Filed on behalf of TQ Delta, LLC

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

DISH NETWORK L.L.C., Petitioner,

v.

TQ DELTA, LLC, Patent Owner.

Case IPR2016-01469 Patent No. 9,094,268

PATENT OWNER'S RESPONSE

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		3. "Parameter Associated with the Full Power Mode"	
VI.	PET THE	TIONER HAS FAILED TO SHOW THAT THE CLAIMS OF '268 PATENT ARE UNPATENTABLE	
	A.	Petitioner Has Failed To Establish That the Combination of Bowie, 1995 ADSL Standard, and Morelli Would " <i>Receive[]</i> <i>Data During the Low Power Mode</i> " or that " <i>the Receiver</i> <i>Portion Remains in the Full Power Mode</i> " While the Transmitter Enters Low Power Mode (All Claims)	

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	1.	Morelli Does Not Provide Enabling Disclosure of Keeping a Receiver in <i>"Full Power Mode"</i> During a Transmitter's Sleep Mode, Much Less Any Disclosure that the Receiver <i>"Receives Data"</i> In Such a Mode	
	2.	Bowie Teaches Away From Petitioner's Proposed Combination with Morelli	
B.	Petitie ADS Sync	oner Failed To Establish That Bowie, Morelli, and the 1995 L Standard Render Obvious " <i>Maintaining</i> <i>hronization</i> " During Low Power Mode (Claims 2, 12)39	
	1.	None of the References Teach the Type of Synchronization Required by the '268 Patent—Morelli's "Synchronization Bits" In a Wireless Multi-Point System Are Not Compatible with Bowie or the 1995 ADSL Standard	
	2.	None of the Cited References Teach "Maintaining Synchronization"	
	3.	Petitioner Failed To Provide Any Non-Conclusory or Non-Hindsight Explanation as To Why or How A POSITA Would Have Combined Morelli's Synchronization with the Bowie Device	
	4.	Modifying Bowie to Maintain Synchronization in the Low Power Mode As Petitioner Proposes Would Render Bowie Inoperable For Its Intended Use	
C.	Petitie Powe Full (Clai	Petitioner Fails To Establish That "Storing, During the Low Power Mode, At Least One Parameter Associated With [a / the] Full Power Mode" Was Obvious Over Bowie and Morelli (Claims 4, 14)	
	1.	Neither Bowie nor Morelli Disclose This Limitation50	
	2.	Storing Parameters Associated with the Full Power Mode Parameters Would Have Been Useless and Incompatible in Bowie	

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VII.

3.	Bowie Would Have Led A POSITA Away From Storing	
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TABLE OF EXHIBITS

Exhibit 2012	Declaration of Douglas A. Chrissan, Ph.D. for Inter Partes Review No. IPR2016-01469
Exhibit 2013	May 3, 2017 Deposition Transcript of Hoarty (IPR2016-01469)
Exhibit 2014	IEEE 100 The Authoritative Dictionary of IEEE Standards Terms, Seventh Edition
Exhibit 2015	Curriculum Vitae of Douglas A. Chrissan, Ph.D.
Exhibit 2016	Merriam Webster Dictionary (10 th ed. 2001) at p. 700
Exhibit 2017	Dictionary of Networking, Third Ed. (1999) at p. 360

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