

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

APPLE, INC., MICROSOFT CORPORATION, MICROSOFT MOBILE
OY, AND MICROSOFT MOBILE INC.,
Petitioners,

V.

EVOLVED WIRELESS, LLC,
Patent Owner

Case IPR2016-01208
Patent 7,746,916

**PATENT OWNER'S PRELIMINARY RESPONSE TO
PETITIONERS' PETITION FOR INTER PARTES REVIEW OF
UNITED STATES PATENT NO. 7,746,916**

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Pursuant to 37 C.F.R. § 42.107, Patent Owner Evolved Wireless, LLC submits this Preliminary Response to the above-captioned Petition for *Inter Partes* Review of U.S. Patent No. 7,746,916 (the “’916” Patent) (“Pet.,” Paper 2).

I. INTRODUCTION

The present Petition should be denied because it fails to establish a reasonable likelihood that Petitioners would prevail with respect to any claim challenged in the Petition. The challenged ’916 Patent claims relate to a method and apparatus for generating code sequences in a wireless communication system. The independent claims recite three key aspects of the invention: first, base sequences are generated from a code sequence of a prime number length that is the greatest prime number smaller than a desired length; second, the base sequences are cyclically extended to reach the desired length; and third, the cyclically extended code sequences are circularly shifted. Dependent claims 4 and 9 specifically claim an embodiment of the invention wherein the base sequences are Zadoff-Chu code sequences.

The Petition asserts five Grounds. All Grounds rely on a primary reference, Zhuang327, that fails to disclose performing a circular shift on “the code sequence having the second length” as required by the plain meaning of the claims. Grounds 1a-1c of the Petition accordingly should be denied because they all rely on Zhuang327 alone to disclose this limitation.

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