

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

ARRIS GROUP, INC.,
Petitioner,

ARUBA NETWORKS, INC.,
HEWLETT PACKARD ENTERPRISE COMPANY, and HP, INC.,
Petitioner,

v.

MOBILE TELECOMMUNICATIONS TECHNOLOGIES, LLC,
Patent Owner.

Case IPR2016-00765 (Patent 5,915,210)
Case IPR2016-00769 (Patent 5,915,210)¹

Before MEREDITH C. PETRAVICK, SCOTT A. DANIELS, and
MIRIAM L. QUINN, *Administrative Patent Judges*.

PETRAVICK, *Administrative Patent Judge*.

DECISION
Decision Denying Institution of *Inter Partes* Review
37 C.F.R. § 42.108

¹ The dispositive issue is the same in each of the proceedings listed above.
We, therefore, issue one Decision to be filed in each proceeding.

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I. INTRODUCTION

A. Background

Petitioner, ARRIS Group, Inc., filed a Petition to institute an *inter partes* review of U.S. Patent No. 5,915,210 (“the ’210 patent”). Paper 1² (“Pet.”). Petitioners, Aruba Networks, Inc., Hewlett Packard Enterprise Company, and HP, Inc., filed a nearly identical Petition to institute an *inter partes* review of the ’210 patent. ARRIS Group, Inc., Aruba Networks, Inc., Hewlett Packard Enterprise Company, and HP, Inc. (collectively, “Petitioners”) challenge the patentability claims 1, 7, 8, 10, 15–17, and 19 of the ’210 patent. Pet. 1. In response, Mobile Telecommunications Technologies, LLC (“Patent Owner”), timely filed a substantially identical Preliminary Response in both proceedings. Paper 14 (“Prelim. Resp.”).

We have authority to determine whether to institute an *inter partes* review under 35 U.S.C. § 314 and 37 C.F.R. § 42.4(a). Upon consideration of the analysis and evidence in the Petitions and the Preliminary Responses, we determine that Petitioners fail to establish a reasonable likelihood of prevailing on any of claims challenged in the Petitions. Accordingly, we do not institute an *inter partes* review of claims 1, 7, 8, 10, 15–17, and 19 of the ’210 patent.

B. Additional Proceedings

Both parties indicate that the ’210 patent is the subject of numerous district court proceedings. Pet. 1–2; Paper 8, 2–4.

In addition, both parties also indicate that the ’210 patent was the subject of numerous *inter partes* review proceedings. Pet. 2–3; Paper 8, 4.

² Unless otherwise indicated, citations are to IPR2015-00765.

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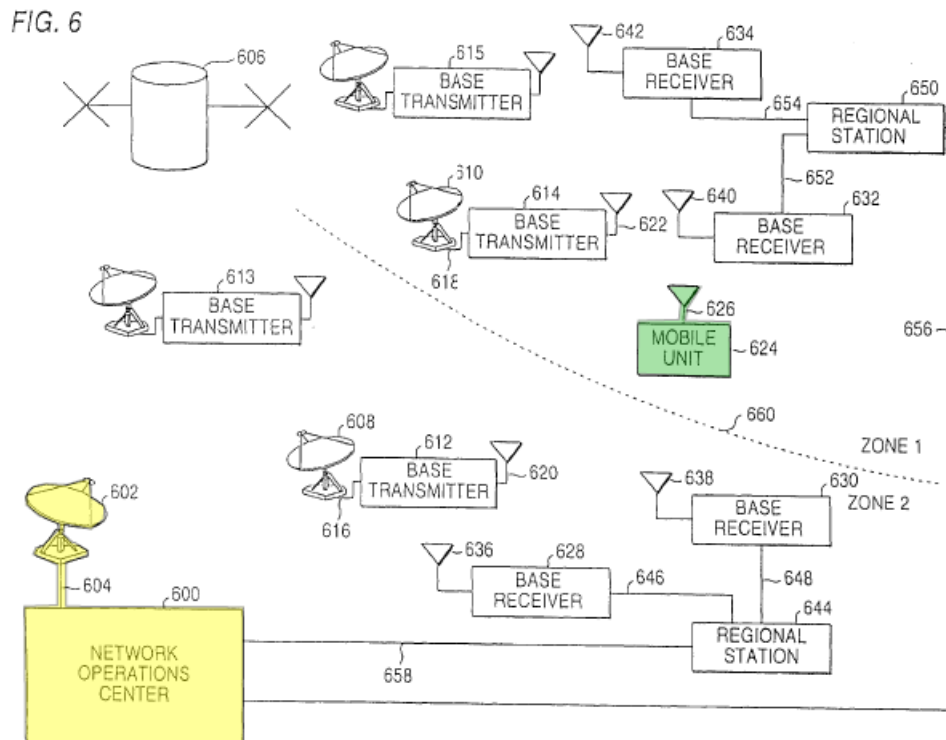
The following *inter partes* review proceedings were all terminated pursuant to settlement agreements between the respective parties: *Apple Inc. v.*

Mobile Telecommunications Technologies, LLC, Case IPR2014-01036 (PTAB June 27, 2014); *T-Mobile USA Inc. v. Mobile Telecommunications Technologies, LLC*, Case IPR2015-00015 (PTAB filed Oct. 3, 2014), and *Samsung Electronics Co., Ltd. V. Mobile Telecommunications Technologies, LLC*, Case IPR2015-01724 (PTAB filed Aug. 13, 2015). Institution was denied in *Samsung Electronics Co., Ltd. V. Mobile Telecommunications Technologies, LLC*, Case IPR2015-01725 (PTAB filed Aug. 13, 2015).

C. The '210 Patent

The '210 patent (Ex. 1001), titled “Method and System for Providing Multicarrier Simulcast Transmission,” describes a system for two-way communication between a network operations center and a mobile device located somewhere in a wide geographic region. Ex. 1001, Abstract. The '210 patent explains that an important aspect of the invention is to “provide a communication system with wide area coverage and high message throughput while minimizing frequency bandwidth usage.” *Id.* at 4:46–48.

Annotated Figure 6 of the '210 patent, reproduced below, illustrates the major components of the communication system for sending a data signal between networks operation center 600, highlighted in yellow, and mobile unit 624, highlighted in green. *Id.* at 8:46–48.



Annotated Figure 6 is a schematic diagram of a communication system.

As depicted by Figure 6 of the '210 patent, above, the communication system provides network operations center 600 connected to satellite uplink 602, which in turn, provides data to satellite 606. *Id.* at 8:48–51. Satellite 606 communicates the received data to several satellite downlink stations 608, 610. *Id.* at 8:52–53. Satellite downlink stations 608, 610 send the data signal to geographically spaced apart base transmitters 612, 614 which emit the signal via antennas 620 and 622, respectively, in different geographic defined regions, i.e., “zones,” for reception by mobile unit 624. *Id.* at 8:62–9:5. Dash line 660 indicates the boundary between zones 1 and 2, and each zone may include additional base transmitters 613, 615, respectively, as shown in Figure 6. *Id.* at 8:62–9:56. Mobile unit 624, shown in zone 1, is a

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portable communication device, for instance, a pager, and can both receive and transmit a signal. *Id.* at 9:6–11.

Observing Figure 6 of the '210 patent, above, in one embodiment of the invention base transmitters 612, 614 receive a data signal from satellite 606 via down link stations 608, 610, and then transmit the same data signal at the same time, i.e., in simulcast, in both zones 1 and 2, to be received by mobile unit 624. *Id.* at 10:35–41. The '210 patent explains that this method is “useful to deliver the message if, for example, the location of mobile unit 624 in zone 1 or zone 2 is *unknown* and broad coverage is desired.” *Id.* at 10:41–44 (emphasis added). In another embodiment, if for instance the location of mobile unit 624 is *known* to be in zone 1, base transmitter 614 transmits a data signal within zone 1, and at the same time, base transmitter 612 can transmit different data for a different mobile unit within zone 2 to “increase information throughput and system efficiency.” *Id.* at 10:45–59.

D. Illustrative Claim

Claims 1, 10, and 19 are independent. Claim 1 illustrates the subject matter at issue and is reproduced below:

1. A multi-carrier simulcast transmission system for transmitting

in a desired frequency band at least one message contained in an information signal, the system comprising:

a first transmitter configured to transmit a first plurality of carrier signals within the desired frequency band, each of the first plurality of carrier signals representing a portion of the information signal substantially not represented by others of the first plurality of carrier signals; and

a second transmitter, spatially separated from the first transmitter, configured to transmit a second plurality of carrier

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