

Filed on behalf of Cellular Communications Equipment 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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APPLE INC.,  
Petitioner,

v.

CELLULAR COMMUNICATIONS EQUIPMENT LLC,  
Patent Owner.

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Case IPR2016-01493  
U.S. Patent No. 8,457,676

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**PATENT OWNER'S RESPONSE TO PETITION FOR INTER PARTES  
REVIEW OF U.S. PATENT NO. 8,457,676**

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U.S. Patent & Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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C. Fong In View of Ericsson and in Further View of Bark Does Not  
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1. Dr. Haas fails to establish that it would have been obvious to  
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**PATENT OWNER'S EXHIBIT LIST**

<b>Exhibit No.</b>	<b>Description</b>
2001	Excerpts from <i>LTE - The UMTS Long Term Evolution: From Theory to Practice</i> , Stefania Sesia, Issam Toufik, Matthew Baker, John Wiley & Sons, 2011
2002	Excerpts from <i>UMTS Networks: Architecture, Mobility and Services</i> , Heikki Kaaranen, John Wiley & Sons, 2005
2003	Excerpts from <i>Fundamentals of LTE</i> , Arunabha Ghosh, Jun Zhang, Jeffrey G. Andrews, Rias Muhamed, Prentice Hall, 2010
2004	3GPP2 C.S0001-D_v1.0_031504
2005	EX. 2005 - Analyzing W-CDMA Performance During Compressed-Mode Handovers
2006	Haas Deposition Transcript
2007	Declaration of Dr. Jay P Kesan

## I. INTRODUCTION

Patent Owner Cellular Communications Equipment LLC (“CCE” or “Patent Owner”) hereby files this response (“Response”) to the Petition (Paper 1) (the “Petition”) for *Inter Partes* Review of U.S. Patent No. 8,457,676 (Ex. 1001) (the “’676 Patent”) in IPR2016-011493 filed by Apple, Inc. (“Apple” or “Petitioner”) on the grounds instituted for trial by the Decision (Paper 7) of the Patent Trial and Appeal Board.

“In an *inter partes* review instituted under this chapter, the petitioner shall have the burden of proving a proposition of unpatentability by a preponderance of the evidence.” 35 U.S.C. § 316(e). Petitioner has failed to carry that burden for the reasons outlined below.

In its Institution Decision, the Board instituted trial on Petitioner’s challenges to claims 1, 3, 19, and 21 based on the following grounds of unpatentability:

- Obviousness under 35 U.S.C. 103(a) of claims 1 and 19 of the ’676 patent in view of U.S. Patent App. Pub. No. 2004/0223455 A1 (“Fong”) in further view of R2-052744, FILTERING FOR UE POWER HEADROOM MEASUREMENT, 3GPP RAN WG2 #49 MEETING, SEOUL, KOREA, NOVEMBER 2, 2005 (“Ericsson”).
- Obviousness under 35 U.S.C. 103(a) of claims 3 and 21 of the ’676 patent in view of the combination of Fong, Ericsson, and U.S. Patent

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