications, Inc. et al.</i>	6-14-cv-00983
<i>Cellular Communications Equipment LLC v. Kyocera Corporation et al.</i>	6-15-cv-00049

The ‘966 patent is also subject to a co-pending Petition for *Inter Partes* Review by Kyocera Communications, Inc. (IPR2015-01559; the “Kyocera IPR”; petition attached herewith as Ex. 1009).

Petitioner has also filed a concurrent Petition for *Inter Partes* Review of claims 1, 5-8, 10, and 14-17 (IPR2016-00385) based on Patent Owner’s asserted

claim construction (*see* IPR2016-00385, Section VI) and recommends assigning both Petitions to the same panel.

C. Lead and Back-Up Counsel

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III. PAYMENT OF FEES

The undersigned authorizes the Office to charge the fee required by 37 C.F.R. § 42.15(a) for this Petition for *inter partes* review to Deposit Account No. 15-0030. Any additional fees that might be due are also authorized.

IV. REQUIREMENTS FOR *INTER PARTES* REVIEW

A. Grounds for Standing

Pursuant to 37 C.F.R. § 42.104(a), Petitioner hereby certifies that the ‘966 patent is available for *inter partes* review and that the Petitioner is not barred or

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