

## EXHIBIT 3

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
WACO DIVISION

PARKERVISION, INC.,

Plaintiff,

v.

INTEL CORPORATION,

Defendant.

Case No. 6:20-cv-00108-ADA

JURY TRIAL DEMANDED

**PLAINTIFF PARKERVISION'S  
REPLY CLAIM CONSTRUCTION BRIEF**

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## I. Introduction.

Intel continues to push its false narrative regarding the patented technology and fails to provide any basis as to why well-reasoned, prior court constructions of disputed terms are wrong. Tellingly, Intel purposefully avoids providing details as to how the patented technology actually works because this would expose the flaws in Intel’s constructions.

## II. ParkerVision’s description of the patented technology is accurate.

Intel attempts to create the false narrative, arguing that ParkerVision is trying to change what the patents-in-suit say about the patented technology. *See* D.I. 58 (“Intel. Resp. Br.”) at 2-5. With this narrative, Intel implies that ParkerVision’s description of the technology strays from the intrinsic evidence.<sup>1</sup> *Id.* Intel is wrong.

In particular, Intel points out that the patents-in-suit refer to “under-sampling systems” and “energy transfer systems.” Intel then complains that ParkerVision describes “under-sampling systems” as “voltage” sampling systems, and “energy transfer systems” as “energy” sampling systems. But that’s what they are.<sup>2</sup>

In particular, the patents-in-suit pertain to the use of *sampling* to *down-convert* a signal. Context is key here. Specifically, there are only two things that can be *sampled to down-convert* a signal: (1) voltage and (2) flow of energy over time (current). Ex. 1 ¶15 (“Steer Decl.”). Voltage is sampled by taking and holding input voltage values (using a “holding” module)<sup>3</sup>.

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<sup>1</sup> Intel asserts that it does not agree with other yet-to-be identified portions of ParkerVision’s technology description. Intel Resp. Br. at 5 n. 5. Yet, after two briefs and two expert declarations, Intel has still not fully explained the technology or how ParkerVision got it wrong.

<sup>2</sup> Intel’s assertion that the patents do not use the term “voltage” sampling or “energy” sampling is beside the point. *See* Intel Resp. Br. at 2.

<sup>3</sup> Contrary to Intel’s position, so-called “under-sampling systems” *are* “voltage” sampling systems. Indeed, when discussing “under-sampling systems,” the patents refer to a sample and hold system. A sample and hold system is a “voltage” sampling system because sample and hold systems use the change in discrete measurements in voltage to create a down-converted signal.’518 patent, 31:44-48 (“[T]he under-sample points 1905 correlate to voltage points 1908.

Current, which is the flow of electrons, is sampled by transferring and capturing energy over time (using a “storage” module). *Id.* As such, there are *only two* systems that can *sample to down-convert* a signal – the same two systems discussed in the patents-in-suit: (1) “voltage” sampling system (referred to in the patents as “under-sampling systems”) and (2) “energy” sampling system (referred to in the patents as “energy transfer” systems). *Id.* The patents-in-suit merely use “under-sampling systems” as a *naming convention* to connote “voltage” sampling systems and distinguish “voltage” sampling systems from “energy” sampling (energy transfer) systems. *Id.* at ¶16. This is the reason why ParkerVision’s description of the technology in its opening brief refers to “voltage” sampling systems and “energy” sampling systems. ParkerVision is not trying to change what the invention is; it is simply describing the technology.

### **III. Intel avoids providing this Court with a complete picture of the patented technology.**

There are complexities to the technology in this case. Unlike ParkerVision who explains specifically how the patented technology down-converts a radio frequency signal, Intel focuses on naming conventions and tries to avoid providing the Court with a complete picture of the technology. Notably, Intel presents the technology in drips and drabs – only so much as it believes necessary to push its narrative. This is no accident. With a proper understanding of the technology, Intel’s constructions do not withstand scrutiny.

Instead of focusing on important details, Intel makes broad pronouncements regarding the technology. *First*, Intel devotes significant pages in its briefs arguing that down-converting at an aliasing rate is “the” invention and, therefore, all claims in all of the patents must include the

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... [E]ach voltage point 1908 can be held at a relatively constant level until the next voltage point is received. This results in a stair-step output which can be smoothed or filtered if desired...”); *see also id.* at 32:41-48, 34:1-8; 34:66-35:6; 36:24-31; 37:19-26; 41:34-41; 42:38-45; 44:10-17; 45:13-20; 50:22-28; 51:61-67.

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