UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

MICROSOFT CORPORATION, APPLE INC., and ERICSSON INC., Petitioner,

v.

UNILOC 2017 LLC, Patent Owner.

IPR2019-00973¹ Patent 7,075,917

PETITIONER'S REPLY TO PATENT OWNER'S RESPONSE TO PETITION

¹ Apple Inc., who filed a petition in IPR2020-00224, has been joined as a petitioner in this proceeding. Ericsson Inc., who filed a petition in IPR2020-00315, has been joined as a petitioner in this proceeding.



TABLE OF CONTENTS

		Pag	şе
EXH	IBIT L	LISTi	V
I.	INTR	RODUCTION	.1
II.	LEV	EL OF ORDINARY SKILL IN THE ART ("POSITA")	.1
III. TR25.835 IS PRIOR ART		5.835 IS PRIOR ART	.1
	A.	Public Accessibility Turns On Whether Interested Members Of The Public Could Obtain The Information	.3
	B.	Critical Dates	4
	C.	The 3GPP Email Listserv, Email Archives, And FTP Site Were Open To All, And Provided Multiple Ways To Freely Access TR25.835 By September 2000	.5
IV.	A POSITA WOULD HAVE BEEN MOTIVATED AND ABLE TO IMPLEMENT THE TR25.835 FAST HARQ USING ABROL'S ABBREVIATED SEQUENCE NUMBERS (ELEMENT 1.3)		0
	A.	Abrol's Express Teaching To Use Its Improvement In W-CDMA Networks Is Dispositive As To Combinability1	1
	B.	Abrol's Ability To Handle Varying Channel Capacities Makes It Well-Suited For The TR25.835 Wireless Network	2
	C.	That Abrol Teaches Use Of Byte Sequence Numbers Would Not Have Discouraged A POSITA From Using Abrol's Abbreviated Sequence Numbers When Implementing The TR25.385 Network	
	D.	The POR's Other Arguments Do Not Change That A POSITA Would Have Been Motivated To Implement Abbreviated Sequence Numbers In the TR25.835 Network	7
V.	THE PHYSICAL LAYER IN TR25.835 TESTED FOR CORRECT RECEPTION OF CODED TRANSPORT BLOCKS (ELEMENT 1.5)20		0.
VI.	APJS	S ARE PROPERLY-APPOINTED AND CONSTITUTIONAL2	4



VII.	CONCLUSION	25
CER	TIFICATE OF COMPLIANCE WITH	
TYP	E-VOLUME LIMITATION PURSUANT TO 37 C.F.R. & 42.24	26



TABLE OF AUTHORITIES

	Pages
Cases	
Arthrex, Inc. v. Smith & Nephew, Inc., 953 F.3d 760 (Fed. Cir. March 23, 2020) (en banc)	24
In re Enhanced Sec. Research, LLC, 739 F.3d 1347 (Fed. Cir. 2014)	3
<i>In re Lister</i> , 583 F.3d 1307 (Fed. Cir. 2009)	3
Mahurkar v. C.R. Bard, Inc., 79 F.3d 1572 (Fed. Cir. 1996)	4
Natural Alternatives Int., Inc. v. Iancu, 904 F.3d 1375 (Fed. Cir. 2018)	5
PowerOasis, Inc. v. T-Mobile USA, Inc., 522 F.3d 1299 (Fed. Cir. 2008)	5
Samsung Elecs. Co. v. Infobridge Pte. Ltd., 929 F.3d 1363 (Fed. Cir. 2019)	3
Tech. Licensing Corp. v. Videotek, Inc., 545 F.3d 1316 (Fed. Cir. 2008)	4
Board Decisions	
Hulu, LLC v. Sound View Innovations, LLC, IPR2018-01039, Paper 29 (P.T.A.B. Dec. 20, 2019) (precedential).	4
Statutes	
35 U.S.C. § 102	3, 4, 9
35 U.S.C. 8 103	25



EXHIBIT LIST

LIST OF NEWLY-FILED EXHIBITS

Exhibits 1012-1033: Concurrently filed with Petitioner's Reply to Patent Owner's

Response to Petition:

No.	Description
1012	ETSI LISTSERV Archives List, showing publicly archived 3GPP listservs
1013	3GPP Structure and Contact (August 17, 2000 archive)
1014	3GPP Email Exploder/Discussion Lists (August 15, 2000 archive)
1015	ETSI 3GPP List Archives (August 24, 2000 archive)
1016	ETSI 3GPP List Archives (October 31, 2000 archive)
1017	ETSI 3GPP Listserv Subscription Page for 3GPP_TSG_RAN_WG2 (July 28, 2002 archive)
1018	3GPP Discussion Lists: How to Subscribe to E-mail Exploders (August 17, 2000 archive)
1019	September 25, 2000 3GPP email, as maintained in 3GPP_TSG_RAN_WG2 Archives
1020	September 13, 2000 3GPP email distributing TR 25.835 v1.0.0, as maintained in 3GPP_TSG_RAN_WG2 Archives
1021	TR25.385 v1.0.0, as attached to Ex. 1020 (September 13, 2000 email)
1022	September 15, 2000 3GPP email notification of upload of TR 25.835 v1.0.0 to ftp site, as maintained in 3GPP_TSG_RAN_WG2 Archives



DOCKET

Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.

