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# Non-linear maximum rank distance codes 

Antonio Cossidente<br>Dipartimento di Matematica Informatica ed Economia<br>Università della Basilicata<br>Contrada Macchia Romana<br>I-85100 Potenza<br>Italy<br>antonio.cossidente@unibas.it<br>Giuseppe Marino<br>Dipartimento di Matematica e Fisica<br>Seconda Università di Napoli<br>Viale Lincoln, 5<br>I-81100 Caserta<br>Italy<br>giuseppe.marino@unina2.it<br>Francesco Pavese<br>Dipartimento di Matematica Informatica ed Economia<br>Università della Basilicata<br>Contrada Macchia Romana<br>I-85100 Potenza<br>Italy<br>francesco.pavese@unibas.it

Proposed Running Head: Non-linear Maximum Rank Distance Codes

Corresponding Author:<br>Francesco Pavese<br>Dipartimento di Matematica Informatica ed Economia<br>Università della Basilicata<br>Contrada Macchia Romana<br>I-85100 Potenza<br>Italy<br>francesco.pavese@unibas.it


#### Abstract

By exploring some geometry of Segre varieties and Veronese varieties, new families of non linear maximum rank distance codes and optimal constant rank codes are provided.


KEYWORDS: Segre variety, Veronese variety, Maximum rank distance code, Constant rank distance code, Subspace codes, Singer cyclic group. AMS MSC: 94B60; 51E20

## 1 Introduction

Subspace codes and maximum rank-distance codes (MRD) can be used to correct errors and erasures in networks with linear network coding. Network coding is a novel and efficient approach to transmitting data across a communication network. Both types of codes have been extensively studied in the last years. Subspace codes were introduced by Koetter and Kschischang in the inspiring article [22] to correct errors and erasures in networks with a randomized protocol where the topology is unknown (the non-coherent case). The codewords of a subspace code are vector subspaces of a fixed ambient vector space; thus the codes are collections of such subspaces and the natural measure of distance is defined by $d(A, B)=\operatorname{dim}(A)+\operatorname{dim}(B)-2 \operatorname{dim}(A \cap B)$. An important subclass of subspace codes is represented by the constantdimension codes (CDCs). CDCs have several interesting properties and in particular the decoding procedure is simplified, as a fixed number of linearly independent packets are required to perform the decoding.

Rank distance codes were introduced by Delsarte [8] and rediscovered in [14] and independently in [27] and are suitable for error correction in the case where the network topology and the underlying network code are known (the coherent case). A rank-distance code can be viewed as a set of matrices over a finite field where the distance between two codewords, referred to as the rank distance, is the rank of their difference. Gabidulin codes are a well-known class of algebraic rank-metric codes that meet the Singleton bound on the minimum rank-distance of a code.

A matrix can be lifted into a subspace of fixed dimension and hence a rank-distance code can be lifted into a CDC: a lifted maximum rank distance (LMRD) code is a subspace code obtained from an MRD code $\mathcal{A} \subseteq \mathcal{M}_{m \times n}(q)$ by the so-called lifting construction of [30], which associates to every matrix $\mathbf{A} \in \mathcal{M}_{m \times n}(q)$ the subspace $U=\left\langle\left(\mathbf{I}_{m} \mid \mathbf{A}\right)\right\rangle$ of $\operatorname{GF}(q)^{m+n}$.

Since the injection and the subspace distances between two lifted matrices are related to their rank distance, the minimum distances of the lifting of
a rank-distance code are related to that of the original rank-distance code. Thus error control in random linear network coding using CDCs can be turned into a rank metric problem. A recent survey on problems related to subspace coding can be found in [12], to which we also refer for more background on this topic. All these connections and ideas led to many new interesting problems in coding theory and in Galois geometries.

### 1.1 Preliminaries

The set $\mathcal{M}_{m \times n}(q)$ of $m \times n$ matrices over the finite field $\mathrm{GF}(q)$ forms a metric space with respect to the rank distance defined by $d_{r}(A, B)=\mathrm{rk}(A-B)$. The maximum size of a code of minimum distance $d, 1 \leq d \leq \min \{m, n\}$, in $\left(\mathcal{M}_{m \times n}(q), d_{r}\right)$ is $q^{n(m-d+1)}$ for $m \leq n$ and $q^{m(n-d+1)}$ for $m \geq n$. A code $\mathcal{A} \subset \mathcal{M}_{m \times n}(q)$ attaining this bound is said to be a $q$-ary ( $m, n, k$ ) maximum rank distance code (MRD), where $k=m-d+1$ for $m \leq n$ and $k=n-d+1$ for $m \geq n$. A rank distance code $\mathcal{A}$ is called $\mathrm{GF}(q)$-linear if $\mathcal{A}$ is a subspace of $\mathcal{M}_{m \times n}(q)$ considered as a vector space. We can always assume that $m \leq n$. The GF $(q)$-linear Gabidulin codes can be seen as the analogs of Reed-Solomon codes for rank metric and are defined as follows. Consider the vector space $V=\operatorname{End}\left(\operatorname{GF}\left(q^{n}\right), \operatorname{GF}(q)\right)$ of all $\operatorname{GF}(q)$-linear operators of the field $\operatorname{GF}\left(q^{n}\right)$. Then $V$ is also a vector space over the field $\operatorname{GF}\left(q^{n}\right)$ of dimension $n$ and the vectors of $V$ are uniquely represented as linearized polynomials of the form $x \mapsto a_{0} x+a_{1} x^{q}+a_{2} x^{q^{2}}+\cdots+a_{n-1} x^{q^{n-1}}$ with coefficients $a_{i} \in \mathrm{GF}\left(q^{n}\right)$ and $q$-degree less than $n$. The ( $n, n, k$ ) Gabidulin code $\mathcal{G}$ consists of all such polynomials of $q$-degree less than $k$.

In terms of matrices, a codeword $c$ in $\mathcal{G}$, can be represented by a vector $c=\left(c_{1}, \ldots c_{n}\right)$, where $c_{i} \in \operatorname{GF}\left(q^{n}\right)$. Let $g_{i} \in \operatorname{GF}\left(q^{n}\right), 1 \leq i \leq n$, be linearly independent over $\operatorname{GF}(q)$. The generator matrix of a Gabidulin code is given by

$$
\left(\begin{array}{cccc}
g_{1} & g_{2} & \ldots & g_{n} \\
g_{1}^{q} & g_{2}^{q} & \ldots & g_{n}^{q} \\
g_{1}^{q^{2}} & g_{2}^{q^{2}} & \ldots & g_{n}^{q^{2}} \\
\vdots & \vdots & \vdots & \vdots \\
g_{1}^{q^{k}} & g_{2}^{q^{k}} & \ldots & g_{n}^{q^{k}}
\end{array}\right)
$$

This matrix representation gives rise to an isomorphism between $\left(V, d_{r}\right)$ and $\left(\mathcal{M}_{n \times n}(q), d_{r}\right)$ of metric spaces and the choice of the basis does not matter. Rectangular ( $m, n, k$ ) Gabidulin codes (where $m<n$ ) are obtained
by restricting the linear maps in $\mathcal{G}$ to an $m$-dimensional $\mathrm{GF}(q)$-subspace $W$ of $\operatorname{GF}\left(q^{n}\right)$.

A second family of MRD codes, referred to as generalized Gabidulin codes was introduced in [17]. These codes have a similar generator matrix to that of Gabidulin codes:

$$
\left(\begin{array}{cccc}
g_{1} & g_{2} & \ldots & g_{n} \\
g_{1}^{q^{a}} & g_{2}^{q^{a}} & \ldots & g_{n}^{q^{a}} \\
g_{1}^{q^{2 a}} & g_{2}^{q^{2 a}} & \ldots & g_{n}^{q^{2 a}} \\
\vdots & \vdots & \vdots & \vdots \\
g_{1}^{q^{k a}} & g_{2}^{q^{k a}} & \ldots & g_{n}^{q^{k a}}
\end{array}\right)
$$

where $a$ is an integer such that $(n, a)=1$.
A third family of MRD codes consists of cartesian products of a MRD code with length $n=m,[16]$. See also [32].

On the other hand, known non-linear rank distance codes are coset codes and one can construct examples of such codes for small lengths. As far as we know no infinite non-linear families of maximum rank distance codes are known. In this paper we are mainly interested into non-linear maximum rank distance codes of $\left(\mathcal{M}_{n \times n}(q), d_{r}\right), n=2,3$ and $d=2$. Our approach is based on the geometry of the Segre variety of $\operatorname{PG}\left(n^{2}-1, q\right), n=2,3$.

The Segre map may be defined as the map

$$
\sigma: \mathrm{PG}(n-1, q) \times \mathrm{PG}(n-1, q) \rightarrow \mathrm{PG}\left(n^{2}-1, q\right)
$$

taking a pair of points $x=\left(x_{1}, \ldots x_{n}\right), y=\left(y_{1}, \ldots y_{n}\right)$ of $\operatorname{PG}(n-1, q)$ to their product $\left(x_{1} y_{1}, x_{1} y_{2}, \ldots x_{n} y_{n}\right)$ (the $x_{i} y_{j}$ are taken in lexicographical order). The image of the Segre map is an algebraic variety called the Segre variety and denoted by $\mathcal{S}_{n-1, n-1}$.

When $n=2$ the Segre variety $\mathcal{S}_{1,1}$ of $\operatorname{PG}(3, q)$ is the non-degenerate hyperbolic quadric $\mathcal{Q}^{+}(3, q)$. This quadric is given as the zero locus of the quadratic polynomial given by the determinant of the matrix

$$
\left(\begin{array}{ll}
x_{1} y_{1} & x_{1} y_{2} \\
x_{2} y_{1} & x_{2} y_{2}
\end{array}\right)
$$

In the case $n=3$, the Segre variety $\mathcal{S}_{2,2}$ of $\operatorname{PG}(8, q)$ is defined to be the zero locus of all quadratic polynomials given by the determinants of the $2 \times 2$ matrices of the matrix

$$
\left(\begin{array}{lll}
x_{1} y_{1} & x_{1} y_{2} & x_{1} y_{3} \\
x_{2} y_{1} & x_{2} y_{2} & x_{2} y_{3} \\
x_{3} y_{1} & x_{3} y_{2} & x_{3} y_{3}
\end{array}\right)
$$

In other terms, in the projective space $\operatorname{PG}\left(\mathcal{M}_{n \times n}(q)\right)$, if $n=2$, the Segre variety $\mathcal{S}_{1,1}$ of $\mathrm{PG}(3, q)$ is represented by all $2 \times 2$ matrices of rank 1 and if $n=3$, the Segre variety $\mathcal{S}_{2,2}$ of $\mathrm{PG}(8, q)$ is represented by all $3 \times 3$ matrices of rank 1 .

The set of matrices of $\mathcal{M}_{3 \times 3}(q)$ of rank at most two gives rise to the so called secant variety $\Omega\left(\mathcal{S}_{2,2}\right)$ of $\mathcal{S}_{2,2}$.

We introduce the following definition.
Definition 1.1. An exterior set with respect to a Segre variety $\mathcal{S}_{n-1, n-1}$ of $\operatorname{PG}\left(n^{2}-1, q\right)$ is a set $\mathcal{E}$ of points of $\operatorname{PG}\left(n^{2}-1, q\right) \backslash \mathcal{S}_{n-1, n-1}$ of size $q^{n^{2}-n}-1 / q-1$ such that the line joining any two points of $\mathcal{E}$ is disjoint from $\mathcal{S}_{n-1, n-1}$.

This definition justifies the following proposition whose proof is immediate.

Proposition 1.2. An exterior set with respect to $\mathcal{S}_{n-1, n-1}$ gives rise to an $(n, n, n-1)$ maximum rank distance code closed under $\mathrm{GF}(q)$-multiplication, and viceversa.

Corollary 1.3. An $(n, n, n-1) \mathrm{GF}(q)$-linear Gabidulin code $\mathcal{G}$ is a certain subspace $X$ of $\mathrm{PG}\left(n^{2}-1, q\right)$ of dimension $n^{2}-n-1$ which is an exterior set with respect to $\mathcal{S}_{n-1, n-1}$.

Note that from [7] the maximum dimension of a subspace of $\operatorname{PG}\left(n^{2}-1, q\right)$ disjoint from $\mathcal{S}_{n-1, n-1}$ is exactly $n^{2}-n-1$.

In general, an exterior set $\mathcal{E}$ of $\mathrm{PG}\left(n^{2}-1, q\right)$ with respect to a Segre variety $\mathcal{S}_{n-1, n-1}$ of size $\left(q^{n^{2}-n}-1\right) /(q-1)$ gives rise to a MRD code: this is done by identifying a point of $\mathcal{E}$ and and its nonzero scalar multiples together with the zero matrix with members of $\mathcal{M}_{3 \times 3}(q)$, and this is the key tool of our approach.

The paper is organized as follows.
In Section 2 we describe the case $n=2$ where there exists a complete classification of linear and non-linear MRD codes that are closed under $\mathrm{GF}(q)$-multiplication. This classification in turn relies on the classification of flocks of the hyperbolic quadric $\mathcal{Q}^{+}(3, q)$ of the projective space $\mathrm{PG}(3, q)$ which as already observed, represents the smallest example of Segre variety. A flock of the hyperbolic quadric $\mathcal{Q}^{+}(3, q)$ of the finite projective space $\operatorname{PG}(3, q)$ is a partition of the points of $\mathcal{Q}^{+}(3, q)$ into $q+1$ irreducible conics. Under the polarity of $\operatorname{PG}(3, q)$ induced by $\mathcal{Q}^{+}(3, q)$, a flock of $\mathcal{Q}^{+}(3, q)$ corresponds to an exterior set with respect to $\mathcal{Q}^{+}(3, q)$ producing a MRD code, and in particular a so called constant-rank code.

A constant-rank code (CRC) of constant rank $r$ in $\mathcal{M}_{m \times n}(q)$ is a nonempty subset of $\mathcal{M}_{m \times n}(q)$ such that all elements have rank $r$. Much research has been done to investigate the maximum possible dimension of a constant rank $r$ subspace of matrix vector spaces with particular attention to finite fields. The results and techniques differ greatly according to properties of the underlying field. See [29], [15] for more details and results.

In Section 3 we concentrate on the case $n=3$ and construct several families of non-linear MRD codes. Our starting point was a $(3,3,2) \mathrm{GF}(q)-$ linear MRD code $\mathcal{G}$ represented as a 5 -dimensional projective subspace $W$ of $\mathrm{PG}(8, q)$ and disjoint from the Segre variety $\mathcal{S}_{2,2}$ (rank one $3 \times 3$ matrices in the matrix model of $\mathrm{PG}(8, q))$. In this case $W$ is trivially an exterior set with respect to $\mathcal{S}_{2,2}$. We asked ourselves the following question. Is it possible to perturb the structure of $W$ to obtain a non-linear MRD code? The answer is affirmative. Our goal was reached adopting a model of $\mathcal{S}_{2,2}$ in the projective plane $\operatorname{PG}\left(2, q^{3}\right)$ where the Segre variety is represented by a subplane $\bar{\pi}$ of order $q$, the code $\mathcal{G}$ corresponds to a line $\ell$ disjoint from $\bar{\pi}$ and the new set is represented by the $\operatorname{GF}\left(q^{3}\right)$-rational points of a suitable algebraic curve. More precisely, we will introduce a derivation technique by deleting from $W$ a distinguished set of $q^{2}+q+1$ planes and by adding suitable Segre varieties. In the plane model this corresponds to deleting suitable subsets of $\ell$ of size $q^{2}+q+1$ and by adding suitable subplanes of order $q$. This procedure can be iterated a certain number of times (multiple derivation) producing several non equivalent non-linear MRD codes.

In the last section we will construct a family of optimal non-linear constant-rank codes. Again, our approach is based on the geometry of the Segre variety of $\operatorname{PG}(8, q)$ and the Veronese surface of $\operatorname{PG}(5, q)$. More precisely, we will show that there exists a Segre variety embedded in $\Omega\left(\mathcal{S}_{2,2}\right)$ that is an exterior set with respect to the Segre variety $\mathcal{S}_{2,2}$ ).

We stress that in all our constructions Singer cyclic groups of PGL $(3, q)$ [21] and their liftings to collineation groups of higher dimensional projective spaces, fixing a Segre variety or a Veronese surface, play a crucial role.

## 2 The case $n=2$

In this section we report for completeness the complete classification of linear and non-linear MRD codes that are closed under $\mathrm{GF}(q)$-multiplication when $n=m=2$.

A maximal exterior set (MES) with respect to $\mathcal{Q}^{+}(3, q)$ is a set of $q+1$ points of $\operatorname{PG}(3, q)$ such that the line joining any two of them has no point
in common with $\mathcal{Q}^{+}(3, q)$. The polar planes, with respect to the polarity induced by $\mathcal{Q}^{+}(3, q)$, of the points of a MES, define a flock, and conversely.

A flock of the hyperbolic quadric $\mathcal{Q}^{+}(3, q)$ of the finite projective space $\operatorname{PG}(3, q)$ is a partition of $\mathcal{Q}^{+}(3, q)$ consisting of $q+1$ irreducible conics. In [31] Thas showed that all flocks of $\mathcal{Q}^{+}(3, q)$ are linear if $q$ is even, and that $\mathcal{Q}^{+}(3, q)$ has non-linear flocks (called Thas flocks) if $q$ is odd. Further, he showed that for $q=3,7$ and $q \equiv 1 \bmod 4 \mathcal{Q}^{+}(3, q)$ has only (up to a projectivity) the linear flock and the Thas flock. For $q=11,23,59$ other flocks of $\mathcal{Q}^{+}(3, q)$ were discovered, independently, by Bader, Baker and Ebert (for $q=11,23$ ), Bonisoli and Johnson. Since these three flocks are related to exceptional near fields, these flocks are called exceptional flocks, see [11] and the literature therein. Finally, flocks of $\mathcal{Q}^{+}(3, q), q$ odd, were classified by Bader and Lunardon [2] : Every flock of $\mathcal{Q}^{+}(3, q) q$ odd, is linear, a Thas flock or one of the exceptional flocks. Bonisoli and Korchmáros [5], Durante and Siciliano [11] presented other proofs of the above classification theorem.

The classification theorem is the following.
Theorem 2.1. Let $\mathcal{E}$ be the MES defined by a flock $F$ of $\mathcal{Q}^{+}(3, q)$ in the matrix model of $\operatorname{PG}(3, q)$. Then, either $q$ is even and $\mathcal{E}$ is a line or $q$ is odd and one of the following possibilities occur:

1. $\mathcal{E}$ is a line;
2. $\mathcal{E}$ consists of $(q+1) / 2$ points on two lines $\ell, \ell^{\perp}$, where $\perp$ is the polarity of $\mathcal{Q}^{+}(3, q)$;
3. $\mathcal{E}$ is one of the sporadic examples.

In our setting the linear MES corresponds to a $(2,2,1) \operatorname{GF}(q)$-linear MRD-code. In all the other instances the MES corresponds to a $(2,2,1)$ non-linear maximum rank distance code .

## 3 The case $n=3$

In this section we construct several families of non-linear $M R D$-codes of $\mathcal{M}_{3 \times 3}(q)$. As already mentioned in the Introduction our method is based on the geometry of a Segre variety of $\operatorname{PG}(8, q)$. A very useful model of $\mathcal{S}_{2,2}$ arises from the geometry of the Desarguesian projective plane $\pi:=\operatorname{PG}\left(2, q^{3}\right)$. Indeed, each point $P$ of $\operatorname{PG}\left(2, q^{3}\right)$ defines a projective plane $X(P)$ of the projective space $\operatorname{PG}(8, q)$ and the set $\mathcal{D}=\left\{X(P): P \in \operatorname{PG}\left(2, q^{3}\right)\right\}$ is a Desarguesian spread of $\operatorname{PG}(8, q)([28$, Section 25$])$. The incidence structure
$\pi:=(\mathcal{D}, \mathcal{L})$, whose points are the elements of $\mathcal{D}$ and whose line set $\mathcal{L}$ consists of the 5 -dimensional projective subspaces of $\operatorname{PG}(8, q)$ joining any two distinct elements of $\mathcal{D}$, is isomorphic to $\operatorname{PG}\left(2, q^{3}\right)$. The pair $(\mathcal{D}, \mathcal{L})$ is called the $\mathrm{GF}(q)$-linear representation of $\mathrm{PG}\left(2, q^{3}\right)$ (with respect to the Desarguesian spread $\mathcal{D}$ ).

Let $X_{1}, X_{2}, X_{3}$ denote projective homogeneous coordinates in $\pi \simeq \operatorname{PG}\left(2, q^{3}\right)$ and let $\bar{\pi}$ be a subplane of $\pi$ of order $q$. Let $G$ denote the stabilizer of $\bar{\pi}$ in $\operatorname{PGL}\left(3, q^{3}\right)$.

We can always choose homogeneous coordinates in such a way that $\bar{\pi}:=\left\{\left(1, x^{q+1}, x^{q}\right): x \in \operatorname{GF}\left(q^{3}\right) \backslash\{0\}, N(x)=1\right\}$, where here $N(\cdot)$ is the norm function from $\operatorname{GF}\left(q^{3}\right)$ over $\operatorname{GF}(q)$. Indeed, it turns out that $\bar{\pi}$ is fixed pointwise by the order three semilinear collineation of $\operatorname{PG}\left(2, q^{3}\right)$ given by $\phi:\left(X_{1}, X_{2}, X_{3}\right) \mapsto\left(X_{3}^{q}, X_{1}^{q}, X_{2}^{q}\right)$.

Let $\langle S\rangle$ be a Singer cyclic group of $G[21]$. We can assume that $S$ is given by

$$
\left(\begin{array}{ccc}
\omega & 0 & 0 \\
0 & \omega^{q} & 0 \\
0 & 0 & \omega^{q^{2}}
\end{array}\right)
$$

where $\omega$ is a primitive element of $\operatorname{GF}\left(q^{3}\right)$.
Remark 3.1. The subgroup $\langle S\rangle$ fixes the three points $E_{1}=(1,0,0), E_{2}=$ $(0,1,0)$ and $E_{3}=(0,0,1)$ of $\pi$, and hence the lines $E_{i} E_{j}, 1 \leq i, j \leq 3$. All the other orbits are subplanes of order $q$ of $\pi$. Note that the line $E_{i} E_{j}$ is partitioned into the two points $E_{i}$ and $E_{j}$ and into $q-1$ orbits of $\langle S\rangle$ of size $q^{2}+q+1$. The collineation $\phi$ above normalizes $\langle S\rangle$.

The points of $\bar{\pi}$ correspond to the $q^{2}+q+1$ planes filling the system of a Segre variety $\mathcal{S}_{2,2}$ of $\operatorname{PG}(8, q)$ contained in the Desarguesian spread $\mathcal{D}$. Also, the lines of $\pi$, arising from sublines of $\bar{\pi}$, yield a set of $\left(q^{3}-q\right)\left(q^{2}+q+1\right)$ points of $\pi$ that together with the points of $\bar{\pi}$ give rise to the points of the secant variety $\Omega\left(\mathcal{S}_{2,2}\right)$ of $\mathcal{S}_{2,2}([25],[23])$.

Under the action of the stabilizer $G$ of $\bar{\pi}$ in $\operatorname{PGL}\left(3, q^{3}\right)$ the point set of $\pi$ is partitioned into three orbits corresponding to the points of $\bar{\pi}$, points of $\pi$ on extended sublines of $\bar{\pi}$ and the complement. Under the same group, by duality, the line set of $\pi$ is partitioned into three orbits corresponding to sublines of $\bar{\pi}$, lines meeting $\bar{\pi}$ in a point and lines external to $\bar{\pi}$.

Proposition 3.2. In the linear representation of $\mathrm{PG}\left(2, q^{3}\right)$ any line of $\pi$ disjoint from $\bar{\pi}$ corresponds to a 5 -dimensional projective subspace of $\operatorname{PG}(8, q)$ disjoint from $\mathcal{S}_{2,2}$.

Of course, any line of $\pi$ disjoint from $\bar{\pi}$ gives rise to an exterior set with respect to $\mathcal{S}_{2,2}$ and hence, from a coding theory point of view, a $(3,3,2)$ GF (q)-linear MRD-code.

Now let $q>2$ and consider the set $\mathcal{X}$ of points of $\pi$ whose coordinates satisfy the equation $X_{1} X_{2}^{q}-X_{3}^{q+1}=0$. The set $\mathcal{X}$ has size $q^{3}+1$ and it is fixed by $\langle S\rangle$. Also, it contains $q-1$ subplanes of order $q$, one of which is $\bar{\pi}$, and the points $E_{1}, E_{2}$. More precisely, the subplanes of order $q$ embedded in $\mathcal{X}$ are the subsets of points of $\pi$ given by

$$
\pi_{a}:=\left\{\left(1, x^{q+1}, x^{q}\right): x \in \operatorname{GF}\left(q^{3}\right), N(x)=a\right\},
$$

where $a$ is a nonzero element of $\operatorname{GF}(q)$. In particular, $\pi_{1}=\bar{\pi}$. From [10, Proposition 3.1] a line of $\pi$ intersects $\mathcal{X}$ in $0,1,2$ or $q+1$ points and the intersections of size $q+1$ are actually lines of subplanes of order $q$ of $\pi$ embedded in $\mathcal{X}$. We can assume that the Segre variety corresponding to $\bar{\pi}=\pi_{1}$ is the only Segre variety of $\operatorname{PG}(8, q)$ corresponding to rank one matrices of order three.

We recall the following definition.
Definition 3.3. [4] Let $\ell_{\infty}$ be a line of $\pi$ disjoint from the subplane $\bar{\pi}$. The exterior splash of $\bar{\pi}$ is defined to be the set of $q^{2}+q+1$ points of $\ell_{\infty}$ that lie on an extended line of $\bar{\pi}$.

The line $E_{1} E_{2}$ is disjoint from all the $q-1$ subplanes $\pi_{a}$ 's of $\pi$ contained in $\mathcal{X}$. Also, for each subplane $\pi_{a}$, with $a \in \operatorname{GF}(q) \backslash\{0\}$, its exterior splash is the set of $q^{2}+q+1$ points of $E_{1} E_{2}$ given by

$$
Z_{a}:=\left\{(1, x, 0): x \in \mathrm{GF}\left(q^{3}\right), N(x)=-a^{2}\right\} .
$$

Such a set is a so-called $G F(q)$-linear set of pseudoregulus type. For further details on these linear sets see [25], [10] and [24]. All these subplanes and splashes are of course $\langle S\rangle$-orbits.

We need the following lemma.
Lemma 3.4. Let $T$ be the fundamental triangle $E_{1} E_{2} E_{3}$ of $\pi$. A line of $\pi$ is either a side of $T$ or it contains a vertex of $T$ or it induces a subline of a unique subplane of order $q$ of $\pi$ invariant under $\langle S\rangle$.

Proof. Assume that a line $r$ of $\pi$ induces sublines for two distinct subplanes of order $q$, say $\pi_{a}$ and $\pi_{b}$ of $\pi$, that are invariant under $\langle S\rangle$. Since $\pi_{a}$ and $\pi_{b}$ are both $\langle S\rangle$-orbits, the lines of $\pi$ arising from the sublines of $\pi_{a}$ and those
arising from the sublines of $\pi_{b}$ coincide. Hence $\pi_{a}$ and $\pi_{b}$ correspond to two disjoint Segre varieties $\mathcal{S}_{2,2}$ in $\operatorname{PG}(8, q)$ having the same secant variety $\Omega\left(\mathcal{S}_{2,2}\right)$. Since a Segre variety is the singular locus $X$ of its secant variety and $X$ is uniquely determined, we have a contradiction. A counting argument completes the proof.

We are ready to prove one of the main results of this paper.
Theorem 3.5. The set $K:=\mathcal{X} \backslash\left\{\pi_{1}\right\} \cup Z_{1}$ is such that every line defined by any two of its points is disjoint from $\pi_{1}$.

Proof. As already mentioned, $\mathcal{X}$ is of type $(0,1,2, q+1)$ with respect to the lines of $\pi$. Any line meeting $\mathcal{X}$ in $q+1$ points is a subline of some order $q$ subplane embedded in $\mathcal{X}$ invariant under $\langle S\rangle$ [10, Proposition 3.1]. Therefore, from Lemma 3.4 a line meeting $\mathcal{X} \backslash\left\{\pi_{1}\right\}$ in $q+1$ points is disjoint from $\pi_{1}$. Assume now that a line $r$ of $\pi$ is 2 -secant to $\mathcal{X}$ and that $r$ is 1 -secant to $\pi_{1}$ at a point $P$. Without loss of generality, we can assume that $P=(1,1,1)$ since $\langle S\rangle$ acts transitively on points of $\pi_{1}$. Let $Q=\left(1, x^{q+1}, x^{q}\right)$ be a point on an order $q$ subplane embedded in $\mathcal{X}$ distinct from $\pi_{1}$. Then $N(x)=a \neq 1$. A straightforward calculation shows that the line $P Q$ meets $E_{1} E_{2}$ in the point $\left(1, x^{q}(1-x) /\left(x^{q}-1\right), 0\right)$. Since $N\left(-x(x-1) /\left(x^{q}-1\right)\right)=$ $-N(x)=-a \neq-1$ it follows that the line $P Q$ is disjoint from $Z_{1}$. Then, a line joining a point of $Z_{1}$ with a point of an order $q$ subplane of $\mathcal{X}$ distinct from $\pi_{1}$ is disjoint from $\pi_{1}$. From [10, Proposition 3.1] a line of $\pi$ through a vertex of $T$ is either 1 -secant or 2 -secant to $\mathcal{X}$. In the latter case if such a line contains a point of $\pi_{1}$ then it intersects $\mathcal{X}$ in exactly one point; otherwise, it is disjoint from $\pi_{1}$.

The corresponding result in $\operatorname{PG}(8, q)$ is as follows.
Theorem 3.6. The set $K^{\prime}$ corresponding to $K$ in $\mathrm{PG}(8, q), q>2$, is an exterior set of size $\left(q^{3}+1\right)\left(q^{2}+q+1\right)$ with respect to the Segre variety $\mathcal{S}_{2,2}$ corresponding to $\pi_{1}$.

Proof. As observed before, every line of $\pi$ corresponds to a projective 5subspace of $\operatorname{PG}(8, q)$ partitioned into $q^{3}+1$ planes of the Desarguesian spread $\mathcal{D}$. Hence any 5 -dimensional projective subspace corresponding to a secant of $K$ is disjoint from $\mathcal{S}_{2,2}$. It follows that a secant line to $K^{\prime}$ is either contained in a plane of $\mathcal{D}$ or meets $q+1$ disjoint planes of $\mathcal{D}$ of a 5 -dimensional projective subspace of $\operatorname{PG}(8, q)$ in which $\mathcal{D}$ induces members of a plane-spread corresponding to the points of a line of $\pi$.

In terms of coding theory we have the following result.

Theorem 3.7. There exists a $(3,3,2)$ maximum rank distance non-linear code admitting a Singer cyclic group of $\operatorname{PGL}(3, q)$ as an automorphism group.

We end this section by showing that our geometric approach allows us to construct several non-equivalent $(3,3,2)$ maximum rank distance non-linear codes. We will consider a derivation technique of a $(3,3,2) \mathrm{GF}(q)$-linear maximum rank distance code.

Let us consider the partition of the line $E_{1} E_{2}$, which is disjoint from $\pi_{1}$, into the points $E_{1}, E_{2}$ and the $q-1$ orbits $Z_{a}$, with $a \in \operatorname{GF}(q) \backslash\{0\}$, of $\langle S\rangle$ of size $q^{2}+q+1$. Note that the line $E_{1} E_{2}$ corresponds in $\operatorname{PG}(8, q)$ to a 5 -dimensional projective subspace which is an exterior set with respect to the Segre variety $\mathcal{S}_{2,2}$ determined by $\pi_{1}$ and hence leads to a $(3,3,2)$ $\mathrm{GF}(q)$-linear maximum rank distance code.

Our derivation technique works as follows. Let us start from the partition $\left(Z_{1}, \ldots, Z_{q-1}\right)$ of the line $E_{1} E_{2}$ introduced above.

Proposition 3.8. The set $E_{1} E_{2} \backslash\left(\bigcup_{a \in Y} Z_{a}\right) \cup\left(\bigcup_{a \in Y} \pi_{a}\right)$, where $Y$ is a subset of $\operatorname{GF}(q) \backslash\{0,1\}$, is such that every line defined by any two of its points is disjoint from $\pi_{1}$.

Proof. From the proof of Theorem 3.5 a line of $\pi$ joining a point of $\pi_{1}$ with a point of $\pi_{a}, a \neq 1$, meets $E_{1} E_{2}$ in a point of $Z_{a}$.

Corollary 3.9. There exist $\sum_{k=1}^{q-2}\binom{q-2}{k}(3,3,2)$ non-linear maximum rank distance codes of which at least $q-2$ are not equivalent.

Remark 3.10. In [13] R. Figueroa presented a new class of non-desarguesian projective planes of order $q^{3}, q$ a prime power with $q \not \equiv 1 \bmod 3, q>2$. C. Hering and H.-J. Schaffer in [19] improved and simplified the construction for all prime powers $q$. From [26, Corollary 3] the set $K$ constructed in Theorem 3.5 represents a line in the Figueroa plane. Moreover, any two sets constructed as in Theorem 3.5 are equivalent [9].

Remark 3.11. When $q=2$ some computer tests performed with MAGMA [6] give that all subsets of $\mathrm{PG}(2,8)$ yielding exterior sets with respect to a Segre variety $\mathcal{S}_{2,2}$ are just the 24 lines disjoint from $\bar{\pi}$. When $q=2$ no non-linear maximum rank distance codes arise from our construction.

## 4 Optimal Constant rank distance codes

In this section we will construct a family of optimal non-linear constantrank codes. Again, our approach is based on the geometry of Segre varieties and Veronese varieties of projective spaces.

We recall the definition of constant-rank code.
Definition 4.1. A constant-rank code (CRC) of constant rankr in $\mathcal{M}_{m \times n}(q)$ is a nonempty subset of $\mathcal{M}_{m \times n}(q)$ such that all elements have rank $r$.

We denote a constant-rank code with length $n$, minimum rank distance $d$, and constant-rank $r$ by $(q, m, n, d, r)$. The term $A_{R}(q, m, n, d, r)$ denotes the maximum cardinality of a $(q, m, n, d, r)$ constant-rank code over $\operatorname{GF}(q)$. If $C$ is a $(q, m, n, d, r)$ constant-rank code, then the code $C^{T}$ obtained by transposing all the expansion matrices of codewords in $C$ is a $(q, n, m, d, r)$ constant-rank code with the same cardinality. Therefore $A_{R}(q, m, n, d, r)=A_{R}(q, n, m, d, r)$, and henceforth we can assume $n \leq m$ without loss of generality. From [15, Proposition 8] we have that $A_{R}(q, n, m, d, r) \leq\left[\begin{array}{c}n \\ r\end{array}\right] \prod_{i=0}^{r-d}\left(q^{m}-q^{i}\right)$ and if this upper bound is attained the CRC is said to be optimal.

To our aim we need to recall some facts about Veronese surfaces of $\operatorname{PG}(5, q)$.

The Veronese surface of all conics of $\operatorname{PG}(2, q)$ is the variety $\mathcal{V}$ of $\operatorname{PG}(5, q)$ with parametric equations

$$
\begin{equation*}
\left(X_{00}, X_{11}, X_{22}, X_{01}, X_{02}, X_{12}\right)=\left(x_{0}^{2}, x_{1}^{2}, x_{2}^{2}, x_{0} x_{1}, x_{0} x_{2}, x_{1} x_{2}\right) \tag{1}
\end{equation*}
$$

where $x_{0}, x_{1}, x_{2} \in \operatorname{GF}(q)$ and $\left(x_{0}, x_{1}, x_{2}\right) \neq(0,0,0)$. The mapping

$$
\mu:\left(x_{0}, x_{1}, x_{2}\right) \in \mathrm{PG}(2, q) \mapsto\left(x_{0}^{2}, x_{1}^{2}, x_{2}^{2}, x_{0} x_{1}, x_{0} x_{2}, x_{1} x_{2}\right) \in \mathrm{PG}(5, q)
$$

is called the Veronese embedding of $\operatorname{PG}(2, q)$. The variety $\mathcal{V}$ consists of $q^{2}+q+1$ points. We stress some important properties of the Veronese surface $\mathcal{V}$ (for further details see $[20]$ ). To the conics of $\operatorname{PG}(2, q)$ there correspond all hyperplane sections of $\mathcal{V}$. The hyperplane is uniquely determined by a conic if and only if the latter is not a single point. If the conic $\mathcal{C}$ of $\operatorname{PG}(2, q)$ is a repeated line, then the corresponding hyperplane $H$ of $\operatorname{PG}(5, q)$ meets $\mathcal{V}$ at a non-degenerate conic. If $\mathcal{C}$ is a pair of distinct lines of $\operatorname{PG}(2, q)$, then $H$ meets $\mathcal{V}$ at two non-degenerate conics with exactly one point in common. If $\mathcal{C}$ is a non-degenerate conic of $\operatorname{PG}(2, q)$, then $H$ meets $\mathcal{V}$ along a rational quartic curve. Hence, $\mathcal{V}$ contains $q^{2}+q+1$ non-degenerate conics and any two points of $\mathcal{V}$ are contained in a unique conic. Since the conics of
$\mathcal{V}$ correspond to the lines of $\mathrm{PG}(2, q)$, any two of these conics have a unique point in common. The planes of $\operatorname{PG}(5, q)$ meeting $\mathcal{V}$ at a conic are called the conic planes of $\mathcal{V}$. Moreover, any two conic planes of $\mathcal{V}$ have exactly one point in common, and this common point belongs to $\mathcal{V}$.

Identifying the points of $\operatorname{PG}(5, q)$ with all $3 \times 3$ symmetric matrices over $\mathrm{GF}(q)$, i.e.

$$
\left(X_{00}, X_{11}, X_{22}, X_{01}, X_{02}, X_{12}\right) \longleftrightarrow\left(\begin{array}{ccc}
X_{00} & X_{01} & X_{02} \\
X_{01} & X_{11} & X_{12} \\
X_{02} & X_{12} & X_{22}
\end{array}\right)
$$

the Veronese surface corresponds to the matrices

$$
\left(\begin{array}{ccc}
x_{0}^{2} & x_{0} x_{1} & x_{0} x_{2} \\
x_{0} x_{1} & x_{1}^{2} & x_{1} x_{2} \\
x_{0} x_{2} & x_{1} x_{2} & x_{2}^{2}
\end{array}\right)=\left(\begin{array}{c}
x_{0} \\
x_{1} \\
x_{2}
\end{array}\right) \cdot\left(\begin{array}{lll}
x_{0} & x_{1} & x_{2}
\end{array}\right) .
$$

The $3 \times 3$ symmetric matrices over $\operatorname{GF}(q)$ correspond to the conics of $\mathrm{PG}(2, q)$, hence there is an identification of the points of $\mathrm{PG}(5, q)$ with the conics of $\mathrm{PG}(2, q)$. The points of $\mathrm{PG}(5, q)$ which correspond to the degenerate conics of $\mathrm{PG}(2, q)$ are those represented by the set $\Omega_{1}$ of $3 \times 3$ symmetric matrices $\left(\begin{array}{lll}X_{00} & X_{01} & X_{02} \\ X_{01} & X_{11} & X_{12} \\ X_{02} & X_{12} & X_{22}\end{array}\right)$ over $\operatorname{GF}(q)$ with determinant zero and it turns out to be the union of the conic planes of $\mathcal{V}$. Moreover, $\Omega_{1}$ consists of the $\operatorname{GF}(q)$-rational points of the cubic hypersurface $\mathcal{M}_{4}^{3}$ of $\operatorname{PG}(5, q)$ with equation $F=0$, where

$$
F=\left|\begin{array}{lll}
X_{00} & X_{01} & X_{02} \\
X_{01} & X_{11} & X_{12} \\
X_{02} & X_{12} & X_{22}
\end{array}\right|
$$

The hypersurface $\mathcal{M}_{4}^{3}$ has $\left(q^{2}+q+1\right)\left(q^{2}+1\right)$ points and it has the Veronesean $\mathcal{V}$ as double surface.

The tangent lines of the conics of $\mathcal{V}$ are called the tangents or tangent lines of $\mathcal{V}$. Since no point of the surface $\mathcal{V}$ is singular, all tangents of $\mathcal{V}$ at the point $P$ of $\mathcal{V}$ are contained in a plane $\pi(P)$. This plane $\pi(P)$ is called the tangent plane of $\mathcal{V}$ at $P$. Since $P$ is contained in exactly $q+1$ conics of $\mathcal{V}$ and since no two conic planes through $P$ have a line in common, the tangent plane $\pi(P)$ is the union of the $q+1$ tangent lines of $\mathcal{V}$ through $P$. Also $\pi(P) \cap \mathcal{V}=\{P\}$. Clearly, all tangent lines to $\mathcal{V}$ and all tangent planes
to $\mathcal{V}$ belong to the hypersurface $\mathcal{M}_{4}^{3}$. Since $\mathcal{M}_{4}^{3}$ is the union of the conic planes of $\mathcal{V}$, any point of $\mathcal{M}_{4}^{3}$ is on at least one tangent or bisecant of $\mathcal{V}$. As any two points of $\mathcal{V}$ are contained in a conic of $\mathcal{V}$, each bisecant of $\mathcal{V}$ is a line of $\mathcal{M}_{4}^{3}$. Hence $\mathcal{M}_{4}^{3}$ can be also described as the union of all tangents and bisecants of $\mathcal{V}$ and it is also said to be the secant variety of $\mathcal{V}$.

Denote by $\Omega_{1}^{e}$ the points of $\mathcal{M}_{4}^{3}$ corresponding to the line pairs of $\operatorname{PG}(2, q)$, and similarly denote by $\Omega_{1}^{i}$ the points of $\mathcal{M}_{4}^{3}$ corresponding to those degenerate conics which are made up of two imaginary lines intersecting in a real point. The repeated line conics correspond to the Veronese surface $\mathcal{V}$, hence $\mathcal{M}_{4}^{3}=\mathcal{V} \cup \Omega_{1}^{e} \cup \Omega_{1}^{i}$.
Note that

$$
X:=\left(\begin{array}{lll}
X_{00} & X_{01} & X_{02} \\
X_{01} & X_{11} & X_{12} \\
X_{02} & X_{12} & X_{22}
\end{array}\right)
$$

is of rank $1\left(X_{i j} \in \mathrm{GF}(q)\right.$ and not all the $X_{i j}$ 's are zero), if and only if $X_{11} X_{22}-X_{01}^{2}=X_{00} X_{22}-X_{02}^{2}=X_{00} X_{11}-X_{12}^{2}=X_{00} X_{01}-X_{02} X_{12}=$ $X_{01} X_{12}-X_{11} X_{02}=X_{22} X_{12}-X_{01} X_{02}=0$ if and only if $X_{00}: X_{11}: X_{22}$ : $X_{01}: X_{02}: X_{12}=x_{0}^{2}: x_{1}^{2}: x_{2}^{2}: x_{0} x_{1}: x_{0} x_{2}: x_{1} x_{2}$ for some $x_{0}, x_{1}, x_{2}$ in $\operatorname{GF}(q)$, if and only if $X \in \mathcal{V}$. Thus the points of $\mathcal{V}$ correspond to the $3 \times 3$ symmetric matrices over $\mathrm{GF}(q)$ of rank 1 and the points of $\Omega_{1}^{e} \cup \Omega_{1}^{i}$ correspond to those of rank $2 . \Omega_{1}^{e}$ is called the set of external points of $\mathcal{M}_{4}^{3}$ and $\Omega_{1}^{i}$ is called the set of interior points of $\mathcal{M}_{4}^{3}$. Simple counting arguments show that

$$
\left|\Omega_{1}^{e}\right|=\left(q^{2}+q+1\right)\left(q^{2}+q\right) / 2, \quad \quad\left|\Omega_{1}^{i}\right|=\left(q^{2}+q+1\right)\left(q^{2}-q\right) / 2
$$

Then, $\left|\mathrm{PG}(5, q) \backslash \mathcal{M}_{4}^{3}\right|=q^{5}-q^{2}$ corresponds to the number of non-degenerate conics in $\operatorname{PG}(2, q)$. Call $\mathcal{N}$ the orbit of non-degenerate conics.

When $q$ is even, the hypersurface $\mathcal{M}_{4}^{3}$ is the set of points of $\operatorname{PG}(5, q)$ whose coordinates satisfies the equation $X_{00} X_{11} X_{22}+X_{00} X_{12}^{2}+X_{11} X_{02}^{2}+$ $X_{22} X_{01}^{2}=0$. In this case, $\mathcal{M}_{4}^{3}$ contains the plane $\pi: X_{00}=X_{11}=X_{22}=0$, which is disjoint from $\mathcal{V}$. Such a plane is called the nucleus of $\mathcal{V}$, and consists of all nuclei of conics of $\mathcal{V}$.

Let $J$ be the automorphism group of $\mathcal{V}$. From [20, Theorem 25.1.1.0], $J$ is an isomorphic copy of the group $\operatorname{PGL}(3, q)$, and so each linear collineation of $\operatorname{PG}(2, q)$ can be "lifted" to a collineation of $\operatorname{PG}(5, q)$ leaving $\mathcal{V}$ invariant.

Let $S=\langle\sigma\rangle$ be the Singer cyclic group of $\operatorname{PG}(2, q)$. From [3] the lifting of $\sigma$ to a collineation group of $\operatorname{PG}(5, q)$ fixing $\mathcal{V}$ has the following rational
form

$$
M=\left(\begin{array}{ll}
T_{1} & O_{3} \\
O_{3} & T_{2}
\end{array}\right)
$$

where $T_{1}=S^{2}$ and $T_{2}=S^{q+1}$ both induce Singer cycles on $\operatorname{PG}(2, q)$. The group $\langle M\rangle$ has order $q^{2}+q+1$. Geometrically, $\langle M\rangle$ fixes two planes, $\pi_{1}, \pi_{2}$, and partition the remaining points of $\operatorname{PG}(5, q)$ into Veronese surfaces, one of which is $\mathcal{V}$, [3, Corollary 5]. In particular, the planes $\pi_{1}$ and $\pi_{2}$ are both full orbits of $\langle M\rangle$. Note that when $q$ is even one of the two planes $\pi_{1}$ and $\pi_{2}$ is the nucleus for all the $q^{3}-1$ Veronese surfaces in the partition.

Under the action of $\langle M\rangle$ the variety $\mathcal{M}_{4}^{3}$ is partitioned into $q^{2}+1$ orbits. When $q$ is odd all such orbits are Veronese surfaces whereas if $q$ is even one of such orbits is the nucleus of $\mathcal{V}$.

Definition 4.2. An exterior set with respect to a Veronese surface $\mathcal{V}$ of $\mathrm{PG}(5, q)$ is a set $\mathcal{E}$ of points of $\mathrm{PG}(5, q) \backslash \mathcal{V}$ such that the line joining any two points of $\mathcal{E}$ is disjoint from $\mathcal{V}$.

Since any two tangent planes to $\mathcal{V}$ meet in a point not on $\mathcal{V}$, the tangent lines to $\mathcal{V}$ cover a subset, say $T$, of $\mathcal{M}_{4}^{3}$ consisting of $\left(q^{2}+q+1\right)\left(q^{2}+q+2\right) / 2$ points and $T$ is invariant under $\langle M\rangle$. It follows that for all $q, \mathcal{M}_{4}^{3}$ contains a Veronese surface, that is an $\langle M\rangle$-orbit not belonging to $T$. More precisely $\mathcal{M}_{4}^{3} \backslash T$ contains $\left(q^{2}-q\right) / 2$ Veronese surfaces, different from $\mathcal{V}$, that are $\langle M\rangle$-orbits.

Let $\mathcal{V}_{1} \neq \mathcal{V}$ be any Veronese surface of $\mathcal{M}_{4}^{3} \backslash T$ which is an $\langle M\rangle$-orbit.
Proposition 4.3. The Veronese surface $\mathcal{V}_{1}$ is an exterior set with respect to $\mathcal{V}$.

Proof. Two points $P_{1}$ and $P_{2}$ of $\mathcal{V}_{1}$ correspond to two degenerate conics $C_{1}$ and $C_{2}$ of $\mathrm{PG}(2, q)$ not consisting of a repeated line. The line $P_{1} P_{2}$ corresponds to the pencil $\mathcal{P}$ of conics generated by $C_{1}$ and $C_{2}$. From [18, Table 7.7 , p. 175] the case in which the base locus of $\mathcal{P}$ consists of $q+1$ points is excluded from our previous argument on tangent lines to $\mathcal{V}$ : indeed in such a case $P_{1}, P_{2}$ should lie on a tangent line to $\mathcal{V}$. In all the other cases, the base locus of $\mathcal{P}$ is a single point $P$. In our setting, $P_{1}$ and $P_{2}$ are images one each other of a suitable collineation in $\langle M\rangle$. This means that in $S$ there is a collineation $\tau$ sending $C_{1}$ in $C_{2}$. Assuming that $C_{1}=L_{1} L_{1}^{\prime}$ and $C_{2}=L_{2} L_{2}^{\prime}$ we have that $L_{1}^{\tau}=L_{2}$ and $L_{1}^{\prime \tau}=L_{2}^{\prime}$. Then $P^{\tau}=P^{\prime} \in L_{2}$ and $P^{\tau}=P^{\prime \prime} \in L_{2}^{\prime}$. It follows that $P^{\prime}=P^{\prime \prime}=P$, a contradiction since $S$ acts semi regularly on points of $\operatorname{PG}(2, q)$.

Now, let us consider the lifting of $S$ to a collineation of $\mathrm{PG}(8, q)$ fixing a Segre variety $\mathcal{X}_{1}=\mathcal{S}_{2,2}$. It has the following rational form

$$
N=\left(\begin{array}{ccc}
T_{1} & O_{3} & O_{3} \\
O_{3} & T_{2} & O_{3} \\
O_{3} & O_{3} & T_{2}
\end{array}\right)
$$

where $T_{1}=S^{2}$ and $T_{2}=S^{q+1}$. The group $\langle N\rangle$ has order $q^{2}+q+1$. Geometrically, $\langle N\rangle$ fixes three planes, $\pi_{1}, \pi_{2}$ and $\pi_{3}$ and the projective 5dimensional subspaces generated by any two of them. In particular the 5 -dimensional projective subspace where $\langle N\rangle$ induces the group generated by

$$
\left(\begin{array}{ccc}
O_{3} & O_{3} & O_{3} \\
O_{3} & T_{2} & O_{3} \\
O_{3} & O_{3} & T_{2}
\end{array}\right)
$$

is partitioned in turn into $q^{3}+1$ planes forming a Desarguesian spread $D$. Also, it gives rise to a partition, say $\mathcal{F}$, of points of $\mathrm{PG}(8, q)$ not on the three 5 -dimensional projective subspaces generated by $\pi_{i}, \pi_{j}, i \neq j, i, j=1,2,3$, into $(q-1)\left(q^{3}-1\right)$ Segre varieties $\mathcal{S}_{2,2}$ which, in turn, are partitioned into Veronese surfaces (the so called flock of $\mathcal{S}_{2,2}$ ) [1, Theorem 3]. A proof of the fact that $\operatorname{PG}(8, q)$ can be partitioned into Segre varieties (apart from a number of subspaces) comes from Remark 3.1, by applying the GF $(q)$-linear representation of $\operatorname{PG}\left(2, q^{3}\right)$. Another proof of this fact comes from a slight modification of [3]. Note that the projective space $\operatorname{PG}(8, q)$ is the union of the $q^{3}+1\langle N\rangle$-invariant 5 -dimensional projective subspaces sharing the plane invariant under the group generated by

$$
\left(\begin{array}{ccc}
T_{1} & O_{3} & O_{3} \\
O_{3} & O_{3} & O_{3} \\
O_{3} & O_{3} & O_{3}
\end{array}\right)
$$

and a plane in the spread $D$. By construction there are $q-1$ sets of $5-$ dimensional projective subspaces each of size $q^{2}+q+1$ inducing a flock for $q^{3}-1$ Segre varieties in $\mathcal{F}$. Let $L$ be a projective 5 -dimensional projective subspace of $\mathrm{PG}(8, q)$ fixed by $\langle N\rangle$ and intersecting $\mathcal{X}_{1}$ into a Veronese surface $\mathcal{V}$, and choose $\mathcal{V}_{1}$ to be another Veronese surface in the secant variety $\mathcal{M}_{4}^{3}$ of $\mathcal{V}$ that is an exterior set with respect to $\mathcal{V}$. Of course $\mathcal{V}_{1}$ belongs to a unique Segre variety, say $\mathcal{X}_{2}$, in $\mathcal{F}$.

Theorem 4.4. The Segre variety $\mathcal{X}_{2}$ is an exterior set of $\operatorname{PG}(8, q)$ with respect to $\mathcal{X}_{1}$.

Proof. First of all note that the secant variety of $\mathcal{V}_{1}$ is the intersection between the secant variety of $\mathcal{X}_{2}$ with $L$. We have to show that a secant line to $\mathcal{X}_{2}$ at the points $P_{1}$ and $P_{2}$ is disjoint from $\mathcal{X}_{1}$. If $P_{1}$ and $P_{2}$ are on $\mathcal{V}_{1}$ then from Proposition 4.3 there is nothing to prove since the line $P_{1} P_{2}$ lies on $L$. The previous argument holds true for any of the $q^{2}+q+15-$ dimensional projective subspaces inducing the flock of $\mathcal{X}_{1}$ (and also the flock of $\mathcal{X}_{2}$ ). Assume that $P_{1}$ and $P_{2}$ lie on distinct Veronese surfaces of the flock of $\mathcal{X}_{2}$. Then the line $\ell=P_{1} P_{2}$ shares at most one point with the other $5-$ dimensional projective subspaces inducing the flock of $\mathcal{X}_{2}$. If $\ell$ met another Veronese surface of the flock of $\mathcal{X}_{2}$ then $\ell$ would lie on $\mathcal{X}_{2}$ and we are done. Otherwise, let $P$ be a point on $\ell$ distinct from $P_{1}$ and $P_{2}$ and belonging to a 5 -dimensional projective subspace of the flock, say $L^{\prime}$, and let $\mathcal{V}_{2}^{\prime}$ be the Veronese surface obtained by sectioning $\mathcal{X}_{2}$ with $L^{\prime}$. Then, it turns out that $P$ lies on the secant variety of $\mathcal{V}_{2}^{\prime}$. Let $\mathcal{V}_{1}^{\prime}$ be the Veronese surface $L^{\prime} \cap \mathcal{X}_{1}$. It follows that $\mathcal{V}_{2}^{\prime}$ is an exterior set of $L^{\prime}$ with respect to $\mathcal{V}_{1}^{\prime}$ and hence $P$ cannot lie on $\mathcal{V}_{1}^{\prime}$ and hence on $\mathcal{X}_{1}$ as well. This completes the proof.

Theorem 4.5. There exists a family of ( $q, 3,3,2,2$ ) optimal non-linear constant-rank codes admitting a Singer cyclic group of PGL $(3, q)$ as an automorphism group.

Proof. The points of $\mathcal{X}_{2}$ correspond in the matrix model of $\operatorname{PG}(8, q)$ to matrices of rank 2. By scaling such matrices by nonzero scalars we get the desired codes.

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