

Filed on behalf of TQ Delta, LLC

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARRIS GROUP, INC.,
Petitioner,
v.

TQ DELTA, LLC,
Patent Owner.

Case IPR2016-01160
Patent No. 8,611,404

**PATENT OWNER'S LISTING OF
NEW ARGUMENTS AND EVIDENCE IN PETITIONER'S REPLY**

Patent Owner's Listing of New Arguments and Evidence in Petitioner's Reply
IPR2016-01160
U.S. Patent No. 8,611,404

Pursuant to the Board's Order of August 1, 2017 (Paper No. 22), Patent Owner provides the following list of statements and evidence from Petitioner's Reply that are beyond the proper scope of a reply:

- (1) P. 1, ln. 16 – p. 2, ln. 4 (“Rather, Bowie . . .”) including cites to Ex. 1005 at 3:1-5, 5:22-24, and 5:62-66;
- (2) P. 2, lns. 9-12 (“the 1995 . . .”) including cites to Ex. 1003 at ¶¶ 71-73;
- (3) P. 3, lns. 1-6 (“Correspondingly . . .”) including cite to Ex. 1001 at 8:27-31;
- (4) P. 3, lns. 10-13 (“However . . .”) including cites to Ex. 1005 at “5-6:62-2” and 6:35-41 and Ex. 1001 at 8:27-31;
- (5) P. 4, lns. 5-19 (“Both Vanzielegem . . .”) including cites to Ex. 1006 at 2:63-3:2 and Ex. 1009 at p. 46 (discussion of a “pilot”);
- (6) P. 5, lns. 6-17 (“But, Section . . .”) including cite to Ex. 1009 at 1;
- (7) P. 6, lns. 10-15 (“For reference . . .”) including cite to Ex. 1001 at 6:1-6;
- (8) P. 9, lns. 1-15 (“Regarding the . . .”) including cites to Ex. 1006 at 2:66-3:2, Ex. 1003 at ¶ 160, and Ex. 1009 at p. 46 (discussion of a “pilot”);
- (9) P. 10, ln. 13 - p. 11, ln. 2 (“However . . .”) including cites to Ex. 1001 at 3:7-20 and 4:49-57;
- (10) Evidence cited at p. 12, lns. 3-7 and p. 12, ln. 14 – p. 13, ln. 5 (Ex. 1005 at 5:4-5; 5:62-66);

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- (11) P. 14, ln. 11 – p. 15, ln. 2 (“The PO . . .”) including cites to Ex. 1001 at 3:7-20 and Ex. 1005 at 5:1-5 and 5:62-66;
- (12) P. 15, ln. 9 – p. 16, ln. 2 (“Like Bowie . . .”) including cites to Ex. 1001 at 8:24-35 and Ex. 1005 at 4:5-10 and 6:37-39;
- (13) P. 16, lns. 4-7 (“As stated . . .”);
- (14) P. 16, lns. 11-13 (“Nonetheless . . .”);
- (15) P. 16, ln. 17 – p. 17 (table) including cites to Ex. 1001 at 2:55-61, 3:2-5, and 6:1-6 and Ex. 1005 at 3:34-50;
- (16) P. 18, lns. 12-19 (“As explained . . .”) including cite to Ex. 1006 at 2:55-63;
- (17) P. 19, lns. 1-15 (“Additionally . . .”) including cites to Ex. 1006 at 2:63-3:2 and Ex. 1009 at p. 46 (discussion of a “pilot”);
- (18) P. 20, lns. 4-8 (“As explained . . .”) and table and including cites to Ex. 1005 at 5:6-8 and 5:22-24 and Ex. 1006 at 2:7-14;
- (19) P. 22, lns. 7-19 (“However, in low . . .”) including cites to Ex. 1006 at 5:47-49, 6:51-56, 6:62-64 and Ex. 1001 at 7:9-15;
- (20) P. 23, lns. 1-5 (“As stated . . .”); and
- (21) P. 23 at table and including cites to Ex. 1001 at 6:1-6, Ex. 1005 at 5:6-8 and 5:22-25, and Ex. 1006 at 2:9-14.

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Respectfully submitted,

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Lead Counsel for Patent Owner

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **Patent Owner's Listing of New Arguments and Evidence in Petitioner's Reply** was served on August 2, 2017, via email to counsel for Petitioner at the following:

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