### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Kari Pajukoski et al.

U.S. Patent No.: 8,121,082 Attorney Docket No.: 35548-0036IP1

Issue Date: February 21, 2012

Appl. Serial No.: 12/322,544

Filing Date: February 3, 2009

Title: DTX DETECTION WHEN ACK/NACK IS TRANSMIT-

TED WITH SCHEDULING REQUEST

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# PETITION FOR INTER PARTES REVIEW OF UNITED STATES PATENT NO. 8,121,082 PURSUANT TO 35 U.S.C. §§ 311–319, 37 C.F.R. § 42



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# **EXHIBITS**

HUAWEI-1001	U.S. Patent No. 8,121,082 to Pajukoski, et al. ("the '082 Patent")
HUAWEI-1002	Excerpts from the Prosecution History of the '082 Patent ("the Prosecution History")
HUAWEI-1003	Declaration of Dr. Bijan Jabbari
HUAWEI-1004	Curriculum Vitae of Dr. Bijan Jabbari
HUAWEI-1005	U.S. Patent No. 7,852,883 to Kwak et al. ("KwakPat883")
HUAWEI-1006	Prosecution History of KwakPat883
HUAWEI-1007	Prosecution History of Provisional Application No. 60/954,812 of KwakPat883 filed on Aug. 8, 2007
HUAWEI-1008	Certified English Translation of Provisional Application No. 60/954,812 of KwakPat883 ("KwakProv812")
HUAWEI-1009	Prosecution History of Provisional Application No. 60/979,860 of KwakPat883 filed on Oct. 14, 2007
HUAWEI-1010	Certified English Translation of Provisional Application No. 60/979,860 of KwakPat883 ("KwakProv860")
HUAWEI-1011	U.S. Patent Application Publication Number US 2005/0250540 to Ishii <i>et al.</i> ("Ishii")
HUAWEI-1012	U.S. Patent Application Publication Number US 2008/0316959 to Bachl et al. ("Bachl")
HUAWEI-1013	3GPP TSG-RAN WG1 Meeting #50, doc R1-073485, <i>Proposed Scheduling Request (SR) structure and multiplexing with PUCCH</i> (August 20-24, 2007), available as "R1-073485.zip" at <a href="http://www.3gpp.org/ftp/tsg_ran/WG1_RL1/TSGR1_50/Docs/">http://www.3gpp.org/ftp/tsg_ran/WG1_RL1/TSGR1_50/Docs/</a> (uploaded 8/15/2007 at 2:07 PM) ("LGE")
HUAWEI-1014	Declaration of Xiaoan Fan ("Fan_Decl.")
HUAWEI-1015	Exhibit No. 1004 of IPR2017-00591
HUAWEI-1016	U.S. Patent No. 8,094, 554 to Gholmieh et al. ("Gholmieh")
HUAWEI-1017	U.S. Patent No. 7,881,398 to Mujtaba et al. ("Mujtaba")



Attorney Docket No. 35548-0036IP1 IPR of U.S. Patent No. 8,121,082

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HUAWEI-1018	Frequently Asked Questions, available at http://web.ar-chive.org/web/20070630180057/http://www.3gpp.org:80/faq/faq_2005_2.htm ("3GPP FAQ")
HUAWEI-1019	3GPP Delegates Corner, <i>available at</i> http://web.ar-chive.org/web/20070702235036/http://www.3gpp.org:80/delegates/delegates.htm ("3GPP Delegates Corner")
HUAWEI-1020	3GPP Webpage, <i>available at</i> http://web.ar-chive.org/web/20070703092005/http://www.3gpp.org:80/About/about.htm ("About 3GPP")
HUAWEI-1021	Affidavit of Office Manager at the Internet Archive
HUAWEI-1022	Claim Construction Memorandum and Order, from Case No. 2:16-cv-0756-JRG-RSP E.D. Tex, May 24, 2017 (Markman Order).



Huawei Technologies Co. Ltd. ("Petitioner") petitions for *Inter Partes* Review ("IPR") of claims 1-3, 5, 7, 9-13, and 15-18 ("Challenged Claims") of U.S. Patent No. 8,121,082 ("'082 Patent").

# I. REQUIREMENTS FOR IPR

# A. Grounds for Standing

Petitioner certifies that the '082 Patent is available for IPR. This petition is being filed within one year of service of a complaint against Petitioner. Petitioner is not barred or estopped from requesting this review.

## B. Challenge and Relief Requested

Petitioner requests IPR on the grounds in the table below. These claims are unpatentable as provided below and in HUAWEI-1003, Declaration of Dr. Bijan Jabbari.



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