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UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE PATENT TRIAL AND APPEAL BOARD TCL INDUSTRIES HOLDINGS CO., LTD. AND HISENSE CO., LTD., and LG ELECTRONICS INC., Petitioners v. PARKERVISION, INC. Patent Owner

Case No. 2021IPR-00990¹ Patent No. 7,110,444

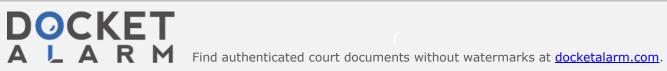
PETITIONERS' REPLY

¹ LG Electronics Inc., who filed a petition in IPR2022-00245, is joined as a petitioner in this proceeding.



TABLE OF CONTENTS

I.	IN'	TRO	DUCTION	1
II.	CL	AIM	CONSTRUCTION	2
	A.	"sto	rage element"	2
			ParkerVision's Proposed Construction Contradicts the Inventor's Lexicography	4
		2.	A Capacitor Used To Successfully Down-Convert a Signal Stores "Non-Negligible Energy"	5
		3.	Petitioners Do Not Rely On "New Evidence"	8
		4.	Dr. Steer's Unreliable Opinions Are Not Based on the Correct Construction of "Storage Element"	9
	B.	"wi	reless modem apparatus''	10
			ParkerVision Is Collaterally Estopped From Arguing that the Preamble is Limiting	
		2.	The Preamble Is Not Limiting	10
III.			RIOR ART DISCLOSES A "STORAGE ELEMENT"	
	A.	Gro	und 1: Tayloe Discloses "Storage Elements"	
		2.	If the Board Allows ParkerVision to Reargue the Issue, It Should Again Find that Tayloe's Capacitors are "Storage Elements"	
	B.	Gro	und 2: Lam and Enz Each Disclose "Storage Elements"	17
		1.	Lam Discloses "Storage Elements"	
		2.	Lam in View of Enz Discloses a "Storage Element"	20
IV.			LESS MODEM APPARATUS" IS NOT LIMITING AND IS	21
	A.		reless Modem Apparatus" is Not Limiting	
	B.	The	Board's Decision in IPR2020-01265 Applies to Claim 2, ich Has the Same Preamble as Claim 3	
	C.	Alte	ernatively, Wireless Modems Were Obvious	22
V.			ERVISION'S OTHER ARGUMENTS LACK MERIT	
v .	17			
		1.	Whether Enz Itself Down-Converts Largely Is Irrelevant	22



IPR2021-00990 Patent 7,110,444

	2.	The Voltage of Enz's Input Largely Is Irrelevant	24
		Lam is Not Limited to "High Frequency" Sampling	
		Enz Reduces a DC Offset Voltage	
		Whether Enz's Op-Amp Down Converts Is Irrelevant	
VI.	THE B	OARD ALREADY REJECTED PARKERVISIONS'	
	"SECO	NDARY CONSIDERATIONS" ARGUMENTS	27
VII	CONCI	LISION	28



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Page(s)
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Am. Med. Sys., Inc. v. Biolitec, Inc., 618 F.3d 1354 (Fed. Cir. 2010)
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TCL Industries Holdings Co., Ltd. and Hisense Co., Ltd. ("Petitioners") submit this Reply to the Patent Owner's ("ParkerVision") Response ("POR").

I. INTRODUCTION

The Board found claim 3 of obvious in IPR2020-01265. Ex. 2016. Except for the concluding "wherein" clause of each, claim 2 is identical to claim 3. Ex. 1021 at 49:8-50:21. In its POR, ParkerVision does not dispute that the prior art discloses and renders obvious the "wherein" clause of claim 2.² Accordingly, the Board should find claim 2 obvious for the same reasons that it found claim 3 obvious in IPR2020-01265.

ParkerVision nonetheless attempts to re-litigate issues already resolved by the Board in IPR2020-01265, including (i) the construction of "storage element" (which is recited in cancelled claim 3 and its dependent claim 4, but not in claim 2); (ii) whether Tayloe discloses a "storage element"; and (iii) alleged "secondary considerations." But ParkerVision is precluded from re-litigating those issues based on the Board's final decision. And to the extent that the Board considers such arguments, it should again reject them.

² ParkerVision's expert Dr. Michael Steer conceded on cross-examination that the prior art discloses under-sampling, which is the additional limitation of the "wherein" clause of claim 2. Ex. 1021 at 45:2-46:1.



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