

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Intel Corporation
Petitioner

v.

ParkerVision, Inc.
Patent Owner

Case IPR2020-01265
U.S. Patent No. 7,110,444

**PETITIONER'S SUPPLEMENTAL NOTICE
REGARDING CLAIM CONSTRUCTION**

Intel Corporation (“Petitioner”) submits this supplemental notice regarding the District Court’s October 22, 2021 Amended Claim Construction Order in a related district court litigation, *ParkerVision, Inc. v. Intel Corp.*, No. 6:20-cv-562-ADA (W.D. Tex.).¹

By way of background, Petitioner challenges claims 1, 3, and 5 of U.S. Patent No. 7,110,444 (“the ’444 patent”) in this instituted IPR.² Of those claims, ParkerVision, Inc. (“Patent Owner”) asserts claim 3 in a related litigation *ParkerVision, Inc. v. Intel Corp.*, No. 6:20-cv-108-ADA (W.D. Tex.) (“First Related Litigation”).³

On January 28, 2021, in the First Related Litigation, the Court construed “storage element” in asserted claim 3 of the ’444 patent as follows:

’444 Patent Claim Term	District Court’s Construction
“storage element” (claim 3)	“an element of an energy transfer system that stores non-negligible amounts of energy from an input electromagnetic signal”

ParkerVision v. Intel Corp., No. 6:20-cv-108-ADA (W.D. Tex.), D.I. 75 (Jan. 28, 2021) at 5; *see also* Paper No. 12 (providing Notice of this Claim Construction Order to the Board in this IPR2020-01265).

¹ The district court did not issue a written claim construction opinion.

² Patent Owner has stated that it intends to disclaim claims 1 and 5 of the ’444 patent. (POR at 1 n.1.)

³ Patent Owner also asserts claims 2 and 4 in the First Related litigation.

On July 22, 2021, in another separate, but related, litigation *ParkerVision, Inc. v. Intel Corp.*, No. 6:20-cv-562-ADA (W.D. Tex.) (“Second Related Litigation”), the Court construed a similar term—“storage module”—in the asserted claims of U.S. Patent No. 6,049,706 (“the ’706 patent”) to include “for driving a low impedance load”:

'706 Patent Claim Term	District Court’s Construction
“storage module” (claims 105, 114, 164, 175, 179, 186, 190)	“a module of an energy transfer system that stores non-negligible amounts of energy from an input electromagnetic signal for driving a low impedance load”

ParkerVision, Inc. v. Intel Corp., No. 6:20-cv-562-ADA (W.D. Tex.), D.I. 61 (July 22, 2021) at 2; *see also* Paper 21 at 16, n.4 (providing Notice of this Claim Construction Order to the Board in this IPR2020-01265); Ex. 1038 (same).

Recently, on October 22, 2021, in the Second Related Litigation, the Court amended *sua sponte* its construction of “storage module” in the asserted claims of the ’706 patent to delete the reference to “driving a low impedance load,” as noted below:

'706 Patent Claim Term	District Court’s Amended Construction
“storage module” (claims 105, 114, 164, 175, 179, 186, 190))	“a module of an energy transfer system that stores non-negligible amounts of energy from an input electromagnetic signal for driving a low impedance load ”

ParkerVision, Inc. v. Intel Corp., No. 6:20-cv-562-ADA (W.D. Tex.), D.I. 66 (Oct. 22, 2021) at 2. Now, the constructions of “storage element” and “storage module” in the First and Second Related Litigations are substantively identical.

Respectfully submitted,

/Grant K. Rowan/

Grant K. Rowan,
Reg. No. 41,278

CERTIFICATE OF SERVICE

I hereby certify that on October 26, 2021, I caused a true and correct copy of the foregoing materials:

- Petitioner's Supplemental Notice Regarding Claim Construction to be served via electronic mail on the following counsel of record for Patent Owner:

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