1 2 UNITED STATES DISTRICT COURT 3 FOR THE WESTERN DISTRICT OF WASHINGTON 4 5 6 **SWIRLATE IP LLC,** CASE NO. 3:22-CV-5475 7 Plaintiff, V. **COMPLAINT FOR PATENT** 8 KYMETA CORPORATION, **INFRINGEMENT** 9 Defendant. 10 JURY TRIAL DEMANDED 11 12 COMPLAINT FOR PATENT INFRINGEMENT 13 Plaintiff Waverly Licensing LLC ("Plaintiff"), through its attorneys, 14 15 complains of Acco Brands Corporation ("Defendant"), and alleges the following: 16 I. NATURE OF THE LAWSUIT 17 18 This is an action for patent infringement under the Patent Laws of the 1. 19 United States, Title 35 United States Code ("U.S.C.") resulting from Kymeta 20 Corporation infringing, in an illegal and unauthorized manner and without 21 22 authorization and/or consent from Swirlate IP LLC, United States Patent Nos. 23 7,154,961 and 7,567,662 pursuant to 35 U.S.C. §271, and to recover damages, 24 attorney's fees, and costs. 25 26 MANN LAW GROUP PLLC 27 **COMPLAINT** 403 Madison Ave. N. Ste. 240 Bainbridge Island, WA 98110 22-cv-5475-1 28 Phone: 206-436-0900

### II. THE PARTIES

- 2. Plaintiff Swirlate IP LLC ("Swirlate" or "Plaintiff") is a Texas limited liability company having an address at 6009 W Parker Rd, Ste 149 1090, Plano, TX 75093-8121.
- 3. On information and belief, Defendant Kymeta Corporation ("Defendant") is a corporation organized and existing under the laws of Delaware, with its principal place of business at 12277 134th CT NE, Redmond, WA 98052. Defendant has a registered agent at Corporation Service Company, 300 Deschutes Way SW, STE208 MC-CSC1, Tumwater, WA 98501.

### III. JURISDICTION AND VENUE

- 4. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction of such action under 28 U.S.C. §§ 1331 and 1338(a).
- 5. On information and belief, Defendant is subject to this Court's specific and general personal jurisdiction, pursuant to due process and the Washington Long-Arm Statute, due at least to its business in this forum, including at least a portion of the infringements alleged herein. Furthermore, Defendant is subject to this Court's specific and general personal jurisdiction because Defendant maintains its principal place of business in Washington.

6. Without limitation, on information and belief, within this State and this District, Defendant has used the patented inventions thereby committing, and continuing to commit, acts of patent infringement alleged herein. In addition, on information and belief, Defendant has derived revenues from its infringing acts occurring within Washington and the Western District of Washington. Further, on information and belief, Defendant is subject to the Court's general jurisdiction, including from regularly doing or soliciting business, engaging in other persistent courses of conduct, and deriving substantial revenue from goods and services provided to persons or entities in Washington and the Western District of Further, on information and belief, Defendant is subject to the Washington. Court's personal jurisdiction at least due to its sale of products and/or services within Washington and the Western District of Washington. Defendant has committed such purposeful acts and/or transactions in Washington and the Western District of Washington such that it reasonably should know and expect that it could be haled into this Court as a consequence of such activity.

7. Venue is proper in this district under 28 U.S.C. § 1400(b). On information and belief, Defendant maintains its principal place of business within this District. On information and belief, from and within this District Defendant has committed at least a portion of the infringements at issue in this case.

8. For these reasons, personal jurisdiction exists and venue is proper in this Court under 28 U.S.C. § 1400(b).

# IV. COUNT I (PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 7,154,961)

- 9. Plaintiff incorporates the above paragraphs herein by reference.
- 10. On December 26, 2006, United States Patent No. 7,154,961 ("the '961 Patent") was duly and legally issued by the United States Patent and Trademark Office. The application leading to the '961 Patent was filed on December 6, 2004 (Ex. A at cover).
- 11. The '961 Patent is titled "Constellation Rearrangement for ARQ Transmit Diversity Schemes." A true and correct copy of the '961 Patent is attached hereto as Exhibit A and incorporated herein by reference.
- 12. Plaintiff is the assignee of all right, title, and interest in the '961 patent, including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the '961 Patent. Accordingly, Plaintiff possesses the exclusive right and standing to prosecute the present action for infringement of the '961 Patent by Defendant.
- 13. The invention in the '961 Patent relates to the field of Automatic Repeat reQuest ("ARQ") transmission techniques in wireless communication systems. (Ex. A at col. 1:6-8). In particular, it relates to a method for transmitting data using transmit diversity schemes in which data packets are transmitted using a

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first and second transmission based on a repeat request and the bit-to-symbol mapping is performed differently for different transmitted diversity branches. (*Id.* at col. 1:8-12). The inventors recognized a problem in prior art of the use of ARQ transmission techniques in wireless communication systems with unreliable and time-varying channel conditions and the invention results in an improved performance avoiding transmission errors. (*Id.* at col. 1:12-15).

14. In telecommunications, in order to improve the reliability of data transmissions, the prior art had several transmit diversity techniques in which redundant versions of identical data are transmitted in at least two diversity branches by default without explicitly requesting further diversity branches. (Id. at Such transmit diversity techniques included (i) site diversity col. 1:19-24). (transmitted signal originates from different sites), (ii) antenna diversity (transmitted signal originates from different antennas), (iii) polarization diversity (transmitted signal is mapped onto different polarization), (iv) frequency diversity (transmitted signal is mapped on different carrier frequencies or frequency hopping sequences), (v) time diversity (transmitted signal is mapped on different interleaving sequences), and (vi) multicode diversity (transmitted signal is mapped on different codes). (Id. at col. 1:24-42). The diversity branches would then be combined in order to improve the reliability of the received data. These diversity combining techniques included (a) selection combining (selecting the diversity

branch with the highest Signal-to-Noise Ratio ("SNR") for decoding and ignoring the remaining ones), (b) equal gain combining (combining received diversity branches with ignoring the differences in received SNR), and (c) maximum ratio combining (combining received diversity branches taking the received SNR of each diversity branch into account).

- 15. The prior art also had techniques for error detection/correction with respect to the transmission of data. For example, the prior art would use ARQ schemes together with Forward Error Correction (FEC),<sup>1</sup> which is called hybrid ARQ ("HARQ"). If an error is detected within a packet by the Cyclic Redundancy Check ("CRC"), the receiver requests that the transmitter send additional information (*e.g.*, retransmission) to improve the probability to correctly decode the erroneous packet. (*Id.* at col. 1: 59-63).
- 16. The '961 discussed a particular prior art reference that had the shortcomings of the prior art. WO-02/067491 A1 disclosed a method for HARQ transmission that averages the bit reliability over successively requested retransmissions by means of signal constellation rearrangement. (*Id.* at col. 1: 64-67). The reference showed that when more than 2 bits of data were mapped onto one modulation symbol, the bits have different reliability depending on the chosen

<sup>1</sup> FEC is a technique used for controlling errors in data transmission over unreliable or noisy communication channels. The general idea of FEC is that a sender encodes the message in a redundant way, most often using an error correction code. The redundancy allows the receiver to detect a limited number of errors that may occur anywhere in the message, and to potentially correct these errors without re-transmission.

mapping. (Id. at col. 2: 1-5). For most FEC schemes, this leads to a degraded decoder performance compared to an input of more equally distributed bit reliabilities. (*Id.* at col. 2:5-7). As a result, in conventional communications systems the modulation dependent variations in bit reliabilities are not considered and, therefore, usually the variations remain after combining the diversity branches at the receiver. (*Id.* at col. 2:8-11).

- 17. The inventors therefore developed a method that improved performance with regard to transmission errors. (Id. at col. 2:15-18). The idea of the invention is to improve performance at the receiver by applying different signal constellation mappings to the available distinguishable transmit diversity branches and ARQ retransmissions. (*Id.* at col. 2:20-23). The invention is applicable to modulation formats in which more than 2 bits are mapped onto one modulation symbol, since this implies a variation in reliabilities for the bits mapped onto the signal constellation. (*Id.* at col. 2:23-29).
- **Direct Infringement.** Upon information and belief, Defendant has 18. been directly infringing at least claim 1 of the '961 patent in Washington, and elsewhere in the United States, by performing actions comprising at least performing the claimed ARQ re-transmission method by performing the steps of the claimed invention using the Kymeta U8 Terminal ("Accused Instrumentality")

(*e.g.*, <a href="https://www.kymetacorp.com/wp-content/uploads/2021/12/700-00097-000-revJ-Kymeta-u8-terminal-product-sheet-1.pdf">https://www.kymetacorp.com/wp-content/uploads/2021/12/700-00097-000-revJ-Kymeta-u8-terminal-product-sheet-1.pdf</a>).

19. The Accused Instrumentality practices an ARQ re-transmission (*e.g.*, HARQ method) method in a wireless communication system (*e.g.*, LTE network) wherein data packets are transmitted from a transmitter (*e.g.*, the Accused Instrumentality) to a receiver (*e.g.*, LTE base station) using a first transmission (*e.g.*, HARQ transmission) and at least a second transmission (*e.g.*, HARQ retransmission) based on a repeat request (*e.g.*, HARQ retransmission request in the form of NAK).



#### **MAKING MOBILE GLOBAL**

The Kymeta™ u8 terminal provides a complete connectivity solution for on-the-go communications when and where you need it in a single integrated platform.

The u8 terminal, with Kymeta revolutionary software-defined, electronic beamsteering technology, is low profile and easy-to-mount on vehicles and vessels.

The u8 GO terminal is easily transportable and can support communication while in the case, on the ground or mounted on a vehicle for easy deployment in a multitude of use cases. The multi-function hardened case is tested to MIL-STD-810H transportation standards and comes with hardened tie down points.

Broadband by-the-gigabyte connectivity plans are available from Kymeta in either satellite or satellite/cellular packages. Kymeta Connect™, an all-inclusive bundle of hardware, connectivity, and support, is offered at an affordable monthly rate.



#### DESIGNED FOR MOBILE PLATFORMS

LOW PROFILE, AERODYNAMIC DESIGN, NATIVE DC POWER INPUT, AND NEW ACCESSORIES SIMPLIFY VEHICLE INTEGRATION.



#### **ALWAYS-ON CONNECTIVITY**

WITH A MULTI-WAN SATELLITE AND CELLULAR CONFIGURATION, THE KYMETA U8 HYBRID TERMINAL PROVIDES COMMUNICATION ANYWHERE.



#### **CLOUD-ENABLED SOLUTIONS**

ACCESS TO TERMINAL METRICS AND SD-WAN, EDGE CONTENT, AND CONNECTIVITY MANAGEMENT TOOLS AVAILABLE VIA A CLOUD-BASED PORTAL.



u8 Terminal Specifications\*

#### CONNECTIVITY INTERFACES SETUP TIME OF TERMINAL **NETWORK INTERFACE** Ethernet, Wi-Fi Unpackage, lift, mount, and operate in less than 20 minutes **ANTENNA ACQUISITION OF SIGNAL** BAND Less than 1 minute from initiation of acquisition **ANTENNA TYPE** COMMUNICATIONS MODULE Electronically scanned array Integrated iDirect iQ 200 satellite router POLARIZATION Linear, software-defined Integrated multi-WAN with 3G & LTE capabilities (optional) RX FREQUENCY RANGE

## (E.g., <a href="https://www.kymetacorp.com/wp-content/uploads/2021/12/700-00097-000-">https://www.kymetacorp.com/wp-content/uploads/2021/12/700-00097-000-</a>

revJ-Kymeta-u8-terminal-product-sheet-1.pdf).

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## Hybrid Automatic Repeat Request (HARQ) in LTE FDD

October 18, 2018 🌲 admin 🕒 Future Network Optimization, LTE, RF Basics, Tech Fundas

Hybrid Automatic Repeat Request (HARQ)

First transmission

ACK

HARO stands for Hybrid Automatic Repeat Request. HARO = ARQ + FEC (Forward Error Correction)/Soft Combining.

ARQ refers to Automatic Repeat Request i.e. if sender doesn't receive Acknowledgement (ACK) before timeout, the receiver discards the bad packet and sender shall re-transmits the packet. ARQ procedure is illustrated below:

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Soft Combining is an error correction technique in which the bad packets are not discarded but stored in a buffer. The basic idea is that 2 or more packets received with insufficient information can be combined together in such a way that total signal can be decoded. HARO procedure is as follows

NACK

Buffered

First data symbol

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UE/LTE cellular phone

Transmitter

Receiver

LTE Base Station

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(E.g., http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-

<u>fdd/</u>).

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Second

Second data symbol

New Received

**HARQ Processing** 

transmission

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2	No control of interleaving by higher layers.							
	- Data modulation							
3	- Modulation scheme is decided by MAC Scheduler (QPSK, 16QAM and 64QAM).							
4	- Mapping to physical resource							
5	- L2-controlled resource assignment.							
_	- Multi-antenna processing							
6	- MAC Scheduler partly configures mapping from assigned resource blocks to the available number of antenna ports.							
7	- Support of L1 control signalling  Second transmission i.e. retransmission based on a repeat							
8	- Transmission of ACK/NAK and CQI feedback related to DL data transmission request i.e. NAK							
0	The model of Figure 6.1.1 also captures							
9	- Transport via physical layer of Hybrid-ARQ related information (exact info is FFS) associated with the PUSCH, to the peer HARQ process at the receiver side;							
10	- Transport via physical layer of corresponding HARQ acknowledgements to PUSCH transmitter side.							
11								
12	6.1 Uplink model  Data packets transmitted from a transmitter i.e. UE/ LTE cellular phone to a receiver i.e. LTE base station							
13	6.1.1 Uplink Shared Channel							
14 15 16	The physical-layer model for Uplink Shared Channel transmission is described based on the corresponding physical-layer-processing chain, see Figure 6.1.1. Processing steps that are relevant for the physical-layer model, e.g. in the sense that they are configurable by higher layers, are highlighted in blue. It should be noted that, in case PUSCH, the scheduling decision is partly made at the network side, if there is no blind decoding it is fully done at the network side. The uplink transmission control in the UE then configures the uplink physical-layer processing, based on uplink transport-format and resource-assignment information received on the downlink.							
17	- Higher-layer data passed to/from the physical layer							
	<ul> <li>One transport block of dynamic size delivered to the physical layer once every TTI.</li> </ul>							
18	- CRC and transport-block-error indication							
19	- Transport-block-error indication delivered to higher layers.							
20	- FEC and rate matching							
21	<ul> <li>Channel coding rate is implicitly given by the combination of transport block size, modulation scheme and resource assignment;</li> <li>ARQ re-transmission method</li> </ul>							
22	<ul> <li>Physical layer model support of HARQ: in case of Incremental Redundancy, the corresponding Layer 2 Hybrid- ARQ process controls what redundancy version is to be used for the physical layer transmission for each TTI.</li> </ul>							
23	- Interleaving							
24								
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27	COMPLAINT 403 Madison Ave. N. Ste. 240							
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	- No control of interleaving by higher layers.
	- Data modulation
1	- Modulation scheme is decided by MAC Scheduler (QPSK, 16QAM and 64QAM).
2	- Mapping to physical resource
3	- L2-controlled resource assignment.
4	- Multi-antenna processing
	- MAC Scheduler partly configures mapping from assigned resource blocks to the available number of antenna ports.  Second transmission i.e. re-
5	transmission based on a repeat
6	- Transmission of ACK/NAK and CQI feedback related to DL data transmission  request i.e. NAK.  The model of Figure 6.1.1 also captures
7	- Transport via physical layer of Hybrid-ARQ related information (exact info is FFS) associated with the PUSCH, to
8	the peer HARQ process at the receiver side;
9	- Transport via physical layer of corresponding HARQ acknowledgements to PUSCH transmitter side.
10	(E.g., https://www.etsi.org/deliver/etsi_ts/136300_136399/136302/08.00.00_60
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12	<u>ts 136302v080000p.pdf</u> ).
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14	5.3 L1 interactions with MAC retransmission functionality
15	Second transmission i.e. HARQ retransmission based on a
	repeat request
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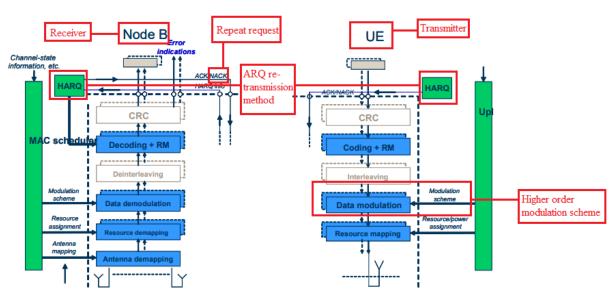


Figure 6.1.1-1: Physical-layer model for UL-SCH transmission

(*E.g.*, https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/ts\_136302v080000p.pdf).

20. Upon information and belief, the Accused Instrumentality practices modulating data packets at the transmitter (*e.g.*, the Accused Instrumentality) using a first modulation scheme (*e.g.*, one of QPSK,16QAM and 64 QAM) to obtain first data symbols (*e.g.*, output of modulation block performing said first modulation scheme).

- No control of interleaving by higher layers.
- Data modulation
- Modulation scheme is decided by MAC Scheduler (QPSK, 16QAM and 64QAM).
- Mapping to physical resource
- L2-controlled resource assignment.

(*E.g.*, <a href="https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/</a>
<a href="ts\_136302v080000p.pdf">ts\_136302v080000p.pdf</a>).

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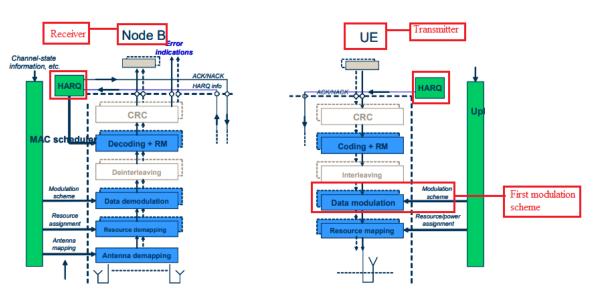


Figure 6.1.1-1: Physical-layer model for UL-SCH transmission

(*E.g.*, <a href="https://www.etsi.org/deliver/etsi">https://www.etsi.org/deliver/etsi</a> ts/136302v080000p.pdf).

### 7.1.3 16QAM

In case of 16QAM modulation, quadruplets of bits, b(i), b(i), b(i+1), b(i+2), b(i+3), are mapped to complex-valued modulation symbols x=I+jQ according to Table 7.1.3-1.

b(i), b(i+1), b(i+2), b(i+3)	1	Q
0000	1/√10	1/√10
0001	1/√10	3/√10
0010	3/√10	1/√10
0011	3/√10	3/√10
0100	1/√10	$-1/\sqrt{10}$
0101	1/√10	$-3/\sqrt{10}$
0110	$3/\sqrt{10}$	$-1/\sqrt{10}$
0111	$3/\sqrt{10}$	$-3/\sqrt{10}$
1000	$-1/\sqrt{10}$	1/√10
1001	$-1/\sqrt{10}$	3/√10
1010	$-3/\sqrt{10}$	1/√10
1011	$-3/\sqrt{10}$	3/√10
1100	$-1/\sqrt{10}$	$-1/\sqrt{10}$
1101	$-1/\sqrt{10}$	$-3/\sqrt{10}$
1110	$-3/\sqrt{10}$	$-1/\sqrt{10}$
		· ·

(E.g., https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/

 $-3/\sqrt{10}$   $-3/\sqrt{10}$ 

16 <u>ts\_136211v080700p.pdf</u>).

#### 7.1.4 64QAM

In case of 64QAM modulation, hextuplets of bits, b(i), b(i+1), b(i+2), b(i+3), b(i+4), b(i+5), are mapped to complex-valued modulation symbols x=I+jQ according to Table 7.1.4-1.

b(i),b(i+1),b(i+2),b(i+3),b(i+4),b(i+5)	1	Q	b(i),b(i+1),b(i+2),b(i+3),b(i+4),b(i+5)	1	Q
000000	3/√42	3/√42	100000	-3 <b>/√</b> 42	3/√42
000001	3/√42	1/√42	100001	-3/√42	1/√42
000010	1/√42	3/√42	100010	$-1/\sqrt{42}$	3/√42
000011	1/√42	1/√42	100011	-1 <b>/√</b> 42	1/√42
000100	3/√42	5/√42	100100	-3 <b>/√</b> 42	5/√42
000101	3/√42	7/√42	100101	-3 <b>/√</b> 42	7/√42
000110	1/√42	5/√42	100110	$-1/\sqrt{42}$	5/√42
000111	1/√42	7/√42	100111	$-1/\sqrt{42}$	7/√42
001000	5/√42	3/√42	101000	-5/√42	3/√42
001001	5/√42	1/√42	101001	-5/-/42	1/√42
001010	7/√42	3/√42	101010	-7 <b>/√</b> 42	3/√42
001011	7/√42	1/√42	101011	-7 <b>/√</b> 42	1/√42
001100	5/√42	5/√42	101100	-5/42	5/√42
001101	5/√42	7/√42	101101	-5/√42	7/√42
001110	7/√42	5/√42	101110	-7 <b>/√</b> 42	5/√42
001111	7/√42	7/√42	101111	-7 <b>/√</b> 42	7/√4
010000	3/√42	-3/-/42	110000	-3 <b>/√</b> 42	-3/√4
010001	3/√42	$-1/\sqrt{42}$	110001	-3/√42	-1/√4
010010	1/√42	-3/√42	110010	-1 <b>/√</b> 42	-3/√4
010011	1/√42	$-1/\sqrt{42}$	110011	$-1/\sqrt{42}$	-1/√4
010100	3/√42	-5 <b>/√</b> 42	110100	-3 <b>/√</b> 42	-5/√4
010101	3/√42	-7/√42	110101	-3 <b>/√</b> 42	-7/√4
010110	1/√42	-5/√42	110110	-1/√42	-5/√4
010111	1/√42	-7 <b>/√</b> 42	110111	$-1/\sqrt{42}$	-7/√4
011000	5/√42	-3 <b>/√</b> 42	111000	-5 <b>/√</b> 42	-3/√4
011001	5/√42	$-1/\sqrt{42}$	111001	-5/√42	-1/√4
011010	7/√42	-3/√42	111010	-7/√42	-3/√4
011011	7/√42	$-1/\sqrt{42}$	111011	-7 <b>/√</b> 42	-1/√4
011100	5/√42	-5 <b>/√</b> 42	111100	-5/-/42	-5/√4
011101	5/√42	<u>-7/√42</u>	111101	-5/-/42	-7/√4
011110	7/√42	-5 <b>/√</b> 42	111110	-7/√42	
011111	7/√42	-7/√42	111111	-7/√42	-7/√4

(*E.g.*, https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/ts\_136211v080700p.pdf).

21. Upon information and belief, the Accused Instrumentality practices performing the first transmission (*e.g.*, HARQ transmission) by transmitting the first data symbols (*e.g.*, output of modulation block performing said first modulation scheme) over a first diversity branch to the receiver (*e.g.*, mapping from assigned resource blocks to the first available number of antenna ports). The

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Accused Instrumentality discloses a first diversity branch wherein the output of

modulation block *i.e.*, first data symbols is transmitted over a first diversity branch which is indicated in case of Multi-antenna processing wherein mapping from assigned resource blocks to the first available number of antenna ports.

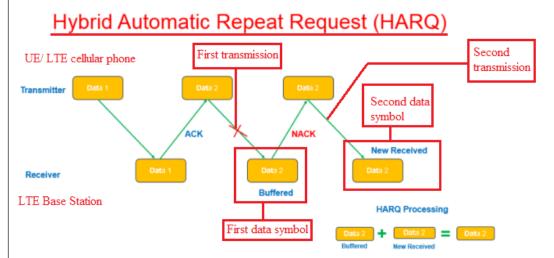
## Hybrid Automatic Repeat Request (HARQ) in LTE FDD

📕 October 18, 2018 👗 admin 🕒 Future Network Optimization, LTE, RF Basics, Tech Fundas

HARO stands for Hybrid Automatic Repeat Request. HARO = ARO + FEC (Forward Error Correction)/Soft Combining.

ARQ refers to Automatic Repeat Request i.e. if sender doesn't receive Acknowledgement (ACK) before timeout, the receiver discards the bad packet and sender shall re-transmits the packet. ARQ procedure is illustrated below:

Soft Combining is an error correction technique in which the bad packets are not discarded but stored in a buffer. The basic idea is that 2 or more packets received with insufficient information can be combined together in such a way that total signal can be decoded. HARQ procedure is as follows



(*E.g.*, <a href="http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-fdd/">http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-fdd/</a>).

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- No control of interleaving by higher layers.
- Data modulation

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- Modulation scheme is decided by MAC Scheduler (QPSK, 16QAM and 64QAM).
- Mapping to physical resource
- L2-controlled resource assignment. Transmitting the first data symbols over a first diversity branch to the receiver
- Multi-antenna processing
- MAC Scheduler partly configures mapping from assigned resource blocks to the available number of antenna ports.
- Support of L1 control signalling
- Transmission of ACK/NAK and CQI feedback related to DL data transmission
   The model of Figure 6.1.1 also captures
- Transport via physical layer of Hybrid-ARQ related information (exact info is FFS) associated with the PUSCH, to the peer HARQ process at the receiver side;
- Transport via physical layer of corresponding HARQ acknowledgements to PUSCH transmitter side.

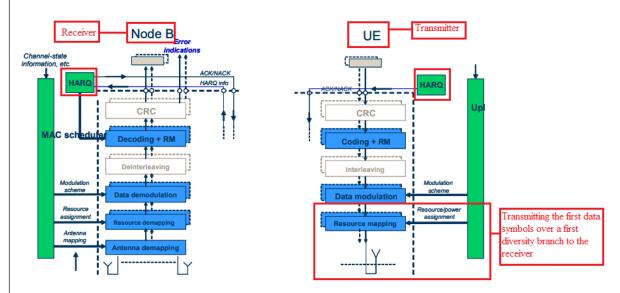


Figure 6.1.1-1: Physical-layer model for UL-SCH transmission

(*E.g.*, https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/ts\_136302v080000p.pdf).

### 5.2 Overview of L1 functions

The physical layer offers data transport services to higher layers. The access to these services is through the use of a transport channel via the MAC sub-layer. The physical layer is expected to perform the following functions in order to provide the data transport service:

- Error detection on the transport channel and indication to higher layers
- FEC encoding/decoding of the transport channel
- Hybrid ARQ soft-combining
- Rate matching of the coded transport channel to physical channels
- Mapping of the coded transport channel onto physical channels
- Power weighting of physical channels
- Modulation and demodulation of physical channels
- Frequency and time synchronisation
- Radio characteristics measurements and indication to higher layers
- Multiple Input Multiple Output (MIMO) antenna processing
- Transmit Diversity (TX diversity)
- 11 Beamforming

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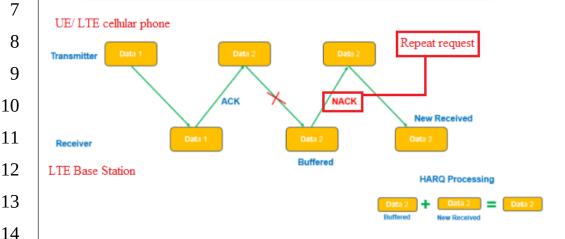
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- RF processing. (Note: RF processing aspects are specified in the TS 36.100)
- L1 functions are modelled for each transport channel in subclauses 6.1 and 6.2.
- (*E.g.*, https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/ts\_136302v080000p.pdf).
- 22. Upon information and belief, the Accused Instrumentality practices modulating said data packets at the transmitter (*e.g.*, the Accused Instrumentality) using a second modulation scheme (*e.g.*, one of QPSK, 16QAM and 64 QAM)—which is distinct from the first modulation scheme) to obtain second data symbols (*e.g.*, output of modulation block using a second modulation scheme). As shown below, the Accused Instrumentality on repeat request *i.e.*, receiving the retransmission request in the form of NAK, enables a second mapping of said

higher order modulation scheme (*i.e.*, an Adaptive Re-transmission having a different Modulation Coding Scheme (MCS) than the one used for HARQ transmission *i.e.*, first higher order modulation scheme).

Soft Combining is an error correction technique in which the bad packets are not discarded but stored in a buffer. The basic idea is that 2 or more packets received with insufficient information can be combined together in such a way that total signal can be decoded. HARQ procedure is as follows

## Hybrid Automatic Repeat Request (HARQ)



## **HARQ Re-transmissions Types**

HARQ Re-transmissions are also of 2 types:-

- · Adaptive re-transmission,
- · Non-adaptive re-transmission.

Adaptive Re-transmission:

Second mapping of said higher order modulation scheme for re-transmission

Here, the transmission attributes like Modulation Coding Scheme (MCS), Redundancy Version (RV), sub-carrier on which transmission is going to occur, does not remain same during each re-transmission but are notified by the sender. These attributes can be changed according to radio channel conditions, hence, it again provides flexibility but increases overhead.

(*E.g.*, <a href="http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-">http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-</a>

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No control of interleaving by higher layers.

Data modulation

Modulation scheme is decided by MAC Scheduler (QPSK, 16QAM and 64QAM).

Higher order modulation scheme

- Mapping to physical resource
- L2-controlled resource assignment.
- Multi-antenna processing
- MAC Scheduler partly configures mapping from assigned resource blocks to the available number of antenna ports.
- Support of L1 control signalling

- Transmission of ACK/NAK and CQI feedback related to DL data transmission

Second transmission i.e. retransmission based on a repeat request i.e. NAK

The model of Figure 6.1.1 also captures

- Transport via physical layer of Hybrid-ARQ related information (exact info is FFS) associated with the PUSCH, to the peer HARQ process at the receiver side;
- Transport via physical layer of corresponding HARQ acknowledgements to PUSCH transmitter side.

# 5.3 L1 interactions with MAC retransmission functionality

Second transmission i.e. HARQ retransmission based on a repeat request

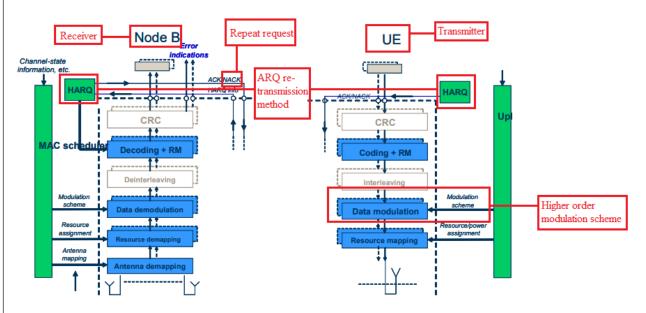


Figure 6.1.1-1: Physical-layer model for UL-SCH transmission

(E.g.,https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/

ts 136302v080000p.pdf).

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## QAM bits per symbol

Higher order modulation scheme

The advantage of using QAM is that it is a higher order form of modulation and as a result it is able to carry more bits of information per symbol. By selecting a higher order format of QAM, the data rate of a link can be increased.

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#### **QAM FORMATS & BIT RATES COMPARISON**

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MODULATION	BITS PER SYMBOL	SYMBOL RATE
BPSK	1	1 x bit rate
QPSK	2	1/2 bit rate
8PSK	3	1/3 bit rate
16QAM	4	1/4 bit rate
32QAM	5	1/5 bit rate
64QAM	6	1/6 bit rate

Respresenting more than two data bits are mapped onto one data symbol

https://www.electronics-notes.com/articles/radio/modulation/quadrature-(E.g.,

amplitude-modulation-types-8gam-16gam-32gam-64gam-128gam-256gam.php).

### 7.1.3 16QAM

In case of 16QAM modulation, quadruplets of bits, b(i), b(i+1), b(i+2), b(i+3), are mapped to complex-valued modulation symbols x=I+jQ according to Table 7.1.3-1.

b(i), b(i+1), b(i+2), b(i+3)	1	Q
0000	1/√10	1/√10
0001	1/√10	3/√10
0010	$3/\sqrt{10}$	1/√10
0011	3/√10	3/√10
0100	1/√10	$-1/\sqrt{10}$
0101	1/√10	$-3/\sqrt{10}$
0110	3/√10	$-1/\sqrt{10}$
0111	$3/\sqrt{10}$	$-3/\sqrt{10}$
1000	$-1/\sqrt{10}$	$1/\sqrt{10}$
1001	$-1/\sqrt{10}$	3/√10
1010	$-3/\sqrt{10}$	1/√10
1011	$-3/\sqrt{10}$	3/√10
1100	$-1/\sqrt{10}$	$-1/\sqrt{10}$
1101	$-1/\sqrt{10}$	$-3/\sqrt{10}$
1110	$-3/\sqrt{10}$	$-1/\sqrt{10}$
	9	100

(E.g., <a href="https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/</a>

 $-3/\sqrt{10}$   $-3/\sqrt{10}$ 

ts 136211v080700p.pdf).

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#### 7.1.4 64QAM

In case of 64QAM modulation, hextuplets of bits, b(i), b(i+1), b(i+2), b(i+3), b(i+4), b(i+5), are mapped to complex-valued modulation symbols x=I+jQ according to Table 7.1.4-1.

b(i), b(i+1), b(i+2), b(i+3), b(i+4), b(i+5)	1	Q	b(i),b(i+1),b(i+2),b(i+3),b(i+4),b(i+5)	1	Q
000000	3/√42	3/4/42	100000	-3 <b>/√</b> 42	3/√4
000001	3/√42	1/√42	100001	-3 <b>/√</b> 42	1/√4
000010	1/√42	3/√42	100010	$-1/\sqrt{42}$	3/√4
000011	1/√42	1/√42	100011	$-1/\sqrt{42}$	1/√4
000100	3/√42	5/√42	100100	-3 <b>/√</b> 42	5/√4
000101	3/√42	7/√42	100101	-3 <b>/√</b> 42	7/√4
000110	1/√42	<u>5</u> /√42	100110	$-1/\sqrt{42}$	5/√4
000111	1/√42	7/√42	100111	$-1/\sqrt{42}$	7/√4
001000	5/√42	3/4/42	101000	-5/√42	3/√4
001001	5/√42	1/√42	101001	-5/√42	1/√4
001010	7/√42	3/√42	101010	-7 <b>/√</b> 42	3/√4
001011	7/42	1/√42	101011	-7 <b>/√</b> 42	1/√4
001100	5/√42	5/√42	101100	-5/√42	<b>5/√</b> 4
001101	5/√42	7/√42	101101	-5/√42	7/4
001110	7/√42	5/√42	101110	-7 <b>/√</b> 42	s/√
001111	7/√42	7/√42	101111	-7 <b>/√</b> 42	7/√4
010000	3/√42	-3 <b>/√</b> 42	110000	-3 <b>/√</b> 42	-3/4
010001	3/√42	$-1/\sqrt{42}$	110001	-3/√42	-1/-/
010010	1/√42	-3 <b>/√</b> 42	110010	$-1/\sqrt{42}$	-3/4
010011	1/√42	-1√√42	110011	$-1/\sqrt{42}$	-1/√
010100	3/√42	-5 <b>/√</b> 42	110100	-3 <b>/√</b> 42	-5/4
010101	3/√42	-7/√42	110101	-3/42	-7/4
010110	1/√42	-5 <b>/√</b> 42	110110	$-1/\sqrt{42}$	-5/√
010111	1/√42	-7 <b>/√</b> 42	110111	$-1/\sqrt{42}$	-7/4
011000	5/√42	-3 <b>/√</b> 42	111000	-5 <b>/√</b> 42	-3/4
011001	5/√42	$-1/\sqrt{42}$	111001	-5/-42	-1/-/
011010	7/√42	-3/√42	111010	-7/-/42	-3/√
011011	7/√42	-1 <b>/√</b> 42	111011	-7 <b>/√</b> 42	-1/-/
011100	5/√42	-5 <b>/√</b> 42	111100	-5 <b>/√</b> 42	-5/4
011101	5/√42	-7 <b>/√</b> 42	111101	-5 <b>/√</b> 42	-7/4
011110	7/√42	-5/√42	111110	-7 <b>/√</b> 42	-5/√
011101	5/√42	-7 <b>/√</b> 42	111101		-5/√42

(*E.g.*, <a href="https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/</a>
<a href="ts\_136211v080700p.pdf">ts\_136211v080700p.pdf</a>).

23. Upon information and belief, the Accused Instrumentality practices performing the second transmission (*e.g.*, HARQ retransmission) by transmitting the second data symbols (*e.g.*, output of modulation block using a second modulation scheme) over a second diversity branch (*e.g.*, mapping from assigned

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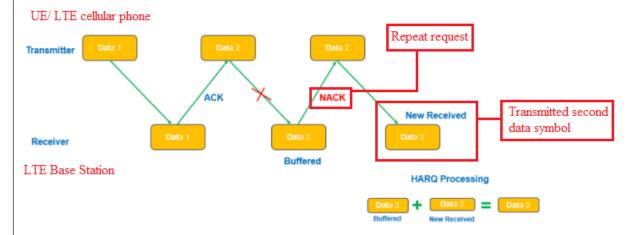
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resource blocks to the later available number of antenna ports) to the receiver (*e.g.*, LTE base station). The Accused Instrumentality discloses a second diversity branch wherein the output of modulation block *i.e.*, second data symbols is transmitted over a second or later diversity branch which is indicated in case of Multi-antenna processing wherein mapping from assigned resource blocks to the later available number of antenna ports.

Soft Combining is an error correction technique in which the bad packets are not discarded but stored in a buffer. The basic idea is that 2 or more packets received with insufficient information can be combined together in such a way that total signal can be decoded. HARQ procedure is as follows

## Hybrid Automatic Repeat Request (HARQ)



## **HARQ Re-transmissions Types**

HARQ Re-transmissions are also of 2 types:-

- · Adaptive re-transmission,
- · Non-adaptive re-transmission.

#### Adaptive Re-transmission:

Second mapping of said higher order modulation scheme for re-transmission

Here, the transmission attributes like Modulation Coding Scheme (MCS), Redundancy Version (RV), sub-carrier on which transmission is going to occur, does not remain same during each re-transmission but are notified by the sender. These attributes can be changed according to radio channel conditions, hence, it again provides flexibility but increases overhead.

## (E.g., <a href="http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-">http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-</a>

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- No control of interleaving by higher layers.
- 4 Data modulation
  - Modulation scheme is decided by MAC Scheduler (QPSK, 16QAM and 64QAM).
  - Mapping to physical resource
  - L2-controlled resource assignment. Transmitting the second data symbols over a second diversity branch
    - Multi-antenna processing
  - MAC Scheduler partly configures mapping from assigned resource blocks to the available number of antenna ports.
  - Support of L1 control signalling
  - Transmission of ACK/NAK and CQI feedback related to DL data transmission
     The model of Figure 6.1.1 also captures
  - Transport via physical layer of Hybrid-ARQ related information (exact info is FFS) associated with the PUSCH, to the peer HARQ process at the receiver side;
  - Transport via physical layer of corresponding HARQ acknowledgements to PUSCH transmitter side.

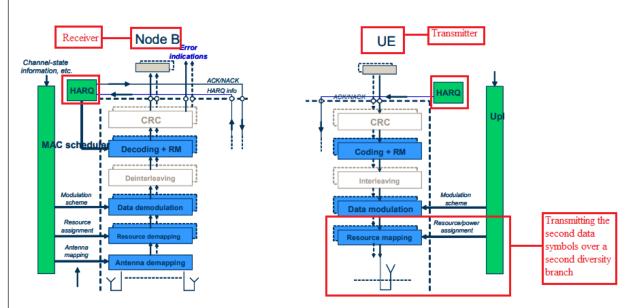


Figure 6.1.1-1: Physical-layer model for UL-SCH transmission

specific reference signals within the considered measurement frequency bandwidth. For RSRP determination the cell-

specific reference signals R<sub>0</sub> and if available R<sub>1</sub> according to [8] can be used. If receiver diversity is in use by the UE, the reported value shall be equivalent to the linear average of the power values 1 of all diversity branches. 2 3 https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/ (E.g.,4 5 ts 136302v080000p.pdf). 6 L1 interactions with MAC retransmission functionality 7 5.3 8 Second transmission i.e. HARQ retransmission based on a repeat request 9 10 5.2 Overview of L1 functions 11 The physical layer offers data transport services to higher layers. The access to these services is through the use of a 12 transport channel via the MAC sub-layer. The physical layer is expected to perform the following functions in order to provide the data transport service: 13 Error detection on the transport channel and indication to higher layers 14 FEC encoding/decoding of the transport channel 15 Hybrid ARQ soft-combining Rate matching of the coded transport channel to physical channels 16 Mapping of the coded transport channel onto physical channels 17 Power weighting of physical channels 18 Modulation and demodulation of physical channels 19 Frequency and time synchronisation 20 Radio characteristics measurements and indication to higher layers Multiple Input Multiple Output (MIMO) antenna processing 21 Transmit Diversity (TX diversity) 22 Beamforming 23 RF processing. (Note: RF processing aspects are specified in the TS 36.100) 24 L1 functions are modelled for each transport channel in subclauses 6.1 and 6.2. 25 26 27 MANN LAW GROUP PLLC **COMPLAINT** 

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403 Madison Ave. N. Ste. 240 Bainbridge Island, WA 98110

Phone: 206-436-0900

(*E.g.*, https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/ts\_136302v080000p.pdf).

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24. Upon information and belief, the Accused Instrumentality, at least in its internal testing and usage, utilizes a base station which practices demodulating the received first (e.q., output of modulation block performing said first modulation scheme) and second data symbols (e.g., output of modulation block using a second modulation scheme) at the receiver (e.g., LTE Base Station) using the first and second modulation schemes (e.g., the mappings corresponding to transmission and retransmission Modulation Coding Scheme) respectively. As shown below, the Accused Instrumentality, at least in its internal testing and usage, utilizes a base station which practices demodulation of first (e.g., output of modulation block performing said first modulation scheme) and second data symbols (e.g., output of modulation block using a second modulation scheme) at the LTE Base Station using the first and second modulation scheme i.e., Modulation Coding Scheme which are distinct for transmission and Adaptive Re-transmission (i.e., an Adaptive Re-transmission having a different Modulation Coding Scheme (MCS) than the one used for transmission *i.e.*, first higher order modulation scheme).

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Soft Combining is an error correction technique in which the bad packets are not discarded but stored in a buffer. The basic idea is that 2 or more packets received with insufficient information can be combined together in such a way that total signal can be decoded. HARO procedure is as follows

#### Hybrid Automatic Repeat Request (HARQ) Second First transmission UE/LTE cellular phone transmission Second data symbol ACK NACK **New Received** Receiver Buffered LTE Base Station **HARQ Processing** First data symbol Data 2

## **HARQ Re-transmissions Types**

HARQ Re-transmissions are also of 2 types:-

- · Adaptive re-transmission,
- Non-adaptive re-transmission.

#### Adaptive Re-transmission:

Second mapping of said higher order modulation scheme for re-transmission

Here, the transmission attributes like Modulation Coding Scheme (MCS), Redundancy Version (RV), sub-carrier on which transmission is going to occur, does not remain same during each re-transmission but are notified by the sender. These attributes can be changed according to radio channel conditions, hence, it again provides flexibility but increases overhead.

(*E.g.*, <a href="http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-">http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-</a>

<u>fdd/</u>).

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No control of interleaving by higher layers.

Data modulation

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Modulation scheme is decided by MAC Scheduler (QPSK, 16QAM and 64QAM).

Higher order modulation scheme

Second transmission i.e. re-

- Mapping to physical resource
- L2-controlled resource assignment.
- Multi-antenna processing
- MAC Scheduler partly configures mapping from assigned resource blocks to the available number of antenna ports.

- Support of L1 control signalling

Transmission of ACK/NAK and CQI feedback related to DL data transmission transmission based on a repeat request i.e. NAK.

The model of Figure 6.1.1 also captures

- Transport via physical layer of Hybrid-ARQ related information (exact info is FFS) associated with the PUSCH, to the peer HARQ process at the receiver side;
- Transport via physical layer of corresponding HARQ acknowledgements to PUSCH transmitter side.

## 5.3 L1 interactions with MAC retransmission functionality

Second transmission i.e. HARQ retransmission based on a repeat request

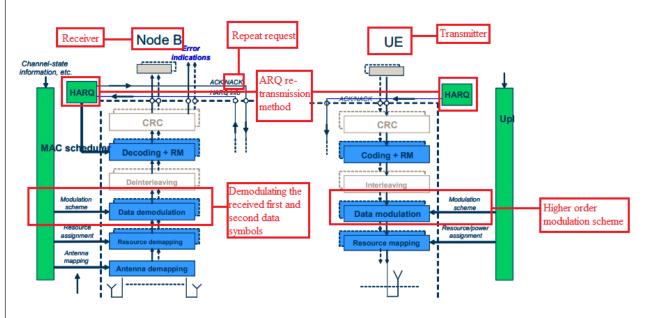


Figure 6.1.1-1: Physical-layer model for UL-SCH transmission

(E.g., https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/

ts 136302v080000p.pdf).

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## QAM bits per symbol

The advantage of using QAM is that it is a higher order form of modulation and as a result it is able to carry more bits of information per symbol. By selecting a higher order format of QAM, the data rate of a link can be increased.

#### **QAM FORMATS & BIT RATES COMPARISON**

MODULATION	BITS PER SYMBOL	SYMBOL RATE
BPSK	1	1 x bit rate
QPSK	2	1/2 bit rate
8PSK	3	1/3 bit rate
16QAM	4	1/4 bit rate
32QAM	5	1/5 bit rate
64QAM	6	1/6 bit rate

Respresenting more than two data bits are mapped onto one data symbol

https://www.electronics-notes.com/articles/radio/modulation/quadrature-(E.g.,

amplitude-modulation-types-8gam-16gam-32gam-64gam-128gam-256gam.php).

### 7.1.3 16QAM

In case of 16QAM modulation, quadruplets of bits, b(i), b(i+1), b(i+2), b(i+3), are mapped to complex-valued modulation symbols x=I+jQ according to Table 7.1.3-1.

b(i), b(i+1), b(i+2), b(i+3)	1	Q
0000	1/√10	1/√10
0001	1/√10	3/√10
0010	3/√10	1/√10
0011	3/√10	3/√10
0100	1/√10	$-1/\sqrt{10}$
0101	1/√10	$-3/\sqrt{10}$
0110	3/\sqrt{10}	$-1/\sqrt{10}$
0111	3/√10	$-3/\sqrt{10}$
1000	$-1/\sqrt{10}$	1/√10
1001	$-1/\sqrt{10}$	3/√10
1010	$-3/\sqrt{10}$	1/√10
1011	$-3/\sqrt{10}$	3/√10
1100	$-1/\sqrt{10}$	$-1/\sqrt{10}$
1101	$-1/\sqrt{10}$	$-3/\sqrt{10}$
1110	$-3/\sqrt{10}$	-1 <b>/√</b> 10
1111	$-3/\sqrt{10}$	$-3/\sqrt{10}$

(E.g., <a href="https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/</a>

ts 136211v080700p.pdf).

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#### 64QAM 7.1.4

In case of 64QAM modulation, hextuplets of bits, b(i), b(i+1), b(i+2), b(i+3), b(i+4), b(i+5), are mapped to complex-

1	valued modulation symbols $x=I+jQ$ according to Table 7.1.4-1.						
2		Table 7.1.	4-1: 64QAN	I modulation mapping			
2	b(i), b(i+1), b(i+2), b(i+3), b(i+4), b(i+5) 00000	<i>I</i> 3/√42	Q 3/√42	b(i), b(i+1), b(i+2), b(i+3), b(i+4), b(i+5) 100000	<i>I</i> −3 <b>/√</b> 42	Q 3/√42	
2	000001	3/√42 3/√42	3/√42 1/√42	100001	-3/442 -3/42	3/√42 1/√42	
3	000010	3/√42 1/√42	3/√42	100010	$-3/\sqrt{42}$	3/√42	
	000011	1/√42	1/√42	100011	$-1/\sqrt{42}$	1/√42	
4	000100	3/√42	5/√42	100100	-3/√42	5/√42	
_	000101	3/√42	7/√42	100101	-3/√42	7/√42	
5	000110	1/√42	5/√42	100110	-1 <b>/√</b> 42	5/√42	
_	000111	1/√42	7/√42	100111	-1 <b>/√</b> 42	7/√42	
6	001000	5/√42	3/√42	101000	-5/√42	3/√42	
	001001	5/√42	1/√42	101001	-5/√42	1/√42	
7	001010	7/√42	3/√42	101010	-7 <b>/√</b> 42	3/√42	
	001011	7/√42	1/√42	101011	-7 <b>/√</b> 42	1/√42	
8	001100	5/√42	5/√42	101100	-5 <b>/√</b> 42	5/√42	
Ū	001101	5/√42	7/√42	101101	-5/-42	7/√42	
9	001110	7/√42	5/√42	101110	-7/√42	5/√42	
9	001111	7/√42	7/√42	101111	-7/-/42	7/√42	
10	010000	3/√42	-3/√42	110000	-3/-42	, .	
10	010001	3/√42	-1/√42	110001	-3/√42	-1/√42	
11	010010	1/√42	-3/√42	110010	-1/√42	-3/√42	
TT	010011	1/√42	-1/√42	110011	-1/√42	-1/√42	
10	010100	3/√42 3/√42	-5/√42 -7/√42	110100	-3/√42 -3/√42	-5/√42 -7/√42	
12	010110	3/√42 1/√42	-7/442 -5/√42	110110	$-3/\sqrt{42}$ $-1/\sqrt{42}$	-7/√42 -5/√42	
4.5	010111	1/√42	-5/√42 -7/√42	110111	$-1/\sqrt{42}$	-5/\square -7/\square	
13	011000	5/√42	$-3/\sqrt{42}$	111000	-5/ <del>√</del> 42	$-3/\sqrt{42}$	
	011001	5/√42	$-1/\sqrt{42}$	111001	-5/42	$-1/\sqrt{42}$	
14	011010	7/-/42	-3/√42	111010	-7/√42	-3/√42	
	011011	7/√42	-1/√42	111011	-7 <b>/√</b> 42	-1/√42	
15	011100	5/√42	-5/√42	111100	-5/√42		
	011101	5/√42	-7 <b>/√</b> 42	111101	-5/√42		
16	011110	7/√42	-5 <b>/√</b> 42	111110	-7/√42	-5/√42	
-	011111	7/√42	-7 <b>/√</b> 42	111111	<u>-7/√42</u>	<u>-7/√42</u>	
	i e e e e e e e e e e e e e e e e e e e						

https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/ (E.g.,ts 136211v080700p.pdf).

Upon information and belief, the Accused Instrumentality, at least in its 25. internal testing and usage, utilizes a base station which practices diversity combining (e.g., Hybrid ARQ soft-combining) the demodulated data received over the first (e.g., mapping from assigned resource blocks to the first available number

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of antenna ports) and second diversity branches (e.g., mapping from assigned resource blocks to the later available number of antenna ports). The Accused Instrumentality, at least in its internal testing and usage, utilizes a base station which performs a diversity combining i.e., Hybrid ARQ soft-combining of data from multiple received antenna ports. No control of interleaving by higher layers. Data modulation Modulation scheme is decided by MAC Scheduler (QPSK, 16QAM and 64QAM). Mapping to physical resource L2-controlled resource assignment. Multi-antenna processing MAC Scheduler partly configures mapping from assigned resource blocks to the available number of antenna ports. Support of L1 control signalling Transmission of ACK/NAK and CQI feedback related to DL data transmission The model of Figure 6.1.1 also captures Transport via physical layer of Hybrid-ARQ related information (exact info is FFS) associated with the PUSCH, to the peer HARQ process at the receiver side; Transport via physical layer of corresponding HARQ acknowledgements to PUSCH transmitter side.

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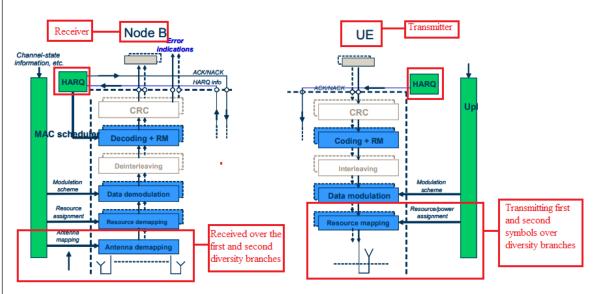


Figure 6.1.1-1: Physical-layer model for UL-SCH transmission

(E.g., <a href="https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/</a>

ts 136302v080000p.pdf).

specific reference signals within the considered measurement frequency bandwidth. For RSRP determination the cell-specific reference signals  $R_0$  and if available  $R_1$  according to [8] can be used.

If receiver diversity is in use by the UE, the reported value shall be equivalent to the linear average of the power values of all diversity branches.

# 5.3 L1 interactions with MAC retransmission functionality

Second transmission i.e. HARQ retransmission based on a repeat request

### 5.2 Overview of L1 functions

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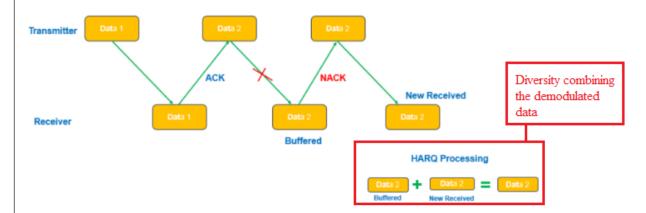
**COMPLAINT** 

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The physical layer offers data transport services to higher layers. The access to these services is through the use of a 1 transport channel via the MAC sub-layer. The physical layer is expected to perform the following functions in order to provide the data transport service: 2 Error detection on the transport channel and indication to higher layers 3 FEC encoding/decoding of the transport channel 4 Hybrid ARQ soft-combining Diversity combining 5 Rate matching of the coded transport channel to physical channels Mapping of the coded transport channel onto physical channels 6 Power weighting of physical channels 7 Modulation and demodulation of physical channels 8 Frequency and time synchronisation 9 Radio characteristics measurements and indication to higher layers Multiple Input Multiple Output (MIMO) antenna processing 10 Transmit Diversity (TX diversity) 11 Beamforming 12 RF processing. (Note: RF processing aspects are specified in the TS 36.100) 13 L1 functions are modelled for each transport channel in subclauses 6.1 and 6.2. 14 15 https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/ (E.q.,16 ts 136302v080000p.pdf). 17 18 19 20 21 22 23 24 25 26

Soft Combining is an error correction technique in which the bad packets are not discarded but stored in a buffer. The basic idea is that 2 or more packets received with insufficient information can be combined together in such a way that total signal can be decoded. HARQ procedure is as follows

### Hybrid Automatic Repeat Request (HARQ)



(*E.g.*, <a href="http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-fdd/">http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-fdd/</a>).

26. Upon information and belief, the Accused Instrumentality utilizes the modulation schemes wherein 16 QAM and a number of log2 (M) modulation schemes are used. The Accused Instrumentality performs a data modulation such as QPSK, 16 QAM and 64 QAM wherein the M-ary Quadrature Amplitude Modulation is basically a log2 (M) modulation schemes, for example,16QAM stands for log2 (16) modulation schemes and 64 QAM stands for log2 (64) modulation schemes.

# Hybrid Automatic Repeat Request (HARQ) in LTE FDD

October 18, 2018 🌲 admin 🕒 Future Network Optimization, LTE, RF Basics, Tech Fundas

HARO stands for Hybrid Automatic Repeat Request. HARO = ARO + FEC (Forward Error Correction)/Soft Combining.

ARQ refers to Automatic Repeat Request i.e. if sender doesn't receive Acknowledgement (ACK) before timeout, the receiver discards the bad packet and sender shall re-transmits the packet. ARQ procedure is illustrated below:

(E.g., <a href="http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-">http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-</a>

<u>fdd/</u>).

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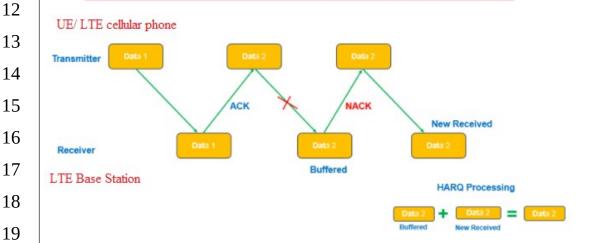
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<u>Soft Combining</u> is an error correction technique in which the bad packets are not discarded but stored in a buffer. The basic idea is that 2 or more packets received with insufficient information can be combined together in such a way that total signal can be decoded. HARQ procedure is as follows

# Hybrid Automatic Repeat Request (HARQ)



(E.g., <a href="http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-">http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-</a>

<u>fdd/</u>).

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- No control of interleaving by higher layers.

#### Data modulation

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- Modulation scheme is decided by MAC Scheduler (QPSK, 16QAM and 64QAM).

- Mapping to physical resource

16 QAM and a number of log2 (M) modulation schemes

- L2-controlled resource assignment.

#### - Multi-antenna processing

- MAC Scheduler partly configures mapping from assigned resource blocks to the available number of antenna ports.

### - Support of L1 control signalling

Transmission of ACK/NAK and CQI feedback related to DL data transmission
 The model of Figure 6.1.1 also captures

- Transport via physical layer of Hybrid-ARQ related information (exact info is FFS) associated with the PUSCH, to the peer HARQ process at the receiver side;
- Transport via physical layer of corresponding HARQ acknowledgements to PUSCH transmitter side.

### (*E.g.*, <a href="https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/</a>

### <u>ts\_136302v080000p.pdf</u>).

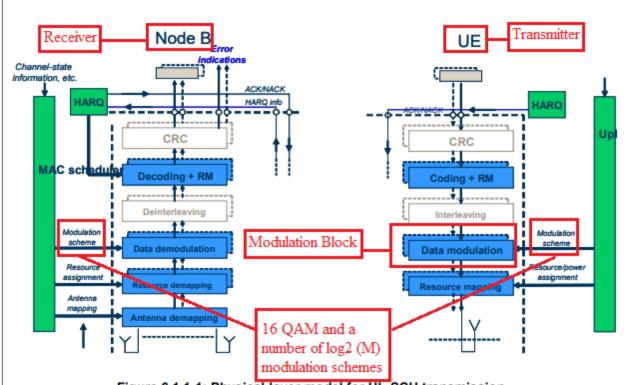


Figure 6.1.1-1: Physical-layer model for UL-SCH transmission

https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/ (E.g.,1 ts 136302v080000p.pdf). 2 Constructing a rectangular 3 constellation for 16-QAM 4 5 October 10, 2012 by Mathuranathan 6 7  $\star\star\star\star\star$  (7 votes, average: 4.57 out of 5) This post is a part of the ebook: Digital Modulations using Matlab: build 8 simulation models from scratch – by Mathuranathan Viswanathan 9 Any rectangular QAM constellation is equivalent to superimposing two ASK signals 10 on quadrature carriers (I and Q components). For 4-QAM modulation, each symbol is of size k = log 2(M) = log 2(4) = 2 bits. For 16-QAM modulation, the symbol size is k 11  $= \log 2(16) = 4 \text{ bits.}$ 12 13 (E.g.,https://www.gaussianwaves.com/2012/10/constructing-a-rectangular-14 15 constellation-for-16-gam/). 16 17 QAM bits per symbol Higher order modulation scheme 18 The advantage of using QAM is that it is a higher order form of modulation and as a result it is able to carry more bits of information per symbol. By selecting a higher order format of QAM, the data rate of a link can be 19 increased. 20 21 https://www.electronics-notes.com/articles/radio/modulation/quadrature-(E.g.,22 amplitude-modulation-types-8gam-16gam-32gam-64gam-128gam-256gam.php). 23 24 25 26 27 MANN LAW GROUP PLLC **COMPLAINT** 403 Madison Ave. N. Ste. 240

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### 7.1.3 16QAM

In case of 16QAM modulation, quadruplets of bits, b(i), b(i), b(i+1), b(i+2), b(i+3), are mapped to complex-valued modulation symbols x=I+jQ according to Table 7.1.3-1.

Table 7.1.3-1: 16QAM m	odulation	mapping
b(i), b(i+1), b(i+2), b(i+3)	1	Q
0000	1/√10	1/√10
0001	1/√10	3/√10
0010	3/√10	1/√10
0011	3/√10	3/√10
0100	1/√10	$-1/\sqrt{10}$
0101	1/√10	$-3/\sqrt{10}$
0110	3/√10	$-1/\sqrt{10}$
0111	$3/\sqrt{10}$	$-3/\sqrt{10}$
1000	$-1/\sqrt{10}$	1/√10
1001	$-1/\sqrt{10}$	3/√10
1010	$-3/\sqrt{10}$	1/√10
1011	$-3/\sqrt{10}$	3/√10
1100	$-1/\sqrt{10}$	$-1/\sqrt{10}$
1101	$-1/\sqrt{10}$	$-3/\sqrt{10}$
1110	$-3/\sqrt{10}$	$-1/\sqrt{10}$
1111	$-3/\sqrt{10}$	-3/√I

E.g., <a href="https://www.etsi.org/deliver/etsi">https://www.etsi.org/deliver/etsi</a> ts/136200 136299/136211/08.07.00 60/</a> ts 136211v080700p.pdf).

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#### 7.1.4 64QAM

In case of 64QAM modulation, hextuplets of bits, b(i), b(i+1), b(i+2), b(i+3), b(i+4), b(i+5), are mapped to complex-valued modulation symbols x=I+jQ according to Table 7.1.4-1.

Table 7.1.4-1: 64QAM modulation mapping						
b(i),b(i+1),b(i+2),b(i+3),b(i+4),b(i+5)	- 1	Q	b(i),b(i+1),b(i+2),b(i+3),b(i+4),b(i+5)	1	Q	
000000	3/√42	3/√42	100000	-3 <b>/√</b> 42	3/√42	
000001	3/√42	1/√42	100001	-3 <b>/√</b> 42	1/√42	
000010	1/√42	3/√42	100010	-1√√42	3/√42	
000011	1/√42	1/√42	100011	-1 <b>/√</b> 42	1/-√42	
000100	3/√42	5/√42	100100	-3 <b>/√</b> 42	5/√42	
000101	3/√42	7/√42	100101	-3 <b>/√</b> 42	7/√42	
000110	1/√42	<u>5</u> /√42	100110	-1 <b>√</b> √42	5/√42	
000111	1/√42	7/√42	100111	-1 <b>/√</b> 42	7/√42	
001000	5/√42	3/√42	101000	-5 <b>/√</b> 42	3/√42	
001001	5/√42	1/√42	101001	-5/√42	1/√42	
001010	7/-√42	3/√42	101010	-7 <b>/√</b> 42	3/√42	
001011	7/√42	1/√42	101011	-7 <b>/√</b> 42	1/42	
001100	5/√42	<u>5</u> /√42	101100	-5 <b>/√</b> 42	5/√42	
001101	5/√42	7/√42	101101	-5 <b>/√</b> 42	7/42	
001110	7/√42	<u>5</u> /√42	101110	-7 <b>/√</b> 42	5/√42	
001111	7/√42	7/√42	101111	-7 <b>/√</b> 42	7/√42	
010000	3/√42	-3 <b>/√</b> 42	110000	-3 <b>/√</b> 42	-3 <b>/√</b> 42	
010001	3/√42	$-1/\sqrt{42}$	110001	-3 <b>/√</b> 42	-1√42	
010010	1/√42	-3 <b>/√</b> 42	110010	-1 <b>/√</b> 42	-3√√42	
010011	1/√42	$-1/\sqrt{42}$	110011	-1√√42	-1√42	
010100	3/√42	-5/√ <u>42</u>	110100	-3 <b>/√</b> 42	-5/√42	
010101	3/√42	-7 <b>/√</b> 42	110101	-3 <b>/√</b> 42	-7 <b>/√</b> 42	
010110	1/√42	-5 <b>/√</b> 42	110110	, .	-5√√42	
010111	1/√42	-7 <b>/√</b> 42	110111	-1√√42	-7 <b>/√</b> 42	
011000	5/√42	-3 <b>/√</b> 42	111000	-5 <b>/√</b> 42	-3 <b>/√</b> 42	
011001	5/√42	$-1/\sqrt{42}$	111001	-5 <b>/√</b> 42	-1/√42	
011010	7/-42	-3 <b>/√</b> 42	111010	-7 <b>/√</b> 42	-3√√42	
011011	7/√42	-1 <b>/√</b> 42	111011	-7 <b>/√</b> 42	-1√42	
011100	5/√42	-5 <b>/√</b> 42	111100	-5 <b>/√</b> 42	-5 <b>/√</b> 42	
011101	5/√42	-7 <b>/√</b> 42	111101	-5 <b>/√</b> 42	-7 <b>/√</b> 42	
011110	7/-42	-5/√42	111110	-7 <b>/√</b> 42	-5√√42	
011111	7/√42	-7 <b>/√</b> 42	111111	-7 <b>/√</b> 42	-7 <b>/√</b> 42	

(*E.g.*, <a href="https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/</a> ts 136211v080700p.pdf).

### V. <u>COUNT II</u> (PATENT INFRINGEMENT OF UNITED STATES PATENT NO. 7,567,622)

- 27. Plaintiff incorporates the above paragraphs herein by reference.
- 28. On July 28, 2009, United States Patent No. 7,567,622 ("the '622 Patent") was duly and legally issued by the United States Patent and Trademark

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Office. The application leading to the '622 Patent was filed on December 5, 2006 (Ex. B at cover)

- 29. The '961 Patent is titled "Constellation Rearrangement for ARQ Transmit Diversity Schemes." The '622 Patent issued from an application that is a continuation of the application leading to the '961 Patent. A true and correct copy of the '622 Patent is attached hereto as Exhibit B and incorporated herein by reference.
- 30. Plaintiff is the assignee of all right, title, and interest in the '622 patent, including all rights to enforce and prosecute actions for infringement and to collect damages for all relevant times against infringers of the '622 Patent. Accordingly, Plaintiff possesses the exclusive right and standing to prosecute the present action for infringement of the '622 Patent by Defendant.
- 31. The '622 patent shares the same specification as the '961 patent and therefore the background information regarding the '961 patent in paragraphs 11 through 15 are incorporated by reference.
- 32. During the prosecution history, applicant explained the benefits of the claimed invention. The claim "defines an ARQ retransmission method in which more than two data bits are mapped onto one data symbol in each of the initial transmission and a retransmission. The symbols of the initial transmission and the retransmission represent the same bit information, but are different symbols due to

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different bit mappings. Since different bits of a modulation symbol have different communications reliabilities, the claimed subject matter supports averaging the communication reliabilities for each bit mapped onto a transmission symbol and a retransmission symbol so as to improve the likelihood of receiving the bit." (Ex. C at 16).

- 33. An advantage of the claimed subject matter "lies in reducing the overall data traffic, since the claimed retransmission is only needed in situations where any initial transmission cannot be successfully received by a receiver. The claimed subject matter employs retransmission and diversity combining only when the initial transmission is not received properly, whereas [the prior art] communications scheme always transmits identical data over three parallel paths for diversity combining by a receiver and does not retransmit data in accordance with a repeat request by a receiver." (Ex. C at 17).
- 34. **Direct Infringement.** Upon information and belief, Defendant has been directly infringing at least claim 1 of the '622 patent in Washington, and elsewhere in the United States, by performing actions comprising at least performing the claimed ARQ re-transmission method by performing the steps of the claimed invention using the Kymeta U8 Terminal ("Accused Instrumentality") (*e.g.*, <a href="https://www.kymetacorp.com/wp-content/uploads/2021/12/700-00097-000-revJ-Kymeta-u8-terminal-product-sheet-1.pdf">https://www.kymetacorp.com/wp-content/uploads/2021/12/700-00097-000-revJ-Kymeta-u8-terminal-product-sheet-1.pdf</a>).

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35. In at least testing and usage, the Accused Instrumentality practices an ARQ re-transmission method (*e.g.*, HARQ method) in a wireless communication system (*e.g.*, LTE network) wherein data packets are transmitted from a transmitter (*e.g.*, the Accused Instrumentality) to a receiver (*e.g.*, LTE base station) using a higher order modulation scheme (*e.g.*, one of QPSK,16QAM and 64 QAM) wherein more than two data bits are mapped onto one data symbol to perform a first transmission and at least a second transmission (*e.g.*, HARQ retransmission) based on a repeat request (*e.g.*, HARQ retransmission request in the form of NAK). The Accused Instrumentality performs a higher order data modulation such as 16QAM and 64 QAM wherein has more than two data bits are mapped onto one data symbol (*i.e.*, in case of 16QAM it transmits 4 bits per symbol whereas in the case of 64QAM it transmits 6 bits per symbol.

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#### MAKING MOBILE GLOBAL

The Kymeta™ u8 terminal provides a complete connectivity solution for on-the-go communications when and where you need it in a single integrated platform.

The u8 terminal, with Kymeta revolutionary software-defined, electronic beamsteering technology, is low profile and easy-to-mount on vehicles and vessels.

The u8 GO terminal is easily transportable and can support communication while in the case, on the ground or mounted on a vehicle for easy deployment in a multitude of use cases. The multi-function hardened case is tested to MIL-STD-810H transportation standards and comes with hardened tie down points.

Broadband by-the-gigabyte connectivity plans are available from Kymeta in either satellite or satellite/cellular packages. Kymeta Connect™, an all-inclusive bundle of hardware, connectivity, and support, is offered at an affordable monthly rate.



#### DESIGNED FOR MOBILE PLATFORMS

LOW PROFILE, AERODYNAMIC DESIGN, NATIVE DC POWER INPUT, AND NEW ACCESSORIES SIMPLIFY VEHICLE INTEGRATION.



#### ALWAYS-ON CONNECTIVITY

WITH A MULTI-WAN SATELLITE AND CELLULAR CONFIGURATION, THE KYMETA u8 HYBRID TERMINAL PROVIDES COMMUNICATION ANYWHERE.



#### CLOUD-ENABLED SOLUTIONS

ACCESS TO TERMINAL METRICS AND SD-WAN, EDGE CONTENT, AND CONNECTIVITY MANAGEMENT TOOLS AVAILABLE VIA A CLOUD-BASED PORTAL.



### u8 Terminal Specifications\*

### CONNECTIVITY

#### SETUP TIME OF TERMINAL

Unpackage, lift, mount, and operate in less than 20 minutes

#### **ACQUISITION OF SIGNAL**

Less than 1 minute from initiation of acquisition

#### COMMUNICATIONS MODULE

Integrated iDirect iQ 200 satellite router

Integrated multi-WAN with 3G & LTE capabilities (optional)

### INTERFACES

#### **NETWORK INTERFACE**

Ethernet, Wi-Fi

#### **ANTENNA**

#### BAND

### ANTENNA TYPE

Electronically scanned array

#### POLARIZATION

Linear, software-defined

#### **RX FREQUENCY RANGE**

### (E.g., <a href="https://www.kymetacorp.com/wp-content/uploads/2021/12/700-00097-000-">https://www.kymetacorp.com/wp-content/uploads/2021/12/700-00097-000-</a>

revJ-Kymeta-u8-terminal-product-sheet-1.pdf).

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### Hybrid Automatic Repeat Request (HARQ) in LTE FDD

📕 October 18, 2018 🋔 admin 🕒 Future Network Optimization, LTE, RF Basics, Tech Fundas

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HARO stands for Hybrid Automatic Repeat Request. HARO = ARO + FEC (Forward Error Correction)/Soft Combining.

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ARQ refers to Automatic Repeat Request i.e. if sender doesn't receive Acknowledgement (ACK) before timeout, the receiver discards the bad packet and sender shall re-transmits the packet. ARQ procedure is illustrated below:

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Soft Combining is an error correction technique in which the bad packets are not discarded but stored in a buffer. The basic idea is that 2 or more packets received with insufficient information can be combined together in such a way that total signal can be decoded. HARQ procedure is as follows

NACK

Buffered

**New Received** 

**HARQ Processing** 

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# Hybrid Automatic Repeat Request (HARQ)

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UE/LTE cellular phone

Transmitter

Receiver

LTE Base Station

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20 (E.g., http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-

ACK

21 fdd/).

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İ		
6.1	Uplink model Data packets transmitted from a transmitted	er i.e. UE/LTE cellular phone
6.1.1	to a receiver i.e. LTE base station Uplink Shared Channel	
layer-proo that they a scheduling The uplin	cal-layer model for Uplink Shared Channel transmission is described based of cessing chain, see Figure 6.1.1. Processing steps that are relevant for the physical configurable by higher layers, are highlighted in blue. It should be noted to g decision is partly made at the network side, if there is no blind decoding it is k transmission control in the UE then configures the uplink physical-layer proformat and resource-assignment information received on the downlink.	ical-layer model, e.g. in the sense hat, in case PUSCH, the s fully done at the network side.
- Highe	r-layer data passed to/from the physical layer	
- One tr	ansport block of dynamic size delivered to the physical layer once every TTL	
- CRC	and transport-block-error indication	
- Transp	port-block-error indication delivered to higher layers.	
- FEC a	and rate matching	
assignmer - Physic	nel coding rate is implicitly given by the combination of transport block size, int;  ARQ re-transmission method al layer model support of HARQ: in case of Incremental Redundancy, the codess controls what redundancy version is to be used for the physical layer transmission.	rresponding Layer 2 Hybrid-
- Interl	eaving	
- No c	ontrol of interleaving by higher layers.	
- Data	modulation	Higher order modulation
- Mod	ulation scheme is decided by MAC Scheduler (QPSK, 16QAM and 64QAI	scheme M).
- Мар	ping to physical resource	
- L2-c	ontrolled resource assignment.	
- Mult	ti-antenna processing	
- MAC	Scheduler partly configures mapping from assigned resource blocks to the	e available number of antenna ports.
- Supp	oort of L1 control signalling	Second transmission i.e. re- transmission based on a repeat
- Trans	smission of ACK/NAK and CQI feedback related to DL data transmission	
The	model of Figure 6.1.1 also captures	
	sport via physical layer of Hybrid-ARQ related information (exact info is I HARQ process at the receiver side;	FFS) associated with the PUSCH, to
	sport via physical layer of corresponding HARQ acknowledgements to PU	SCH transmitter side.
(E.g.,	https://www.etsi.org/deliver/etsi_ts/136300_13	6399/136302/08.00.00_60/
ts_1363	<u>802v080000p.pdf</u> ).	
COMPL 22-cv-54	AINT 403 M	IN LAW GROUP PLLC Madison Ave. N. Ste. 240 bridge Island, WA 98110

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# 5.3 L1 interactions with MAC retransmission functionality

Second transmission i.e. HARQ retransmission based on a repeat request

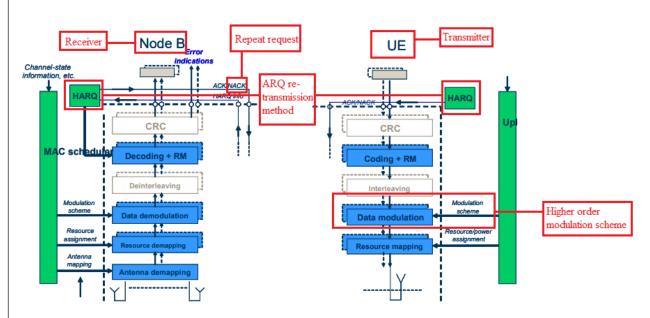


Figure 6.1.1-1: Physical-layer model for UL-SCH transmission

(*E.g.*, https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/ts\_136302v080000p.pdf).

### QAM bits per symbol

Higher order modulation scheme

The advantage of using QAM is that it is a higher order form of modulation and as a result it is able to carry more bits of information per symbol. By selecting a higher order format of QAM, the data rate of a link can be increased.

(E.g., <a href="https://www.electronics-notes.com/articles/radio/modulation/quadrature-">https://www.electronics-notes.com/articles/radio/modulation/quadrature-</a>

amplitude-modulation-types-8qam-16qam-32qam-64qam-128qam-256qam.php).

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#### **QAM FORMATS & BIT RATES COMPARISON**

MODULATION	BITS PER SYMBOL	SYMBOL RATE
BPSK	1	1 x bit rate
QPSK	2	1/2 bit rate
8PSK	3	1/3 bit rate
16QAM	4	1/4 bit rate
32QAM	5	1/5 bit rate
64QAM	6	1/6 bit rate

Respresenting more than two data bits are mapped onto one data symbol

(E.g., <a href="https://www.electronics-notes.com/articles/radio/modulation/quadrature-">https://www.electronics-notes.com/articles/radio/modulation/quadrature-</a>

amplitude-modulation-types-8qam-16qam-32qam-64qam-128qam-256qam.php).

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### 7.1.3 16QAM

In case of 16QAM modulation, quadruplets of bits, b(i), b(i+1), b(i+2), b(i+3), are mapped to complex-valued modulation symbols x=I+jQ according to Table 7.1.3-1.

b(i), b(i+1), b(i+2), b(i+3)	1	Q
0000	1/√10	1/√10
0001	1/√10	3/√10
0010	3/√10	1/√10
0011	3/√10	3/√10
0100	1/√10	$-1/\sqrt{10}$
0101	1/√10	$-3/\sqrt{10}$
0110	3/\sqrt{10}	$-1/\sqrt{10}$
0111	3/\sqrt{10}	$-3/\sqrt{10}$
1000	$-1/\sqrt{10}$	$1/\sqrt{10}$
1001	$-1/\sqrt{10}$	3/√10
1010	$-3/\sqrt{10}$	1/√10
1011	$-3/\sqrt{10}$	3/√10
1100	$-1/\sqrt{10}$	$-1/\sqrt{10}$
1101	$-1/\sqrt{10}$	$-3/\sqrt{10}$
1110	$-3/\sqrt{10}$	$-1/\sqrt{10}$
1111	$-3/\sqrt{10}$	$-3/\sqrt{10}$

(E.g., <a href="https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/</a>

ts\_136211v080700p.pdf).

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#### 7.1.4 64QAM

In case of 64QAM modulation, hextuplets of bits, b(i), b(i+1), b(i+2), b(i+3), b(i+4), b(i+5), are mapped to complex-valued modulation symbols x=t+jQ according to Table 7.1.4-1.

Table 7.1.4-1: 64QAM modulation mapping						
b(i),b(i+1),b(i+2),b(i+3),b(i+4),b(i+5)	- 1	Q	b(i), b(i+1), b(i+2), b(i+3), b(i+4), b(i+5)	1	Q	
000000	3/√42	3/√42	100000	-3 <b>/√</b> 42	3/√42	
000001	3/√42	1/√42	100001	-3 <b>/√</b> 42	1/√42	
000010	1/√42	3/√42	100010	-1 <b>/√</b> 42	3/√42	
000011	1/√42	1/√42	100011	-1 <b>/√</b> 42	1/√42	
000100	3/√42	<u>5/√42</u>	100100	-3 <b>/√</b> 42	5/√42	
000101	3/√42	7/√42	100101	-3 <b>/√</b> 42	7/√42	
000110	1/√42	5/√42	100110	-1 <b>/√</b> 42	5/√42	
000111	1/√42	7/√42	100111	-1 <b>/√</b> 42	7/√42	
001000	5/√42	3/42	101000	-5/42	3/√42	
001001	5/√42	1/√42	101001		1/√42	
001010	7/√42	3/√42	101010		3/√42	
001011	7/42	1/√42	101011	-7 <b>/√</b> 42	1/√42	
001100	5/√42	<u>5/√42</u>	101100	-5/42	5/√42	
001101	5/√42	7/√42	101101	-5/42	7/√42	
001110	7/-√42	5/√42	101110	-7 <b>/√</b> 42		
001111	7/√42	7/√42	101111	-7 <b>/√</b> 42	7/√42	
010000	3/√42	-3 <b>/√</b> 42	110000	-3 <b>/√</b> 42	-3 <b>/√</b> 42	
010001	3/√42	-1 <b>/√</b> 42	110001	-3 <b>/√</b> 42	-1 <b>/√</b> 42	
010010	1/√42	-3 <b>/√</b> 42	110010	-1 <b>/√</b> 42	-3√√42	
010011	1/√42	-1√√42	110011	-1 <b>√</b> √42	-1 <b>√</b> 42	
010100	3/√42	-5 <b>/√</b> 42	110100	-3 <b>/√</b> 42	-5 <b>/√</b> 42	
010101	3/√42	-7/42	110101	-3/42	-7 <b>/√</b> 42	
010110	1/√42	-5/√42	110110	-1 <b>/√</b> 42	-5/√42	
010111	1/√42	-7 <b>/√</b> 42	110111	-1 <b>√</b> √42	-7 <b>/√</b> 42	
011000	5/√42	-3 <b>/√</b> 42	111000	-5/42	-3 <b>/√</b> 42	
011001	5/√42	-1 <b>/√</b> 42	111001	-5/42	-1 <b>/√</b> 42	
011010	7/-√42	-3 <b>/√</b> 42	111010	-7 <b>/√</b> 42	-3 <b>√</b> √42	
011011	7/√42	-1/√42	111011	-7 <b>/√</b> 42	-1 <b>√</b> 42	
011100	5/√42	-5 <b>/√</b> 42	111100	-5 <b>/√</b> 42	-5 <b>/√</b> 42	
011101	5/√42	-7 <b>/√</b> 42	111101	-5/42	-7 <b>/√</b> 42	
011110	7/-√42	<u>-5/√42</u>	111110	-7 <b>/√</b> 42	-5 <b>/√</b> 42	
011111	7/√42	-7/√42	111111	-7 <b>/√</b> 42	-7 <b>/√</b> 42	

(*E.g.*, <a href="https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/</a>
<a href="ts=136211v080700p.pdf">ts=136211v080700p.pdf</a>).

36. Upon information and belief, the Accused Instrumentality practices modulating data packets at the transmitter (*e.g.*, the Accused Instrumentality) using a first mapping of said higher order modulation scheme (*e.g.*, one of QPSK,

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16QAM and 64 QAM) to obtain first data symbols (*e.g.*, output of modulation block performing said first modulation scheme). The Accused Instrumentality performs a higher order data modulation such as 16QAM and 64 QAM which have more than two data bits are mapped onto one data symbol (*i.e.*, in case of 16QAM it transmits 4 bits per symbol whereas in the case of 64QAM it transmits 6 bits per symbol) so as to obtain a said first data symbols which is basically the output of the modulation block.

- No control of interleaving by higher layers.
  - Data modulation
- Modulation scheme is decided by MAC Scheduler (QPSK, 16QAM and 64QAM).
- Mapping to physical resource
- L2-controlled resource assignment.

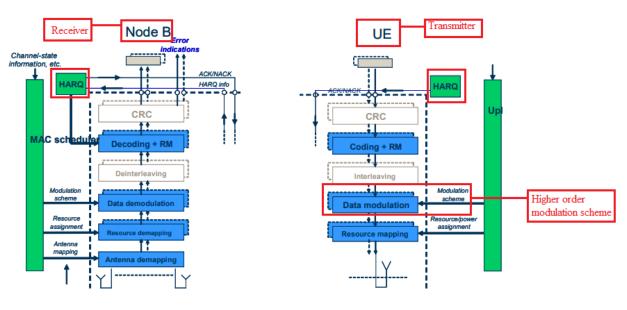


Figure 6.1.1-1: Physical-layer model for UL-SCH transmission

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Higher order modulation

scheme

https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/ (E.g.,

ts 136302v080000p.pdf).

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### QAM bits per symbol

Higher order modulation scheme

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The advantage of using QAM is that it is a higher order form of modulation and as a result it is able to carry more bits of information per symbol. By selecting a higher order format of QAM, the data rate of a link can be increased.

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https://www.electronics-notes.com/articles/radio/modulation/quadrature-(E.q.,amplitude-modulation-types-8qam-16qam-32qam-64qam-128qam-256qam.php).

#### 7.1.3 16QAM

In case of 16QAM modulation, quadruplets of bits, b(i), b(i+1), b(i+2), b(i+3), are mapped to complex-valued modulation symbols x=I+jQ according to Table 7.1.3-1.

Table 7.1.3-1: 16QAM modulation mapping

b(i), b(i+1), b(i+2), b(i+3)	1	Q
0000	1/√10	1/√10
0001	1/√10	3/√10
0010	3/√10	1/√10
0011	3/√10	3/√10
0100	1/√10	$-1/\sqrt{10}$
0101	1/√10	$-3/\sqrt{10}$
0110	3/√10	$-1/\sqrt{10}$
0111	3/√10	$-3/\sqrt{10}$
1000	$-1/\sqrt{10}$	1/√10
1001	$-1/\sqrt{10}$	3/√10
1010	$-3/\sqrt{10}$	1/√10
1011	$-3/\sqrt{10}$	3/√10
1100	$-1/\sqrt{10}$	$-1/\sqrt{10}$
1101	$-1/\sqrt{10}$	$-3/\sqrt{10}$
1110	$-3/\sqrt{10}$	-1 <b>/√</b> 10
1111	$-3/\sqrt{10}$	$-3/\sqrt{10}$

https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/ (E.g.,

0

 $3\sqrt{42}$ 

 $1/\sqrt{42}$ 

3√√42

1/√42

5/√42

7/√42

5/√42

 $7/\sqrt{42}$ 

3√√42

1/√42

 $3\sqrt{42}$ 

 $1/\sqrt{42}$ 

5/√<u>42</u>

7/42

5/√42

7/√42

 $-3/\sqrt{42}$ 

 $-1/\sqrt{42}$ 

 $-3\sqrt{42}$ 

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 $-5/\sqrt{42}$ 

 $-5/\sqrt{42}$ 

 $-7/\sqrt{42}$ 

 $-1/\sqrt{42}$ 

 $-1/\sqrt{42}$ 

 $-5/\sqrt{42}$ 

 $-7/\sqrt{42}$ 

 $-3/\sqrt{42}$   $-7/\sqrt{42}$ 

 $-5/\sqrt{42}$   $-3/\sqrt{42}$ 

 $-7/\sqrt{42}$   $-3/\sqrt{42}$ 

 $-5/\sqrt{42}$   $-7/\sqrt{42}$ 

 $-7/\sqrt{42}$   $-5/\sqrt{42}$ 

 $-3/\sqrt{42}$ 

 $-3/\sqrt{42}$ 

 $-1/\sqrt{42}$ 

 $-1/\sqrt{42}$ 

 $-3/\sqrt{42}$ 

-3**/√**42

 $-1/\sqrt{42}$ 

 $-1/\sqrt{42}$ 

-5/√42

-5/√42

-7**/√**42

 $-7/\sqrt{42}$ 

-5/√42

 $-5/\sqrt{42}$ 

 $-7/\sqrt{42}$ 

-7/√42

-3/42

 $-3/\sqrt{42}$ 

 $-1/\sqrt{42}$ 

 $-1/\sqrt{42}$ 

 $-3/\sqrt{42}$ 

 $-1/\sqrt{42}$ 

 $-1/\sqrt{42}$ 

 $-5/\sqrt{42}$ 

-7**/√**42

 $-5/\sqrt{42}$ 

 $-7/\sqrt{42}$ 

https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/

ts 136211v080700p.pdf).

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#### 64QAM 7.1.4

h(i), h(i+1), h(i+2), h(i+3), h(i+4), h(i+5)

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000001

000010

000011

000101

000110

000111

001000

001001

001010

001011

001101

001110

001111

010000

010001 010010

010011

010101

010110

011000

011001

011010

011011

011100

011101

011110

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In case of 64QAM modulation, hextuplets of bits, b(i), b(i+1), b(i+2), b(i+3), b(i+4), b(i+5), are mapped to complexvalued modulation symbols x=I+jQ according to Table 7.1.4-1.

B(I), B(I + I), B(I + 2), B(I + 3), B(I + 4), B(I + 5)

100000

100001

100010

100011

100100

100101

100110

100111

101000

101001

101010

101011

101101

101110

101111

110000

110001

110010

110011

110100

110101

110110

110111

111000

111001

111010

111011

111100

111101

111110

Table 7.1.4-1: 64QAM modulation mapping

3/√42

 $1/\sqrt{42}$ 

3/√42

 $1/\sqrt{42}$ 

5/√42

7/√42

5/√42

7/√42

3/√42

1/√42

3/√42

 $1/\sqrt{42}$ 

5/√42

 $7/\sqrt{42}$ 

5/√42

 $7/\sqrt{42}$ 

 $-3/\sqrt{42}$ 

 $-1/\sqrt{42}$ 

 $-3/\sqrt{42}$ 

 $-1/\sqrt{42}$ 

 $-5/\sqrt{42}$ 

 $-7/\sqrt{42}$ 

-5/√42

-7/√42

 $-3/\sqrt{42}$ 

 $-1/\sqrt{42}$ 

-3/√42

 $-1/\sqrt{42}$ 

 $-5/\sqrt{42}$ 

 $-7/\sqrt{42}$ 

-5/√42

 $-7/\sqrt{42}$ 

 $3/\sqrt{42}$ 

3/√42

1/√42

1/√42

 $3/\sqrt{42}$ 

3/√42

1√√42

1/√42

5/√42

5/√42

7/√42

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5/√42

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7/√42

7/√42

3/√42

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1√√42

1√√42

3/√42

 $3/\sqrt{42}$ 

1√√42

1√√42

5/√42

5/√42

7/√42

7/√42

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(E.g.,

ts 136211v080700p.pdf).

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37. Upon information and belief, the Accused Instrumentality practices performing the first transmission by transmitting the first data symbols (*e.g.*, output of modulation block performing said first modulation scheme) over a first diversity branch to the receiver (*e.g.*, mapping from assigned resource blocks to the first available number of antenna ports). The Accused Instrumentality discloses a first diversity branch wherein the output of modulation block *i.e.*, first data symbols is transmitted over a first diversity branch which is indicated in case of Multi-antenna processing wherein mapping from assigned resource blocks to the first available number of antenna ports.

- No control of interleaving by higher layers.
- Data modulation
- Modulation scheme is decided by MAC Scheduler (QPSK, 16QAM and 64QAM).
- Mapping to physical resource
  - L2-controlled resource assignment. Transmitting the first data symbols over a first diversity branch to the receiver
  - Multi-antenna processing
  - MAC Scheduler partly configures mapping from assigned resource blocks to the available number of antenna ports.
- 8 Support of L1 control signalling
- Transmission of ACK/NAK and CQI feedback related to DL data transmission
  The model of Figure 6.1.1 also captures
  - Transport via physical layer of Hybrid-ARQ related information (exact info is FFS) associated with the PUSCH, to the peer HARQ process at the receiver side;
  - Transport via physical layer of corresponding HARQ acknowledgements to PUSCH transmitter side.

(*E.g.*, <a href="https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/</a>

ts 136302v080000p.pdf).

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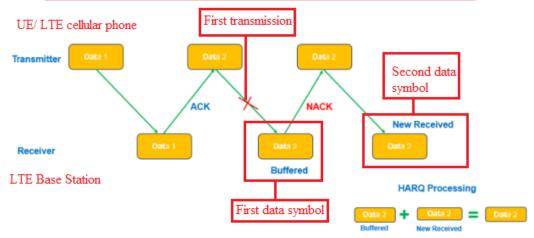
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Soft Combining is an error correction technique in which the bad packets are not discarded but stored in a buffer. The basic idea is that 2 or more packets received with insufficient information can be combined together in such a way that total signal can be decoded. HARQ procedure is as follows

# Hybrid Automatic Repeat Request (HARQ)



	( <i>E.g.</i> , <a href="http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-">http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-</a>
1	<u>fdd/</u> ).
2	
3	specific reference signals within the considered measurement frequency bandwidth. For RSRP determination the cell-specific reference signals $R_0$ and if available $R_1$ according to [8] can be used.
4	If receiver diversity is in use by the UE, the reported value shall be equivalent to the linear average of the power values of all diversity branches.
5	of all diversity branches.
6	
7	(E.g., <a href="https://www.etsi.org/deliver/etsi">https://www.etsi.org/deliver/etsi</a> ts/136300 136399/136302/08.00.00 60
8	ts 136302v080000p.pdf).
9	
10	5.2 Overview of L1 functions
11	The physical layer offers data transport services to higher layers. The access to these services is through the use of a
12	transport channel via the MAC sub-layer. The physical layer is expected to perform the following functions in order to provide the data transport service:
13	- Error detection on the transport channel and indication to higher layers
14	- FEC encoding/decoding of the transport channel
	- Hybrid ARQ soft-combining
15	<ul> <li>Rate matching of the coded transport channel to physical channels</li> </ul>
16	- Mapping of the coded transport channel onto physical channels
17	- Power weighting of physical channels
18	- Modulation and demodulation of physical channels
19	- Frequency and time synchronisation
	- Radio characteristics measurements and indication to higher layers
20	- Multiple Input Multiple Output (MIMO) antenna processing
21	- Transmit Diversity (TX diversity)
22	- Beamforming
23	- RF processing. (Note: RF processing aspects are specified in the TS 36.100)
	L1 functions are modelled for each transport channel in subclauses 6.1 and 6.2.
24	
25	
26	
27	MANN LAW GROUP PLLC

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(*E.g.*, <a href="https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/</a> ts 136302v080000p.pdf).

38. Upon information and belief, the Accused Instrumentality practices performing receiving at the transmitter (*e.g.*, the Accused Instrumentality) the repeat request (*e.g.*, HARQ retransmission request in the form of NAK) issued by the receiver (*e.g.*, LTE base station) to retransmit the data packets in case the data packets of the first transmission have not been successfully decoded (*e.g.*, Error indication in the data received).

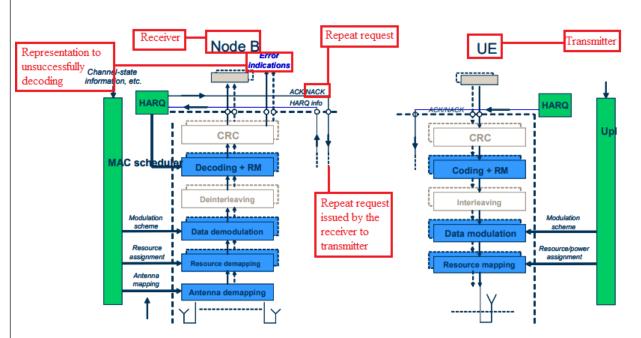


Figure 6.1.1-1: Physical-layer model for UL-SCH transmission

(*E.g.*, https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/ts\_136302v080000p.pdf).

## Hybrid Automatic Repeat Request (HARQ) in LTE FDD

October 18, 2018 🌲 admin 🕒 Future Network Optimization, LTE, RF Basics, Tech Fundas

HARO stands for Hybrid Automatic Repeat Request. HARO = ARO + FEC (Forward Error Correction)/Soft Combining.

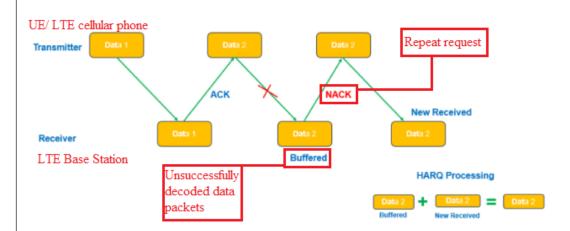
ARQ refers to Automatic Repeat Request i.e. if sender doesn't receive Acknowledgement (ACK) before timeout, the receiver discards the bad packet and sender shall re-transmits the packet. ARQ procedure is illustrated below:

(E.g., <a href="http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-">http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-</a>

fdd/).

Soft Combining is an error correction technique in which the bad packets are not discarded but stored in a buffer. The basic idea is that 2 or more packets received with insufficient information can be combined together in such a way that total signal can be decoded. HARO procedure is as follows

# Hybrid Automatic Repeat Request (HARQ)



(*E.g.*, <a href="http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-fdd/">http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-fdd/</a>).

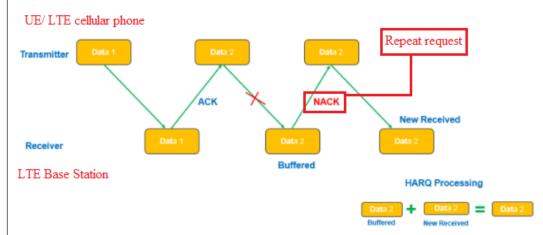
39. Upon information and belief, the Accused Instrumentality practices modulating, in response to the received repeat request (*e.g.*, HARQ retransmission

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request in the form of NAK), said data packets at the transmitter using a second mapping of said higher order modulation scheme (*e.g.*, one of QPSK, 16QAM and 64 QAM- which is distinct from the first modulation scheme) to obtain second data symbols (*e.g.*, output of modulation block using a second modulation scheme). As shown below, the Accused Instrumentality on repeat request *i.e.*, receiving the retransmission request in the form of NAK, enables a second mapping of said higher order modulation scheme (*i.e.*, an Adaptive Re-transmission having a different Modulation Coding Scheme (MCS) than the one used for transmission *i.e.*, first higher order modulation scheme).

<u>Soft Combining is an error correction technique in which the bad packets are not discarded but stored in a buffer.</u> The basic idea is that 2 or more packets received with insufficient information can be combined together in such a way that total signal can be decoded. HARQ procedure is as follows

# Hybrid Automatic Repeat Request (HARQ)



# **HARQ Re-transmissions Types**

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1	HARQ Re-transmissions are also of 2 types:-
2	Adaptive re-transmission,     Non-adaptive re-transmission.
3	Adaptive Re-transmission: Second mapping of said higher order modulation scheme for re-transmission
4	Here, the transmission attributes like Modulation Coding Scheme (MCS), Redundancy Version (RV), sub-carrier on which
5	transmission is going to occur, does not remain same during each re-transmission but are notified by the sender. These
6	attributes can be changed according to radio channel conditions, hence, it again provides flexibility but increases overhead.
7	
	(E.g., http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-
8	
9	<u>fdd/</u> ).
10	
11	- No control of interleaving by higher layers.
12	- Data modulation Higher order modulation scheme
13	<ul> <li>Modulation scheme is decided by MAC Scheduler (QPSK, 16QAM and 64QAM).</li> </ul>
	- Mapping to physical resource
14	- L2-controlled resource assignment.
15	- Multi-antenna processing
16	- MAC Scheduler partly configures mapping from assigned resource blocks to the available number of antenna ports.
	- Support of L1 control signalling  Second transmission i.e. retransmission based on a repeat
17	- Transmission of ACK/NAK and CQI feedback related to DL data transmission request i.e. NAK
18	The model of Figure 6.1.1 also captures
19	- Transport via physical layer of Hybrid-ARQ related information (exact info is FFS) associated with the PUSCH, to the peer HARQ process at the receiver side;
20	- Transport via physical layer of corresponding HARQ acknowledgements to PUSCH transmitter side.
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22	5.3 L1 interactions with MAC retransmission functionality
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24	Second transmission i.e. HARQ retransmission based on a repeat request
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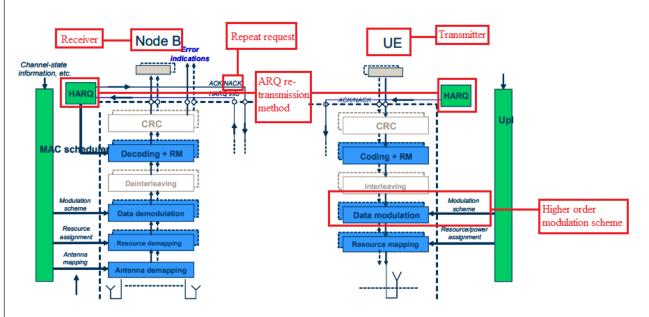


Figure 6.1.1-1: Physical-layer model for UL-SCH transmission

(E.g., <a href="https://www.etsi.org/deliver/etsi">https://www.etsi.org/deliver/etsi</a> ts/136302v080000p.pdf).

# **QAM bits per symbol**

Higher order modulation scheme

The advantage of using QAM is that it is a higher order form of modulation and as a result it is able to carry more bits of information per symbol. By selecting a higher order format of QAM, the data rate of a link can be increased.

(*E.g.*, https://www.electronics-notes.com/articles/radio/modulation/quadrature-amplitude-modulation-types-8qam-16qam-32qam-64qam-128qam-256qam.php).

### 7.1.3 16QAM

In case of 16QAM modulation, quadruplets of bits, b(i), b(i+1), b(i+2), b(i+3), are mapped to complex-valued modulation symbols x=I+jQ according to Table 7.1.3-1.

b(i), b(i+1), b(i+2), b(i+3)	1	Q
0000	1/√10	1/√10
0001	1/√10	3/√10
0010	3/√10	1/√10
0011	3/√10	3/√10
0100	1/√10	$-1/\sqrt{10}$
0101	1/√10	$-3/\sqrt{10}$
0110	3/√10	$-1/\sqrt{10}$
0111	$3/\sqrt{10}$	$-3/\sqrt{10}$
1000	$-1/\sqrt{10}$	1/√10
1001	$-1/\sqrt{10}$	3/√10
1010	$-3/\sqrt{10}$	1/√10
1011	$-3/\sqrt{10}$	3/√10
1100	$-1/\sqrt{10}$	$-1/\sqrt{10}$
1101	$-1/\sqrt{10}$	$-3/\sqrt{10}$
1110	$-3/\sqrt{10}$	$-1/\sqrt{10}$
1111	$-3/\sqrt{10}$	$-3/\sqrt{10}$

(*E.g.*, <a href="https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/</a>
<a href="ts\_136211v080700p.pdf">ts\_136211v080700p.pdf</a>).

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#### 7.1.4 64QAM

In case of 64QAM modulation, hextuplets of bits, b(i), b(i+1), b(i+2), b(i+3), b(i+4), b(i+5), are mapped to complex-valued modulation symbols x=I+jQ according to Table 7.1.4-1.

1	valued modulation symbols x=I-	⊦jQ accor	rding to Ta	ble 7.1.4-1.		
	1	able 7.1.	4-1: 64QAN	M modulation mapping		
2	b(i),b(i+1),b(i+2),b(i+3),b(i+4),b(i+5)	1	Q	b(i), b(i+1), b(i+2), b(i+3), b(i+4), b(i+5)	1	Q
	000000	3/√42	3/√42	100000	-3/42	3/√42
3	000001	3/√42	1/√42	100001	-3/-/42	1/√42
J	000010	1/√42	3/√42	100010	-1 <b>√</b> √42	
4	000011	1/√42	1/√42	100011	-1 <b>/√</b> 42	, .
4	000100	3/√42	5/√42	100100	-3/42	
_	000101	3/√42	7/√42	100101		7/√42
5	000110	1/√42	5/√42	100110	-1 <b>/√</b> 42	5/√42
	000111	1/√42	7/√42	100111		7/√42
6	001000	5/√42	3/√42	101000	-5/42	3/√42
O	001001	5/√42	1/√42	101001	-5/42	1/√42
7	001010	7/√42	3/√42	101010	-7 <b>/√</b> 42	3/√42
/	001011	7 <b>/√</b> 42	1/√42	101011		1/-√42
	001100	5/√42	<u>5</u> /√42	101100	-5 <b>/√</b> 42	5/√42
8	001101	5/√42	7/√42	101101		7/42
	001110	7/-/42	5/√42	101110		5/√42
9	001111	7/√42	7/√42	101111	-7 <b>/√</b> 42	
_	010000	3/√42	-3 <b>/√</b> 42	110000	-3/√42	
10	010001	3/√42	-1/√42	110001	, -	-1/√42
10	010010	1/√42	-3/√42	110010		-3/√42
11	010011	1/√42	-1/√42	110011	4 .	-1/√42
11	010100	3/√42	-5/√42	110100	-3/-42	
	010101	3/√42	-7/√42	110101	-3/√42	
12	010110	1/√42	-5/√42	110110	-1/√42	
	010111	1/√42	-7/√42	110111	-1/√42	
13	011000	5/√42	-3/√42	111000	-5/√42	
10	011001	5/√42	-1/√42	111001	-5/-42	, -
14	011010	7/√42	-3/√42	111010	-7/√42	., .
14	011011	7/√42	-1/√42	111011	-7/√42	, .
4 -	011100	5/√42	-5/√42	111100	-5/√42	, .
15	011101	5/√42	-7/√42	111101	-5/√42	, .
	011110	7/√42	-5/√42	111110		-5/√42
16	011111	7/√42	-7 <b>/√</b> 42	111111	−7 <b>/√</b> 42	-7/√42

(*E.g.*, <a href="https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/</a>
<a href="ts=136211v080700p.pdf">ts=136211v080700p.pdf</a>).

40. Upon information and belief, the Accused Instrumentality practices performing, in response to the received repeat request (*e.g.*, retransmission request in the form of NAK), the second transmission (*e.g.*, retransmission) by transmitting the second data symbols (*e.g.*, output of modulation block using a second

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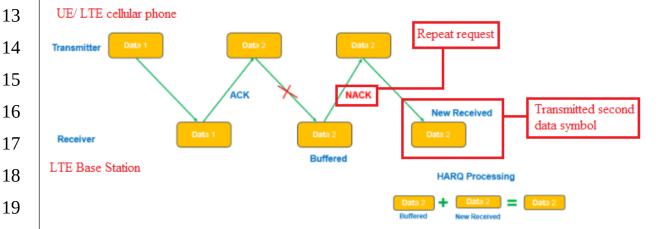
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modulation scheme) over a second diversity branch to the receiver (*e.g.*, mapping from assigned resource blocks to the later available number of antenna ports). The Accused Instrumentality discloses a second diversity branch wherein the output of modulation block *i.e.*, second data symbols is transmitted over a second or later diversity branch which is indicated in case of Multi-antenna processing wherein mapping from assigned resource blocks to the later available number of antenna ports.

Soft Combining is an error correction technique in which the bad packets are not discarded but stored in a buffer. The basic idea is that 2 or more packets received with insufficient information can be combined together in such a way that total signal can be decoded. HARQ procedure is as follows

## Hybrid Automatic Repeat Request (HARQ)



# **HARQ Re-transmissions Types**

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1	HARQ Re-transmissions are also of 2 types:-
2	<ul> <li>Adaptive re-transmission,</li> <li>Non-adaptive re-transmission.</li> </ul>
3	Adaptive Re-transmission: Second mapping of said higher order modulation scheme for re-transmission
4 5 6	Here, the transmission attributes like Modulation Coding Scheme (MCS), Redundancy Version (RV), sub-carrier on which transmission is going to occur, does not remain same during each re-transmission but are notified by the sender. These attributes can be changed according to radio channel conditions, hence, it again provides flexibility but increases overhead.
7 8	(E.g., http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-
9	fdd/)
10	
11	- No control of interleaving by higher layers.
12	- Data modulation
13	<ul> <li>Modulation scheme is decided by MAC Scheduler (QPSK, 16QAM and 64QAM).</li> </ul>
14	- Mapping to physical resource  Transmitting the second data symbols over a second diversity branch
	- L2-controlled resource assignment.
15	- Multi-antenna processing
16	<ul> <li>MAC Scheduler partly configures mapping from assigned resource blocks to the available number of antenna ports.</li> <li>Support of L1 control signalling</li> </ul>
17	Transmission of ACK/NAK and CQI feedback related to DL data transmission
18	The model of Figure 6.1.1 also captures
19	- Transport via physical layer of Hybrid-ARQ related information (exact info is FFS) associated with the PUSCH, to the peer HARQ process at the receiver side;
20	Transport via physical layer of corresponding HARQ acknowledgements to PUSCH transmitter side.
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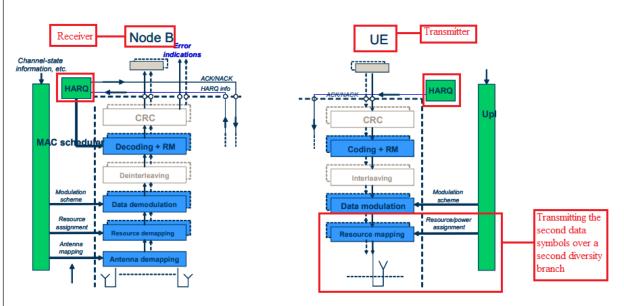


Figure 6.1.1-1: Physical-layer model for UL-SCH transmission

specific reference signals within the considered measurement frequency bandwidth. For RSRP determination the cell-specific reference signals  $R_0$  and if available  $R_1$  according to [8] can be used.

If receiver diversity is in use by the UE, the reported value shall be equivalent to the linear average of the power values of all diversity branches.

(*E.g.*, <a href="https://www.etsi.org/deliver/etsi">https://www.etsi.org/deliver/etsi</a> ts/136302 ts/136002 ts/136002 ts/136000  ts/136000 ts/136000 ts/136000 ts/1360000 ts/136000 ts/136000000 ts/136000 ts/1360000 ts/1360000 ts/1360000 ts/1360000 ts/136

# 5.3 L1 interactions with MAC retransmission functionality

Second transmission i.e. HARQ retransmission based on a repeat request

### 5.2 Overview of L1 functions

The physical layer offers data transport services to higher layers. The access to these services is through the use of a transport channel via the MAC sub-layer. The physical layer is expected to perform the following functions in order to provide the data transport service:

- Error detection on the transport channel and indication to higher layers
- FEC encoding/decoding of the transport channel
- Hybrid ARQ soft-combining
- Rate matching of the coded transport channel to physical channels
- Mapping of the coded transport channel onto physical channels
- Power weighting of physical channels
- Modulation and demodulation of physical channels
- Frequency and time synchronisation
- Radio characteristics measurements and indication to higher layers
- Multiple Input Multiple Output (MIMO) antenna processing
- 11 Transmit Diversity (TX diversity)
  - Beamforming

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- RF processing. (Note: RF processing aspects are specified in the TS 36.100)
- 13 L1 functions are modelled for each transport channel in subclauses 6.1 and 6.2.
  - E.g., <a href="https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/</a>
    ts 136302v080000p.pdf).
  - 41. Upon information and belief, the Accused Instrumentality, at least in its internal testing and usage, utilizes a base station which practices demodulating the received first (*e.g.*, output of modulation block performing said first modulation scheme) and second data symbols (*e.g.*, output of modulation block using a second modulation scheme) at the receiver (*e.g.*, LTE Base Station) using the first and second mappings (*e.g.*, the mappings corresponding to transmission and

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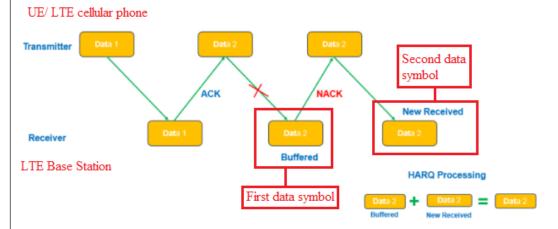
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retransmission Modulation Coding Scheme). As shown below, the Accused Instrumentality, at least in its internal testing and usage, utilizes a base station which practices demodulation of first (e.g., output of modulation block performing said first modulation scheme) and second data symbols (e.g., output of modulation block using a second modulation scheme) at the LTE Base Station using the first and second mappings i.e., Modulation Coding Scheme which are distinct for transmission and Adaptive Re-transmission (i.e., an Adaptive Re-transmission having a different Modulation Coding Scheme (MCS) than the one used for transmission *i.e.*, first higher order modulation scheme).

Soft Combining is an error correction technique in which the bad packets are not discarded but stored in a buffer. The basic idea is that 2 or more packets received with insufficient information can be combined together in such a way that total signal can be decoded. HARQ procedure is as follows

# Hybrid Automatic Repeat Request (HARQ)



# **HARQ Re-transmissions Types**

1	HARQ Re-transmissions are also of 2 types:-
2	Adaptive re-transmission,     Non-adaptive re-transmission.
3	Adaptive Re-transmission: Second mapping of said higher order modulation scheme for re-transmission
4	Here, the transmission attributes like Modulation Coding Scheme (MCS), Redundancy Version (RV), sub-carrier on which
5	transmission is going to occur, does not remain same during each re-transmission but are notified by the sender. These
6	attributes can be changed according to radio channel conditions, hence, it again provides flexibility but increases overhead.
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7	(E.g., http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-
8	(2.9.) Intpir/ www.cempiayomeom/nyoria automatic repeat request hard in ite
9	<u>fdd/</u> ).
10	
11	- No control of interleaving by higher layers.
12	- Data modulation  Higher order modulation scheme
13	- Modulation scheme is decided by MAC Scheduler (QPSK, 16QAM and 64QAM).
	- Mapping to physical resource
14	- L2-controlled resource assignment Multi-antenna processing
15	MAC Scheduler partly configures mapping from assigned resource blocks to the available number of antenna ports.
16	- Support of L1 control signalling Second transmission i.e. re-
17	- Transmission of ACK/NAK and CQI feedback related to DL data transmission request i.e. NAK
18	The model of Figure 6.1.1 also captures
19	- Transport via physical layer of Hybrid-ARQ related information (exact info is FFS) associated with the PUSCH, to the peer HARQ process at the receiver side;
20	- Transport via physical layer of corresponding HARQ acknowledgements to PUSCH transmitter side.
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	5.3 L1 interactions with MAC retransmission functionality
23	Second transmission i.e. HARQ retransmission based on a
24	repeat request
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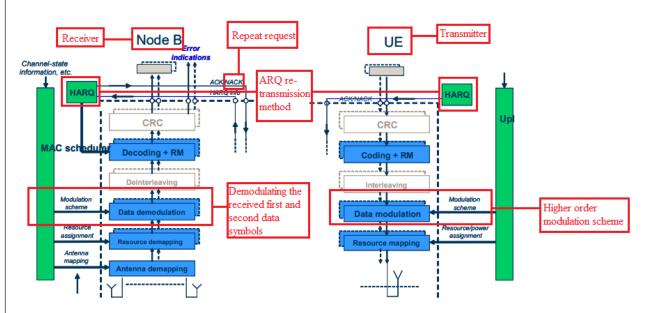


Figure 6.1.1-1: Physical-layer model for UL-SCH transmission

(*E.g.*, https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/ts\_136302v080000p.pdf).

## **QAM** bits per symbol

Higher order modulation scheme

The advantage of using QAM is that it is a higher order form of modulation and as a result it is able to carry more bits of information per symbol. By selecting a higher order format of QAM, the data rate of a link can be increased.

(*E.g.*, <a href="https://www.electronics-notes.com/articles/radio/modulation/quadrature-amplitude-modulation-types-8qam-16qam-32qam-64qam-128qam-256qam.php">https://www.electronics-notes.com/articles/radio/modulation/quadrature-amplitude-modulation-types-8qam-16qam-32qam-64qam-128qam-256qam.php</a>).

#### 7.1.3 16QAM

In case of 16QAM modulation, quadruplets of bits, b(i), b(i+1), b(i+2), b(i+3), are mapped to complex-valued modulation symbols x=I+jQ according to Table 7.1.3-1.

b(i), b(i+1), b(i+2), b(i+3)	1	Q
0000	1/√10	1/√10
0001	1/√10	3/√10
0010	$3/\sqrt{10}$	1/√10
0011	3/√10	3/√10
0100	1/√10	$-1/\sqrt{10}$
0101	1/√10	$-3/\sqrt{10}$
0110	3/√10	$-1/\sqrt{10}$
0111	$3/\sqrt{10}$	$-3/\sqrt{10}$
1000	$-1/\sqrt{10}$	1/√10
1001	$-1/\sqrt{10}$	3/√10
1010	$-3/\sqrt{10}$	1/√10
1011	$-3/\sqrt{10}$	3/√10
1100	$-1/\sqrt{10}$	$-1/\sqrt{10}$
1101	$-1/\sqrt{10}$	$-3/\sqrt{10}$
1110	$-3/\sqrt{10}$	$-1/\sqrt{10}$
1111	$-3/\sqrt{10}$	$-3/\sqrt{10}$

(E.g., <a href="https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/</a>

ts\_136211v080700p.pdf).

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#### 7.1.4 64QAM

In case of 64QAM modulation, hextuplets of bits, b(i), b(i+1), b(i+2), b(i+3), b(i+4), b(i+5), are mapped to complex-valued modulation symbols x—I+jQ according to Table 7.1.4-1.

Table 7	1.4-1:	64QAM	modulation	mapping

b(i), b(i+1), b(i+2), b(i+3), b(i+4), b(i+5)	1	Q	b(i), b(i+1), b(i+2), b(i+3), b(i+4), b(i+5)	1	Q
000000	3/√42	3/√42	100000	-3 <b>/√</b> 42	3/√42
000001	3/√42	1/√42	100001	-3 <b>/√</b> 42	1/-√42
000010	1/√42	3/√42	100010	-1 <b>/√</b> 42	3/√42
000011	1/√42	1/√42	100011	-1 <b>/√</b> 42	1/√42
000100	3/√42	5/√42	100100	-3/42	5/√42
000101	3/√42	7/√42	100101	-3 <b>/√</b> 42	7/√42
000110	1/√42	5/√42	100110	-1 <b>/√</b> 42	5/√42
000111	1/√42	7/√42	100111	-1 <b>/√</b> 42	7/√42
001000	5/√42	3/√42	101000	-5/42	3/√42
001001	5/√42	1/-√42	101001	-5/√42	1/√42
001010	7/√42	3/√42	101010	-7 <b>/√</b> 42	3/√42
001011	7/42	1/√42	101011	-7 <b>/√</b> 42	1/√42
001100	5/√42	5/√42	101100	-5/42	5/√42
001101	5/√42	7/√42	101101	-5/42	7/√42
001110	7/-/42	5/√42	101110	-7 <b>/√</b> 42	5/√42
001111	7/-√42	7/√42	101111	-7 <b>/√</b> 42	7/√42
010000	3/√42	$-3/\sqrt{42}$	110000	-3 <b>/√</b> 42	-3 <b>/√</b> 42
010001	3/√42	$-1/\sqrt{42}$	110001	-3 <b>/√</b> 42	-1 <b>/√</b> 42
010010	1/√42	$-3/\sqrt{42}$	110010	-1 <b>/√</b> 42	$-3/\sqrt{42}$
010011	1/√42	-1 <b>/√</b> 42	110011	-1 <b>√</b> √42	-1 <b>√</b> 42
010100	3/√42	-5 <b>/√</b> 42	110100	-3 <b>/√</b> 42	-5/√42
010101	3/√42	-7 <b>/√</b> 42	110101	-3 <b>/√</b> 42	-7 <b>/√</b> 42
010110	1/√42	-5/√42	110110	-1 <b>/√</b> 42	-5√√42
010111	1/√42	-7 <b>/√</b> 42	110111	-1 <b>/√</b> 42	-7 <b>/√</b> 42
011000	5/√42	-3 <b>/√</b> 42	111000	-5 <b>/√</b> 42	-3 <b>/√</b> 42
011001	5/√42	-1 <b>/√</b> 42	111001	-5/42	-1 <b>/√</b> 42
011010	7/-/42	$-3/\sqrt{42}$	111010	-7 <b>/√</b> 42	$-3/\sqrt{42}$
011011	7/√42	$-1/\sqrt{42}$	111011	-7 <b>/√</b> 42	-1 <b>√</b> 42
011100	5/√42	-5 <b>/√</b> 42	111100	-5 <b>/√</b> 42	-5 <b>/√</b> 42
011101	5/√42	<b>-7/√</b> 42	111101	-5/42	-7 <b>/√</b> 42
011110	7/√42	<u>-5/√42</u>	111110	-7/√42	-5/√42
011111	7/√42	-7 <b>/√</b> 42	111111	-7 <b>/√</b> 42	-7 <b>/√</b> 42

(*E.g.*, <a href="https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/</a>
<a href="ts\_136211v080700p.pdf">ts\_136211v080700p.pdf</a>).

42. Upon information and belief, the Accused Instrumentality, at least in its internal testing and usage, utilizes a base station which practices diversity

combining (e.g., Hybrid ARQ soft-combining) the demodulated data received over the first (e.g., mapping from assigned resource blocks to the first available number of antenna ports) and second diversity branches (e.g., mapping from assigned resource blocks to the later available number of antenna ports). The Accused Instrumentality, at least in its internal testing and usage, utilizes a base station which performs a diversity combining i.e., Hybrid ARQ soft-combining of data from multiple received antenna ports. No control of interleaving by higher layers. Data modulation Modulation scheme is decided by MAC Scheduler (QPSK, 16QAM and 64QAM). Mapping to physical resource L2-controlled resource assignment. Multi-antenna processing MAC Scheduler partly configures mapping from assigned resource blocks to the available number of antenna ports. Support of L1 control signalling Transmission of ACK/NAK and CQI feedback related to DL data transmission The model of Figure 6.1.1 also captures Transport via physical layer of Hybrid-ARQ related information (exact info is FFS) associated with the PUSCH, to the peer HARQ process at the receiver side; Transport via physical layer of corresponding HARQ acknowledgements to PUSCH transmitter side.

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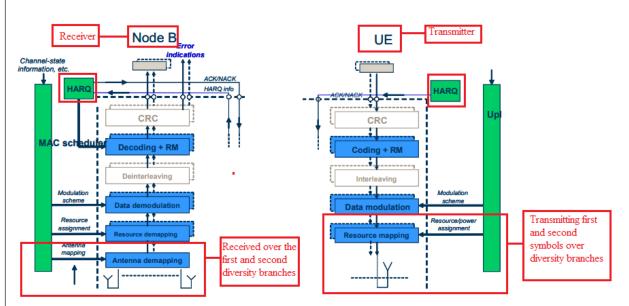


Figure 6.1.1-1: Physical-layer model for UL-SCH transmission

(E.g., <a href="https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/</a>

ts\_136302v080000p.pdf).

specific reference signals within the considered measurement frequency bandwidth. For RSRP determination the cell-specific reference signals R<sub>0</sub> and if available R<sub>1</sub> according to [8] can be used.

If receiver diversity is in use by the UE, the reported value shall be equivalent to the linear average of the power values of all diversity branches.

# 5.3 L1 interactions with MAC retransmission functionality

Second transmission i.e. HARQ retransmission based on a repeat request

### 5.2 Overview of L1 functions

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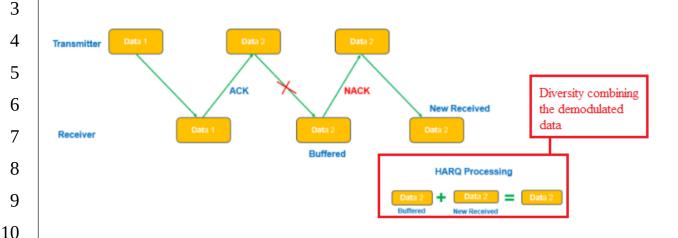
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The physical layer offers data transport services to higher layers. The access to these services is through the use of a 1 transport channel via the MAC sub-layer. The physical layer is expected to perform the following functions in order to provide the data transport service: 2 Error detection on the transport channel and indication to higher layers 3 FEC encoding/decoding of the transport channel 4 Hybrid ARQ soft-combining Diversity combining 5 Rate matching of the coded transport channel to physical channels Mapping of the coded transport channel onto physical channels 6 Power weighting of physical channels 7 Modulation and demodulation of physical channels 8 Frequency and time synchronisation 9 Radio characteristics measurements and indication to higher layers Multiple Input Multiple Output (MIMO) antenna processing 10 Transmit Diversity (TX diversity) 11 Beamforming 12 RF processing. (Note: RF processing aspects are specified in the TS 36.100) 13 L1 functions are modelled for each transport channel in subclauses 6.1 and 6.2. 14 15 https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/ (E.q.,16 ts 136302v080000p.pdf). 17 18 19 20 21 22 23 24 25 26 MANN LAW GROUP PLLC 27

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## Hybrid Automatic Repeat Request (HARQ)



(E.q.,http://www.techplayon.com/hybrid-automatic-repeat-request-harg-in-ltefdd/).

43. The Accused Instrumentality, at least in its internal testing and usage, utilizes a base station receiver wherein the first and second mapping of said higher order modulation schemes are pre-stored in a memory table (e.g., modulation schemes are decided by MAC Scheduler). The Accused Instrumentality performs a first higher order data modulation such as 16QAM and 64 QAM wherein has more than two data bits are mapped onto one data symbol (i.e., in case of 16QAM it transmits 4 bits per symbol whereas in the case of 64QAM it transmits 6 bits per symbol). The Accused Instrumentality on repeat request *i.e.*, receiving the retransmission request in the form of NAK, enables a second mapping of said higher order

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modulation scheme (*i.e.*, an Adaptive Re-transmission having a different Modulation Coding Scheme (MCS) than the one used for transmission *i.e.*, first higher order modulation scheme).

## Hybrid Automatic Repeat Request (HARQ) in LTE FDD

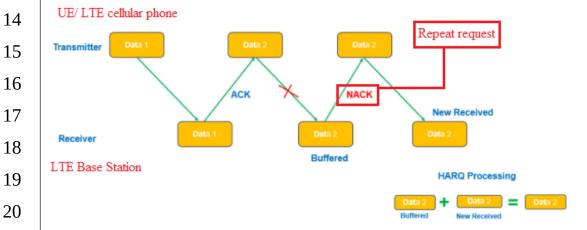
📕 October 18, 2018 🛮 🛔 admin 🕒 Future Network Optimization, LTE, RF Basics, Tech Fundas

HARO stands for Hybrid Automatic Repeat Request. HARO = ARO + FEC (Forward Error Correction)/Soft Combining.

ARQ refers to Automatic Repeat Request i.e. if sender doesn't receive Acknowledgement (ACK) before timeout, the receiver discards the bad packet and sender shall re-transmits the packet. ARQ procedure is illustrated below:

<u>Soft Combining is an error correction technique in which the bad packets are not discarded but stored in a buffer.</u> The basic idea is that 2 or more packets received with insufficient information can be combined together in such a way that total signal can be decoded. HARO procedure is as follows

## Hybrid Automatic Repeat Request (HARQ)



## **HARQ Re-transmissions Types**

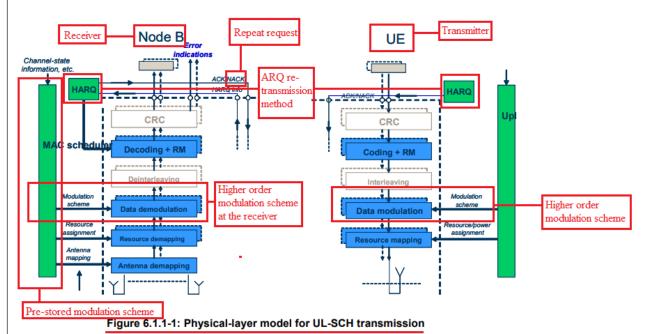
1	HARQ Re-transmissions are also of 2 types:-
2	Adaptive re-transmission,     Non-adaptive re-transmission.
3	Adaptive Re-transmission: Second mapping of said higher order modulation scheme for re-transmission
4	Here, the transmission attributes like Modulation Coding Scheme (MCS), Redundancy Version (RV), sub-carrier on which
5	transmission is going to occur, does not remain same during each re-transmission but are notified by the sender. These attributes can be changed according to radio channel conditions, hence, it again provides flexibility but increases
6	overhead.
7	
8	(E.g., <a href="http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-">http://www.techplayon.com/hybrid-automatic-repeat-request-harq-in-lte-</a>
9	<u>fdd/</u> ).
10	
11	6.1 Uplink model  Data packets transmitted from a transmitter i.e. UE/ LTE cellular phone to a receiver i.e. LTE base station
12	6.1.1 Uplink Shared Channel
13	The physical-layer model for Uplink Shared Channel transmission is described based on the corresponding physical- layer-processing chain, see Figure 6.1.1. Processing steps that are relevant for the physical-layer model, e.g. in the sense
14	that they are configurable by higher layers, are highlighted in blue. It should be noted that, in case PUSCH, the scheduling decision is partly made at the network side, if there is no blind decoding it is fully done at the network side. The uplink transmission control in the UE then configures the uplink physical-layer processing, based on uplink
15	transport-format and resource-assignment information received on the downlink.
16	- Higher-layer data passed to/from the physical layer
17	One transport block of dynamic size delivered to the physical layer once every TTI.  CDC and transport block of dynamic size delivered to the physical layer once every TTI.
18	- CRC and transport-block-error indication - Transport-block-error indication delivered to higher layers.
19	- FEC and rate matching
20	- Channel coding rate is implicitly given by the combination of transport block size, modulation scheme and resource
21	assignment; ARQ re-transmission method - Physical layer model support of HARQ: in case of Incremental Redundancy, the corresponding Layer 2 Hybrid-
22	ARQ process controls what redundancy version is to be used for the physical layer transmission for each TTI.
23	- Interleaving
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	<ul> <li>No control of interleaving by higher layers.</li> </ul>	Pre-stored in a memory table
4	- Data modulation	Higher order modulation scheme
1	- Modulation scheme is decided by MAC Scheduler (QPSK, 16QAM and 64Q	
2	- Mapping to physical resource	
3	- L2-controlled resource assignment.	
4	- Multi-antenna processing	
5	- MAC Scheduler partly configures mapping from assigned resource blocks to	the available number of antenna ports.  Second transmission i.e. re-
6	Support of L1 control signalling     Transmission of ACK/NAK and CQI feedback related to DL data transmissi	transmission based on a repeat
7	The model of Figure 6.1.1 also captures	on requestie. Talk
-	- Transport via physical layer of Hybrid-ARQ related information (exact info	is FFS) associated with the PUSCH, to
8	the peer HARQ process at the receiver side;	DUCCH to a side
9	- Transport via physical layer of corresponding HARQ acknowledgements to	POSCH transmitter side.
10		
11	(E.g., <a href="https://www.etsi.org/deliver/etsi_ts/136300_1">https://www.etsi.org/deliver/etsi_ts/136300_1</a>	.36399/136302/08.00.00_60/
12	ts_136302v080000p.pdf).	
13		
14	5.3 L1 interactions with MAC retransr	mission functionality
15		HARQ retransmission based on a
16	repeat request	TAIN Tetralishiission based on a
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(*E.g.*, https://www.etsi.org/deliver/etsi\_ts/136300\_136399/136302/08.00.00\_60/ts\_136302v080000p.pdf).

## **QAM** bits per symbol

Higher order modulation scheme

The advantage of using QAM is that it is a higher order form of modulation and as a result it is able to carry more bits of information per symbol. By selecting a higher order format of QAM, the data rate of a link can be increased.

*E.g.*, <a href="https://www.electronics-notes.com/articles/radio/modulation/quadrature-amplitude-modulation-types-8qam-16qam-32qam-64qam-128qam-256qam.php">https://www.electronics-notes.com/articles/radio/modulation/quadrature-amplitude-modulation-types-8qam-16qam-32qam-64qam-128qam-256qam.php</a>).

#### 7.1.3 16QAM

In case of 16QAM modulation, quadruplets of bits, b(i), b(i+1), b(i+2), b(i+3), are mapped to complex-valued modulation symbols x=I+jQ according to Table 7.1.3-1.

b(i), b(i+1), b(i+2), b(i+3)	1	Q
0000	1/√10	1/√10
0001	1/√10	3/√10
0010	$3/\sqrt{10}$	1/√10
0011	3/√10	3/√10
0100	1/√10	$-1/\sqrt{10}$
0101	1/√10	$-3/\sqrt{10}$
0110	3/√10	$-1/\sqrt{10}$
0111	$3/\sqrt{10}$	$-3/\sqrt{10}$
1000	$-1/\sqrt{10}$	1/√10
1001	$-1/\sqrt{10}$	3/√10
1010	$-3/\sqrt{10}$	1/√10
1011	$-3/\sqrt{10}$	3/√10
1100	$-1/\sqrt{10}$	$-1/\sqrt{10}$
1101	$-1/\sqrt{10}$	$-3/\sqrt{10}$
1110	$-3/\sqrt{10}$	$-1/\sqrt{10}$
1111	$-3/\sqrt{10}$	$-3/\sqrt{10}$

(E.g., <a href="https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/</a>

ts\_136211v080700p.pdf).

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#### 7.1.4 64QAM

In case of 64QAM modulation, hextuplets of bits, b(i), b(i+1), b(i+2), b(i+3), b(i+4), b(i+5), are mapped to complexvalued modulation symbols x=I+jQ according to Table 7.1.4-1.

Table 7.1.4-1: 64QAM modulation mapping					
b(i),b(i+1),b(i+2),b(i+3),b(i+4),b(i+5)	- 1	Q	b(i), b(i+1), b(i+2), b(i+3), b(i+4), b(i+5)	1	Q
000000	3/√42	3/√42	100000	-3 <b>/√</b> 42	3/√42
000001	3/√42	1/√42	100001	-3 <b>/√</b> 42	1/√42
000010	1/√42	3/√42	100010	-1 <b>/√</b> 42	3/√42
000011	1/√42	1/√42	100011	-1 <b>/√</b> 42	1/-√42
000100	3/√42	5/√42	100100	-3 <b>/√</b> 42	5/√42
000101	3/√42	7/√42	100101	-3 <b>/√</b> 42	7/√42
000110	1/√42	5/√42	100110	-1 <b>/√</b> 42	5/√42
000111	1/√42	7/√42	100111	-1 <b>/√</b> 42	7/√42
001000	5/√42	3/√42	101000	-5/42	3/√42
001001	5/√42	1/√42	101001	-5 <b>/√</b> 42	1/√42
001010	7/-√42	3/√42	101010	-7 <b>/√</b> 42	3/√42
001011	7/-/42	1/√42	101011	-7 <b>/√</b> 42	1/√42
001100	5/√42	5/√42	101100	-5/42	5 <b>/√</b> 42
001101	5/√42	7/√42	101101	-5 <b>/√</b> 42	7/42
001110	7/-√42	5/√42	101110	-7 <b>/√</b> 42	5/√42
001111	7/√42	7/√42	101111	-7 <b>/√</b> 42	7/√42
010000	3/√42	-3 <b>/√</b> 42	110000	-3 <b>/√</b> 42	-3 <b>/√</b> 42
010001	3/√42	-1 <b>/√</b> 42	110001	-3 <b>/√</b> 42	-1 <b>/√</b> 42
010010	1/√42	-3 <b>/√</b> 42	110010	-1 <b>/√</b> 42	-3√√42
010011	1/√42	-1√√42	110011	-1 <b>√</b> √42	-1 <b>√</b> 42
010100	3/√42	-5 <b>/√</b> 42	110100	-3 <b>/√</b> 42	-5 <b>/√</b> 42
010101	3/√42	-7 <b>/√</b> 42	110101	-3 <b>/√</b> 42	-7 <b>/√</b> 42
010110	1/√42	-5 <b>/√</b> 42	110110	-1 <b>/√</b> 42	-5/√42
010111	1/√42	-7 <b>/√</b> 42	110111	-1 <b>/√</b> 42	-7 <b>/√</b> 42
011000	5/√42	-3 <b>/√</b> 42	111000	-5/42	-3 <b>/√</b> 42
011001	5/√42	-1 <b>/√</b> 42	111001	-5/42	-1 <b>/√</b> 42
011010	7/-√42	-3 <b>/√</b> 42	111010	-7 <b>/√</b> 42	$-3/\sqrt{42}$
011011	7/√42	-1/√42	111011	-7 <b>/√</b> 42	-1 <b>√</b> 42
011100	5/√42	-5 <b>/√</b> 42	111100	-5 <b>/√</b> 42	-5 <b>/√</b> 42
011101	5/√42	-7 <b>/√</b> 42	111101	-5 <b>/√</b> 42	-7 <b>/√</b> 42
011110	7/√42	-5 <b>/√</b> 42	111110	-7 <b>/√</b> 42	-5/√42
011111	7/√42	<u>-7/√42</u>	111111	-7 <b>/√</b> 42	<u>-7/√42</u>

(*E.g.*, <a href="https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/">https://www.etsi.org/deliver/etsi\_ts/136200\_136299/136211/08.07.00\_60/</a>
<a href="ts=136211v080700p.pdf">ts=136211v080700p.pdf</a>).

44. Plaintiff has been damaged as a result of Defendant's infringing conduct. Defendant is thus liable to Plaintiff for damages in an amount that adequately compensates Plaintiff for such Defendant's infringement of the '961

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Patent and '622 Patent, *i.e.*, in an amount that by law cannot be less than would constitute a reasonable royalty for the use of the patented technology, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

45. On information and belief, Defendant has had at least constructive notice of the '961 Patent and '622 Patent by operation of law and marking requirements have been complied with. Swirlate is only asserting method claims in this complaint and as such the marking requirements of 35 U.S.C. 287(a) do not apply and have thus been complied with. Crown Packaging Technology, Inc. v. Rexam, Beverage Can Co., 559 F.3d 1308, 1316-1317 (Fed. Cir. 2009) ("Because Rexam asserted only the method claims of the '839 patent, the marking requirement of 35 U.S.C. 287(a) does not apply."); Hanson v. Alpine Valley Ski *Area*, *Inc.*, 718 F.2d 1075, 1083 (Fed.Cir. 1983) ("It is 'settled in the case law that the notice requirement of this statute does not apply where the patent is directed to a process or method." (Quoting Bandag, Inc. v. Gerrard Tire Co., 704 F.2d 1578, 1581, 217 USPQ 977, 979 (Fed. Cir. 1983)); Intellectual Ventures I LLC v. Symantec Corp., 2015 U.S. Dist. LEXIS 6399 \*3 (D.Del. Jan. 21, 2015).

#### **JURY DEMAND**

46. Under Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff respectfully requests a trial by jury on all issues so triable.

### VI. PRAYER FOR RELIEF

1 2	WHEREFORE, Plaintiff respectfully requests that the Court find in its favor and
3	against Defendant, and that the Court grant Plaintiff the following relief:
4	a. Judgment that one or more claims of United States Patent Nos.
5	
6	7,154,961 and 7,567,622 have been infringed, either literally and/or
7	under the doctrine of equivalents, by Defendant;
8	b. Judgment that Defendant account for and pay to Plaintiff all
9	damages to and costs incurred by Plaintiff because of Defendant's
10	
11	infringing activities and other conduct complained of herein;
<ul><li>12</li><li>13</li></ul>	c. That Plaintiff be granted pre-judgment and post-judgment
14	interest on the damages caused by Defendant's infringing activities
15	and other conduct complained of herein;
16	d. That Plaintiff be granted such other and further relief as the
17	
18	Court may deem just and proper under the circumstances.
19	DATED this 30 <sup>th</sup> day of June, 2022.
20	
21	By: s/ Philip P. Mann
22	Philip P. Mann, WSBA No. 28860 <b>MANN LAW GROUP PLLC</b>
<ul><li>23</li><li>24</li></ul>	403 Madison Ave. N. Ste. 240 Bainbridge Island, WA 98110
25	Telephone: (206) 436-0900
	email: phil@mannlawgroup.com

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Together with: David R. Bennett (Application for Admission Pro Hac Vice to be filed) **Direction IP Law** P.O. Box 14184 Chicago, IL 60614-0184 (312) 291-1667 dbennett@directionip.com Attorneys for Plaintiff Swirlate IP LLC MANN LAW GROUP PLLC **COMPLAINT** 

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