

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

TCL INDUSTRIES HOLDINGS CO., HISENSE CO., LTD., AND
LG ELECTRONICS INC.

Petitioners

v.

PARKERVISION, INC.

Patent Owner

Case No. IPR2021-00990¹
Patent No. 7,110,444

**PETITIONERS' OPPOSITION TO PATENT OWNER'S MOTION TO
STRIKE PORTIONS OF PETITIONERS' REPLY**

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

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I. INTRODUCTION

The “exceptional remedy” of striking portions of the Reply is not warranted.

First, the Reply does not contain any “new theory.” Exactly like the Petition, it explains how certain prior art references disclose “storage” elements in the form of switched-capacitors used to down-convert an RF signal. This showing is consistent with, and more detailed than, ParkerVision’s own infringement argument, *i.e.*, that a “storage element” is simply “one or more capacitors.” Reply at 3 (citing Complaints).

ParkerVision attempted to narrow the claims to avoid prior art in the POR. Specifically, the POR newly argues that a capacitor is not a “storage” element unless its stored energy is more than some unspecified fraction of the “total available energy.” As would be expected, Petitioners’ Reply highlights the inconsistencies between ParkerVision’s positions (*i.e.*, those adopted during litigation versus its newfound position in the POR). Specifically, it shows that ParkerVision previously argued that energy merely “distinguishable from noise” is non-negligible. Reply at 5-9. And under that meaning, the lead inventor on the ’444 patent testified that when a circuit performs down-conversion that is “proof” that its storage element had non-negligible energy. *Id.* The Federal Circuit accepted ParkerVision’s position as to the meaning of “non-negligible.” *See id.*

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