

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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CISCO SYSTEMS, INC., DISH NETWORK, LLC,  
COMCAST CABLE COMMUNICATIONS, LLC,  
COX COMMUNICATIONS, INC.,  
TIME WARNER CABLE ENTERPRISES LLC,  
VERIZON SERVICES CORP., and ARRIS GROUP, INC.,  
Petitioner,

v.

TQ DELTA, LLC,  
Patent Owner.

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Cases

IPR2016-01020 (Patent 9,014,243 B2)  
IPR2016-01021 (Patent 8,718,158 B2)<sup>1</sup>

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Before SALLY C. MEDLEY, TREVOR M. JEFFERSON, and,  
MATTHEW R. CLEMENTS, *Administrative Patent Judges*.

MEDLEY, *Administrative Patent Judge*.

DECISION

Dismissing Patent Owner's Motion for Additional Discovery  
*37 C.F.R. §§ 42.51(b)(2) and 42.71(a)*

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<sup>1</sup> DISH Network, L.L.C., Comcast Cable Communications, L.L.C., Cox Communications, Inc., Time Warner Cable Enterprises L.L.C., Verizon Services Corp., and ARRIS Group, Inc., have been joined in these proceedings.

IPR2016-01020 (Patent 9,014,243 B2)

IPR2016-01021 (Patent 8,718,158 B2)

TQ Delta, LLC (“Patent Owner”) filed a Motion for Additional Discovery in the above identified proceedings. Paper 34 (“Motion” or “Mot.”).<sup>2</sup> Cisco Systems, Inc. (“Petitioner”) filed an opposition. Paper 39. In each Motion, Patent Owner requests documents identified in Exhibit 2015. Mot. 1. Exhibit 2015 states the following:

Patent Owner requests that Petitioner, its expert Dr. Jose Tellado, and Petitioner’s IPR counsel produce a copy of each unique version of Matlab simulation code and simulation results (including any full or partial results) for an 18,000 foot loop, including without limitation the simulation code and results that Dr. Tellado testified about during his cross-examination on June 20, 2017. *See* Ex. 2013 at 45:23–47:18.

In our Final Written Decisions, entered concurrently with this Decision, we determine that we need not consider whether, and to what extent, Shively’s proposed system causes clipping. The discovery Patent Owner seeks is directed to the parties’ arguments with respect to whether, and to what extent, Shively’s proposed system causes clipping. Mot. 2–3. The requested discovery is moot in light of our Final Written Decisions.

Accordingly, it is

ORDERED that Patent Owner’s Motions for additional discovery in the above identified proceedings are *dismissed*.

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<sup>2</sup> Citations are to IPR2016-01021.

IPR2016-01020 (Patent 9,014,243 B2)

IPR2016-01021 (Patent 8,718,158 B2)

For PETITIONER:

David L. McCombs

Theodore M. Foster

Gregory P. Huh

HAYNES AND BOONE, LLP

david.mccombs.ipr@haynesboone.com

ipr.theo.foster@haynesboone.com

gregory.huh.ipr@haynesboone.com

For PATENT OWNER:

Peter J. McAndrews

Thomas J. Wimbiscus

Scott P. McBride

Christopher M. Scharff

Andrew Karp

McANDREWS, HELD & MALLOY, LTD.

pmcandrews@mcandrews-ip.com

twimbiscus@mcandrews-ip.com

smcbride@mcandrews-ip.com

cscharff@mcandrews-ip.com

akarp@mcandrews-ip.com