

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

T-Mobile USA, Inc., AT&T Services Inc., AT&T Mobility LLC, AT&T Corporation, Cellco Partnership d/b/a Verizon Wireless, Nokia of America Corporation, Ericsson Inc.
Petitioners

v.

Cobblestone Wireless LLC
Patent Owner

Case IPR2023-00136
Patent 8,891,347

**PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 8,891,347**

TABLE OF CONTENTS

| | | |
|-------|---|----|
| I. | INTRODUCTION | 1 |
| II. | MANDATORY NOTICES | 2 |
| III. | STANDING UNDER 37 C.F.R. §42.104(a)..... | 4 |
| IV. | STATEMENT OF RELIEF REQUESTED | 5 |
| V. | PAYMENT OF FEES UNDER 37 C.F.R. § 42.103 | 5 |
| VI. | IDENTIFICATION OF CHALLENGE..... | 5 |
| VII. | BACKGROUND | 9 |
| | A. Person of Ordinary Skill in the Art | 9 |
| | B. The '347 Patent | 9 |
| | 1. Description of the '347 Patent's Specification | 9 |
| | 2. Claim Construction | 13 |
| VIII. | THE PRIOR ART..... | 16 |
| | A. Overview of Sesia (Ex. 1003) | 16 |
| | B. Motivation to Combine | 28 |
| IX. | GROUND OF REJECTION..... | 29 |
| | A. Ground 1: Sesia | 29 |
| | 1. Independent Claim 1 | 29 |
| | 2. Dependent Claim 2 | 45 |
| | 3. Dependent Claim 3 | 48 |
| | 4. Dependent Claim 4 | 50 |
| | 5. Dependent Claim 6 | 51 |
| | 6. Dependent Claim 7 | 53 |

***Inter Partes* Review of U.S. Patent No. 8,891,347**

| | | |
|------|--|----|
| 7. | Independent Claim 8 | 56 |
| 8. | Dependent Claim 9 | 57 |
| 9. | Dependent Claim 10 | 57 |
| 10. | Dependent Claim 11 | 58 |
| 11. | Dependent Claim 12 | 58 |
| 12. | Dependent Claim 14 | 59 |
| 13. | Independent Claim 15 | 59 |
| 14. | Dependent Claim 16 | 63 |
| 15. | Dependent Claim 17 | 63 |
| 16. | Independent Claim 19 | 63 |
| 17. | Dependent Claim 20 | 65 |
| 18. | Dependent Claim 21 | 65 |
| 19. | Dependent Claim 22 | 66 |
| 20. | Dependent Claim 23 | 66 |
| X. | THIS PETITION CONTAINS NEW ARGUMENTS AND PRIOR ART NOT PREVIOUSLY PRESENTED TO THE OFFICE | 66 |
| XI. | <i>FINTIV</i> FACTORS IN FAVOR OF INSTITUTION..... | 66 |
| XII. | CONCLUSION..... | 69 |

TABLE OF AUTHORITIES

| Cases | Page(s) |
|--|------------|
| <i>10x Genomics, Inc. v. Bio-Rad Labs., Inc.</i> , IPR2020-00086, Paper 8 (PTAB Apr. 27, 2020) | 13 |
| <i>Apple Inc. v. Fintiv, Inc.</i> , IPR2020-00019, Paper 11 (PTAB Mar. 20, 2020) | 66, 67, 69 |
| <i>Cobblestone Wireless, LLC v. AT&T Inc. et al</i> , No. 2:22-cv-00474 (E.D. Tex.)..... | 3 |
| <i>Cobblestone Wireless, LLC v. Samsung Electronics Co., Ltd. Et al</i> , No. 2:23-cv-00285 (E.D. Texas) | 3 |
| <i>Cobblestone Wireless, LLC v. T-Mobile USA, et al</i> . No. 2:22-cv-00477 (E.D. Tex.)..... | 3 |
| <i>Cobblestone Wireless, LLC v. Verizon Communications Inc., et al.</i> , No. 2:22-cv-00478 (E.D. Tex.)..... | 3 |
| <i>Comcast Cable Commn’s, LLC v. Rovi Guides, Inc.</i> , IPR2019-00231, Paper 14 (PTAB May 20, 2019) | 68 |
| <i>Dish Network v. Broadband iTV</i> , IPR2020-01280, Paper 17 (PTAB Feb. 4, 2021)..... | 67 |
| <i>Donnelly Distribution LLC v. Russo Trading Co., Inc.</i> , IPR2019-00761, Paper 8, 17-18 (PTAB Sept. 6, 2019) | 13 |
| <i>Jazz Pharm., Inc. v. Amneal Pharm., Inc.</i> , 895 F.3d 1347 (Fed. Cir. 2018) | 8 |
| <i>Phillips v. AWH Corp.</i> , 415 F.3d 1303 (Fed. Cir. 2005) (<i>en banc</i>) | 13 |
| <i>Sand Revolution II LLC v. Continental Intermodal Group-Trucking LLC</i> , IPR2019-01393, Paper 24 (PTAB June 16, 2020) | 68 |
| <i>VMWare, Inc. v. Intellectual Ventures I LLC</i> , No. IPR2020-00470, Paper 13 (P.T.A.B. Aug. 18, 2020)..... | 67 |

***Inter Partes* Review of U.S. Patent No. 8,891,347**

Voter Verified, Inc. v. Premier Election Sols., Inc.,
698 F.3d 1374 (Fed. Cir. 2012)8

Statutes

35 U.S.C. § 102(a)8
35 U.S.C § 1035
35 U.S.C. §301(a)(2).....13
35 U.S.C. § 314(a)66

Other Authorities

37 C.F.R. § 42.8(b)(1).....2
37 C.F.R. § 42.8(b)(2).....2
37 C.F.R. § 42.8(b)(3) and (b)(4).....3
37 C.F.R. § 42.100(b)13
MPEP § 21288

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.