

**UNITED STATES PATENT AND TRADEMARK OFFICE**

---

**BEFORE THE PATENT TRIAL AND APPEAL BOARD**

---

DELL, INC.,  
ZTE (USA) INC.,  
and  
ZTE CORPORATION,  
*Petitioners*

v.

3G LICENSING S.A.,  
*Patent Owner*

---

Case IPR2020-1157  
Patent No. 7,274,933

---

**PATENT OWNER'S SUR-REPLY**

**Table of Contents**

**I. PATENT OWNER’S CLAIM CONSTRUCTION ALIGNS WITH THE SPECIFICATION AND FILE HISTORY .....1**

A. Petitioners Mistake Patent Owner’s Proposed Construction of “Home Networks” .....1

B. McElwain Does Not Disclose Multiple “Home Networks” In the Manner Contemplated by the ’933 Patent.....2

**II. THE 3GPP STANDARDS FAIL TO DISCLOSE THE USE OF MULTIPLE MCC/MNC PAIRS IN AN HPLMN LIST .....3**

**TABLE OF AUTHORITIES**

**Cases**

*In re NTP, Inc.*,  
654 F.3d 1279 (Fed. Cir. 2011) .....4

*KSR Int’l Co. v. Teleflex Inc.*,  
550 U.S. 398 (2007) .....4

*Ortho-McNeil Pharm. v. Mylan Labs*,  
520 F.3d 1358 (Fed. Cir. 2008) .....4

**TABLE OF EXHIBITS**

<b>Exhibit</b>	<b>Description</b>
2001	Declaration of Stu Lipoff in Support of Patent Owner

Patent Owner submits this sur-reply in response to issues raised in Petitioners' Reply, (Paper 10), as permitted by the Board's December 9, 2020 email.

**I. PATENT OWNER'S CLAIM CONSTRUCTION ALIGNS WITH THE SPECIFICATION AND FILE HISTORY**

**A. Petitioners Mistake Patent Owner's Proposed Construction of "Home Networks"**

Petitioners misunderstand Patent Owner's proposed construction of the term "home networks." In its Preliminary Response, Patent Owner proposed that the term "home network" be construed as "a network for which a user will not incur roaming charges when connected." (Paper 8 at 14.) This construction does not exclude any embodiment of the '933 patent. Patent Owner's construction of "home network" includes networks currently operated by a user's cellular provider, which would include networks recently acquired by that provider.

Patent Owner's arguments regarding the '933 patent's expansion of the definition of "home network" as it was known and used in the prior art, are unaffected by Petitioner's arguments. Unlike Petitioners' cited prior art, the '933 patent requires within the definition of "home networks" any networks with which a user's cellular provider has a contractual relationship, because the contractual relationship precludes the user from being charged a roaming fee for using those other networks. (Ex. 1001 at 2:1-19; Ex. 2001 at ¶ 41.) Petitioners' references

# 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.