



Patent Owner's Oral Argument Presentation[†]

***AT&T Mobility LLC et al. v. Daingean Technologies Ltd.,
No. IPR2024-00402 re
U.S. Patent No. 10,841,958***

May 19, 2025

Before Christopher L. Ogden, Mary C. Hoffman, and Russell E. Cass
Administrative Patent Judges

Presented by Joshua Wyde,
Counsel for Patent Owner

EXHIBIT
DTL
2015

[†] DEMONSTRATIVE EXHIBIT—NOT EVIDENCE; All highlighting/annotation/emphasis added unless otherwise indicated

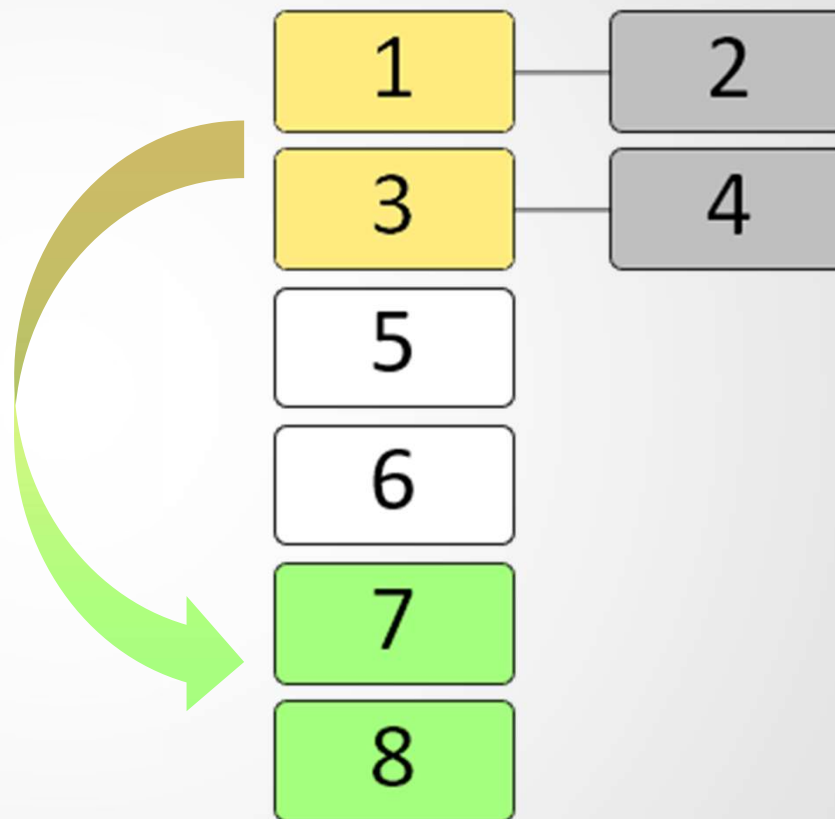
Table of Contents

	Page
I. Claims at Issue	3
II. Limitations 7h/8f Have Written Description Support	8
III. Limitations 7h/8f Are Enabled	10
IV. Claim Construction	13
V. Revisions Are Not Broadening	27
VI. Limitations 7h/8f Are Not Indefinite as “Contracting”	33
VII. Petitioners Do Not Show Unpatentability over Lee/Agiwal	35

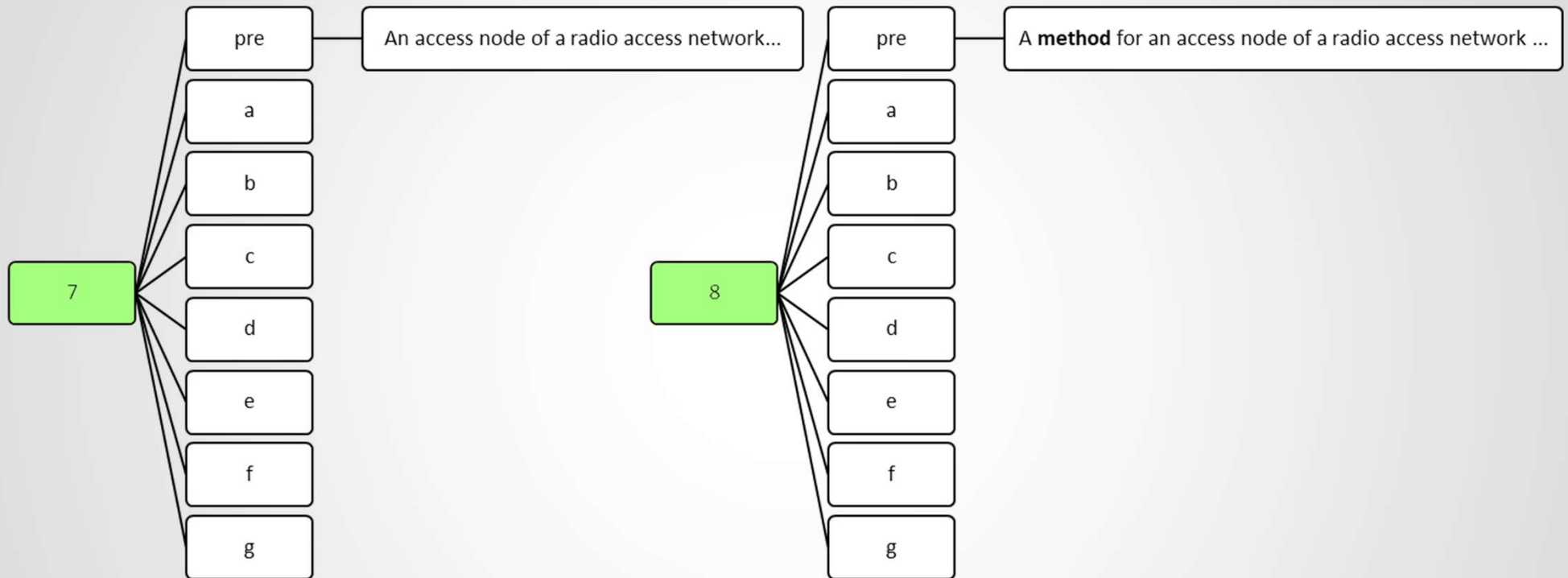
Claims at Issue

Only Two Proposed Substitute Claims, 7–8, Are at Issue

	Challenged
	Cancelled
	Not Challenged
	Proposed Substitute



Claims 7 and 8 Rise or Fall Together



Limitations Regarding 1st & 2nd Type SIBs

Ref	Limitation
7pre	7. (proposed substitute for claim 1) An access node of a radio access network that communicates over a radio interface with a wireless terminal, the access node comprising:
7a	processor circuitry configured:
7b	to generate a first type system information block (SIB) comprising information and a value tag <u>associated with a group of plural second type system information blocks fewer than the total number of second type information blocks, wherein each of the second type information blocks in the group has different sibIDs and the group has a group identifier</u> , the information indicating whether one or more associated second type system information blocks are provided by broadcast or on-demand, the value tag being updated upon a change of a corresponding second type SIB <u>belonging to the group</u> , the first type SIB being required for the wireless terminal to perform an initial access to the radio access network;
7c	upon a change of a second type SIB <u>belonging to the group</u> whose associated information indicated before the change that <u>the group containing</u> the second type SIB was provided on-demand, to include in the first type SIB the information associated with <u>the group containing</u> the second type SIB indicating that <u>the group containing</u> the second type SIB is provided by broadcast;
7g	whether or not the second type SIB <u>belonging to the group</u> has changed is determined based on a value tag, associated with <u>the group containing</u> the second type SIB, stored in the wireless terminal, and the value tag included in the first type SIB corresponding to <u>the group containing</u> the second type SIB; and[.]]

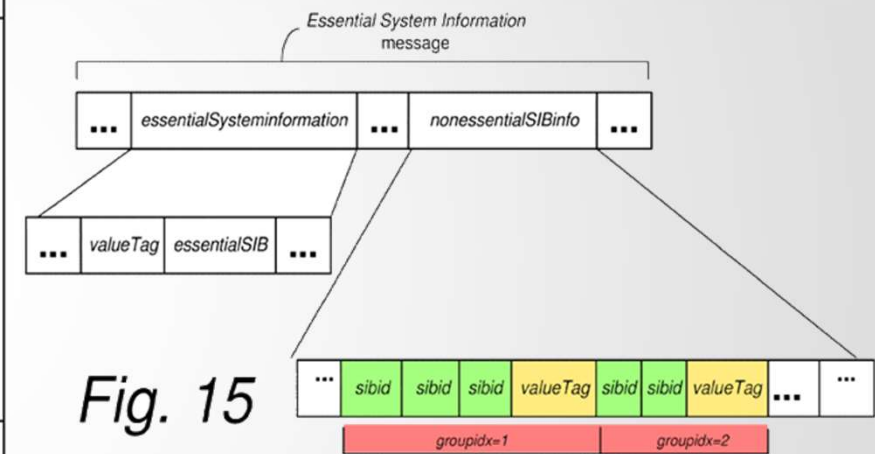


Fig. 15

Ex. 1001 Fig. 15

Transmitter Limitations Regarding 1st & 2nd Type SIBs

7d	transmitter circuitry configured to:
7e	transmit the first type SIB;
7f	transmit a message that triggers the wireless terminal to receive the first type SIB, wherein;
7h	<u>transmit by broadcast after the change the group identifier and the group containing the second type SIB in compressed format including only changed ones of plural parameters of the group containing the second type SIB based on a comparison of the value tag, associated with the group containing the second type SIB, stored in the wireless terminal, and the value tag included in the first type SIB corresponding to the group containing the second type SIB.</u>

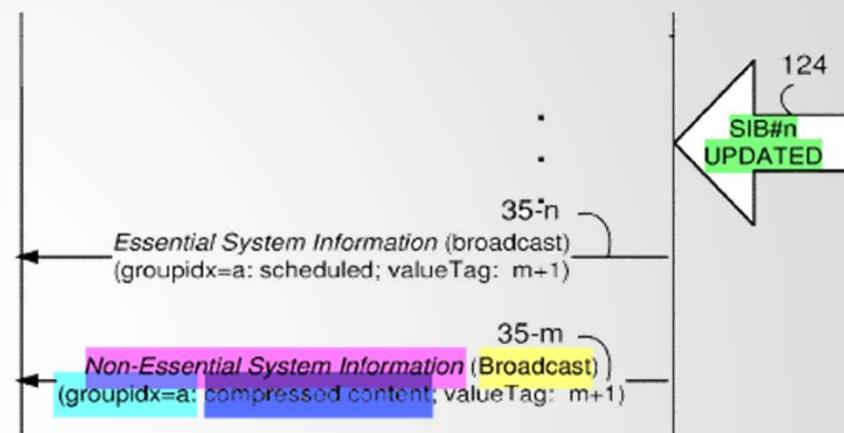


Fig. 35

Ex. 1001 Fig. 35

Limitations 7h/8f Have Written Description Support

Limitations 7h/8f Taken Directly from Specification

- ❑ Petitioners argue there is no written description support for limitations such as 7h Opp. 11.

Ref	Limitation
7h	transmit by broadcast after the change the group identifier and the group containing the second type SIB in compressed format including only changed ones of plural parameters of the group containing the second type SIB based on a comparison of the value tag, associated with the group containing the second type SIB, stored in the wireless terminal, and the value tag included in the first type SIB corresponding to the group containing the second type SIB.

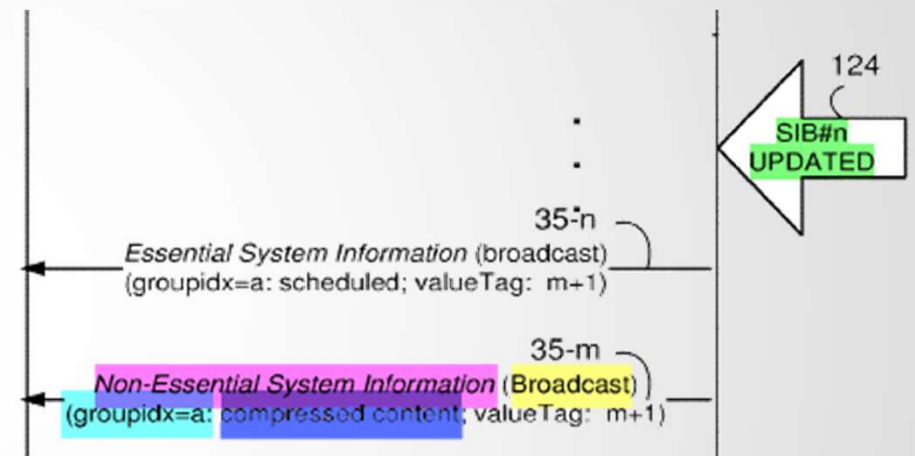


Fig. 35

Ex. 1001 Fig. 35

value tag with the value tag. Act 17-4 comprises preparing the response message to include only changed ones of the plural blocks of the group based on the comparison of the value tag relative to the terminal-reported value tag.

Ex. 1001 at 14:24-36

Limitations 7h/8f Are Enabled

Limitations 7h/8f Functionality Is Explicitly Taught

- ❑ Petitioners argue “nowhere does the patent state or explain how such a compressed format transmission is determined or generated based on a comparison of value tags, much less a comparison of the value tag stored in a wireless terminal.” Opp. 11.

message. Basic example acts performed by radio access node 22 in conjunction with the example embodiment and mode of FIG. 10 and FIG. 11 are shown in FIG. 12. Act 12-1 comprises the node processor 30 (and system information (SI) generator 54 in particular) changing the value tag when at least one of the plural parameters of the second type system information changes and to store a parameter identifier for the at least one of the plural parameters for which content changes. Act 12-2 comprises making a comparison of the terminal-reported value tag (e.g., the value tag reported in the request message 10-1) with the value tag (the changed value tag). Act 12-3 comprises preparing the response message (e.g., the Non-essential System Information Response message 11-5) to include only changed ones of the plural parameters based on the comparison of the value tag relative to the terminal-reported value tag.

Ex. 1001 at 13:1–17

SIB for limited times after the SIB update. The broadcast-after-update technology of FIG. 26 may be utilized in conjunction/combination with any other of the example embodiments and modes described herein.

Ex. 1001 at 16:57–60

RMTA 4–5; Opp. 9–10

Petitioners Contend Prior Art Teaches the “Impossible”

- ❑ Petitioners argue “nothing in this disclosure teaches that a “compressed format including only changed ones of plural parameters” based on the comparison of the value tags, ***nor could it***, as the disclosed value tags are simply numbers incremented when second type SIBs are changed.” Sur-Reply 9

The substantive difference between substitute claims 8 and 10 and revised substitute claim limitations 7h and 8f is the inclusion of the compressed format, where only the changed ones of plural parameters are included, as Patent Owner admitted in its revised motion to amend. Paper 24, 17. However, Lee teaches exactly this: “when a network changes a particular type of on-demand system information,

Sur-Reply at 12

Claim Construction

“Compressed Format” and “Parameters”

[7h/8h] transmit[ting] by broadcast after the change the group identifier and the group containing the second type SIB in **compressed format** including only changed ones of plural **parameters** of the group containing the second type SIB based on a comparison of the value tag, associated with the group containing the second type SIB, stored in the wireless terminal, and the value tag included in the first type SIB corresponding to the group containing the second type SIB.

❑ “compressed format”

- defined by the claim
- includes “only changed ones of plural parameters of the group containing the second type SIB”

❑ “parameters”

- Sub-portions of a single SIB
- For example, SIB #n may “consists of parameters p1 to p10.”
Ex. 1001, 56–57.
- SIBs may range to thousands of bits wide. See, e.g., Ex. 1009, pp. 4–5.

“Second Type SIB” — Parties’ Position

Patent Owner	Petitioners
SIBs that are not first type SIBs, i.e., that do not have “essential system information” <i>Reply to Opp. at 4</i>	Indefinite <i>Opp. 6–7</i> • “lack of any requirements” <i>Id.</i> • “second type SIB could include any kind of information” <i>Id.</i> • “the first type SIB could also be a second type SIB” <i>Id.</i>

The Correct Claim Construction Standard

§ 42.100 Procedure; pendency.

(a) An *inter partes* review is a trial subject to the procedures set forth in subpart A of this part.

(b) In an *inter partes* review proceeding, a claim of a patent, or a claim proposed in a motion to amend under § 42.121, shall be construed using the same claim construction standard that would be used to construe the claim in a civil action under 35 U.S.C. 282(b), including construing the claim in accordance with the ordinary and customary meaning of such claim as understood by one of ordinary skill in the art and the prosecution history pertaining to the patent. Any prior claim construc-

37 C.F.R. § 42.100(b)

Petitioners' Use Wrong Standard

- ❑ Petitioners' standard that absent an explicit "disclaimer" a term must include an item (for example, the second type SIB must include also include a first type SIB) is not correct, even under BRI. See Opp. 6–7

In re Power Integrations, Inc.,
884 F.3d 1370, 1377 (Fed. Cir. 2018)

"The correct inquiry in giving a claim term its broadest reasonable interpretation in light of the specification is **not** whether the specification proscribes or **precludes** some broad reading of the claim term adopted by the examiner."

Ruckus Wireless, Inc. v. Innovative Wireless Sols., LLC,
824 F.3d 999, 1003 (Fed. Cir. 2016)

"Ultimately, the only thing that matters" under *Phillips* is to discern the limitation's meaning in the context of the patent

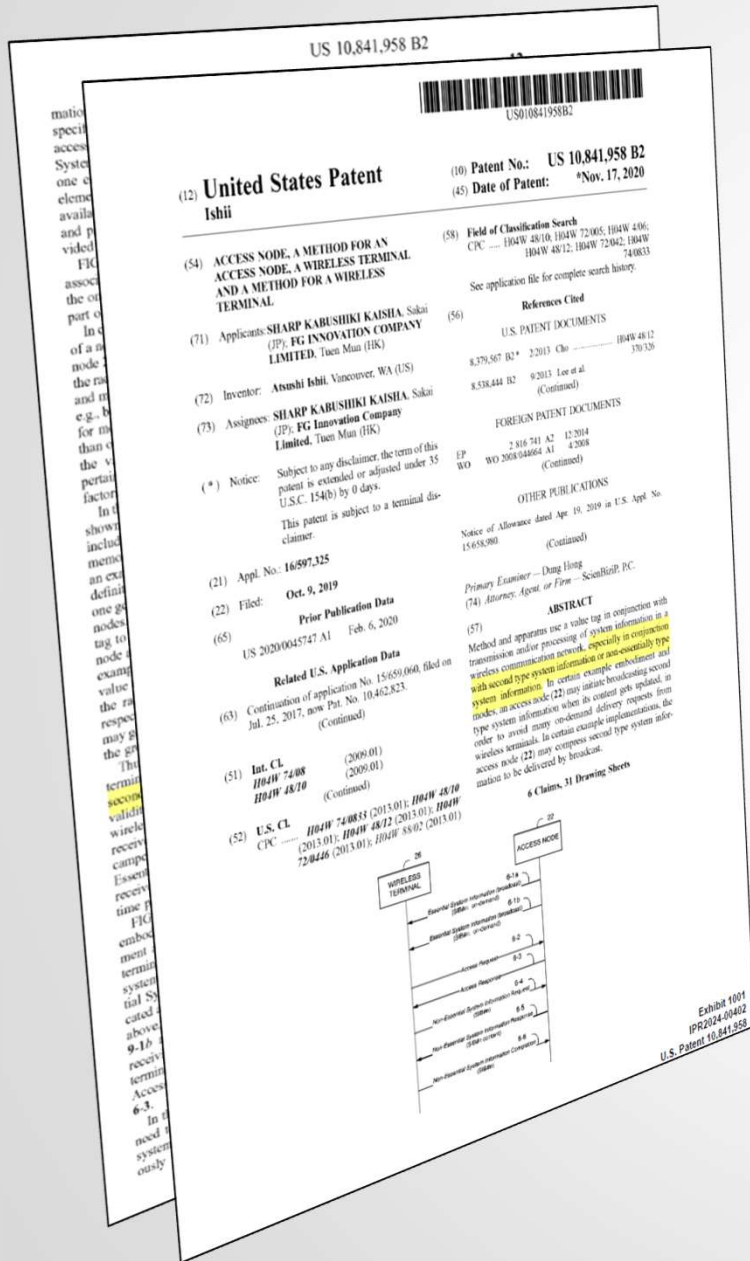
Trs. of Columbia Univ. v. Symantec Corp.,
811 F.3d 1359, 1364 (Fed. Cir. 2016)

"[T]he patentee's choice of preferred embodiments can shed light on the intended scope of the claims."

“Second Type SIB” — Not a New Term

Ref	Limitation
1pre	1. An access node of a radio access network that communicates over a radio interface with a wireless terminal, the access node comprising:
1a	processor circuitry configured:
1b	to generate a first type system information block (SIB) comprising information and a value tag, the information indicating whether one or more associated second type system information blocks are provided by broadcast or on-demand, the value tag being updated upon a change of a corresponding second type SIB , the first type SIB being required for the wireless terminal to perform an initial access to the radio access network;
1c	upon a change of a second type SIB whose associated information indicated before the change that the second type SIB was provided on-demand, to include in the first type SIB the information associated with the second type SIB indicating that the second type SIB is provided by broadcast;
1d	transmitter circuitry configured to:
1e	transmit the first type SIB;
1f	transmit a message that triggers the wireless terminal to receive the first type SIB, wherein;
1g	whether or not the second type SIB has changed is determined based on a value tag, associated with the second type SIB , stored in the wireless terminal, and the value tag included in the first type SIB corresponding to the second type SIB .

“Second Type SIB” Equates to Carrying Non-Essential Info.



(57)

ABSTRACT

Method and apparatus use a value tag in conjunction with transmission and/or processing of system information in a wireless communication network, especially in conjunction with second type system information or non-essentially type system information. In certain example embodiment and

Ex. 1001 at Abstract

Reply to Opp 4

“Block” Does Not Change what 2TYP SIB Means



“second type of system information”

“second type system information block”



A block of
second type
information

- ❑ If a POSTIA understands the first term,
a POSITA understands the second term

Examiner Had No Problem Identifying 2TYPsIB

No § 112 Indefinite Rejection

Ex. 1007

Regarding **claim 1**, Shi discloses an access node of a radio access network that communicates over a radio interface with a wireless terminal (Fig. 1 – Network entity 104, Fig. 9 – Node B 910 communicating with user equipment 102), the access node comprising: processor circuitry (Fig. 1 - Network entity 104, Fig. 9 – Node B 910 comprising processor 940) configured:

to generate a first type system information block (SIB) comprising information and a value tags, the value tag being updated upon a change of a corresponding second type SIE, the first type SIB being required for

Ex. 1007 at 1727

Reply to Opp. 5

Petitioners Have No Problem Identifying 2TYP SIB

44-45, Ex. 1004 at [0175]-[0178]. A POSITA would therefore understand the service associated with a set of SIBs (e.g., MBMS, D2D, V2X, or WLAN) to be a group identifier, and the SIBs corresponding to each of these services to be sub-types of non-essential SIBs (i.e., second-type SIBs). Ex. 1010 ¶ 45. Accordingly, the

Opp. 14

Enzo Biochem, Inc. v. Applera Corp.,
599 F.3d 1325, 1332 (Fed. Cir. 2010)

Without a discernable claim construction, no anticipation analysis can be performed

Reply to Opp. 5

Prior Art Shows Second Type Is Term of Art

In re Cortright,

165 F.3d 1353, 1358 (Fed. Cir. 1999)

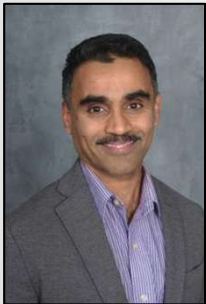
“Prior art references may be ‘indicative of what all those skilled in the art generally believe a certain term means . . . [and] can often help to demonstrate how a disputed term is used by those skilled in the art.’”

[0049] The first category comprises of essential system information such as information required for initial access to a cell, information required for acquiring the system information in second category. The first category of system information includes at least system frame number (SFN), list of public land mobile network (PLMN) identifications (IDs), Cell ID, cell camping parameters, etc. The second category of system information includes the system information not included in first category. The first category (also referred as minimum SI or essential SI) of system information is periodically broadcasted by the cell and/or TRP.

Ex. 1008 - Agiwal Publication (Aug. 31, 2017)

Reply to Opp. 5–6

Second Type SIBs Carry Non-Essential Information



Dr. K. Sundaresan

7 Q. Now, what is required of a system
8 information block for it to be a second type of
9 system information block?
10 A. I think '958 gives examples. So the first
11 type are the essential SIBs and the second type
12 are the ones that are carrying the nonessential
13 SIB information.

Ex. 1011, 50:7-13

There Is No 3rd Recited Compressed SIB Type

- ❑ Petitioners argue that “limitations 7h and 8f introduce a new type of SIB—a ‘compressed’ SIB.”

Opp. 10.

- ❑ “Compression” limitations only specify the *format* of transmission for the *previously recited **second type SIBs***:

[7h/8h] transmit[ting] by broadcast after the change the group identifier and the group containing the **second type SIB** in compressed format . . .

Phillips Instructs to Preserve Validity if Practicable, As Here

- ❑ Under *Phillips* the Board should adopt Patent Owner's construction to preserve validity, because "second type SIB" is the same language in the issued patent, and Patent Owner's proffered meaning is "practicable" based on sound claim construction principles. *Phillips*, 415 F.3d at 1327.

Revisions Are Not Broadening

SIB Is Associated with Value Tag for Group Containing SIB

- ❑ Petitioners argue Patent Owner broadens limitations 7g/8e because “the revised substitute claim language requires a determination based on ‘a value tag associated with the group containing the second type SIB’ and not a determination based on ‘a value tag associated with the second type SIB.’” Opp. 3

[7g] whether or not the second type SIB belonging to the group has changed is determined based on a value tag, associated with the group containing the second type SIB . . .

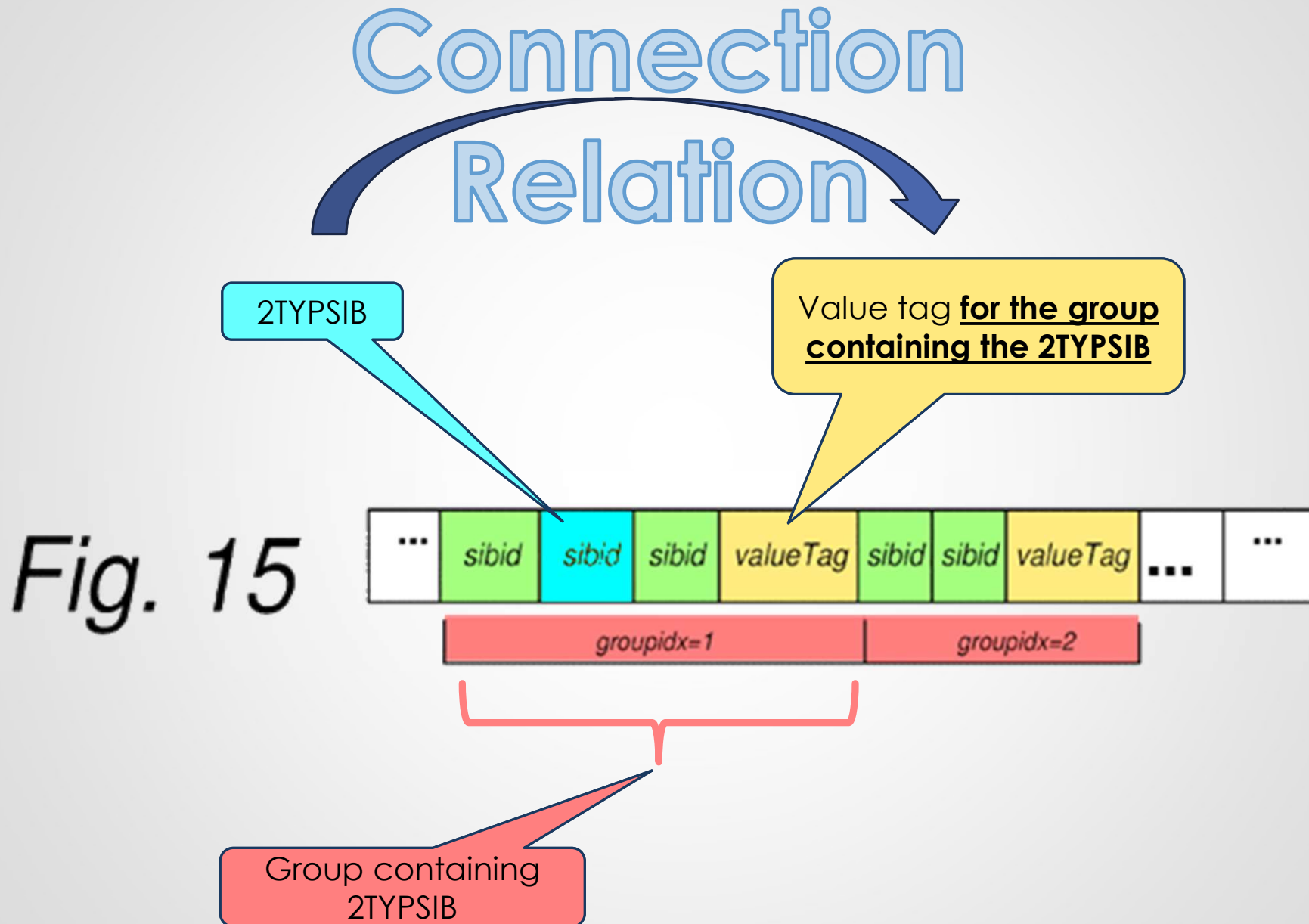
Apple Inv. v. Arrendi S.A.R.L.,

IPR2014-00207-32, at 8 (PTAB June 9, 2015)

“associated” means “connected or related.”

- ❑ Value tag “associated” with group containing 2TYPESIB is also and always also “associated”—“connected or related”—with the 2TYPESIB

Value Tag Is Always “Connected or Related” to 2TYP SIB



Original Claims 1& 3 Did Not Require Transmitting a 2TYP SIB

- ❑ Petitioners assert that limitations 7h/8f broaden the original claims because “original claim limitations 1c and 3b required an on-demand second-type SIB to **be provided** by broadcast upon a change to that second-type SIB.” Opp. 4
- ❑ Original claims only required information “indicating” that the radio access node would provide the 2TYP SIB by broadcast:

[1c] upon a change of a second type SIB whose associated information indicated before the change that the second type SIB was provided on-demand, to include in the first type SIB the ***information*** associated with the second type SIB ***indicating that the second type SIB is provided by broadcast***;

- ❑ There was no requirement that a 2TYP SIB “be provided” (other than now cancelled original dependent claim 4 that specified “transmitting the second type SIB by broadcast after the change”)

Not Broadcasting SIB Does Not Erase Indication of Broadcast

- ❑ Petitioners argue that if the second type SIB was not actually broadcast then the indication that the second type SIB “would be provided by broadcast . . . would not actually [so] indicate.” Opp. 5 n.1.
- ❑ An indication that x is going to happen does not stop being such an indication, even if x never happens.

Partial Broadcast of 2TYP SIB Does Not Affect Claim Scope

- ❑ Petitioners argue that a “partial broadcast [of a second type SIB] would not have practiced the original claims.” Opp. 5.

Ref	Limitation
1pre	1. An access node of a radio access network that communicates over a radio interface with a wireless terminal, the access node comprising:
1a	processor circuitry configured:
1b	to generate a first type system information block (SIB) comprising information and a value tag, the information indicating whether one or more associated second type system information blocks are provided by broadcast or on-demand, the value tag being updated upon a change of a corresponding second type SIB, the first type SIB being required for the wireless terminal to perform an initial access to the radio access network;
1c	upon a change of a second type SIB whose associated information indicated before the change that the second type SIB was provided on-demand, to include in the first type SIB the information associated with the second type SIB indicating that the second type SIB is provided by broadcast;
1d	transmitter circuitry configured to:
1e	transmit the first type SIB;
1f	transmit a message that triggers the wireless terminal to receive the first type SIB, wherein;
1g	whether or not the second type SIB has changed is determined based on a value tag, associated with the second type SIB, stored in the wireless terminal, and the value tag included in the first type SIB corresponding to the second type SIB.
Not a Limitation	partially broadcasting the second type SIB

Comprising claim does not exclude unrecited elements

Unrecited “partial broadcast of a second type SIB” does not affect whether claim is practiced

Limitations 7h/8f Are Not Indefinite as “Contracting”

Limitations 7b-c/8a-b Are Not Contradicted by 7h/8f

- ❑ Petitioners argue that limitations 7h/8f are indefinite as “contract[ing] [sic: contradicting?] the requirements of limitations 7b and 8a . . . and . . . 7c and 8b,” because “the **second type SIB is not provided by broadcast if some or none of its constituent system information is actually broadcast.**” Opp. 10–11.

Ref	Limitation
7b	to generate a first type system information block (SIB) comprising information and a value tag <u>associated with a group of plural second type system information blocks fewer than the total number of second type information blocks, wherein each of the second type information blocks in the group has different sibIDs and the group has a group identifier</u> , the <u>information indicating</u> whether one or more associated second type system information blocks are provided by broadcast or on-demand, the value tag being updated upon a change of a corresponding second type SIB <u>belonging to the group</u> , the first type SIB being required for the wireless terminal to perform an initial access to the radio access network;
7c	upon a change of a second type SIB <u>belonging to the group</u> whose associated information indicated before the change that <u>the group containing</u> the second type SIB was provided on-demand, to include in the first type SIB the information associated with <u>the group containing</u> the second type SIB indicating that <u>the group containing</u> the second type SIB is provided by broadcast;
7h	<u>transmit by broadcast after the change the group identifier and the group containing the second type SIB in compressed format including only changed ones of plural parameters of the group containing the second type SIB based on a comparison of the value tag, associated with the group containing the second type SIB, stored in the wireless terminal, and the value tag included in the first type SIB corresponding to the group containing the second type SIB.</u>

Do not require providing 2TYP SIB by broadcast

That some or all 2TYP SIB is provided by broadcast does not contradict limitations 7b/c

Opp. 8–9

Petitioners Do Not Show Unpatentability over Lee/Agiwal

Petitioners Attack Strawman Claim

[7h/8f] transmit[ing] by broadcast after the change the group identifier and the group containing the second type SIB in compressed format including only changed ones of plural parameters of the group containing the second type SIB based on a comparison of the value tag, associated with the group containing the second type SIB, stored in the wireless terminal, and the value tag included in the first type SIB corresponding to the group containing the second type SIB.

c. Limitations 7h and 8f Are Taught by Lee

Limitations 7g and 8f are taught or rendered obvious by Lee. These limitations require that, upon an update of non-broadcast system information, that the changed system information be broadcast without the broadcast of unchanged non-broadcast system information. Lee teaches the broadcast of previously non-broadcast system

Opp. 16

132-134, 143; Paper 2 at 33-34, 37. Further, Lee teaches that “when a network changes a particular type of on-demand system information, the network may broadcast the changed system information or all system information during a specified period.” Ex. 1004 at [0167] (emphasis added). The “or” used in this description indicates that one of the options contemplated by this portion of Lee’s disclosure is the broadcast of only the changed system information following a

Opp. 16-17

Reply to Opp. 10-11

Petitioners Use Improper Incorporation by Reference

system information. Lee teaches the broadcast of previously non-broadcast system information generally for the same reasons provided for substitute claims 8 and 10, which are now withdrawn, as well as original claims 2 and 4 from which they were amended. Ex. 1010 ¶¶ 53, 58; Ex. 1004 at [0167], [0175]-[0178]; Ex. 1002 at ¶¶ 132-134, 143; Paper 2 at 33-34, 37. Further, Lee teaches that “when a network

Opp. 16

(3) *Incorporation by reference; combined documents.* Arguments must not be incorporated by reference from one document into another document. Combined motions, oppositions, replies, or other combined documents are not permitted.

37 C.F.R. § 42.6(a)(3)

3M Co. v. Evergreen Adhesives, Inc.,
860 F. App'x 724, 728 (Fed. Cir. 2021)

Upholding rejection of arguments “present[ed] in the briefing prior to the Final Written Decision only in the form of improper incorporation by reference”

Reply to Opp. 10-11

Petitioners Rest on Argument for Claims of Different Scope

system information. Lee teaches the broadcast of previously non-broadcast system information generally for the same reasons provided for substitute claims 8 and 10, which are now withdrawn, as well as original claims 2 and 4 from which they were amended. Ex. 1010 ¶¶ 53, 58; Ex. 1004 at [0167], [0175]-[0178]; Ex. 1002 at ¶¶

Opp. 16

7h	<u>transmit by broadcast after the change the group identifier and the group containing the second type SIB in compressed format including only changed ones of plural parameters of the group containing the second type SIB based on a comparison of the value tag, associated with the group containing the second type SIB, stored in the wireless terminal, and the value tag included in the first type SIB corresponding to the group containing the second type SIB.</u>
----	--

No requirements regarding:

- parameters
- sending only changed parameters
- comparing value tags

8	8. (proposed substitute for claim 2) The access node of claim <u>[[1]]7</u> , wherein the transmitter circuitry is further configured to transmit <u>the group identifier and the group containing</u> the second type SIB by broadcast after the change.
10	10. (proposed substitute for claim 4) The method of claim <u>[[3]]9</u> , further comprising transmitting <u>the group identifier and the group containing</u> the second type SIB by broadcast after the change.
2	2. The access node of claim 1, wherein the transmitter circuitry is further configured to transmit the second type SIB by broadcast after the change.
4	4. The method of claim 3, further comprising transmitting the second type SIB by broadcast after the change.

PO's Motion to Amend (Paper 20), App'x A & Original Claims 2 & 4

Reply to Opp. 10-11

Petitioners Do Not Rely on Any Agiwal Teaching

g. Limitations 7h and 8f Are Taught by Lee Combined with Agiwal

Lee alone anticipates or renders obvious limitations 7g and 8f for the reasons provided in Section III.C.1.c above. Accordingly, a POSITA would find limitations 7h and 8f obvious over Lee and Agiwal.

Opp. 22

Reply to Opp. 10-11

End of Presentation