

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SAMSUNG ELECTRONICS CO., LTD.,

Petitioner,

v.

BELL NORTHERN RESEARCH, LLC,

Patent Owner.

Patent No. 7,039,435

**PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 7,039,435**

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EXHIBIT LIST

Exhibit	Description
1001	U.S. Pat. No. 7,039,435 to McDowell et al. (“the ’435 patent”)
1002	File History of the ’435 Patent
1003	Declaration of Dr. Jonathan Wells
1004	Certified English Translation of European Patent Publication EP 1091498 by Baiker (“Baiker”)
1005	U.S. Patent No. 6,456,856 to Werling (“Werling”)
1006	PCT Patent Publication WO 2002/05443 by Irvin (“Irvin”)
1007	U.S. Patent No. 6,018,646 to Myllymäki (“Myllymäki”)
1008	U.S. Pat. No. 5,390,338 to Bodin (“Bodin”)
1009	Joint Claim Construction Chart, Worksheet, and Hearing Statement in <i>Bell Northern Research, LLC, v. ZTE Corporation, ZTE (USA) Inc., and ZTE (TX), Inc.</i> (Case No. 3:18-cv-1786) (S.D. Cal.)
1010	U.S. Provisional Patent Application No. 09/612,034 by Irvin (“Irvin Provisional”)
1011	Michael Barr, <i>Programming Embedded Systems in C and C++</i> (O’Reilly & Associates, 1999)
1012	Rudolf F. Graf, <i>Modern Dictionary of Electronics</i> (Butterworth-Heinemann, 1999)
1013	Harry Newton, <i>Newton’s Telecom Dictionary</i> (Miller Freeman, Inc., 1999)
1014	Webster’s II New College Dictionary (Houghton Mifflin Co, 1999)
1015	Martin H. Weik, <i>Fiber Optics Standard Dictionary</i> (Chapman & Hall, 1997)
1016	European Patent Publication EP 1091498 (“Baiker”)
1017	Webster’s New World College Dictionary (Simon & Schuster, 1997)
1018	U.S. Patent No. 6,029,074 to Irvin (“Irvin ’074”)
1019	Defendants’ Joint Opening Claim Construction Brief in <i>Bell Northern Research, LLC, v. ZTE Corporation, ZTE (USA) Inc., and ZTE (TX), Inc.</i> (Case No. 3:18-cv-1786) (S.D. Cal.)
1020	Plaintiff’s Opening Claim Construction Brief in <i>Bell Northern Research, LLC, v. ZTE Corporation, ZTE (USA) Inc., and ZTE (TX), Inc.</i> (Case No. 3:18-cv-1786) (S.D. Cal.)

Exhibit	Description
1021	Supplemental Joint Claim Construction Hearing Statement Pursuant to P.L.R. 4.2 in <i>Bell Northern Research, LLC, v. ZTE Corporation, ZTE (USA) Inc., and ZTE (TX), Inc.</i> (Case No. 3:18-cv-1786) (S.D. Cal.)
1022	Defendants' Joint Responsive Claim Construction Brief in <i>Bell Northern Research, LLC v. ZTE Corporation, ZTE (USA) Inc., and ZTE (TX), Inc.</i> (Case No. 3:18-cv-1786) (S.D. Cal.)
1023	Plaintiff's Responsive Claim Construction Brief in <i>Bell Northern Research, LLC v. ZTE Corporation, ZTE (USA) Inc., and ZTE (TX), Inc.</i> (Case No. 3:18-cv-1786) (S.D. Cal.)
1024	Redline Comparison of this Petition and Petition filed in IPR2019-01365 ("ZTE IPR")
1025	Claim Construction Order and Order on Motions for Summary Judgment in <i>Bell Northern Research, LLC, v. ZTE Corporation, ZTE (USA) Inc., and ZTE (TX), Inc.</i> (Case No. 3:18-cv-1786) (S.D. Cal.)
1026	Transcript of June 20, 2019 Hearing in <i>Bell Northern Research, LLC, v. ZTE Corporation, ZTE (USA) Inc., and ZTE (TX), Inc.</i> (Case No. 3:18-cv-1786) (S.D. Cal.)
1027	Order on Request for Pre-Institution Stay of the Litigation (August 12, 2019) in <i>Bell Northern Research, LLC, v. ZTE Corporation, ZTE (USA) Inc., and ZTE (TX), Inc.</i> (Case No. 3:18-cv-1786) (S.D. Cal.)
1028	Order on Confirming Settlement and Setting Deadline to File Joint Motion for Dismissal (October 24, 2019) in <i>Bell Northern Research, LLC, v. Bell Northern Research, LLC, v. Huawei Technologies Co., Ltd. et al.</i> (Case No. 3:18-cv-1784) (S.D. Cal.)
1029	Claim Construction Order in <i>Bell Northern Research, LLC, v. LG Electronics, Inc. et al.</i> , (Case No. 3:18-cv-02864) (S.D. Cal.)

I. INTRODUCTION

Samsung Electronics Co., Ltd. (“Petitioner”) respectfully requests *inter partes* review of claim 8 of U.S. Patent No. 7,039,435 (“the ’435 patent”). This petition is substantially identical to the petition in *ZTE (USA), Inc. v. Bell Northern Research, LLC*, IPR2019-01365 (“the ZTE IPR” or “the ZTE proceeding”), which the Board instituted on February 11, 2020. The ZTE IPR challenged claims 1-3 and 6, but not claim 8. This petition addresses claim 8 based on the same grounds (i.e., based on the same prior art combinations) as grounds 1-5 in the ZTE IPR petition (claim 8 depends from claim 1) and excludes the analysis of claims 2-3 and 6 which are not challenged in this Petition. (*See* Ex. 1024, illustrating changes between the instant petition and the petition in IPR2019-01365.) Thus, the substantive difference between this petition and the ZTE IPR petition is the inclusion of the claim 8 challenge and its associated analysis. Because claim 8 depends from claim 1 Petitioner includes the same positions for claim 1 as presented in the ZTE IPR before addressing challenged claim 8.

II. MANDATORY NOTICES UNDER 37 C.F.R § 42.8(a)(1)

A. Real Party-In-Interest Under 37 C.F.R. § 42.8(b)(1)

The real parties-in-interest are Samsung Electronics America, Inc. and Samsung Electronics Co., Ltd.

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