Filed on behalf of TQ Delta, LLC
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UNITED STATES PATENT AND TRADEMARK OFFICE
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BEFORE THE PATENT TRIAL AND APPEAL BOARD
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CISCO SYSTEMS, INC.,
Petitioners,

v.

TQ DELTA, LLC
Patent Owner
_____

Case No. IPR2016-01009
Patent No. 8,238,412
_____

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

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. 13, ln. 7-p. 14, 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. 23, ln. 19-p. 25, ln. 20 ("**2. A POSITA would …**");

      a.   Ex. CSCO-1100 at p. 35, ln. 13-p. 36, ln. 19 (¶¶ 73-74).

(3)   Petitioner's Reply at p. 25, lns. 4-20 ("**3.   The teachings of Chang** . . .");

      a.   Ex. CSCO-1100 at p. 39, ln. 4-p. 40, ln. 2 (¶¶ 82-83).

(4)   Petitioner's Reply at p. 27, lns. 1-3 ("To illustrate, if Milbrandt . . .");

      a.   Ex. CSCO-1100 at p. 42, lns. 1-15 (¶¶ 89-90).

(5)   Petitioner's Reply at p. 27, ln. 14-p. 28, ln. 3 ("TQ Delta, however, fails to recognize…");

      a.   Ex. CSCO-1100 at p. 42, ln. 16-p. 44, ln. 2 (¶¶ 91-93).

(6)   Petitioner's Reply at p. 28, lns. 4-16 ("**c. Remedial measures …**");

      a.   Ex. CSCO-1100 at p. 44, ln. 3-p. 45, ln. 13 (¶¶ 94-96).

(7)   Petitioner's Reply at p. 25, lns. 13-21 ("As Dr. Kiaei explains, a POSITA would . . .);

      a.   Ex. CSCO-1100 at p. 38, ln 14-p. 20, ln. 2 (¶¶ 81-83),

b.   Ex. CSCO-1102 (entirety).

(8)   Petitioner's Reply at p. 15, ln. 10-p. 16, ln. 3 ("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).

(9)   Petitioner's Reply at p. 18, ln. 11-p. 19, ln. 14 ("Further, that SNR is

measured . . . ");

a.   Ex. CSCO-1100 at p. 24, lns. 5-14; p. 25, lns. 10-13; p. 26, lns. 1-26

(¶¶ 45, 48 and 50-51),

b.   Ex. CSCO-1014 at pp. 108, 109 and 111.

(10)   Petitioner's Reply at p. 19, ln. 15-p. 20, ln. 21 ("**4. ANSI   T1.413's   :SNR**

margin …");

a.   Ex. CSCO-1100 at p. 27, ln. 11-p. 29, ln. 17 (¶¶ 54-58).

(11)   Petitioner's Reply at p. 20, ln. 21-p. 22, ln. 11 ("As ANSI T1.413 teaches . .

.");

a.   Ex. CSCO-1100 at p. 31, ln. 9-p. 34, ln. 5 (¶¶ 62-68).

(12)   Petitioner's Reply at p. 30, footnote 4;

a.   Ex. CSCO-1100 at p. 21, ln. 5-p. 22, ln. 7 (¶¶ 39-40),

b.   Ex. 1109 (entirety).

Patent Owner's Listing of Improper Reply / New Argument and Evidence
IPR2016-01009

Dated: June 27, 2017

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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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