

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

PARKERVISION, INC.,

PLAINTIFF,

v.

CASE NO.: 6:14-cv-687-Orl-40LRH

QUALCOMM INCORPORATED and  
QUALCOMM ATHEROS, INC.,

DEFENDANTS.

**PARKERVISION, INC.’S NOTICE OF SUPPLEMENTAL AUTHORITY**

ParkerVision submits this Notice of Supplemental Authority pursuant to Local Rule 3.01(i). Presently pending before the Court is ParkerVision’s Motion for Summary Judgement of IPR Estoppel (Dkt. 498). On February 4, 2022, the Federal Circuit issued a precedential opinion in *Caltech v. Broadcom* that resolves the district court split in authority related to the issues raised in ParkerVision’s Motion as discussed in the parties’ briefing and at the hearing held on January 24-25, 2022. The Federal Circuit held:

Accordingly, we take this opportunity to overrule Shaw and clarify that [IPR] estoppel applies not just to claims and grounds asserted in the petition and instituted for consideration by the Board, but to all claims and grounds not in the IPR but which reasonably could have been included in the petition.

*Caltech v. Broadcom*, No. 20-2222 (Fed. Cir. Feb. 4, 2022), at 23-24 available at [https://cafc.uscourts.gov/opinions-orders/20-2222.OPINION.2-4-2022\\_1903268.pdf](https://cafc.uscourts.gov/opinions-orders/20-2222.OPINION.2-4-2022_1903268.pdf).

The Federal Circuit's holding addresses the issues ParkerVision briefed at pages 11-17 of its Motion (Dkt. 498) and argued at the hearing. ParkerVision provides the following citations pursuant to Local Rule 3.01(i)(2):

- Dkt. 498 at 11 (Section V.A.1, line 12, "Qualcomm Is Barred from Re-litigating Prior Art that It Raised in the IPR Proceedings");
- Dkt. 498 at 12 (Section V.A.2, line 17, "Qualcomm Is Barred from Re-litigating Prior Art that it Could Have Raised in the IPR Proceedings"); and
- Dkt. 498 at 17 (Section V.A.3, line 14, "IPR Estoppel Also Applies to Ishigaki").

February 7, 2022

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**ATTORNEYS FOR PLAINTIFF  
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**CERTIFICATE OF SERVICE**

I certify that on February 7, 2022, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system. I further certify that I mailed the foregoing document and the notice of electronic filing by first-class mail to the following non-CM/ECF participants: none.

*/s/ Ava K. Dopplet*  
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Ava K. Dopplet