UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION, Petitioner,

v.

UNILOC 2017 LLC, Patent Owner.

IPR2019-01116
U.S. Patent No.: 7,016,676
Issued: March 21, 2006
Application No.: 10/089,959
Filed: August 8, 2001

Title: METHOD, NETWORK AND CONTROL STATION FOR THE TWO-WAY ALTERNATE CONTROL OF RADIO SYSTEMS OF DIFFERENT STANDARDS IN THE SAME FREQUENCY BAND

PETITION FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 7,016,676



TABLE OF CONTENTS

			Pa	age
LIST	OF E	XHIB	TTS	viii
MAN	NDAT	ORY N	NOTICES UNDER 37 C.F.R. § 42.8	X
		1.	Real Party-In-Interest (37 C.F.R. § 42.8 (b)(1))	X
		2.	Related Matters (37 C.F.R. § 42.8 (b)(2))	. xi
		3.	Lead And Back-Up Counsel (37 C.F.R. § 42.8 (b)(3)) And Service Information	xii
		4.	Proof Of Service (37 C.F.R. §§ 42.6 (e) And 42.105 (a))	xii
		5.	Fee For Inter Partes Review (37 C.F.R. § 42.15 (a))	xiii
		6.	Word Count Certification (37 C.F.R. § 42.24)	xiii
I.	SUM	IMAR	Y OF ARGUMENT	1
II.	GRO	UNDS	S FOR STANDING (37 C.F.R. § 42.104(a))	1
III.	IDENTIFICATION OF CHALLENGE AND RELIEF REQUESTED (37 C.F.R. § 42.104(b))			
	A.	Clair	ns For Which Review Is Requested (37 C.F.R. § 42.104(b)(1)).	2
	B.	Statu	atory Grounds For Challenge (37 C.F.R. § 42.104 (b)(2))	2
IV.	BAC	KGRO	OUND AND STATE OF THE ART	3
	A.	Appl	licant's Admitted Prior Art	3
		1.	Different Radio Interface Standards Operating In The Same Frequency Band Was Known	3
		2.	Using A Control Station To Moderate Network Traffic Was Known	7



		3.	"Switching" Frequency To Avoid Interference Was Known	7		
	B.	Sumr	mary Of The Prior Art To The '676 Patent	8		
V.	OVERVIEW OF THE '676 PATENT					
	A.	The '676 Patent's Specification9				
	B.	The Prosecution History14				
	C.	The Challenged Claims				
VI.	CLAIM CONSTRUCTION (37 C.F.R. § 42.104(b)(3))					
	A.	Level Of Skill In The Art				
	B.	Proposed Constructions				
		1.	(Claim 1) "Stations Which Operate In Accordance With A First Radio Interface Standard And/Or A Second Radio Interface Standard"	.20		
		2.	(Claim 1) "Renders The Frequency Band Available For Access By The Stations Working In Accordance With The Second Radio Interface Standard If Stations Working In Accordance With The First Radio Interface Standard Do Not Request Access To The Frequency Band"	.22		
		3.	(Claim 2) "Respective Duration" In Which The Stations Working In Accordance With The Second Radio Interface Standard Are Allowed To Utilize The Frequency Band	25		
VII.	EACH CHALLENGED CLAIM OF THE '676 PATENT IS UNPATENTABLE OVER THE CITED PRIOR ART (37 CFR § 42.104 (b)(4), 37 CFR § 42.104(b)(5))					
	A.		UND 1: CLAIMS 1 AND 2 OBVIOUS OVER HOMERF	26		
		1.	HomeRF: Wireless Networking For The Connected Home	.26		



		a)	Alternate Use Of The Same Frequency Band By Two Different Radio Interface Standards	.27
		b)	HomeRF Shows A Control Station Controlling Use Of The Same Frequency Band By Stations Using Different Radio Interface Standards	
		c)	HomeRF Shows The Control Station Granting First Radio Interface Standard Devices "Priority" Over Second Radio Interface Standard Devices	.32
		d)	HomeRF Shows Second Stations That Can Access The Same Frequency Band When First Stations Do Not "Request" It	.33
	2.	Clain	n 1 Is Obvious Over HomeRF	.39
	3.	Hom	eRF Shows The Added Limitations Of Claim 2	.46
В.			2: CLAIMS 1 AND 2 ARE OBVIOUS MERF IN VIEW OF HOMERF TUTORIAL	.46
	1.	Hom	eRF Tutorial	.47
		a)	HomeRF Tutorial Further Describes A Control Station Controlling Use Of The Same Frequency Band By Stations Using Different Radio Interface Standards	.47
		b)	HomeRF Tutorial Further Clarifies Granting Second Stations Access To The Common Frequency Band When First Stations Do Not "Request" It	.49
	2.	Moti	vation To Combine The HomeRF References	.51
	3.		n 1 Is Obvious Over eRF In View Of HomeRF Tutorial	.52



	4.	HomeRF In View Of HomeRF Tutorial Shows The Added Limitations Of Claim 255		
C.		JND 3: CLAIMS 1 AND 2 ARE OBVIOUS R HOMERF IN VIEW OF HOMERF LIAISON REPORT56		
	1.	HomeRF Liaison Report56		
		a) HomeRF Liaison Report Further Clarifies Granting Second Stations Access To The Common Frequency Band When First Stations Do Not "Request" It		
	2.	Motivation To Combine HomeRF Liaison Report, HomeRF58		
	3.	Claim 1 Is Obvious Over HomeRF In View Of HomeRF Liaison Report58		
	4.	HomeRF In View Of HomeRF Liaison Report Shows The Added Limitations Of Claim 260		
D.		JND 4: CLAIMS 1 AND 2 OBVIOUS OVER LANSFORD60		
	1.	U.S. Patent No. 6,937,158 ("Lansford")60		
		a) Lansford Shows A Protocol Method For Alternate Use Of The Same Frequency Band By Wireless Devices Using Different Wireless Communication Protocols61		
		b) Lansford Shows A Frequency Hopping "Controller" Transmission Device Controlling Use Of A Common Frequency Band By Additional Frequency Hopping Devices Using Different Communication Protocols61		
		c) Lansford Shows The Control Station Determining A Respective Duration For Stations To Utilize The Common Frequency Band67		
	2.	Claim 1 Is Obvious Over Lansford69		



DOCKET

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

