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Intellectual Property Analysis of Action Grindelwald, LLC Wireless Communication System Patent Portfolio

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A Brief Background of the Patent System

When most people consider the patent system, they often think of a structure in which large corporations make money selling products based on proprietary knowledge, licensing the technology to others, or suing others who infringe on the patent rights behind their most cutting-edge products. In recent years, the importance of patents and intellectual property rights as an important variable in the marketplace has come to the forefront of the public consciousness as world leaders declare their country's lead in the innovation race. The temporary nature of patents is a reflection of the implicit social contract that dictates that these innovations be used for the public good once their time-limited monopoly has expired.

Key elements of the patent system hinge on the rights bestowed upon the general public. In the United States, patent terms are limited to 20 years from the date of application. By statutory intention, once a patent has expired, the patent holder loses the right to exclude others from utilizing the invention described within the patent. Likewise, a large number of patents are "abandoned" when owners discontinue paying patent maintenance fees. Even when maintained and within their statutory term, patents only provide protection in the country for which the patent is filed. Accordingly, an innovation disclosed in a European patent, for example, can be utilized anywhere in the world other than the European market. Whether through expiration, abandonment or non-filing, once these innovations enter the public domain, they are fair game, requiring no license or sale to implement. As demonstrated by the Global Innovation Commons (G.I.C.), using intellectual property legally available in the public domain reduces, if not eliminates, the need to pay licensing fees – particularly to those entities whose sole business interest is to intimidate (through threat of litigation or International Trade Commission action) other businesses into licensing or purchasing IP that is invalid or has lost its value to a public domain option.

Until the recent emergence of the G.I.C., many companies failed to leverage the numerous public domain options that may provide alternatives to the purchase or license of costly cutting-edge technologies. By overlooking these options, companies all too often incur costs and burden which impugn their business at best or, at its worst, keep globe altering solutions out of the world's hands. This scenario, which has defined the landscape for solution abundance against a backdrop of inaction, could be potentially avoided entirely thanks to the vast trove of viable technologies available for the taking, free of cost, in the public domain.

Technology Area: Wireless Communication Systems

Since the invention of the wireless radio, the world has been fascinated with the prospect of unfettered communication, free from the inconvenience of wires. Half-duplex systems such as “walkie-talkies” are exceedingly useful at construction sites and in other situations where instant team coordination is imperative, and full-duplex systems such as cordless landline telephones and mobile cellular phones have the added benefit of allowing for two-way communication simultaneously. Each of these systems has limitations, however. Many half-duplex systems in use broadcast over public airwaves, restricting the usefulness of the medium for private communication. Likewise, full-duplex systems currently on the market depend on existing infrastructure outside of the control of the communicating parties. Self-contained, private wireless communication networks combine some of the benefits of both systems, avoiding many of the drawbacks.

Intellectual Property Analysis

Action Grindelwald, LLC currently possesses intellectual property concerning wireless communication systems with a priority dating back to 1996. This intellectual property describes a flexible, cost-effective wireless voice and data communication system that allows for private, full-duplex conversations via a mobile base station and a number of terminal units. One key innovation disclosed in this patent concerns the ability to support a large number of private conversations concurrently while maximizing the audio quality of each communication using advanced data compression techniques. While it is not transparent to the market what commercial intent Action Grindelwald, LLC has for these patents, it is reasonable to assume that they will pursue sales or licensing models. Entities interested in Action Grindelwald, LLC’s holding would likely also be interested in similar innovations that lie in the public domain, some of which are listed in the following section.

Patent Information

As of March 2010, according to the electronic output of the United States Patent and Trademark Office’s Public PAIR system reports on patent assignment, Action Grindelwald, LLC holds one granted U.S. patent.

Action Grindelwald, LLC U.S. Patent Holding related to Wireless Communication Systems:

<u>Document #</u>	<u>Title</u>	<u>Assignee Name</u>	<u>Priority</u>	<u>File</u>	<u>Issue</u>
US 6,026,082	Wireless communication system	Telergy, Inc.	27-Nov-96	27-Nov-96	15-Feb-00

Analysis of the Action Grindelwald, LLC patent has led to the identification of a number of innovations from multiple assignees residing in the public domain due to abandonment or expiration that also concern aspects of a wireless communication system similar to the one described. A sampling of these patent holdings is included in the table below. Any process or technology specifically designated in these patents is available for public domain use and is not subject to any restrictions from Action Grindelwald, LLC. Please note that the assignee shown is the assignee to which the patent was originally granted.

Sample of Patent Holdings in the Public Domain related to Wireless Communication Systems:

<u>Document #</u>	<u>Title</u>	<u>Assignee Name</u>	<u>Priority</u>	<u>File</u>	<u>Issue</u>
US 6,947,383	Radio telecommunications system with improved use of air interface	Lucent Technologies Inc.	1-Mar-01	1-Mar-01	20-Sep-05
US 6,934,297	Method and apparatus for communicating in a distributed multiple access wireless communication system	Agency for Science, Technology and Research	2-Nov-00	2-Nov-00	23-Aug-05
US 6,646,985	Congestion control mechanism in a network access device	Fujitsu Network Communications, Inc.	3-Jun-99	3-Jun-99	11-Nov-03
US 6,636,737	Method for assigning channels for access points of a wireless network	Carnegie Mellon University	10-Apr-00	10-Apr-00	21-Oct-03
US 6,188,670	Method and system in a data processing system for dynamically controlling transmission of data over a network for end-to-end device flow control	International Business Machines Corporation	31-Oct-97	31-Oct-97	13-Feb-01
US 6,108,718	Communication method and electronic apparatus thereof	Sony Corporation	12-Nov-96	12-Nov-97	22-Aug-00
US 6,097,707	Adaptive digital wireless communications network apparatus and process	Migdat I. Hodzic	19-May-95	19-May-95	1-Aug-00
US 5,987,011	Routing method for Ad-Hoc mobile networks	Toh; Chai-Keong	30-Aug-96	30-Aug-96	16-Nov-99
US 5,818,823	Slot assign system with each peripheral station pre-assigned	NEC Corporation	11-Mar-95	5-Mar-96	6-Oct-98
US 5,684,478	Method and apparatus for adaptive data compression	Cennoid Technologies, Inc.	6-Dec-94	6-Dec-94	4-Nov-97
US 5,539,908	Dynamically linked and shared compression/decompression	International Business Machines Corporation	24-Nov-92	21-Apr-95	23-Jul-96
US 5,345,500	Method and apparatus for completing inbound calls in a wireless communication system	Motorola, Inc.	13-Jul-92	13-Jul-92	6-Sep-94
US 5,276,703	Wireless local area network communications system	Windata, Inc.	13-Jan-92	13-Jan-92	4-Jan-94
US 5,142,534	Wireless integrated voice-data communication system	O'Neill Communications, Inc.	17-Oct-99	17-Oct-99	25-Aug-92
US 6,975,613	System and method for scheduling communication sessions in an ad-hoc network	Telefonaktiebolaget L M Ericsson (publ)	6-Dec-99	6-Dec-99	13-Dec-05
US 5,771,459	Communication system for use with stationary and second entities, via a wireless intermediate network with gateway devices, a gateway device for use with such system, and a mobile entity provided with such gateway device	U.S. Philips Corporation	21-Jun-94	16-Jun-95	23-Jun-98
US 5,684,478	Method and apparatus for adaptive data compression	Cennoid Technologies, Inc.	6-Dec-94	6-Dec-94	4-Nov-97
US 5,539,908	Dynamically linked and shared compression/decompression	International Business Machines Corporation	24-Nov-92	21-Apr-95	23-Jul-96
EP1755325	Method and apparatus for mobile teleconferencing	Callpod, Inc.	19-Aug-05	16-Dec-05	21-Feb-07
EP1699190	Route selection in a mobile ad-hoc network	THE UNIVERSITY COURT OF THE UNIVERSITY OF EDINBURGH	10-Feb-05	9-Feb-06	6-Sep-06
EP1619839	Method of and apparatus for scheduling transmission of multimedia streaming services over the radio channel of wireless communication systems	Siemens Mobile Communications S.p.A.		21-Jul-04	25-Jan-06
EP0944205	Method and system for wireless communication	SONY CORPORATION	17-Mar-98	16-Mar-99	22-Sep-99
EP0452223	Telecommunications network with plesiochronous transfer mode.	DIGITAL EQUIPMENT CORP	13-Apr-90	12-Apr-91	16-Oct-91
EP0187696	Full duplex conferencing system	CONTROLONICS CORPORATION	3-Jan-85	3-Jan-86	3-Dec-86
WO9914897	FREQUENCY HOPPING PICONETS IN AN UNCOORDINATED WIRELESS MULTIUSER SYSTEM	TELEFONAKTIEBOLAGET LM ERICSSON PUBL	17-Sep-97	16-Sep-98	19-Aug-99

Conclusion

Integrating new technology into existing products as a way to reinvigorating or re-imagining an entire space is a prime example of how innovation moves us forward as a society. The advances that have come out of digital network management and wireless data transmission technology over the past two decades have informed and improved innovations across the entirety of the wireless communications innovation space. Every day, costs and physical component sizes shrink while capabilities increase; it is a foregone conclusion that wireless communication systems of all shapes and forms will continue to be integrated into many of the things that we use day to day. As this vision of the future becomes a reality before our eyes, it is imperative that this innovation space, like all others, consider publicly available innovations when designing content delivery platforms and media mechanisms. The use of public domain which translates to significantly cheaper costs, should aid the effort to encourage widespread public adoption, minimize licensing costs, and overcome other existing barriers to entry that exist in this technology area.

Without an informed knowledge of the surrounding landscape, efforts to move forward in any discipline are prone to go off-course. By cultivating awareness of the full spectrum of options available from the public domain as they advance their research, technology innovators are empowered to create truly novel solutions to the world's problems. To that end, M•CAM's analysis has shown that the Action Grindelwald, LLC patent contains innovations that may be approximated in part by innovations that currently lie in the public domain. Accordingly, we believe that it is in the public's best interest to see these innovations integrated into today's solutions to improve the accessibility and effectiveness of technology not only in the United States but across the globe.

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