

Filed on behalf of TRACBEAM, LLC

By: Sean Luner
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

T-MOBILE US, INC., T-MOBILE USA, INC.,
TELECOMMUNICATION SYSTEMS, INC., ERICSSON INC., and
TELEFONAKTIEBOLAGET LM ERICSSON
Petitioners,

v.

TRACBEAM, LLC,
Patent Owner

Case No. IPR2015-01687
Patent 7,764,231 B1

**PATENT OWNER NOTICE OF
FILING STATUTORY DISCLAIMER**

Pursuant to the Board's e-mail of October 31, 2016, Patent Owner TracBeam, LLC ("TracBeam") hereby provides Notice to the Board and Petitioners that TracBeam electronically filed two *Disclaimers in Patent Under 37 C.F.R. § 1.321(a)* ("Disclaimers") at the United States Patent and Trademark Office on October 30, 2016, for U.S. Patent No. 7,764,231 (the '231 Patent).

One Disclaimer disclaimed instituted Claim 20 and Claim 82 of the '231 Patent. A copy of the Disclaimer and electronic acknowledgment receipt are attached as Appendix A.

The other Disclaimer disclaimed instituted Claim 25 of the '231 patent. A copy of the Disclaimer and electronic acknowledgment receipt are attached as Appendix B.

As this proceeding only involves Claims 20 and 25 of the '231 Patent, there are no longer any claims at issue in this proceeding.

Respectfully submitted,

Date: October 31, 2016

/Sean Luner/
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Counsel for Patent Owner

Appendix A

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

DISCLAIMER IN PATENT UNDER 37 CFR 1.321(a)

Name of Patentee TracBeam, LLC	Docket Number (Optional) 1003-PUS
Patent Number 7,764,231	Date Patent Issued July 27, 2010

Title of Invention

WIRELESS LOCATION USING MULTIPLE MOBILE STATION LOCATION TECHNIQUESI hereby disclaim the following complete claims in the above identified patent: Claims 20 and 82The extent of my interest in said patent is (if assignee of record, state liber and page, or reel and frame, where assignment is recorded): Assignment recorded at 010328 / 0085, Change of Name at 011331 / 0887

The fee for this disclaimer is set forth in 37 CFR 1.20(d).

- ☐ Patentee claims small entity status. See 37 CFR 1.27.
- ☐ Small entity status has already been established in this case, and is still proper.
- ☐ A check in the amount of the fee is enclosed.
- ☒ Payment by ~~credit card Form PTO-2038 is attached~~ via EFS-Web
- ☒ The Director is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account No. 50-5775.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.Signed at Golden, State of Colorado, this 30th day of October 2016./Dennis J. Dupray/

Signature

46,299

Registration Number, if applicable

Dennis J. Dupray

Typed or printed name of patentee/ attorney or agent of record

303-895-7538

Telephone Number

1801 Belvedere Street

Address

Golden, CO 80401

City, State, Zip Code or Foreign Country as applicable

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Electronic Acknowledgement Receipt

EFS ID:	27363916
Application Number:	09194367
International Application Number:	
Confirmation Number:	3112
Title of Invention:	WIRELESS LOCATION USING MULTIPLE MOBILE STATION LOCATION TECHNIQUES
First Named Inventor/Applicant Name:	DENNIS J. DUPRAY
Customer Number:	62914
Filer:	Dennis Jay Dupray.
Filer Authorized By:	
Attorney Docket Number:	1003-PUS
Receipt Date:	30-OCT-2016
Filing Date:	24-NOV-1998
Time Stamp:	19:21:43
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$ 160
RAM confirmation Number	103116INTEFSW19222901
Deposit Account	
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

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File Listing:

Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Statutory disclaimers per MPEP 1490	Disclaimer-CI-20-82_231.pdf	156205	no	2
			f6c4b25c3da4003781e2bdd55101e3562790fa81		

Warnings:

Information:

2	Fee Worksheet (SB06)	fee-info.pdf	30657	no	2
			421d387380787de38d4a9ef9122b88db3372d6b5		

Warnings:

Information:

Total Files Size (in bytes):			186862
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.

New International Application Filed with the USPTO as a Receiving Office

If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.

Appendix B

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

DISCLAIMER IN PATENT UNDER 37 CFR 1.321(a)Name of Patentee
TracBeam, LLCDocket Number (Optional)
1003-PUSPatent Number
7,764,231Date Patent Issued
July 27, 2010

Title of Invention

WIRELESS LOCATION USING MULTIPLE MOBILE STATION LOCATION TECHNIQUESI hereby disclaim the following complete claims in the above identified patent: Claim 25The extent of my interest in said patent is (if assignee of record, state liber and page, or reel and frame, where assignment is recorded): Assignment recorded at 010328 / 0085, Change of Name at 011331 / 0887

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Signature

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Electronic Acknowledgement Receipt

EFS ID:	27363863
Application Number:	09194367
International Application Number:	
Confirmation Number:	3112
Title of Invention:	WIRELESS LOCATION USING MULTIPLE MOBILE STATION LOCATION TECHNIQUES
First Named Inventor/Applicant Name:	DENNIS J. DUPRAY
Customer Number:	62914
Filer:	Dennis Jay Dupray.
Filer Authorized By:	
Attorney Docket Number:	1003-PUS
Receipt Date:	30-OCT-2016
Filing Date:	24-NOV-1998
Time Stamp:	17:24:36
Application Type:	U.S. National Stage under 35 USC 371

Payment information:

Submitted with Payment	yes
Payment Type	CARD
Payment was successfully received in RAM	\$ 160
RAM confirmation Number	103116INTEFSW17254001
Deposit Account	
Authorized User	

The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows:

File Listing:					
Document Number	Document Description	File Name	File Size(Bytes)/ Message Digest	Multi Part /.zip	Pages (if appl.)
1	Statutory disclaimers per MPEP 1490	Disclaimer_231.pdf	178228	no	2
			cd134536d32d74a17c1ab55ced46d03a42b59feb		
Warnings:					
Information:					
2	Fee Worksheet (SB06)	fee-info.pdf	30656	no	2
			71120dece9aa54498fbcf297d16db002e717b6e		
Warnings:					
Information:					
Total Files Size (in bytes):			208884		
<p>This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.</p> <p><u>New Applications Under 35 U.S.C. 111</u> If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.</p> <p><u>National Stage of an International Application under 35 U.S.C. 371</u> If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.</p> <p><u>New International Application Filed with the USPTO as a Receiving Office</u> If a new international application is being filed and the international application includes the necessary components for an international filing date (see PCT Article 11 and MPEP 1810), a Notification of the International Application Number and of the International Filing Date (Form PCT/RO/105) will be issued in due course, subject to prescriptions concerning national security, and the date shown on this Acknowledgement Receipt will establish the international filing date of the application.</p>					