

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ZTE (USA) Inc.,  
HTC Corporation, and  
HTC America, Inc.,

Petitioner,

v.

Evolved Wireless LLC,

Patent Owner.

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Case IPR2016-00758  
Patent 8,218,481

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**Petitioner's Motion for Leave to File a Reply to Patent Owner's  
Preliminary Response to Petition for *Inter Partes* Review**

Pursuant to 37 C.F.R. § 42.108(c), Petitioner seeks the Board's leave to file the attached two-page reply to Patent Owner's preliminary response. Good cause supports this request. Patent Owner has misstated both the teachings of the prior art and Petitioner's arguments, requiring a brief reply to correct the record on which the Board will render its institution decision.

In its preliminary response, Patent Owner states, without any support, that "Panasonic 792 does not include any discussion as to the existence of a frame, the size of a frame, or that the alleged consecutive sequence is entirely within such alleged frame." (Paper 9 at 12.) In addition, with respect to dependent claims 4 and 11, Patent Owner incorrectly states that the Petition is "silent" as to the recited "integer multiple." (*Id.* at 15.) Patent Owner's statements are plainly incorrect. As discussed in the attached reply, Panasonic 792 discloses in its very first paragraph that the consecutive sequence is entirely within one frame, and the Petition expressly addresses the required "integer multiple."

Therefore, Petitioner requests the Board's leave to file the attached reply to Patent Owner's preliminary response.

Case IPR2016-00758  
Patent No. 8,218,481

Date: July 15, 2016

Respectfully submitted,

/s/ Charles M. McMahon

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# Attachment A

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**Petitioner's Reply to Patent Owner's Preliminary Response to  
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