

Paper No. ____

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COMMSCOPE TECHNOLOGIES LLC.
Petitioner

v.

DALI WIRELESS INC.
Patent Owner

Case IPR _____
U.S. Patent No. 10,080,178
Issued: September 18, 2018
Filed: July 29, 2016

**PETITION FOR *INTER PARTES* REVIEW OF U.S. PAT. NO. 10,080,178
UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. § 41.100 ET SEQ.**

Table of Contents

<u>Mandatory Notices</u>	iv
1. Real Parties-in-Interest	iv
2. Related Matters	iv
3. Lead and Back-Up Counsel	iv
4. Service Information	iv
<u>Preliminary Matters</u>	1
1. Standing	1
2. Identification of Challenge	1
3. Supporting Declaration.....	1
4. Fees	1
<u>Introduction</u>	2
<u>Summary of the Challenged Patent</u>	3
1. Distributed Antenna Systems	3
2. ‘178 Patent	3
3. Claims	4
<u>Summary of the Asserted Prior Art</u>	5
1. <u>Primary References</u>	5
A. “Wu”: U.S. Patent Application Pub. No. 2010/0128676.....	5
B. “Oh”: U.S. Patent No. 7,286,507	9
2. <u>Secondary References</u>	11
A. “Sabat ‘552”: U.S. Patent No. 6,963,552.....	11
B. “OBSAI Standard”	13
C. “CPRI Standard”	13
<u>PTAB Found Similar Claims to be Invalid</u>	13
<u>Claim Construction</u>	15
<u>Level of Ordinary Skill</u>	16

<u>Argument</u>	16
<u>Ground 1: Wu anticipates Claims 1-25</u>	16
A. Independent Claim 10	16
B. Independent Claim 1	25
C. Independent Claim 15	26
D. Dependent Claims 2-6, 16-18.....	27
E. Claim 7	29
F. Claims 8, 11, and 19	29
G. Claims 9, 20	31
H. Claim 12	31
I. Claim 13	33
J. Claim 14	34
K. Independent Claim 21	35
L. Dependent Claim 22.....	39
M. Dependent Claim 23.....	39
N. Dependent Claim 24.....	40
O. Dependent Claim 25.....	40
 <u>Ground 2: Claims 1-25 are obvious based on Wu or Wu in light of Sabat ‘426</u>	 41
 <u>Ground 3: Claims 8, 11, 19, 21, 23-25 are obvious based on Wu combined with the OBSAI Standard</u>	 43
 <u>Ground 4: Claims 8-9, 11, 19-25 are obvious based on Wu combined with the CPRI standard</u>	 43
 <u>Ground 5: Wu plus Sabat ‘552 renders Claims 26-30 obvious</u>	 44
A. Independent Claim 26	44
B. Claim 27	47
C. Claim 28	47
D. Claim 29	49
E. Claim 30	49
 <u>Ground 6: Oh anticipates Claims 1-8, 10-11, 13, 15-19, 21, 23-24</u>	 49
A. Independent Claim 10	49
B. Independent Claim 1	65
C. Independent Claim 15	66
D. Independent Claim 21	67

E.	Dependent Claims 2-6, 16-18.....	78
F.	Dependent Claims 7 and 24	80
G.	Dependent Claims 8, 11, 19	81
H.	Dependent Claim 13.....	81
I.	Dependent Claim 23.....	82
	<u>Ground 7: Oh + Wu renders obvious Claims 1-8, 10-11, 13,</u>	
	<u>15-19, 21, 23-24</u>	<u>83</u>
A.	Independent Claims 1, 10, 15, 21.....	83
B.	Dependent Claims 2-6, 16-18.....	85
C.	Dependent Claims 7 and 24	86
	<u>Regarding the Board’s Discretion.....</u>	<u>87</u>
	<u>Conclusion</u>	<u>89</u>
	<u>Claims Listing Appendix</u>	<u>A1</u>
	<u>Appendix B: Exhibit List</u>	<u>A7</u>

Mandatory Notices

1. Real Parties-in-Interest

CommScope Technologies LLC, CommScope, Inc. of North Carolina, CommScope, Inc, and CommScope Holding Company, Inc. are the real parties-in-interest.

2. Related Matters

The challenged patent was asserted against petitioner in a complaint in *Dali Wireless, Inc. v. CommScope Technologies LLC et al*, Case No. 1:19-cv-00952-MN (D. Del.). The complaint was served on August 16, 2019.

3. Lead and Back-Up Counsel

Lead Counsel	Backup Counsel
Philip P. Caspers, Reg. No. 33,227 Capella Tower, Suite 4200 225 South Sixth Street Minneapolis, MN 55402 pcaspers@carlsoncaspers.com Phone: 612.436.9617 Fax: 612.436.9605	Samuel A. Hamer, Reg. No. 46,754 Capella Tower, Suite 4200 225 South Sixth Street Minneapolis, MN 55402 shamer@carlsoncaspers.com Phone: 612.436.9615 Fax: 612.436.9605

4. Service Information

Please address all correspondence and service to both counsel listed above. Petitioner consents to service by email at the email addresses listed.

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.