

# Exhibit “J”

*Inter Partes* Review No.: Unassigned  
Petition For *Inter Partes* Review  
U.S. Patent No. 8,385,966

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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KYOCERA COMMUNICATIONS, INC.

Petitioner

v.

CELLULAR COMMUNICATIONS EQUIPMENT LLC

Patent Owner

Patent No. 8,385,966

Issue Date: February 26, 2013

Title: METHOD, APPARATUS AND COMPUTER PROGRAM FOR POWER  
CONTROL RELATED TO RANDOM ACCESS PROCEDURES

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*Inter Partes* Review No. Unassigned

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**PETITION FOR *INTER PARTES* REVIEW  
UNDER 35 U.S.C. §§ 311-319 AND 37 C.F.R. § 42.100 *ET. SEQ.***

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specification to see if it provides a definition for claim terms, but otherwise apply a broad interpretation.” In addition to this presumption, Petitioner provides a more detailed explanation of the broadest reasonable meaning of certain claim terms.

**i. “Initialize” or “initializing”**

The ‘966 patent recites “using a processor to initialize... a first power control adjustment state” (Claim 1), “initializing ... a first power control adjustment state” (Claim 9) and “initialize... a first power control adjustment state” (Claim 10). The term “initialize” or “initializing” in the ‘966 patent refers to calculating initial states (*See* 6:60-67). In particular, the ‘966 patent describes initializing power control states according to provided equations:

The UE **then initiates** the PC formula for PUSCH and PUCCH, or compensates open loop error, **according to the following equations**:

$$P_{0\_UE\_PUSCH} + f(0) = \Delta P_{PC} + \Delta P_{rampup} \quad [4a]$$

$$P_{0\_UE\_PUCCH} + g(0) = \Delta P_{PC} + \Delta P_{rampup} \quad [4b]$$

(6:60-67, emphasis added).

Thus, “initialize” as used in the claims of the ‘966 patent should be interpreted to mean calculate an initial state, *i.e.*, a state at time=0. (Ex. 1002, ¶[0044]).

**ii. “Open loop power control error” (Claims 1, 9, and 10)**

The ‘966 patent defines the phrase “open loop power control error” at 7:1-5 as being the “sum of the UE specific power control constants ( $P_{0\_UE\_PUSCH}$  or  $P_{0\_UE\_PUCCH}$ ) and the power control initial states ( $f(0)$  or  $g(0)$ ), ... taking into

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account the preamble power ramp-up.” (‘966 patent, 7:1-5). The ‘966 patent asserts that Equations [4a] and [4b] represent open loop power control error. (‘966 patent, 6:65-7:5). Specifically, the open loop power control error is represented by rewriting equation [4a] as  $\Delta P_{PC} = P_{0\_UE\_PUSCH} + f(0) - \Delta P_{rampup}$ . In this equation,  $\Delta P_{PC}$  represents open loop power control error as  $\Delta P_{PC}$  is the sum of the UE specific power control constant ( $P_{0\_UE\_PUSCH}$ ) and  $f(0)$  taking into account  $\Delta P_{rampup}$ . (Ex. 1002, ¶[0046]). “ $\Delta P_{PC}$  is here assumed to be the difference between the target preamble power and the power that eNB actually observes.” (‘966 patent, 7:5-7) Thus, “open loop power control error” as used in the claims of the ‘966 patent should be interpreted to mean a power control error that is the difference between a target power and an observed power. (Ex. 1002, ¶[0046]).

**iii. “Full path loss compensation” (Claims 1, 9, and 10)**

The phrase “full path loss compensation” refers to using an entire estimated path loss, which is in contrast to fractional path loss compensation that uses only a portion of the estimated path loss. (‘966 patent, 8:7-17 and 11:25-31). The power formulas of the ‘966 patent indicate full path loss compensation by setting alpha ( $\alpha$ ) equal to 1 (‘966 patent, 8:21-25). Thus, “full path loss compensation” as used in the claims of the ‘966 patent should be interpreted to mean using the entire estimate path loss. (Ex. 1002, ¶[0047]-[0048]).

**iv. “Preamble power” (Claims 1, 2, 5, 9-11, and 14)**

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The phrase “preamble power” as used in the claims of the ‘966 patent should be interpreted to mean the transmit power of a preamble that depends upon  $\Delta P_{\text{rampup}}$ . (‘966 patent, 6:18-26; 9:65-10:25; 10:49-60, Claim 5).

v. **“third message” (Claims 1, 2, 5, 9-11, and 14)**

The phrase “third message” as used in the claims of the ‘966 patent should be interpreted to mean a message transmitted by the user equipment after a successful transmission of a random access preamble. (Ex. 1002, ¶¶[0038]). “Message 3,” shown in Figure 1B, is an example of a third message. (‘966 patent, 8:7-17). Figure 1B depicts the contention based random access procedure from TS 36.300. (‘966 patent, 4:1-4; *See* TS 36.300, 10.1.5.1, p. 48).

vi. **“Initial transmit power” (Claims 1, 5, 8-10, 14, and 17)**

The phrase “initial transmit power” as used in the claims of the ‘966 patent should be interpreted to mean the transmit power of a message that depends upon “preamble power of a first message sent on an access channel and the second power control adjustment state  $f(0)$ .” (‘966 patent, Claims 1, 9, and 10; *See also* 6:18-26; 9:65-10:25; 10:49-60).

vii. **“depends” (Claims 1, 9, and 10)**

The phrase “depends” as used in the claims of the ‘966 patent should be interpreted to mean to be based on. (Ex. 1015; Ex. 1002, ¶¶[0073]-[0076]).

viii. **Ramp-up power” (Claims 1, 9, and 10)**

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