

EXHIBIT 32-8

EXHIBIT 7

IPR2020-01302
U.S. Patent No. 7,539,474
Patent Owner's Sur-Reply

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Intel Corporation
Petitioner

v.

ParkerVision, Inc.
Patent Owner

U.S. Patent No. 7,539,474

Issue Date: May 26, 2009

Title: DC OFFSET, RE-RADIATION, AND I/Q SOLUTIONS USING
UNIVERSAL FREQUENCY TRANSLATION TECHNOLOGY

Inter Partes Review No. IPR2020-01302

PATENT OWNER'S SUR-REPLY TO PETITIONER'S REPLY

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I. INTRODUCTION

In its Reply, Intel *abandons* its original invalidity theories and expressly concedes that the prior art references – Larson and Bulter – cited in the Petition do *not* invalidate the challenged claims of the '474 patent. Indeed, the parties agree that the '474 patent claims are directed to a down-conversion technique called *sampling* which is not taught or suggested by Intel's cited prior art. *See* Paper 23 ("Reply"), 13. ("Thus, assuming that the Board agrees with the parties that the remaining claims require down-conversion by *sampling*, Intel agrees that Larson and Butler do not invalidate those claims.")¹ For at least this reason, challenged claims 1, 3, 4, 7, and 9-11 of the '474 patent are not invalid.

Recognizing the deficiencies in its Petition, Intel now proclaims that "the claims are invalid because down-conversion by sampling—though not disclosed in Larson or Butler—was well known prior to the filing date of the '474 patent." *Id.*, 13. But Intel points only to "sample-and-hold (voltage sampling) solutions for down-conversion" as being well known. *Id.* As explained in Patent Owner's Response, the patent discusses two *fundamentally different and competing* technologies that down-convert by sampling: (1) energy transfer (energy sampling) and (2) sample and hold (voltage sampling). *See* Paper 16 ("POR"), 38. And the challenged claims are

¹ Unless otherwise noted, all emphasis has been added.

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