

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Erik Dahlman et al.
U.S. Patent No.: 8,995,357 Attorney Docket No.: 50095-0060IP1
Issue Date: March 31, 2015
Appl. Serial No.: 12/664,347
Filing Date: April 10, 2008
Title: TRANSMISSION OF SYSTEM INFORMATION ON A
DOWNLINK SHARED CHANNEL

Mail Stop Patent Board

Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION FOR *INTER PARTES* REVIEW OF UNITED STATES PATENT
NO. 8,995,357 PURSUANT TO 35 U.S.C. §§ 311–319, 37 C.F.R. § 42**

TABLE OF CONTENTS

| | | |
|------|---|----|
| I. | REQUIREMENTS FOR IPR | 1 |
| | A. Grounds for Standing | 1 |
| | B. Challenge and Relief Requested..... | 1 |
| II. | THE '357 PATENT..... | 3 |
| | A. Brief Description | 3 |
| | B. Summary of the Prosecution History | 4 |
| | C. Level of Ordinary Skill in the Art | 5 |
| | D. Claim Construction..... | 5 |
| III. | THE CHALLENGED CLAIMS ARE UNPATENTABLE..... | 6 |
| | A. GROUND 1A: Claims 1-2, 9-10, 22, and 24 are obvious based on Lee-746, Lee-668, and R2-072183 | 6 |
| | 1. Overview of Lee-746..... | 6 |
| | 2. Overview of Lee-668..... | 7 |
| | 3. Overview of R2-072183 | 8 |
| | 4. Combination of Lee-746, Lee-668, and R2-072183 | 8 |
| | 5. Analysis | 23 |
| | B. GROUND 1B: Claims 3 and 23 are obvious based on Lee-746, Lee-668, R2-072183, and R2-071911 | 42 |
| | 1. Overview of R2-071911 | 42 |
| | 2. Combination of Lee-746, Lee-668, R2-072183, and R2-071911 | 42 |
| | 3. Reasons to Combine Lee-746, Lee-668, R2-072183, and R2-071911 | 43 |
| | 4. Analysis | 46 |
| | C. GROUND 1C: Claims 4 is obvious based on Lee-746, Lee-668, R2-072183, and Mukherjee | 47 |
| | 1. Overview of Mukherjee | 47 |
| | 2. Combination of Lee-746, Lee-668, R2-072183, and Mukherjee..... | 50 |
| | 3. Reasons to Combine Lee-746, Lee-668, R2-072183, and Mukherjee | 53 |
| | 4. Analysis | 56 |

| | |
|---|----|
| D. GROUND 1D: Claims 6 and 7 are obvious based on Lee-746, Lee-668, R2-072183, and Classon..... | 57 |
| 1. Overview of Classon | 57 |
| 2. Combination of Lee-746, Lee-668, R2-072183, and Classon | 58 |
| 3. Reasons to Combine Lee-746, Lee-668, R2-072183, and Classon | 59 |
| 4. Analysis | 61 |
| E. GROUND 1E: Claim 8 is obvious based on Lee-746, Lee-668, R2-072183, and R2-071762 | 61 |
| 1. Overview of R2-071762..... | 61 |
| 2. Combination of Lee-746, Lee-668, R2-072183, and R2-071762 | 63 |
| 3. Reasons to Combine Lee-746, Lee-668, R2-072183, and R2-071762 | 64 |
| 4. Analysis | 68 |
| F. GROUND 2A: Claims 12 and 17 are obvious based on Lee-746, R2-072183, and R2-071337 | 68 |
| 1. Overview of R2-071337..... | 68 |
| 2. Combination of Lee-746, R2-072183, and R2-071337 | 69 |
| 3. Reasons to Combine Lee-746, R2-072183, and R2-071337 | 71 |
| 4. Analysis | 74 |
| G. GROUND 2B: Claims 14-15 and 19-20 are obvious based on Lee-746, R2-072183, R2-071337, and Classon..... | 79 |
| 1. Combination and Reasons to Combine | 79 |
| 2. Analysis | 80 |
| H. GROUND 2C: Claims 16 and 21 are obvious based on Lee-746, R2-072183, R2-071337, and R2-071762 | 82 |
| IV. PAYMENT OF FEES – 37 C.F.R. §42.103..... | 83 |
| V. CONCLUSION..... | 83 |
| VI. MANDATORY NOTICES UNDER 37 C.F.R § 42.8(a)(1)..... | 83 |
| A. Real Party-In-Interest Under 37 C.F.R. § 42.8(b)(1) | 83 |
| B. Related Matters Under 37 C.F.R. § 42.8(b)(2)..... | 83 |
| C. Lead And Back-Up Counsel Under 37 C.F.R. § 42.8(b)(3) | 84 |
| D. Service Information | 84 |

EXHIBITS

- APPLE-1001 U.S. Patent No. 8,995,357 to Erik Dahlman et al. (“the ’357 patent”)
- APPLE-1002 Excerpts from the Prosecution History of the ’357 Patent (“the Prosecution History”)
- APPLE-1003 Declaration of Jonathan Wells, Ph.D., M.B.A.
- APPLE-1004 U.S. Patent Application Publication No. 2010/0167746 to Lee et al. (“Lee-746”)
- APPLE-1005 System Information, R2-072183, 3GPP TSG RAN WG2#58, 07-11 May 2007 (“R2-072183”)
- APPLE-1006 U.S. Patent Application Publication No. 2008/0285668 to Lee et al. (“Lee-668”)
- APPLE-1007 Scheduling of D-BCH, R2-071762, 3GPP TSG-RAN WG2 #58, 7-11 May 2007 (“R2-071762”)
- APPLE-1008 U.S. Patent Application No. 2008/0056198 to Charpentier et al.
- APPLE-1009 3rd Generation Partnership Project; Technical Specification Group Radio Access Network; Radio Interface Protocol Architecture (Release 7), 3GPP TS 25.301 V7.1.0 (2007-03)
- APPLE-1010 3rd Generation Partnership Project; Technical Specification Group GSM/EDGE Radio Access Network; Mobile radio interface layer 3 specification; Radio Resource Control (RRC) protocol (Release 7), 3GPP TS 44.018 V7.8.0 (2007-03)
- APPLE-1011 Downlink Model for HSDPA, TSGR1#19(01)0312, TSG-RAN Working Group 1 #19, February 26-March 2, 2001 (“TSGR1#19(01)0312”)

APPLE-1012 System information structure (with TP), R2-071911, 3GPP TSG-RAN WG2 Meeting #58, 7-11 May 2007 (“R2-071911”)

APPLE-1013 Variable TTI proposal for HSDPA, TSGR1#18(01)0079, TSG-RAN Working Group 1, January 15-19, 2001 (“TSGR1#18(01)0079”)

APPLE-1014 U.S. Patent Application Publication No. 2007/0263528 to Mukherjee (“Mukherjee”)

APPLE-1015 U.S. Patent Application Publication No. 2007/0064669 to Classon et al.

APPLE-1016 U.S. Patent Application Publication No. 2009/0209256 to Nakashima et al.

APPLE-1017 U.S. Patent Application Publication No. 2008/0298315 to Ihm et al.

APPLE-1018 System information scheduling and change notification, R2-071337, 3GPP TSG-RAN2 Meeting #57bis, 26th-30th March 2007 (“R2-071337”) (Resubmitted as R2-071912)

APPLE-1019-1034 RESERVED

APPLE-1035 Declaration of Friedhelm Rodermund

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.