

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

INTEL CORPORATION,
Petitioner,

v.

QUALCOMM, INC.,
Patent Owner.

Case IPR2018-01152
Patent 8,698,558 B2

Before TREVOR M. JEFFERSON, DANIEL N. FISHMAN, and
SCOTT B. HOWARD, *Administrative Patent Judges*.

JEFFERSON, *Administrative Patent Judge*.

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

I. INTRODUCTION

Intel Corporation (“Petitioner”) requests *inter partes* review of claims 12–14 of U.S. Patent No. 8,698,558 B2 (“the ’558 patent,” Ex. 1001) pursuant to 35 U.S.C. §§ 311 *et seq.* Paper 2 (“Petition” or “Pet.”). Qualcomm Incorporated (“Patent Owner”) filed a Preliminary Response. Paper 8 (“Prelim. Resp.”). We have jurisdiction under 35 U.S.C. § 314(a).

Institution of an *inter partes* review is authorized by statute when “the information presented in the petition . . . and any response . . . shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.” 35 U.S.C. § 314(a). Upon consideration of the Petition and Patent Owner’s Preliminary Response, we conclude the information presented shows there is a reasonable likelihood that Petitioner would prevail in establishing the unpatentability of claims 12–14 of the ’558 patent.

A. Related Proceedings

Apple Inc. is identified as an additional real party-in-interest. Pet. 2. The parties inform us that the ’558 patent is presently asserted against Petitioner in the litigation *Qualcomm Inc. v. Apple Inc.*, Case No. 3:17-cv-01375-DMS-MDD (S.D. Cal.) and against Apple in a proceeding before the International Trade Commission (“ITC”) captioned *In the Matter of Certain Mobile Elec. Devices and Radio Frequency Components Thereof*, Inv. No. 337-TA-1065. Pet. 2; Paper 6, 2. The parties also inform us that additional claims of the ’558 patent are at issue in related *inter partes* reviews, specifically claims 1–9 of the 558 patent in IPR2018-01153, claims 15–20 of

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the '558 patent in IPR2018-01554, and claims 10 and 11 in IPR2019-01240.
Pet. 2–3; Paper 6, 2.

B. The '558 Patent

The '558 patent is titled, “Low-Voltage Power-Efficient Envelope Tracker” and discloses “[t]echniques for efficiently generating a power supply for a power amplifier” used in communication system transmitters.

Ex. 1001, 1:30–31, [54]. The '558 patent discloses that

transmitter typically includes a power amplifier (PA) to provide high transmit power for the output RF signal. The power amplifier should be able to provide high output power and have high power-added efficiency (PAE). Furthermore, the power amplifier may be required to have good performance and high PAE even with a low battery voltage.

Id. at 1:21–26. The '558 patent also discloses that the power amplifier apparatus may include: (1) in one embodiment, an envelope amplifier and a boost converter; (2) in a second embodiment, a switcher, an envelope amplifier, and a power amplifier; or (3) in a third embodiment, a switcher that may sense an input current and generate a switching signal to charge and discharge an inductor providing a supply current. *Id.* at 1:31–34; 1:51–52; 1:66–2:2.

Figure 3, below, shows an exemplary switcher and envelope amplifier. *Id.* at 4:39–42.

inductor 120 provides stored energy to power amplifier 130 during the OFF state of the switcher circuit. In the ON state, the switcher is joined with the current from the envelope amplifier 170a (I_{env}) to provide a combined current (I_{pa}) to PA 130. *See Id.* at 3:21–27.

The '558 patent also discloses another embodiment for switcher circuit of Figure 3—specifically a switcher that uses offset current to lower the I_{sen} current from the current sensor, keeping the switcher in the ON state for a longer time and producing a larger I_{ind} current provided to power amplifier 130. *Id.* at 7:5–48, Figure 5.

C. Illustrative Claims

Claims 12–14 are illustrative and reproduced below (Ex. 1001, 12:51–13:18).¹

12. An apparatus comprising:
 - a switcher operative to receive a first supply voltage and provide a first supply current;
 - an envelope amplifier operative to receive an envelope signal and provide a second supply current based on the envelope signal; and
 - a power amplifier operative to receive a total supply current comprising the first supply current and the second supply current, wherein the switcher comprises
 - a current sense amplifier operative to sense the first supply current, or the second supply current, or the total supply current and provide a sensed signal,
 - a driver operative to receive the sensed signal and provide a first control signal and a second control signal,

¹ Claim 12 is subject to a certificate of correction that deletes lines 57 through 59 of column 12 of the '558 patent, which recites “a power amplifier operative to receive an envelope signal and provide a second supply current based on the envelope signal.” Ex. 1021, Certificate of Correction. Pet. 46 n.4.

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