

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SONY CORPORATION  
Petitioner,

v.

BROADCOM CORPORATION,  
Patent Owner.

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*Inter Partes* Review No. IPR2017-00461

U.S. Patent No. 7,616,955 B2

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**PATENT OWNER BROADCOM CORPORATION'S PRELIMINARY  
RESPONSE UNDER 37 C.F.R. § 42.107 TO PETITION FOR *INTER  
PARTES* REVIEW OF U.S. PATENT NO. 7,616,955 B2**

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**LIST OF EXHIBITS**

1001	U.S. Patent No. 7,616,955 B2
1002	File History of U.S. Patent No. 7,616,955 B2
1003	Declaration of Dr. Tony Acampora
1004	U.S. Patent App. Pub. No. 2003/0043928 (“Ling”)
1005	U.S. Patent App. Pub. No. 2004/0141566 (“Kim”)
1006	Stüber et al., “Broadband MIMO-OFDM Wireless Communications,” 92 Proceedings of the IEEE 271 (2004)
1007	U.S. Patent App. No. 2003/0035491 (“Walton”)
1008	U.S. Patent No. 6,785,341

Patent Owner Broadcom Corporation ("Broadcom") hereby respectfully submits this Preliminary Response to the Petition seeking *inter partes* review in this matter. This filing is timely under 35 U.S.C. § 313 and 37 C.F.R. § 42.107(b), as it is being filed within three months of the January 6, 2017 mailing date of the Notice of Filing Date Accorded to Petition and Time for Filing Patent Owner Preliminary Response (Paper 7).

A trial should not be instituted in this matter as none of the references or combinations of references relied upon by Petitioners gives rise to a reasonable likelihood of Petitioners prevailing with respect to any challenged claim of U.S. Patent No. 7,616,955 B2 (the "'955 Patent").

## **I. INTRODUCTION**

The Petition for *Inter Partes* Review Case No. IPR2017-00461 (the "Petition") filed by Sony Corporation ("Petitioners") challenges the validity of Claims 1-30 of the '955 Patent. "The Director may not authorize an *inter partes* review to be instituted unless the Director determines that the information presented in the petition filed under section 311 ... shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged ...." 35 U.S.C. § 314(a). The Patent Trial and Appeal Board (the "Board") should not institute *inter partes* review of the '955 Patent because there is

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