

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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ONEPLUS TECHNOLOGY (SHENZHEN) CO., LTD.,  
Petitioner,

v.

PANTECH WIRELESS, LLC,  
Patent Owner.

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IPR2025-00763  
Patent 11,212,838 B2

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Before JAMESON LEE, CHRISTOPHER L. OGDEN, and  
SCOTT B. HOWARD, *Administrative Patent Judges*.

OGDEN, *Administrative Patent Judge*.

DECISION  
Granting Institution of *Inter Partes* Review  
35 U.S.C. § 314

## I. INTRODUCTION

OnePlus Technology (Shenzhen) Co., Ltd. (“Petitioner”)<sup>1</sup> filed a Petition (Paper 2, “Pet.”) under 35 U.S.C. §§ 311–319 requesting *inter partes* review of claims 1–10 of U.S. Patent No. 11,212,838 B2 (Ex. 1001, “the ’838 patent”). Pantech Wireless, LLC (“Patent Owner”) filed a Preliminary Response (Paper 7, “Prelim. Resp.”).<sup>2</sup>

Under the authority delegated to us under 37 C.F.R. § 42.4(a), we may institute an *inter partes* review when “the information presented in the petition . . . and any response . . . shows that there is a reasonable likelihood that the petitioner would prevail with respect to at least 1 of the claims challenged in the petition.” 35 U.S.C. § 314(a); *see also* 37 C.F.R. § 42.108(c). Applying that standard, we institute an *inter partes* review of all the challenged claims of the ’838 patent based on all grounds set forth in the Petition for the reasons explained below. This is a preliminary decision, and we will base our final written decision on the full trial record.

## II. BACKGROUND

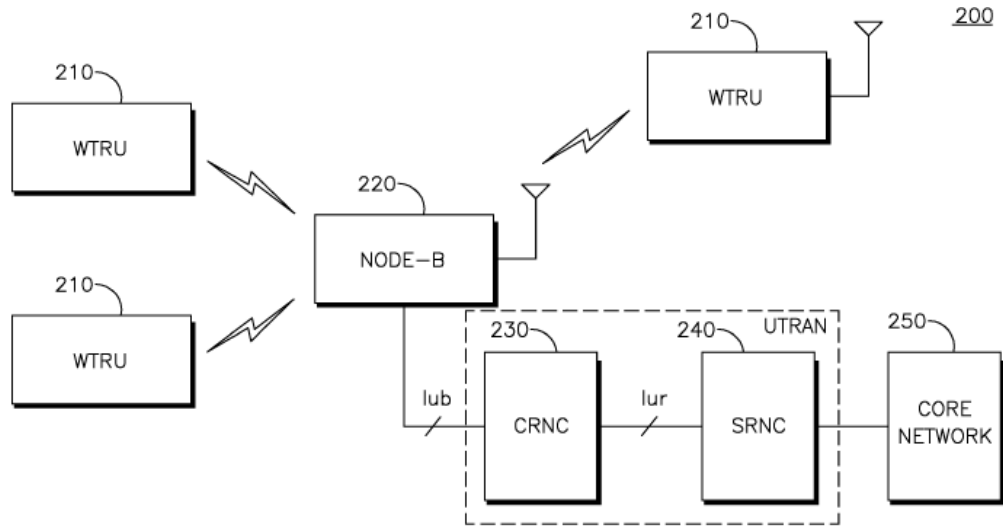
### A. THE ’838 PATENT (EX. 1001)

The ’838 patent describes a method of operating a 3rd Generation Partnership Project (“3GPP”) wireless network of the type depicted below in Figure 2:

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<sup>1</sup> Petitioner identifies itself and Guangdong OOP Mobile Telecommunications Corp., Ltd. as the real parties in interest. Pet. 1.

<sup>2</sup> Patent Owner identifies itself as the real party in interest. Paper 5, 1.



**FIG. 2**

Figure 2 shows a wireless communication system (200) with Node-B 220 (a base station) connected wirelessly to several wireless transmit/receive units (“WTRUs”) 210. Ex. 1001, 3:38–43. Node-B 220 is connected to cell radio network controller (“CRNC”) 230, service radio network controller (“SRNC”) 240, and core network 250. *Id.* Each WTRU has a receiver, transmitter, processor, and antenna. *Id.* at 3:54–60, Fig. 3.

As was known in the prior art, WTRUs needed to communicate with Node-Bs over shared random-access channels (“RACHs”) which, because they were shared, were suitable only for short messages, thus limiting the data rate. Ex. 1001, 1:37–2:3. When a higher data rate was needed, the network used enhanced RACHs (“E-RACHs”) to make use of enhanced dedicated channels (“E-DCHs”). *Id.* at 1:55–57, 2:4–6. An E-RACH message included a preamble phase and a message phase. *Id.* at 2:7–18. But according to the ’838 patent, there was no standard way to terminate the E-RACH message phase. *Id.* at 2:19–25.

In this context, the '838 patent describes ways of terminating an E-RACH message in an E-RACH transmission, including using triggers, after which shared E-DCH resources would be released. Ex. 1001, 2:29–35. For example, radio resource control (“RRC”) messages can include timer values for use at the medium access control (“MAC”) layer which, when they expire, trigger the release of the shared resources. *Id.* at 4:18–26, 5:11. In one embodiment, timers “may be associated to . . . each MAC-d flow.” *Id.* at 4:31–32.

## B. CHALLENGED CLAIMS AND GROUNDS

Independent claim 1 is as follows:

- [1pre] 1. A wireless transmit/receive unit (WTRU) comprising:
- [1a] a receiver;
- [1b] a transmitter; and
- [1c] a processor;
- [1d] wherein  
the receiver and the processor are configured to receive at  
least one radio resource control (RRC) message  
indicating uplink resources for WTRU and medium  
access control (MAC) timer information,
- [1e] the transmitter and the processor are configured to  
transmit uplink data based on the indicated uplink  
resources,
- [1f] the processor is configured to deactivate the indicated  
uplink resources in response to a MAC timer expiring,  
and
- [1g] the MAC timer is configured based on the MAC timer  
information indicated by the received RRC message.

Ex. 1001, 11:5–20 (Petitioner’s reference numbers added without internal brackets); *see also* Pet. v.

Petitioner argues two grounds for *inter partes* review, as summarized in the following table (*see* Pet. 4):

Claim(s) Challenged	35 U.S.C. §	Reference(s)/Basis
1–10	103	Zeira <sup>3</sup>
1–10	103	Zeira, Yi <sup>4</sup>

C. DECLARATORY TESTIMONY

Petitioner submits a declaration by Dr. Titus Lo. Ex. 1003; *see also* Ex. 1004 (Dr. Lo’s curriculum vitae). Patent Owner does not submit expert declaratory testimony at this stage.

D. RELATED PROCEEDINGS

As a related matter, the parties identify *Pantech Corp. v. OnePlus Tech. (Shenzhen) Co.*, 5:24-cv-00038 (E.D. Tex.). Pet. 1; Paper 5, 1.

III. GROUNDS OF THE PETITION

For the reasons below, we determine that Petitioner has demonstrated a reasonable likelihood that it would prevail in showing that at least one of the challenged claims of the ’838 patent is unpatentable under a ground set forth in the Petition.

A. LEVEL OF ORDINARY SKILL IN THE ART

The level of ordinary skill in the pertinent art at the time of the invention is a factor in how we construe patent claims. *See Phillips v. AWH*

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<sup>3</sup> Zeira et al., US 2004/0114574 A1, published June 17, 2004 (Ex. 1005).

<sup>4</sup> Yi et al., US 2005/0174956 A1, published Aug. 11, 2005 (Ex. 1006).

*Corp.*, 415 F.3d 1303, 1312–13 (Fed. Cir. 2005) (en banc). It is also one of the factors we consider when determining whether a patent claim is obvious over the prior art. *See Graham v. John Deere Co. of Kan. City*, 383 U.S. 1, 17–18 (1966).

To assess the level of ordinary skill, we construct a hypothetical “person of ordinary skill in the art,” from whose vantage point we assess obviousness and claim interpretation. *See In re Rouffet*, 149 F.3d 1350, 1357 (Fed. Cir. 1998). This legal construct “presumes that all prior art references in the field of the invention are available to this hypothetical skilled artisan.” *Id.* (citing *In re Carlson*, 983 F.2d 1032, 1038 (Fed. Cir. 1993)).

Petitioner argues that a person of ordinary skill in the art would have had “a bachelor’s degree in electrical engineering, computer engineering, computer science, or a related field and at least two years of practical experience with design or development of telecommunication and/or wireless communications systems, or the equivalent.” Pet. 10 (citing Ex. 1003 ¶ 21). Patent Owner does not contest this at this stage. *See Prelim. Resp.*

Petitioner’s proposed level of ordinary skill appears to be consistent with the problems addressed in the ’838 patent. *See Ex. 1001*, 1:30–2:48. Therefore, we adopt it for this decision.

## B. CLAIM CONSTRUCTION

In an IPR, we construe a patent claim “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).” 37 C.F.R. § 42.100(b). This generally includes “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.” *Id.* The ordinary and customary meaning of a claim term “is its meaning to the ordinary artisan after reading the entire patent,” and “as of the effective filing date of the patent application.” *Phillips*, 415 F.3d at 1313, 1321.

Neither Petitioner nor Patent Owner argues that we need to construe any claim terms explicitly. *See* Pet. 9; Prelim. Resp. 7–8. We agree, and to the extent that we interpret relevant claim terms, we do it below in the context of the parties’ arguments regarding the prior art. *See Realtime Data, LLC v. Iancu*, 912 F.3d 1368, 1375 (Fed. Cir. 2019) (“The Board is required to construe ‘only those terms . . . that are in controversy, and only to the extent necessary to resolve the controversy.’” (quoting *Vivid Techs., Inc. v. Am. Sci & Eng’g, Inc.*, 200 F.3d 795, 803 (Fed. Cir. 1999))).

### C. CONTESTED ISSUES

Petitioner argues that claim 1 is unpatentable under 35 U.S.C. § 103 as obvious over Zeira, and alternatively as obvious over Zeira and Yi. *See* Pet. 11–52. Because Patent Owner focuses on independent claims 1 and 6 and the arguments for these claims are essentially the same, we focus our analysis on claim 1 for our decision of whether to institute an IPR. *See* Prelim. Resp. 9–27. We also focus on only the contested issues at this stage.

A claim is unpatentable under § 103 “if the differences between the claimed invention and the prior art are such that the claimed invention as a whole would have been obvious before the effective filing date of the claimed invention to a person having ordinary skill in the art to which the claimed invention pertains.” 35 U.S.C. § 103; *see also KSR Int’l Co. v.*

*Teleflex Inc.*, 550 U.S. 398, 406 (2007). When a ground in a petition is based on a combination of references, we consider “whether there was an apparent reason to combine the known elements in the fashion claimed by the patent at issue.” *KSR*, 550 U.S. at 418 (citing *In re Kahn*, 441 F.3d 977, 988 (Fed. Cir. 2006)).

We base our obviousness inquiry on factual considerations including (1) the scope and content of the prior art, (2) any differences between the claimed subject matter and the prior art, (3) the level of skill in the art, and (4) any objective indicia of obviousness or non-obviousness that may be in evidence. *See Graham*, 383 U.S. at 17–18.

Considering the above principles, we determine that Petitioner has shown a reasonable likelihood that claim 1 would have been obvious over either Zeira alone or the combination of Zeira and Yi for the reasons explained below.

*1. Overview of Zeira*

Zeira describes a procedure for using a temporary dedicated channel (“temp-DCH”) to support communications in a 3GPP network. Ex. 1005 ¶¶ 6, 27. The temp-DCH is allocated to a WTRU for a predetermined duration, after which “the DCH is automatically released and the connection is returned to common channels” so that “dedicated cell resources are freed.” *Id.* ¶ 34.

Zeira discloses that either the CRNC or the SRNC may “determine the duration of the temp-DHC transmissions.” Ex. 1005 ¶ 76, Fig. 2 (step 108). In one embodiment, the CRNC or SRNC “can calculate the time that MAC-d will need to transmit the current buffered data and set the duration accordingly.” *Id.* Alternatively, the duration can be calculated as “a multiple

of the longest transmission time interval (TTI) length in the TFCS<sup>[5]</sup> of the CCTrCH.<sup>[6]</sup> *Id.* ¶ 79. For a low-rate temp-DHC, Zeira teaches a preference that the duration is “always fixed.” *Id.* ¶ 401.

In one embodiment, the SRNC calculates the duration of the temp-DHC and then, if there are changes in the TFCS or any data-rate changes, the SRNC sends an RRC message to configure the WTRU. Ex. 1005 ¶¶ 401, 403, Fig. 8B (message 177: “transport channel reconfiguration (RRC)”). The RRC message “notifies the WTRU . . . of any changes in transport channel information and the new physical channel configuration” and includes, among other things, “channelization codes.” *Id.* ¶¶ 401, 411. After receiving this message, the WTRU “[c]onfigure[s] the MAC layer with the new transport channel information . . . and the new radio bearer mapping information received in the message.” *Id.* ¶¶ 421, 423.

## 2. *Overview of Yi*

Yi describes a method of releasing a point-to-multipoint radio bearer (“RB”) in a 3GPP network. Ex. 1006 ¶¶ 2–3. Yu teaches that if an RB is to be set, the network “allocates a dedicated logical channel to each terminal (UE) and sends the data of the corresponding service.” *Id.* ¶ 25. This is sent as an RRC message. *Id.* ¶¶ 19–20. Yi also teaches that a timer for implicitly releasing RB resources can “be a MAC entity.” *Id.* ¶ 39.

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<sup>5</sup> “TFCS” stands for “transport format combination sets.” Ex. 1005 ¶ 76.

<sup>6</sup> “CCTrCH” stands for “coded composite transport channel.” Ex. 1005 ¶ 86; Ex. 1011, 6.

3. *Limitations 1d and 1g*

Limitation 1d recites “wherein the receiver and the processor are configured to receive at least one radio resource control (RCC) message indicating uplink resources for WTRU and medium access control (MAC) timer information.” Ex. 1001, 11:9–13. Limitation 1g recites “the MAC timer is configured based on the MAC timer information indicated by the received RRC message.” *Id.* at 11:19–20.

As to the part of limitation 1d requiring that the WTRU receive an RRC message “indicating uplink resources for WTRU,” Petitioner argues that Zeira describes a process in which the CRNC allocates resources for a temp-DCH, and that these resources include “required codes and their spreading factors.” Pet. 20–21 (citing Ex. 1005 ¶¶ 99, 107, 326, 329, 338, 347, 371, Figs. 2, 8A, 8B, 15). Then, according to Petitioner, the CRNC communicates this information to the SRNC which sends an RRC reconfiguration message to the WTRU that includes details including “channelization codes.” Pet. 21–22 (citing Ex. 1005 ¶¶ 102–105, 367–368, 371, 384, 393–420).

Petitioner argues that a person of ordinary skill in the art “would have understood that because the C-RNC determines the channelization codes and their spreading factors and then communicates that information to the S-RNC, which then sends the information to the WTRU, the spreading factors are also sent in the RRC message to the WTRU.” Pet. 22 (citing Ex. 1003 ¶ 104). Petitioner contends that the spreading factors constitute the “uplink resources for WTRU” recited in limitation 1d. Pet. 22–23 & n.7 (citing Ex. 1005 ¶¶ 29, 421, 423; Ex. 1003 ¶¶ 104, 106).

Limitation 1d also requires that the recited RRC messages include “medium access control (MAC) timer information.” Ex. 1001, 11:12–13. On that point, Petitioner argues that Zeira’s SRNC “determines the activation time and duration of the Temp-DCH,” and then “notifies the WTRU . . . of any changes in transport channel information and the new physical channel configuration” via an RRC reconfiguration message. Pet. 24 & n.8 (emphasis omitted) (quoting Ex. 1005 ¶ 384; and then quoting *id.* ¶ 104) (citing Ex. 1005 ¶ 393–403; Ex. 1003 ¶ 107). According to Petitioner, when the WTRU receives the RRC reconfiguration message, the WTRU “[c]onfigure[s] the MAC layer with the new transport channel information (in the case of changes in transport channel information) and the new radio bearer mapping information received in the message.” Pet. 23 (alterations in original) (quoting Ex. 1005 ¶ 423) (citing Ex. 1005 ¶ 421).

According to Petitioner, a person of ordinary skill in the art would have understood, based on Zeira’s disclosure as a whole and the background knowledge in the art, that Zeira’s RRC reconfiguration message communicates the duration information to the WTRU. Pet. 25. First, Petitioner argues that Zeira separately discloses that duration information is transmitted to the WTRU by some means. Pet. 25 (citing Ex. 1005 ¶ 74). Second, Petitioner argues that “it was well known . . . that RRC messages were used for sending information related to configuration of various parameters to the WTRU. *Id.* (citing Ex. 1003 ¶¶ 76–80, 108). Third, Petitioner argues that in Zeira’s Figure 8, the WTRU is shown as being able to track the duration of the temp-DCH after receiving the RRC message from the SRNC. Pet. 25–27 & n.9 (citing Ex. 1005 ¶¶ 421–423, Figs. 8A, 8B; Ex. 1003 ¶¶ 108–109).

Petitioner also argues that the calculated duration is a “MAC timer” as recited in claim 1 because it is Zeira’s MAC layer that is configured using the information transmitted in the RRC message. Pet. 27 (citing Ex. 1005 ¶ 423 (“Configure the MAC layer with the new transport channel information . . . .”); Ex. 1003 ¶¶ 110–113). Petitioner also points to a disclosure in Zeira that the calculated duration is set according to “the time that MAC-d will need to transmit the current buffered data.” *Id.* (emphasis omitted) (quoting Ex. 1005 ¶ 76). And according to Petitioner, Zeira discloses that the temp-DCH duration can be calculated by reference to a TTI length, and it was known in the art that TTI lengths were how the MAC layer accesses the physical transmission medium. Pet. 27–28 (citing Ex. 1005 ¶¶ 77–79, 397; Ex. 1003 ¶¶ 81–87, 111).

Finally, Petitioner argues that to the extent that Zeira does not teach that the calculated duration is a MAC timer, “it would have been obvious to implement the temp-DCH duration as a *MAC timer* at the WTRU because the MAC fundamentally controls access to the transmission medium.” Pet. 28 (citing Ex. 1003 ¶¶ 111–112). Petitioner contends that “implementation of the timer in the MAC layer would have been one of a limited number of entities for implementing a timer.” Pet. 51 (citing Ex. 1003 ¶ 158).

As further support, Petitioner argues that Yi explicitly teaches implementing a duration timer for holding temporary resources in the MAC layer. Pet. 51 (citing Ex. 1006 ¶ 39; Ex. 1003 ¶ 158). According to Petitioner, using Yi’s teaching in Zeira’s system “would have been no more than use of a known technique (using temp-DCH duration information in the MAC layer of a WTRU, as taught by Yi)” in the context of Zeira. Pet. 48

(citing Ex. 1003 ¶ 152). Petitioner contends that a person of ordinary skill in the art “would have found it straight-forward, and well within its skills, to implement Zeira’s timer at the MAC layer, in view of Yi’s explicit teachings, . . . with a reasonable expectation of success.” Pet. 48–49 (citing Ex. 1005 ¶¶ 384, 423, 427, 554–556; Ex. 1006 ¶ 39; Ex. 1003 ¶ 153).

As to limitation 1g, Petitioner reiterates that, according to Zeira, the RRC message “is used to ‘[c]onfigure the MAC layer with the new transport channel information . . . and the new radio bearer mapping information received in the message.’” Pet. 35 (alterations in original) (quoting Ex. 1005 ¶ 423). As Petitioner argues in the context of limitation 1d, Petitioner argues that this configuration information includes a MAC timer. Pet. 35–36 (citing Ex. 1003 ¶¶ 123–124).

At this stage, Patent Owner does not appear to contest Petitioner’s argument that Zeira’s WTRU receives an RRC message “indicating uplink resources for WTRU.” *See* Prelim. Resp. However, Patent Owner contends that the WTRU does not receive, and does not contain any configuration based on, a MAC timer. *Id.* at Resp. 9–19.

First, Patent Owner argues that Zeira nowhere discloses that the WTRU uses a timer at the MAC layer, only that the duration “may be transmitted to the WTRU.” Prelim. Resp. 10–11 (citing Ex. 1005 ¶ 74). Patent Owner argues that this is a generalized disclosure that fails to teach what the WTRU does with the duration information, or even indicate “that the WTRU does *anything* with this information.” *Id.* at 11 (citing Ex. 1005 ¶ 74). According to Patent Owner, the mechanism of terminating uplink resources using a MAC timer was not known in the art and was the inventive

contribution of the '838 patent. *Id.* at 11–12 (citing Ex. 1001, 2:4–22, 2:29–30, 4:29–41; Ex. 1002, 275; Ex. 2003 ¶ 46; Ex. 2004 ¶ 26).

Next, Patent Owner contests Dr. Lo's testimony that a person of ordinary skill in the art would have understood that Zeira's WTRU uses a MAC timer. Prelim. Resp. 13 (citing Ex. 1003 ¶¶ 110–113). According to Patent Owner, although Zeira's CRNC or SRNC discloses "calculat[ing] the time that MAC-d will need to transmit the current buffered data and set the duration accordingly," this only discloses that the CRNC or SRNC is calculating the duration "based on the MAC-d's inherent involvement in transmitting buffered data," but is not actually disclosing that the WTRU is using a MAC timer. *Id.* at 14 (quoting Ex. 1005 ¶ 76); *see also id.* at 17. Patent Owner poses the question, "Why would the WTRU not control the transmission with a physical layer channel timer, which would have been more direct since the physical layer controls the transmission, or a radio link control layer timer?" and "Why would any timer at all be used by a WTRU, rather than, say using an established end time?" *Id.* at 14–15 & n.2 (citing Ex. 1001, 5:42–49).

Patent Owner also disagrees with Dr. Lo that Zeira's disclosure of using TTIs to calculate the duration suggests the use of a MAC timer. Prelim. Resp. 15–16. According to Patent Owner, TTIs "are the basic time unit for scheduling data in a cellular network[] generally, and are also used by other layers such as the physical layer." *Id.* (citing Ex. 1007, 17).

As to Dr. Lo's testimony that a person of ordinary skill in the art would have understood that the MAC layer "fundamentally controls access to the transmission medium," Patent Owner argues that the evidence Dr. Lo

cites for this post-dates Zeira, so it “do[es] not serve to explain the disclosures of Zeira.”<sup>7</sup> Prelim. Resp. 16 (quoting Ex. 1003 ¶ 112).

Patent Owner contends that Dr. Lo’s testimony should be afforded little weight because his declaration is similar in many of its passages to the Petition, without offering sufficient independent analysis or evidence. Prelim. Resp. 21–23 (citing Pet. 27–29; Ex. 1003 ¶¶ 110–113).

Next, Patent Owner argues that Zeira does not disclose that an RRC message indicates any MAC timer information. Prelim. Resp. 17–18. According to Patent Owner, Zeira’s description of the RRC message sent to the WTRU contains no mention of MAC timer information, or even of duration. *Id.* (citing Ex. 1005 ¶¶ 404–420). And although Patent Owner acknowledges that the MAC layer is configured with new transport channel information, it contends that this has “no apparent connection to any duration information.” *Id.* at 18.

Finally, Patent Owner argues that Yi fails to remedy the omissions in Zeira because Yi discloses “an inactivity timer, and not one that tracks the duration for a channel to be maintained.” and the timer is for downlink resources rather than uplink resources. Prelim. Resp. 23–26. According to Patent Owner, “[t]he inactivity timer in Yi would be of little help, because inactivity has nothing to do with the pre-calculated duration that Zeira discloses as being transmitted.” *Id.* at 26–27. Patent Owner does not contest that Yi discloses a MAC-entity timer. *See id.* at 27.

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<sup>7</sup> Patent Owner acknowledges that these references “arise just before the ’838 Patent’s priority date.” Prelim. Resp. 16.

We find Petitioner’s arguments sufficiently persuasive at this stage. Patent Owner does not appear to contest that Zeira discloses sending an RRC message “indicating uplink resources for WTRU.” *See* Prelim. Resp. We find Petitioner’s arguments sufficiently persuasive for the reasons given in the Petition. Pet. 20–23 (citing Ex. 1003 ¶¶ 99–104).

We also find sufficiently persuasive Petitioner’s argument that a person of ordinary skill in the art would have understood that Zeira’s RRC message includes MAC timer information. Zeira explicitly discloses that the calculated duration information is transmitted to the WTRU. Ex. 1005 ¶ 74. Zeira also discloses that information to “[c]onfigure the MAC layer” is transmitted to the WTRU in the form of an RRC message. *Id.* ¶ 423. Further, the duration is calculated while considering the amount of time that the MAC layer would need to transmit the current buffered data. *Id.* ¶ 76. Given these disclosures, we find sufficiently credible Dr. Lo’s testimony that a person of ordinary skill in the art would have understood Zeira to disclose that the RRC message received by the WTRU includes MAC timer information, and that the extent it does not, it would have been a predictable variation, at the time of the claimed invention, to implement a timer relating to the duration of network resources at the MAC layer as Yi teaches. Ex. 1003 ¶¶ 74–87, 107–113.

Although there appear to be differences between Yi’s disclosure and that of Zeira, such as that Yi’s MAC timer measures a different kind of duration and the timer relates to downlink resources, Petitioner does not appear to rely on Yi for these elements, and Yi’s teachings are relevant to motivating the use of a MAC timer for measuring the duration of temp-DCH transmissions.

To the extent that a person of ordinary skill in the art could have also implemented a timer in the physical or radio-link layer, or could have used an established end time, these possibilities do not appear to negate the teachings of the Zeira–Yi combination that there would be reason to implement the timer in the MAC layer.

Also, to the extent that Dr. Lo’s testimony mirrors text found in the Petition, that alone does not make it less credible, particularly where, as here, there is no rebuttal expert testimony and Patent Owner has not identified any other specific credibility issues.

For the above reasons, we determine that Petitioner has sufficiently shown, at this stage, that Zeira, or alternatively the combination of Zeira and Yi, discloses or teaches discloses limitations 1d and 1g.

#### 4. *Limitations 1c and 1f*

Limitation 1c states that the claimed WTRU comprises “a processor.” Ex. 1001, 11:8. Petitioner argues that Zeira meets this limitation by disclosing a WTRU with a processor. Pet. 15–17.

Limitation 1f recites “the processor is configured to deactivate the indicated uplink resources in response to a MAC timer expiring.” Ex. 1001, 11:16–18.

According to Petitioner, Zeira discusses WTRU “*processing requirements*,” and a person of ordinary skill in the art would have understood that the functions of the WTRU are performed by a processor. Pet. 15–17 (quoting Ex. 1005 ¶ 32) (citing Ex. 1005 ¶¶ 29, 421–423, Figs. 1, 8B; Ex. 1001, 3:15–16, 10:55–57; Ex. 1003 ¶¶ 59–63, 98–99). Petitioner argues, alternatively, that Yi teaches including a processor in a WTRU. Pet. 47–50 (citing Ex. 1006 ¶ 72, Fig. 6; Ex. 1003 ¶¶ 150–151, 155–156).

Although Patent Owner disagrees that Zeira alone discloses a processor (Prelim. Resp. 19), Patent Owner does not appear to contest that the combination of Zeira and Yi teaches limitation 1c (*see id.* at 19, 23–28).

As to limitation 1f, Petitioner argues that Zeira discloses that “[a]fter the duration expires, the channel is automatically released by both the user and the network.” Pet. 33–34 (alteration in original) (quoting Ex. 1005 ¶ 6) (citing Ex. 1005 ¶¶ 34, 74, 428, 440, Fig. 8B; Ex. 1003 ¶¶ 120–121).

Patent Owner does not specifically contest this, but argues that Zeira does not disclose that the release of resources is in response to a MAC timer expiring, for reasons discussed above in the context of limitation 1d. Prelim. Resp. 19–20 (citing Ex. 1005 ¶¶ 34, 428, 440, Fig. 8B).

We find Petitioner’s argument persuasive. Zeira discloses that the WTRU performs processing, and we credit Dr. Lo’s testimony that a person of ordinary skill in the art would have understood that this amounts to a disclosure of a processor. Ex. 1005 ¶ 32; Ex. 1003 ¶ 98.

As we discuss above in the context of limitations 1d and 1g, we find Petitioner’s argument sufficiently persuasive at this stage that Zeira, in light of Yi, teaches sending a duration to be implemented as a MAC timer. *See supra* Section III.C.3. We also find persuasive Petitioner’s argument, in the context of limitation 1f, that the deactivation of uplink resources in Zeira are in response to the duration expiring (i.e., the MAC timer expiring). Thus, we determine that Petitioner has sufficiently shown, at this stage, that the combination of Zeira and Yi teaches limitations 1c and 1f.

#### IV. CONCLUSION

Having considered the parties' arguments and evidence, including the uncontested arguments in the Petition, we determine that Petitioner has shown, sufficiently at this stage, that the combination of Zeira and Yi discloses all the limitations of claim 1, and that a person of ordinary skill in the art would have had reason to combine Zeira and Yi to implement the method of claim 1.

For the reasons set forth above, Petitioner has shown that there is a reasonable likelihood it would prevail with respect to at least one of the claims challenged in the Petition, and we institute trial on all asserted grounds and all challenged claims. *See* 37 C.F.R. § 42.108(a).

#### V. ORDER

It is

ORDERED that, pursuant to 35 U.S.C. § 314(a), an IPR of claims 1–10 of the '838 patent is instituted with respect to all the grounds set forth in the Petition; and

FURTHER ORDERED that pursuant to 35 U.S.C. § 314(c) and 37 C.F.R. § 42.4, IPR of the '838 patent commences on the entry date of this Order, and the Board hereby gives notice of the institution of a trial.

IPR2025-00763  
Patent 11,212,838 B2

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