

# Oral Hearing: Petitioner's Presentation

## August 8, 2017

*ZTE (USA) Inc. et al. v. Evolved Wireless LLC*  
IPR2016-00757, IPR2016-01345

# Instituted Grounds

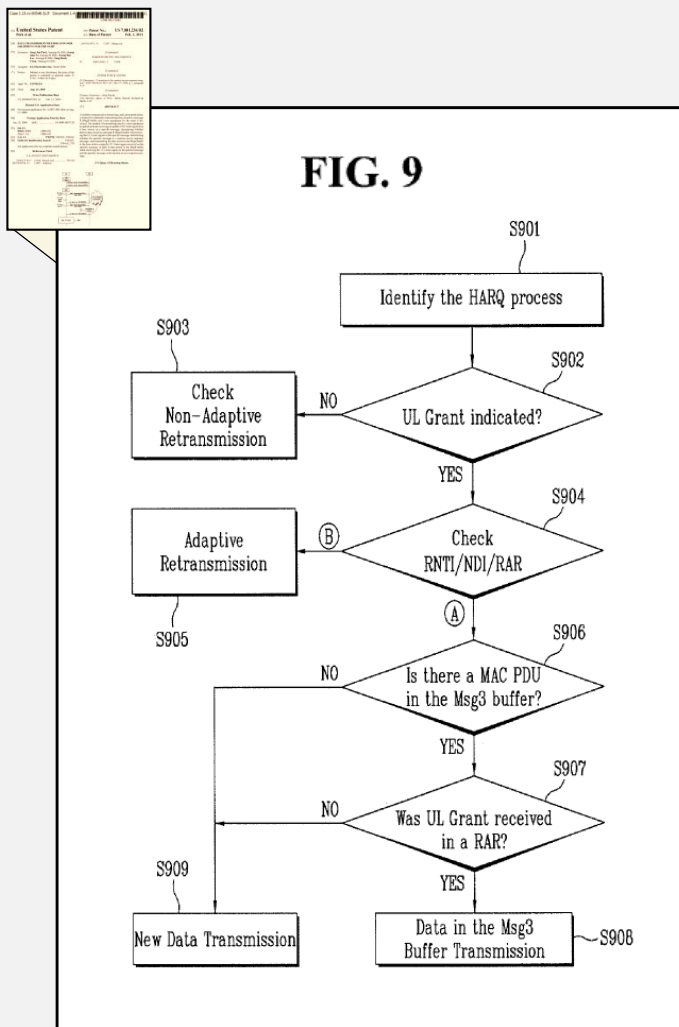


ORDERED that pursuant to 35 U.S.C. § 314, an *inter partes* review is hereby instituted on the following grounds: Whether claims 1-6 of the '236 patent under 35 U.S.C. § 103 would have been obvious over the 3GPP Technical Specification 300 and the 3GPP Technical Specification 321; and whether claims 7-10 and 12-13 of the '236 patent under 35 U.S.C. § 103 would have been obvious over the 3GPP Technical Specification 300, the 3GPP Technical Specification 321, and Ericsson; and

Paper 11, Institution Order, at 19.

# Overview of '236 Patent

# Overview of '236 Patent: Figure 9



Ex. 1001, '236 patent, at FIG. 9 (referenced at Paper 3, Petition, at 4).

FIG. 9 is a flowchart illustrating a method of transmitting UL data by a UE **according to a preferred embodiment** of the present invention. In more detail, FIG. 9 shows the operation of a HARQ entity of the UE **according to an embodiment** of the present invention at every TTI.

Ex. 1001, '236 patent, at 13:35-39 (emphases added) (referenced at Paper 3, Petition, at 4).

That is, the UE **according to the present embodiment** transmits the data stored in the Msg3 buffer only when there is data in the Msg3 buffer when receiving the UL Grant signal and the UL Grant signal is received on the random access response message (S908).

Ex. 1001, '236 patent, at 14:3-7 (emphasis added) (referenced at Paper 3, Petition, at 18).

# Overview of '236 Patent: Claim 1

1. A method of transmitting data by a user equipment through an uplink, the method comprising:
  - receiving an uplink grant (UL Grant) signal from a base station on a specific message;
  - determining whether there is data stored in a message 3 (Msg3) buffer when receiving the UL Grant signal on the specific message;
  - determining whether the specific message is a random access response message;
  - transmitting the data stored in the Msg3 buffer to the base station using the UL Grant signal received on the specific message, if there is data stored in the Msg3 buffer when receiving the UL Grant signal on the specific message and the specific message is the random access response message; and
  - transmitting new data to the base station in correspondence with the UL Grant signal received on the specific message, if there is no data stored in the Msg3 buffer when receiving the UL Grant signal on the specific message or the specific message is not the random access response message.



first “determining” feature

Paper 28, Petitioner’s Reply, at 13.

first “transmitting” feature

Paper 28, Petitioner’s Reply, at 1.

second “transmitting” feature

Paper 28, Petitioner’s Reply, at 20.

Ex. 1001, '236 patent, at 16:50-17:3 (emphases added).

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