

Filed on behalf of TQ Delta, LLC
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSTEMS, INC., DISH NETWORK, LLC,
COMCAST CABLE COMMUNICATIONS, LLC,
COX COMMUNICATIONS, INC.,
TIME WARNER CABLE ENTERPRISES LLC,
VERIZON SERVICES CORP., and ARRIS GROUP, INC.,
Petitioner,

v.

TQ DELTA, LLC
Patent Owner

Case No. IPR2016-01008¹
Patent No. 8,238,412

**PATENT OWNER'S LISTING OF IMPROPER REPLY / NEW
ARGUMENT AND EVIDENCE**

¹ DISH Network, L.L.C., who filed a Petition in IPR2017-00253, and Comcast Cable Communications, L.L.C., Cox Communications, Inc., Time Warner Cable Enterprises L.L.C., Verizon Services Corp., and ARRIS Group, Inc., who filed a Petition in IPR2017-00419, have been joined in this proceeding.

Pursuant to the Board's Order (Paper No. 20) entered June 22, 2017, Patent Owner provides the following listing of statements and evidence in that are beyond the proper scope of a reply, including new argument and evidence:

- (1) Petitioner's Reply at p. 14, ln. 7-p. 13, ln. 7 (“**c. V.90 protocol is an alternative . . .**”)
 - a. Ex. CSCO-1100 (Kiaei Reply Decl.) at p. 14, lns. 5-19 (¶ 25).
- (2) Petitioner's Reply at p. 17, ln. 3-p. 18, ln. 4 (“Power and PSD are related as each other's . . .”);
 - a. Ex. CSCO-1100 at p. 9, ln. 15-p. 10, ln. 10 (¶¶ 16-17) and p. 14, ln. 6-p. 17, ln. 17 (¶¶ 29-31).
- (3) Petitioner's Reply at p. 20, ln. 20-p. 21, ln. 15 (“That SNR is measured “*during Showtime*” is made . . .”);
 - a. Ex. CSCO-1100 (Kiaei Reply Decl.) at ln. 1-p. 27, ln.2 (¶¶ 50-52),
 - b. Ex. CSCO-1014 at pp. 108, 109 and 111.
- (4) Petitioner's Reply at p. 21, ln. 16-p. 23, ln. 9 (“4. **ANSI T1.413's measured SNR margin . . .**”);
 - a. Ex. CSCO-1100 at p. 27, ln. 11-p. 29, ln. 17 (¶¶ 54-58).
- (5) Petitioner's Reply at p. 24, ln. 7-p. 26, ln. 15 (“By measuring SNR at the subscriber modem as ANSI T1.413 teaches . . .”);
 - a. Ex. CSCO-1100 at p. 31, ln. 9-p. 34, ln. 5 (¶¶ 62-68).

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- (6) Petitioner's Reply at p. 28, footnote 5;
 - a. Ex. CSCO-1100 at p. 21, ln. 5-p. 22, ln. 7 (¶¶ 39-40),
 - b. Ex. 1109 (entirety).

Dated: June 27, 2017

/Peter J. McAndrews/

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CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing **PATENT OWNER'S LISTING OF IMPROPER REPLY/NEW ARGUMENT AND EVIDENCE** was served on June 27, 2017 via electronic mail to counsel for Petitioner at the following:

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Respectfully submitted,

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