UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HTC Corporation, and HTC America, Inc., Petitioners

v.

INVT SPE, LLC Patent Owner

Case: IPR2018-01555 Patent No. 7,848,439

PATENT OWNER PRELIMINARY RESPONSE UNDER 35 U.S.C. § 313 AND 37 C.F.R. §42.107



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	The Petition Fails to Establish a Reasonable Likelihood the Challenged Claims are Obvious				
A		The Petition Fails to Demonstrate that the Proposed Combination Discloses (1) "Patterns for Selecting Subbands Constituting the Subband Groups," (2) "Subbands Selected Based on the Patterns Stored in the Pattern Storage Section," or Joint "Modulation and Coding Parameters" for an Entire "Subband Group" (Claim 1)			
		subbands	not disclose "store[d]" "patterns for selecting s" or selecting subbands "based on" "patterns for subbands."	35	



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		2.	Vijayan does not disclose "patterns for selecting subbands," selecting subbands "based on" "patterns for selecting subbands," or joint "modulation and coding parameters" for an entire subband group		
	B.	The Petition Fails to Demonstrate that <i>Li</i> or <i>Vijayan</i> Discloses a Mobile Device with "a Pattern Storage Section that Stores <i>in Advance</i> Patterns for Selecting Subbands Constituting the Subband Groups." 48			
		1.	Li fails to disclose "a pattern storage section that stores in advance patterns for selecting subbands constituting the subband groups."		
		2.	Vijayan likewise fails to disclose "a pattern storage section that stores in advance patterns for selecting subbands constituting the subband groups."		
	C.	The Petition Fails to Establish that a POSITA Would Combine <i>Li</i> with <i>Vijayan</i> to Achieve the Claimed Invention with a Reasonable Expectation of Success			
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