

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NOKIA OF AMERICA CORPORATION, ERICSSON INC., AND
T-MOBILE USA, INC.
Petitioners

v.

GENERAL ACCESS SOLUTIONS, LTD.,
Patent Owner

Case No. IPR2023-01416

U.S. Patent No. 6,947,477

REPLY TO PATENT OWNER'S PRELIMINARY RESPONSE

TABLE OF EXHIBITS

Exhibit	Short Name	Description
Ex. 1001	'477 Patent	U.S. Patent No. 6,947,477
Ex. 1002	'477 File History	File History of U.S. Patent No. 6,947,477
Ex. 1003	van der Weide Declaration	Declaration of Daniel van der Weide, Ph.D.
Ex. 1004	van der Weide CV	Curriculum Vitae of Daniel van der Weide, Ph.D.
Ex. 1005	Genossar	U.S. Patent No. 6,643,321
Ex. 1006	WiMAX	IEEE 802.16.1 Draft Standard, "Air Interface for Fixed Broadband Wireless Access Systems"
Ex. 1007	Barratt '470	U.S. Patent No. 5,909,470
Ex. 1008	Barratt '490	U.S. Patent No. 5,592,490
Ex. 1009	PHS	Personal Handy Phone System, Association of Radio Industries and Businesses (ARIB) Standard, Version 2 (December 26, 1995)
Ex. 1010	Hall-Ellis Declaration	Declaration of Sylvia Hall-Ellis, Ph.D.
Ex. 1010-1	Hall-Ellis CV	Curriculum Vitae of Sylvia Hall-Ellis, Ph.D.
Ex. 1010-2	PHS MARC Record	MARC Record of Personal Handy Phone System, Association of Radio Industries and Business (ARIB) Standard, Version 2 (accessed October 8, 2023)
Ex. 1011	'477 Contentions	General Access Solutions' Disclosure of Initial Infringement Contentions Pursuant to P.R. 3-1 and 3-2, Exhibit B, "T-Mobile's Infringement of the '477 Patent"
Ex. 1012	Wang Article	Wang et al., "Forward Error-Correction Coding," Crosslink Magazine (published Winter 2001)

Exhibit	Short Name	Description
Ex. 1013	IBM Term Webpage	“Terms and Definitions,” IBM Cloud Object Storage System, IBM.com (first published June 15, 1999)
Ex. 1014	District Court DCO	Doc. No. 34, Docket Control Order, <i>General Access Solutions, Ltd. v. T-Mobile USA, Inc.</i> , Case No. 2:23-cv-00158 (E.D. Tex.)
Ex. 1015	Caseload	U.S. District Court – Judicial Caseload Profile (Sept. 2022)
Ex. 1016	Fundamentals of WiMAX	Jeffrey G. Andrews, Ph.D., et al., <i>Fundamentals of WiMAX: Understanding Broadband Wireless Networking</i> , Prentice Hall (published October 2007)

TABLE OF AUTHORITIES

Cases	Page(s)
<i>Sotera Wireless, Inc. v. Masimo Corp.</i> , IPR2020-01019, Paper 12 (PTAB Dec. 1, 2020)	4
<i>BMW of No. Am., LLC. V. Northstar Systems LLC</i> , IPR2023-01017, Paper 12 (PTAB Dec. 8, 2023)	5

Pursuant to the Board’s email dated February 15, 2024, Nokia of America Corporation, Ericsson Inc., and T-Mobile USA, Inc. (“Petitioners”) submit this Reply to Patent Owner’s Preliminary Response (Paper 8, “POPR”). Patent Owner manipulates Petitioners’ analysis of the Grounds, incorrectly inferring statements from the Petition that were never made, and contradicts its own infringement contentions in an effort to convince the Board that Petitioners’ references do not cover certain claim limitations. Patent Owner’s *Fintiv* case is no better, turning on the fact that “there are no ‘compelling merits’ because Petitioners’ asserted grounds for invalidity are particularly weak” and Petitioners “present[] no *Sotera* stipulation.” POPR, 35-36.

Patent Owner attacks Grounds 1 and 2 by arguing that “Genossar teaches that the alleged signal-related parameter and channel-related parameters are stored in *separate devices*,” while the ’477 Patent teaches a single profile parameter storage device. POPR, 2, 19-20 (emphasis added). Specifically, Patent Owner makes an unsupported leap, based solely on attorney argument, that the Petition alleges that the “equalizer coefficients” must be stored *in* equalizer controller 56 and the values of “carrier frequency offset” must be stored *in* PLL 66. POPR, 20 (emphasis added). Not true. Nowhere do Genossar or the Petition state that the channel-related parameters (e.g., equalizer coefficients) must be stored *within* equalizer controller

56 and similarly, that the signal-related parameters (e.g., carrier frequency offset) must be stored *within* PLL 66. Rather, like the '477 Patent, Genossar teaches the general process of determining and storing parameters for use in processing subsequently received signals. Ex. 1005, Abstract, 11:27-30 (“equalizer controller 56 of the present invention *stores* the values for the equalizer coefficients and then *reuses* these values as an initial estimate when a new signal is received” (emphasis added)), 11:62-64; Ex. 1003, ¶¶48-53. Therefore, Petitioners do not, and would not, argue that the parameters in Genossar are necessarily stored in separate devices. Instead, Petitioners have shown that Genossar, like the '477 Patent, discloses determining parameters and using a stored memory to store the parameters for reuse in subsequent bursts. Petition at 20; Ex. 1003, ¶77 (stating that Genossar teaches the values can generally be stored in a “stored memory”).

Regardless, Patent Owner’s argument that the “profile parameter storage device” *must* be a singular component is entirely contradicted by its own infringement contentions in *General Access Solutions Ltd. v. T-Mobile US, Inc. et al.*, Case No. 2:23-cv-00158-JRG-RSP (the “T-Mobile Litigation”), which the Petition cites throughout. Ex. 1011. For example, Patent Owner’s infringement contentions highlight six separate and individual blocks, or “memory modules” that may be utilized to “store the profiles within a T-Mobile 4G and 5G base station.” *Id.*

at 20-21. Even further, Patent Owner states that “[a]dditional memory modules, all of which are coupled to the profile parameter determiner, may *also* store profile related information.” *Id.* (emphasis added). It is evident from these admissions that Patent Owner doesn’t believe that the “profile parameter storage device” must be a singular component as it represents to the Board.

Patent Owner additionally argues that Petitioners “never assert in any Ground” that the prior art teaches a “profile parameter storage device” that is coupled to a “profile parameter determiner.” POPR, 1, 11-12. This is also false. As described in the Petition, the prior art shows coupling in this manner. For example, because Genossar discloses *storing* the parameters after *determining* the parameters, the component that determines the parameters is coupled to the component that stores the parameters for later use, otherwise such storage would not/could not occur. Petition, 20; Ex. 1003, ¶¶71, 77, 85, 91. Similarly, Barratt ’470 discloses *maintaining* (i.e., storing) and using values *obtained* (i.e., determined) from processing on a signal from a *previous frame*. *Id.* at 47-48. The components that obtain the values must be coupled to the components that maintain the values; to imply otherwise would be nonsensical and contrary to the teachings of the prior art.

Again, Patent Owner’s own infringement contentions contradict its argument. Patent Owner employs a similar reliance on the understanding that the determining

components would inherently be coupled to the storing components of a base station because the determined parameters are stored. Ex. 1011, 20 (“[the parameters] are stored in a profile parameter storage device (coupled to the profile parameter determiner) within the receiving station . . .”). Only in its POPR does Patent Owner now argue that such an understanding of one skilled in the art is insufficient to establish that these components are coupled to one another. Patent Owner’s inconsistent position should be disregarded.

Patent Owner’s arguments related to *Fintiv* are equally weak. As described above, Patent Owner misstates the “compelling merits.” Altogether, the compelling merits support institution. Petitioners additionally present a *Sotera* stipulation. Petitioners hereby stipulate that if the PTAB institutes an IPR in response to Petitioners’ Petition against General Access Solutions’ U.S. Patent No. 6,947,477 (IPR2023-01416), then T-Mobile, Ericsson, and Nokia will not pursue in the related district court litigation, *General Access Solutions Ltd. v. T-Mobile US, Inc. et al.*, Case No. 2:23-cv-00158-JRG-RSP, the grounds raised in this Petition for IPR or any other grounds that could have reasonably been raised before the PTAB in this proceeding. *Sotera Wireless, Inc. v. Masimo Corp.*, IPR2020-01019, Paper 12 (PTAB Dec. 1, 2020) (precedential as to § II.A). Such a stipulation prior to institution is entirely proper. *BMW of No. Am., LLC. V. Northstar Systems LLC*,

IPR2023-01017, Paper 12 at 10 (PTAB Dec. 8, 2023).

Thus, Petitioners respectfully request that the Board grant institution.

Date: February 29, 2024

By: / John D. Haynes /

John D. Haynes (Reg. No. 44,754)

CERTIFICATE OF SERVICE

Pursuant to 37 C.F.R. §§42.6(e), 42.105, the undersigned hereby certifies that true and correct copies of the above-captioned REPLY TO PATENT OWNER'S PRELIMINARY RESPONSE was served via electronic mail to the following attorneys of record for Patent Owner:

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