# Determining Map, Data Assimilation and an Observable Regularity Criterion for the Three-Dimensional Boussinesq System 

Abhishek Balakrishna ${ }^{1} \cdot$ Animikh Biswas ${ }^{1}$ ©

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#### Abstract

In this paper, we consider the analysis of a nudging based algorithm for data assimilation for the three-dimensional Boussinesq system, which we call the AOT system. A rigorous analysis of this algorithm for well-posed dissipative partial differential equations was first provided by Azouani, Olson and Titi (J Nonlinear Sci 24:277-304, 2014); thus justifying our terminology for the associated nudging system. We provide a sufficient condition, based solely on the observed velocity data obtained from a LerayHopf weak solution, for the global well-posedness, regularity and most crucially, the asymptotic tracking property of solutions of the associated (three-dimensional) nudging system. It is to be noted that neither regularity nor any knowledge of a uniform $\mathbb{H}^{1}$-norm bound is a priori assumed on the solution of the original three-dimensional Boussinesq system from which the observations are obtained. As a corollary of our result, we obtain a novel observable regularity criterion based on finitely many observational data. Our condition also guarantees the construction of the Lipschitz continuous determining map, which is known to play a crucial role in the construction of the so-called determining form and in statistical data assimilation.


Keywords Data assimilation • Determining modes • Determining volume elements • Determining map • Determining functionals • Three-dimensional Boussinesq system • Three-dimensional Navier-Stokes equations • Regularity criterion for three-dimensional Navier-Stokes equations

Mathematics Subject Classification Primary 35Q30 - 93C20; Secondary 35Q35 . 76B75

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## 1 Introduction

The task of forecasting using a physical or biological model is often hindered by a lack of adequate knowledge of the initial state and/or model parameters describing the system. In order to compensate for this, one may utilize available measurements of the system, collected on a much coarser (spatial) scale than the desired resolution of the forecast. An example of this occurs in weather prediction where one has almost continuously collected data from sparsely located weather stations. The objective of data assimilation and signal synchronization is to use this coarse scale observational measurements to fine tune our knowledge of the state and/or model to improve the accuracy of the forecasts [15].

Classically, data assimilation techniques are based on linear quadratic estimation, also known as the Kalman Filter. The Kalman Filter has the drawback of assuming that the underlying system and any corresponding observation models are linear. It also assumes that probability distribution of the measurement noise is Gaussian. For nonlinear models, this has been mitigated by practitioners via modifications, such as the Ensemble Kalman Filter (EnKF), Extended Kalman Filter (EKF) and the Unscented Kalman Filter [4, 13, 33, 45]. However, unlike the Kalman filter, these do not enjoy the optimality property and has other drawbacks, particularly for infinite dimensional chaotic dynamical systems governed by PDE's [36].

An alternative approach to data assimilation called nudging, which is often cheaper to implement, employs a feedback control paradigm via a Newtonian relaxation scheme. This is motivated by the existence of finite determining functionals (modes, nodes, volume elements) for dissipative systems [27, 29], and has recently been advocated in the context of dissipative partial differential equations (PDE) by Azoiani, Olson and Titi [6]. Although it has its antecedents, mainly in the context of finitedimensional dynamical systems governed by ordinary differential equations and early work in meteorology [5, 12, 44], the rigorous analysis of this method in fluid dynamics, clarifying the central role of the observation/interpolation operators as well as the bounds on the system variables on the attractor, which in turn determines the requisite spatial resolution of the observed data, was first carried out in [6]. Due to this, we will henceforth refer to the system associated to the nudging algorithm as the AOT system. We provide below a schematic description of the AOT system based on the work of Azouani, Olson and Titi [6].

Assume that the observations are generated from a continuous dynamical system given by

$$
\frac{d}{d t} u=F(u), u(0)=u_{0}
$$

The associated AOT system, based on the work of Azouani, Olson and Titi [6], is given by

$$
\begin{equation*}
\frac{d}{d t} w=F(w)-\mu I_{h}(w-u), w(0)=w_{0}(\text { arbitrary }) \tag{1.1}
\end{equation*}
$$

where $I_{h}$ is a finite rank linear operator acting on the phase space, called interpolant operator, constructed solely from observations on $u$ (e.g. low (Fourier) modes of $u$ or values (or local averages) of $u$ measured in a coarse spatial grid). Here $h$ refers to the size of the spatial grid or, in case of the modal interpolant, the reciprocal of $h$ stands for the number of observed modes. Thus a smaller $h$ corresponds to an observation space with a larger dimension, i.e. it corresponds to a richer observation space. Moreover, $\mu>0$ is the relaxation/nudging parameter an appropriate choice of which needs to be made for the algorithm to work, i.e. the system to be globally (in time) well-posed and for its solution to possess the asymptotic tracking property, namely, in a suitable norm,

$$
\|w-u\| \longrightarrow 0 \text { as } t \rightarrow \infty
$$

It turns out [6] that larger bounds on the system variables necessitates a smaller $h$, i.e. more observations.

Although first analyzed for the two-dimensional Navier-Stokes equations (2D NSE), the AOT system was later extended to include various other dissipative systems $[1,2,21,34]$, and to more general settings such as discrete-in-time and errorcontaminated measurements and recovery of statistical solutions [8, 26]. This method has been shown to perform remarkably well in numerical simulations [3, 32] and has recently been successfully implemented for efficient dynamical downscaling of a global atmospheric circulation model [16]. Moreover, it was observed in [37] that a flexible variant of it implemented via deep learning neural networks is cheaper to implement (online) and has a superior performance compared to the commonly used EKF and EnKF in case of sparse observations. Recent applications also include its implementation in reduced order modeling ( $R O M$ ) of turbulent flows to mitigate inaccuracies in ROM [46] and in estimating unknown flow parameters and turbulence configurations [10, 35].

Here, we consider two main problems: (i) global (in time) well-posedness of the three-dimensional AOT system corresponding to the three-dimensional Boussinesq system where the (velocity) observations are obtained from a Leray-Hopf weak solution of the three-dimensional Boussinesq system (ii) the asymptotic tracking property of the corresponding solution. The AOT system for the Boussinesq equations in the 2D case was addressed in [20], while the 3D case with large, or infinite Prandtl number or flow in porous media were addressed in [19, 21]. In all the cases mentioned before (with the exception of our recent work in [11]) where rigorous analysis of the AOT system is available [1, 2, 6, 19-21, 34], one crucially uses the fact that the associated dissipative systems are well-posed and regular. Perhaps more importantly, in each of these cases, uniform-in-time bound in a higher Sobolev norm (e.g. the $\mathbb{H}^{1}$-norm) for the state variable(s) is available. The knowledge of such higher order Sobolev norm bounds (e.g. in terms of physical parameters such as the Grashoff for the NSE in [6] and Prandtl and Rayleigh for the Boussinesq in [19]) plays a crucial role in the analysis of the AOT system. More precisely, these bounds are used in providing an upper bound on the spatial resolution $h$ of the observations necessary for the AOT to be well-posed and globally stable and to possess the asymptotic tracking property. Additionally, the value of the nudging parameter $\mu$ guaranteeing these properties also explicitly depends
on this uniform bound. However,Such higher order norm bounds are not available for a Leray-Hopf weak solution of the 3D Boussinesq system which might even be nonunique. In fact, the corresponding uniqueness problem for a Leray-Hopf weak solution for the 3D NSE or the Boussinesq system is still open.

In this work, we identify a condition on the observed (velocity) data, $u$, which does not depend on any a priori assumption of regularity of the velocity, or the knowledge of a uniform $\mathbb{H}^{1}$ norm bound $M=\sup _{[0, T)}\|u\|_{\mathbb{H}^{1}}, T \leq \infty$, even if it is finite. A precise description of this condition on the observations is given in (1.7) below. We show that our condition on the observed data allows us to appropriately set the value of $\mu$ in (1.1), based only on the quantities computed from the observed data, and: (i) prove wellposedness of the AOT system (we note that unlike in the 2D case where one uses the 2D embedding inequalities, the global wellposedness of the AOT system crucially depends on our choice of $\mu$ which in turn depends on condition (1.7) that we identified based solely on the observed data) (ii) establish appropriate uniform bound on the state variables of (1.1) (iii) show that the solution of (1.1) tracks asymptotically the solution of the three-dimensional Boussinesq system, without any a priori assumption on the regularity of the solution of the Boussinesq system or any knowledge of a bound $M=\sup \|u\|_{\mathbb{H}^{1}}$ even if it is finite. Note that even if one knows that the Leray-Hopf weak solution under consideration is regular on an interval [ $0, T$ ), unlike the 2D case, no bound on it in terms of the system parameters, for instance the Raleigh and Prandtl numbers, is available. We emphasize that our result applies quite generally to arbitrary Prandtl and Rayleigh numbers. We also show that if $M=\sup _{[0, T)}\|u\|_{\mathbb{H}^{1}}<\infty$ for some $T \leq \infty$, then (1.7) holds. Thus, this can be viewed as a generalization to the 3D case of the results in [20].

Quite remarkably, it turns out that condition (1.7), which guarantees the wellposedness and asymptotic tracking property for the AOT system, yields a regularity criterion. Since it involves only the observed part of the fluid velocity, we call it an observable regularity criterion which is different from all other regularity criterion known so far (e.g. the well-known Prodi-Serrin or the Beale-Kato-Majda regularity criteria [7, 40]). Those conditions involve the knowledge of the entire solution $u$, while ours is expressed in terms of finitely many observations on $u$, or equivalently, from information gleaned from a finite rank projection on the state space applied to $u$.

Finally, extending our earlier work in [9], we establish the existence of a determining map for the three-dimensional case. The determining map was first introduced for the 2D NSE in [22,23] and its properties were studied in in detail in [9]. It plays a pivotal role in the construction of the determining form, an ODE in an adequate trajectory space associated to a dissipative system. The dynamics of the determining form, is closely related to the dynamics of the dissipative system to which it is associated [24]. Recently, the determining map has also been used for data assimilation of statistical solutions [9] and in estimating unknown parameters (such as viscosity in the NSE) in a dissipative system [10]. We make crucial use of it in our work in the proof of the observable regularity criterion as well as in obtaining a result on the existence of determining modes and volume elements for the 3D Boussinesq system (Theorem 3.3). A more precise description of our main results now follows.

### 1.1 The 3D Boussinesq System

The Boussinesq system in thermohydraulics is commonly used to model thermal convection or the phenomenon of heat transfer by the motion of an incompressible, Newtonian fluid. It occurs in diverse fields such mantle convection to atmospheric motion [38]. The Bénard convection problem is a model of the Boussinesq convection system of an incompressible fluid layer, confined between two solid walls, which is heated from below in such a way that the lower wall maintains a temperature $T_{0}$, while the upper one maintains a temperature $T_{1}<T_{0}$. In this case, after some change of variables and proper scaling (by normalizing the distance between the walls and the temperature difference), the three-dimensional Boussinesq equations that govern the perturbation of the velocity $(u)$ and temperature about the pure conduction steady $\operatorname{state}(\theta)$ are

$$
\begin{align*}
& \frac{d u}{d t}+v \Delta u+(u \cdot \nabla) u=\theta \boldsymbol{e}_{3}  \tag{1.2}\\
& \frac{d \theta}{d t}+\kappa \Delta \theta+(u \cdot \nabla) \theta-u \cdot \boldsymbol{e}_{3}=0  \tag{1.3}\\
& \nabla \cdot u=0  \tag{1.4}\\
& u(0, x)=u_{0}, \quad \theta(0, x)=\theta_{0} \tag{1.5}
\end{align*}
$$

For boundary conditions, in the $x_{3}$ direction we have

$$
u, \theta=0, \text { at } x_{3}=0 \text { and } x_{3}=1
$$

and in the $x_{1}$ and $x_{2}$ directions, for simplicity, we have the periodic boundary condition

$$
u, \theta \text { are periodic, of period } L \text { in the } x_{1} \text { and } x_{2} \text { directions. }
$$

Here, $x=\left(x_{1}, x_{2}, x_{3}\right)$ is a point in the domain, $u(t ; x)=\left(u_{1}(t, x), u_{2}(t, x), u_{3}(t, x)\right)$ is the fluid velocity and $\theta=\theta(t, x)$ is the scaled fluctuation of the temperature around the pure scaled conduction steady-state background temperature profile $1-x_{3}$. It is given by $\theta=T-\left(1-x_{3}\right)$, where $T=T(t, x)$ is the scaled temperature of the fluid inside the domain $\Omega . \kappa$ and $v$ are the thermal diffusivity and kinematic viscosity, respectively. For more details on its derivation and physical interpretation can be found in [17].

### 1.2 A Sufficient Condition for Well-Posedness and the Asymptotic Tracking Property

For $(u, \theta)$, the solution to the Boussinesq system given in (2.8)-(2.10), the observations on the velocity component $u$ are used to define the quantity

$$
M_{h, u}^{2}=32 \sup _{0 \leq t<T}\left\{\begin{array}{l}
\left\|P_{N}(u)\right\|_{\mathbb{H}^{1}}^{2} \sim \sum_{|k| \leq N}\left|\lambda_{k}\right|^{2}|\hat{u}(k)|^{2}, N \sim \frac{1}{h} \text { (Modal Interpolant) }  \tag{1.6}\\
C h \sum_{\alpha}\left|\bar{u}_{\alpha}\right|^{2}, \bar{u}_{\alpha}=\frac{1}{\left|Q_{\alpha}\right|} \int_{Q_{\alpha}} u \quad \text { (Volume Elements) }
\end{array}\right.
$$

where, $0<T \leq \infty$ and $\lambda_{k}$ are eigenvalues of the Stokes operator such that $\lambda_{1} \leq \lambda_{2} \leq$ $\cdots$ with $P_{N}$ being the associated spectral projections. Also, in the above definition, $\left\{Q_{\alpha}\right\}$ denotes partition of the domain into finitely many cubes of side length $h$ and the corresponding finite set $\left\{u_{\alpha}\right\}$ are called volume element observations. Due to the fact that any Leray-Hopf weak solution satisfies $\sup _{[0, \infty)}\|u\|_{L^{2}}<\infty$, we can show (see Remark 2.6 for a proof) that $M_{h}$ thus defined is a finite quantity. Here, $h_{0}$ depends explicitly on the physical parameters such as viscosity and thermal diffusivity, i.e. the Raleigh and Prandtl numbers. If there exists $0<h \leq h_{0}$ such that

$$
\begin{align*}
& h^{2} M_{h, u}^{4} \\
& \quad \leq c v^{4}, \quad(v \text { is the fluid viscosity and } c \text { an adequate non-dimensional constant.) } \tag{1.7}
\end{align*}
$$

then a choice of $\mu$ exists such that the data assimilated solution $(w, \eta)$ is regular (given in Definition 1) and converges exponentially to the actual solution $(u, \theta)$. We also establish uniform in time bounds on $\|\eta\|_{L^{2 p}(\Omega)}$ for all natural numbers $p$.

### 1.3 Connection to Regularity

A solution $(u, \theta)$ of the Boussinsq system is said to be regular on $[0, T), T \leq \infty$ if $\sup _{[0, T)}\|u\|_{\mathbb{H}^{1}}<\infty$. Due to the well-known Sather-Serrin weak-strong uniqueness theorem [41], such a solution is unique in the class of weak solutions. It is the case that $M_{h, u}$ as defined in (1.6) satisfies

$$
\begin{equation*}
M_{h, u} \lesssim \sup _{[0, T)}\|u\| . \tag{1.8}
\end{equation*}
$$

For the modal interpolant, this immediately follows from the inequality $\left\|P_{N} u\right\|_{\mathbb{H}^{1}} \lesssim$ $\|u\|_{\mathbb{H}^{1}}$, while for the volume elements it follows from a similar estimate proven in Corollary 6.3. It then immediately follows that if $\sup _{[0, T)}\|u\|_{\mathbb{H}^{1}}, T \leq \infty$, then there exists an $h$ satisfying (1.7); how small $h$ needs to be depends on the bound $\sup _{[0, T)}\|u\|_{\mathbb{H}^{1}}$.

For two-dimensional systems such as the 2D NSE and 2D Boussinesq, it is wellknown that $\sup _{[0, \infty)}\|u\|_{\mathbb{H}^{1}}$ is finite and can be estimated in terms of the system parameters such as the Grashoff for the NSE and Raleigh and Prandtl for the Boussinesq. Therefore, $h$, and consequently $\mu$ in (1.1), can be determined $a$ priori in terms of the system parameters. In our case, the bound $\sup _{[0, T)}\|u\|_{\mathbb{H}^{1}}$ is not known as we do not observe the full solution. In fact, at this stage, it is $a$ priori possible that
$\sup _{[0, T)}\|u\|_{\mathbb{H}^{1}}=\infty$. In other words, $\sup _{[0, T)}\|u\|_{\mathbb{H}^{1}}<\infty$ is only a sufficient condition for (1.7) to hold; but see next subsection. However, note that (1.7) depends only on finitely many observational data. In other words, (1.7) is a condition imposed on a finite rank projection of $u$ in the phase space. Consequently, we can determine $h$ and $\mu$ from observational data, without any reference to the unobserved part of the true solution. Thus our result can be viewed as a generalization of analogous results for wellposed systems.

### 1.4 A New Observable Regularity Criterion

It turns out that (1.7) is also a regularity condition, but on the weak attractor. As can be seen from (1.2), in the Boussinesq system, when there is no spatial temperature variation (for instance in the absence of a heating source, when there is no temperature difference between the top and bottom plates), or if the temperature variation is taken as given, then the Boussinesq system reduces to the NSE. For simplicity, and due to the fact that the existence and properties of the weak attractor for the 3D NSE (see Sect. 4 for details) has been established and studied in [28, 30], we confine ourselves to the case of the 3D NSE. However, the same result would also hold for the 3D Boussinesq system.

To describe our result for the 3D NSE on the weak attractor, let $h_{0}>0$ be defined as

$$
h_{0}^{-2}=\max \left\{\frac{1}{4 c \lambda_{1}}, \frac{32 c|f|^{4}}{v^{8} \lambda_{1}^{2}}\right\}
$$

where $f$ is the body force, $v$ is the viscosity and $\lambda_{1}$ is the smallest eigenvalue of the Stokes operator. Let $u(t), t \in \mathbb{R}$ be a Leray-Hopf weak solution of the 3D NavierStokes on the weak global attractor $\mathcal{A}$. Let $M_{h}$ be defined as in (1.6), except that the supremum is taken on the interval $(-\infty, T]$. Assume there exists $0<h \leq h_{0}$ for which $h^{2} M_{h}^{4} \leq c v^{4}$ where $c$ is an adequate, non-dimensional constant. Then $u(t)$ is regular on $(-\infty, T]$. We refer to this as an observable regularity criterion because it is purely based on the finitely many observations (modes or volume elements). This regularity criterion is completely different from other known ones for the NSE such as in $[7,40]$ which depend on control of all length scales of $u$. This leads us to the following open question:

Can one formulate an analogous regularity criterion based on finitely many nodal observations, that is, based on information on $\left\{u\left(x_{i}\right)\right\}_{i=1}^{N}$ where $\left\{x_{i}\right\}_{i=1}^{N}$ is an adequately chosen, finite set of points in the domain?

The organization of the paper is as follows. In Sect. 2, we discuss the well posedness and the tracking property of the data assimilated 3D Boussinesq system. In Sect. 3 and Sect. 4, we establish the properties of the forward determining map for the 3D Boussinesq system and the determining map for the 3D Navier-Stokes system respectively. In Sect. 5, we present our observable regularity criterion for the 3D NSE on the weak attractor. In Sect. 6, the Appendix, we prove some facts, mostly concerning
interpolant operators, that we need. To the best of our knowledge, these facts are new and may have independent interest.

## 2 Existence of Strong Solution and the Asymptotic Tracking Property

### 2.1 Notation and Preliminaries

Following [14, 42], here we briefly introduce the functional setting for (1.2)-(1.5). For $\alpha>0, H^{\alpha}(\Omega)$ is the usual Sobolev space. We denote the inner product and norm of $L^{2}(\Omega)$ by $(\cdot, \cdot)$ and $|\cdot|$ respectively and the inner product and norm of $H^{1}(\Omega)$ by $((\cdot, \cdot))$ and $\|\cdot\|$ respectively. We define $\mathcal{F}$ to be the set of $C^{\infty}(\Omega)$ functions defined in $\Omega$, which are trigonometric polynomials in $x_{1}$ and $x_{2}$ with period $L$, and compactly supported in the $x_{3}$-direction. We denote the space of vector valued functions on $\Omega$ that incorporates the divergence free condition by $\mathcal{V}=\{\phi \in \mathcal{F} \times \mathcal{F} \times \mathcal{F} \mid \nabla \cdot \phi=0\}$. $H_{0}$ and $H_{1}$ are closures of $\mathcal{V}$ and $\mathcal{F}$ in $L^{2}(\Omega)$ respectively and $V_{0}$ and $V_{1}$ are closures of $\mathcal{V}$ and $\mathcal{F}$ in $H^{1}(\Omega)$ respectively.
$H_{0}$ and $H_{1}$ are endowed with the inner products

$$
(u, v)_{0}=\sum_{i=1}^{3} \int_{\Omega} u_{i}(x) v_{i}(x) d x
$$

and

$$
(\phi, \psi)_{1}=\int_{\Omega} \phi(x) \psi(x) d x
$$

respectively, and the norms $|u|_{0}=(u, u)_{0}^{1 / 2}$ and $|\phi|_{1}=(\phi, \phi)_{1}^{1 / 2}$ respectively. $V_{0}$ and $V_{1}$ are endowed with the inner products

$$
\begin{aligned}
& ((u, v))_{0}=\sum_{i, j=1}^{3} \int_{\Omega} \partial_{j} u_{i}(x) \partial_{j} v_{i}(x) d x, \\
& ((\phi, \psi))_{1}=\sum_{j=1}^{3} \int_{\Omega} \partial_{j} \phi(x) \partial_{j} \psi(x) d x
\end{aligned}
$$

respectively, and the associated norms $\|u\|_{0}=((u, u))_{0}^{1 / 2}$ and $\|\phi\|_{1}=((\phi, \phi))_{1}^{1 / 2}$ respectively. We also denote by $P_{\sigma}$ the Leray-Hopf orthogonal projection operator from $L^{2}(\Omega)$ to $H_{0}$.
Let $D\left(A_{0}\right)=V_{0} \cap\left(H^{2}(\Omega)\right)^{3}, D\left(A_{1}\right)=V_{1} \cap H^{2}(\Omega)$ and $A_{i}: D\left(A_{i}\right) \rightarrow H_{i}$ be the unbounded linear operator defined by

$$
\begin{equation*}
\left(A_{i} u, v\right)_{i}=((u, v))_{i}, \quad \text { for } i=0,1 . \tag{2.1}
\end{equation*}
$$

We recall that $A_{i}$, for $i=0,1$, is a positive self adjoint operator with a compact inverse. Moreover, there exists a complete orthonormal set of eigenfunctions $\phi_{j, i} \in H_{i}$, such that $A_{i} \phi_{j, i}=\lambda_{j, i} \phi_{j, i}$, where $0<\lambda_{1, i} \leq \lambda_{2, i} \leq \lambda_{3, i} \leq \cdots$ are the eigenvalues of $A_{i}$ repeated according to multiplicity.
For $i=0,1$, we denote by $H_{n}^{i}$ the space spanned by the first $n$ eigenvectors of $A_{i}$ and the orthogonal projection from $H_{i}$ onto $H_{n}^{i}$ is denoted by $P_{n}^{i}$. We also have the Poincare inequality

$$
\begin{equation*}
\lambda_{1}^{1 / 2}|v|_{i} \leq\|v\|_{i}, v \in V_{i} \tag{2.2}
\end{equation*}
$$

where $\lambda_{1}=\min \left\{\lambda_{1,0}, \lambda_{1,1}\right\}$.
Let $V_{i}^{\prime}$ be the dual of $V_{i}$ for $i=0,1$. We define the bilinear term $B_{0}: V_{0} \times V_{0} \rightarrow V_{0}^{\prime}$ by

$$
\left\langle B_{0}(u, v), w\right\rangle_{V_{0}^{\prime}, V_{0}}=(((u \cdot \nabla) v), w)_{0}
$$

and $B_{1}: V_{0} \times V_{1} \rightarrow V_{1}^{\prime}$ by

$$
\left\langle B_{1}(u, v), w\right\rangle_{V_{1}^{\prime}, V_{1}}=(((u \cdot \nabla) v), w)_{1} .
$$

The bilinear term $B_{i}$, for $i=0,1$, satisfies the orthogonality property

$$
\begin{equation*}
B_{i}(u, w, w)=0 \forall u \in V_{0}, w \in V_{i} . \tag{2.3}
\end{equation*}
$$

We define the solution space $H=H_{0} \times H_{1}$ equipped with the inner product

$$
\left\langle s_{1}, s_{2}\right\rangle=\left(u_{1}, u_{2}\right)_{0}+\left(\theta_{1}, \theta_{2}\right)_{1},
$$

where $s_{1}=\left(u_{1}, \theta_{1}\right)$ and $s_{2}=\left(u_{2}, \theta_{2}\right)$.
We recall some well-known bounds on the bilinear term for velocity in the 3D case.

Proposition 2.1 If $u, v \in V_{0}$ and $w \in H_{0}$, then

$$
\begin{equation*}
\left|\left(B_{0}(u, v), w\right)_{0}\right| \leq c\|u\|_{L^{6}}\|\nabla v\|_{L^{3}}\|w\|_{L^{2}} \leq c\|u\|_{0}\|v\|_{0}^{1 / 2}|A v|_{0}^{1 / 2}|w|_{0} \tag{2.4}
\end{equation*}
$$

Moreover if $u, v, w \in V_{0}$, then

$$
\begin{equation*}
\left|\left(B_{0}(u, v), w\right)_{0}\right| \leq c\|u\|_{L^{4}}\|\nabla v\|_{L^{2}}\|w\|_{L^{4}} \leq c|u|_{0}^{1 / 4}\|u\|_{0}^{3 / 4}\|v\|_{0}|w|_{0}^{1 / 4}\|w\|_{0}^{3 / 4} \tag{2.5}
\end{equation*}
$$

We also recall the Ladyzhenskaya's inequality for three dimensions :

$$
\begin{equation*}
\|w\|_{L^{4}} \leq C|w|_{0}^{\frac{1}{4}}\|w\|_{0}^{\frac{3}{4}} \tag{2.6}
\end{equation*}
$$

Remark 2.1 The subscripts 0 and 1 in this work are used to denote norms, spaces and operators associated with the fluid velocity vector $u$ and the scalar temperature field $\theta$ respectively. When used as subscripts for norms, they are not to be confused with the $L^{2}$ or the the Sobolev $H^{1}$ norms.

Remark 2.2 From [25], we know that the weak solution is uniformly bounded in time in $H=H_{0} \times H_{1}$. Hence, for $u$ and $\theta$ as in (1.2)-(1.3), there exists $M_{0}\left(u_{0}, \theta_{0}\right)$, $M_{1}\left(u_{0}, \theta_{0}\right) \in \mathbb{R}$ such that

$$
\begin{equation*}
|u|_{0} \leq M_{0}, \text { and }|\theta|_{1} \leq M_{1} . \tag{2.7}
\end{equation*}
$$

We denote by $P_{\sigma}$ the Leray-Hopf orthogonal projection operator from $L^{2}(\Omega)$ to $H_{0}$. With the above notation, by applying $P_{\sigma}$ to (1.2), we may express the 3-D Boussinesqu equation in the following functional form:

$$
\begin{align*}
& \frac{d u}{d t}+v A_{0}(u)+B_{0}(u, u)=P_{\sigma}\left(\theta \boldsymbol{e}_{3}\right)  \tag{2.8}\\
& \frac{d \theta}{d t}+\kappa A_{1}(\theta)+B_{1}(u, \theta)-u \cdot \boldsymbol{e}_{3}=0  \tag{2.9}\\
& u(0, x)=u_{0}, \quad \theta(0, x)=\theta_{0} . \tag{2.10}
\end{align*}
$$

Henceforth, $a \lesssim b$ means $a \leq C b$ and $a \gtrsim b$ means $a \geq C b$. Also $a \sim b$ means both $a \lesssim b$ and $a \gtrsim b$ hold.

### 2.2 Interpolant Operators

A finite rank, bounded linear operator $I_{h}: L^{2}(\Omega) \rightarrow L^{2}(\Omega)$ is said to be a type-I interpolant operator if there exists a dimensionless constant $c>0$ such that

$$
\begin{equation*}
\left|I_{h}(v)\right| \leq c|v| \quad \forall v \in L^{2}(\Omega) \text { and }\left|I_{h}(v)-v\right| \leq c h\|v\| \forall v \in H^{1}(\Omega) . \tag{2.11}
\end{equation*}
$$

We look at two main examples of type-I interpolants.

- Modal interpolation: In this case $I_{h} u=P_{K}^{0}(u)$ with $h \sim 1 / \lambda_{K}^{1 / 2}$, where $P_{K}^{0}$ denotes the orthogonal projection onto the space spanned by the first $K$ eigenvectors of the Stokes operator $A_{0}$. Indeed, one can easily check that it satisfies (2.11):

$$
\begin{equation*}
\left|P_{K}(v)\right| \leq|v| \forall v \in L^{2}(\Omega) \text { and }\left|P_{K}(v)-v\right| \lesssim \frac{1}{\lambda_{K}^{1 / 2}}\|v\| \forall v \in H^{1}(\Omega) \tag{2.12}
\end{equation*}
$$

where $\lambda_{K}=\min \left\{\lambda_{K}^{0}, \lambda_{K}^{1}\right\}$.

- Volume interpolation: In this case, $\Omega$ is partitioned into $N$ smaller cuboids $Q_{\alpha}$, where $\alpha \in \mathcal{J}=\{(j, k, l) \in \mathbb{N} \times \mathbb{N} \times \mathbb{N}: 1 \leq j, k, l \leq \sqrt[3]{N}\}$. Each cuboid is of
diameter $h=\sqrt{2 L^{2}+1} / \sqrt[3]{N}$. The interpolation operator is defined as follows:

$$
\begin{equation*}
I_{h}(v)=\sum_{\alpha \in \mathcal{J}} \bar{v}_{\alpha} \chi_{Q_{\alpha}}(x), \quad v \in L^{2}(\Omega) \tag{2.13}
\end{equation*}
$$

where

$$
\begin{equation*}
\bar{v}_{\alpha}=\frac{1}{\left|Q_{\alpha}\right|} \int_{Q_{\alpha}} v(x) d x \tag{2.14}
\end{equation*}
$$

and $\left|Q_{\alpha}\right|$ is the volume of $Q_{\alpha}$. For $v \in V_{0}$, we define $I_{h}(v)=\left(I_{h}\left(v_{1}\right), I_{h}\left(v_{2}\right)\right.$, $\left.I_{h}\left(v_{3}\right)\right)$, where $v=\left(v_{1}, v_{2}, v_{3}\right)$.

### 2.3 Well-Posedness

Definition $1(u, \theta)$ is said to be a weak solution to (2.8)-(2.10) if for all $T>0$,

- $u \in L^{\infty}\left(0, T ; H_{0}\right) \cap L^{2}\left(0, T ; V_{0}\right)$ and $\theta \in L^{\infty}\left(0, T ; H_{1}\right) \cap L^{2}\left(0, T ; V_{1}\right)$
- $u, \theta$ satisfy, $\forall v \in V_{0}$ and $\forall \zeta \in V_{1}$, a.e.t

$$
\begin{align*}
& \frac{d}{d t}(u, v)_{0}+v((u, v))_{0}+\left(B_{0}(u, u), v\right)=\left(\theta \boldsymbol{e}_{3}, v\right)_{0}  \tag{2.15}\\
& \frac{d}{d t}(\theta, \zeta)_{1}+\kappa((\theta, \zeta))_{1}+\left(B_{1}(u, \theta), \zeta\right)_{1}-\left(u . \boldsymbol{e}_{3}, \zeta\right)_{1}=0 .
\end{align*}
$$

A Leray-Hopf weak solution additionally satisfies, a.e. $s$, and for all $t \geq s$, the energy inequality

$$
\begin{align*}
& |u(t)|^{2}+\int_{s}^{t} v\|u(\sigma)\|^{2} d \sigma \leq|u(s)|^{2}+\int_{s}^{t}\left(\theta \boldsymbol{e}_{3}(\sigma), u(\sigma)\right) d \sigma  \tag{2.16}\\
& |\theta(t)|^{2}+\int_{s}^{t} \kappa\|\theta(\sigma)\|^{2} d \sigma \leq|\theta(s)|^{2}+\int_{s}^{t}\left(u \cdot \boldsymbol{e}_{3}(\sigma), \theta(\sigma)\right) d \sigma \tag{2.17}
\end{align*}
$$

A weak solution is said to be a strong/regular solution if it also belongs to

$$
\left[L^{\infty}(0, T ; V) \cap L^{2}(0, T ; D(A))\right] \times\left[L^{\infty}\left(0, T ; V_{1}\right) \cap L^{2}\left(0, T ; D\left(A_{1}\right)\right)\right]
$$

Remark 2.3 Similar to the case of 3D Navier-Stokes, we have existence but not uniqueness of weak solution [43]. Also, given initial data in $V_{0} \times V_{1}$, a unique strong solution exists for some $[0, T]$ and a strong solution is unique in the larger class of Leray-Hopf weak solutions.

We will now be proving estimates and results for the weak solution to the data assimilated 3-D NSE given by (2.18)-(2.20). This will be done by first working with the Galerkin approximation of the system given by (2.21)-(2.23) and then using density arguments to obtain results for the original system.

### 2.4 Existence of Weak Solution

In this section, we prove the existence of a weak solution to the data assimilated Boussinesq equation. Our data assimilated algorithm is given by the solution $(w, \eta)$ of

$$
\begin{align*}
& \frac{d w}{d t}+v A_{0}(w)+B_{0}(w, w)=P_{\sigma}\left(\eta \boldsymbol{e}_{3}\right)+\mu\left(P_{\sigma}\left(I_{h}(u)-I_{h}(w)\right)\right)  \tag{2.18}\\
& \frac{d \eta}{d t}+\kappa A_{1}(\eta)+B_{1}(w, \eta)-w \cdot \boldsymbol{e}_{3}=0  \tag{2.19}\\
& w(x, 0)=0, \eta(x, 0)=0 \tag{2.20}
\end{align*}
$$

The Galerkin approximation $\left(w_{n}, \eta_{n}\right)$ of $(w, \eta)$ satisfies

$$
\begin{align*}
& \frac{d w_{n}}{d t}+v A_{0}\left(w_{n}\right)+P_{n} B_{0}\left(w_{n}, w_{n}\right)=\left(\eta_{n} \boldsymbol{e}_{3}\right)+\mu\left(P_{n}\left(I_{h}(u)-I_{h}\left(w_{n}\right)\right)\right)  \tag{2.21}\\
& \frac{d \eta_{n}}{d t}+\kappa A_{1}\left(\eta_{n}\right)+P_{n} B_{1}\left(w_{n}, \eta_{n}\right)-w_{n} \cdot \boldsymbol{e}_{3}=0  \tag{2.22}\\
& w_{n}(x, 0)=0, \eta_{n}(x, 0)=0 \tag{2.23}
\end{align*}
$$

where, by abuse of notation, $P_{n}$ denotes the projection onto the space spanned by the first $n$ eigenvectors of $A_{i}$ for $i=0,1$.

Remark 2.4 The initial condition for the data assimilation algorithm is arbitrarily chosen to be zero. The idea is to show that the solution $(w, \eta)$ of the data assimilation algorithm asymptotically converges to the solution $(u, \theta)$ of the original system. Hence, regardless of the choice of the initial data, we will be able to approximate the actual solution with a prescribed precision as long as we let the algorithm run for a sufficiently long time. As shown in Theorem 2.9, the run time however depends on how close the initial guess of the algorithm is to the actual initial condition.

Theorem 2.2 Let $(u, \theta)$ be a Leray-Hopf weak solution to (2.8)-(2.10) for all $t \geq 0$ and $I_{h}$ be any type 1 interpolant. Let $h_{0}>0$ be such that

$$
h_{0}^{2}=\frac{\nu \kappa \lambda_{1}}{16 c} .
$$

Then, provided $h \leq h_{0}$ and $\mu$ is chosen satisfying

$$
\begin{equation*}
\frac{v}{2 c h_{0}^{2}} \leq \mu \leq \frac{v}{2 c h^{2}} \quad\left(\frac{1}{\lambda_{1}} \sim L^{2}\right), \tag{2.24}
\end{equation*}
$$

there exists a weak solution $(w, \eta)$ of $(2.18)$ such that for any $T>0$,

$$
w \in L^{\infty}\left(0, T ; H_{0}\right) \cap L^{2}\left(0, T ; V_{0}\right), \text { and } \eta \in L^{\infty}\left(0, T ; H_{1}\right) \cap L^{2}\left(0, T ; V_{1}\right) .
$$

Proof Taking the inner product of (2.21) with $w_{n}$ and (2.22) with $\eta_{n}$ and adding, we obtain

$$
\begin{align*}
& \frac{1}{2} \frac{d}{d t}\left(\left|w_{n}\right|_{0}^{2}+\left|\eta_{n}\right|_{1}^{2}\right)+v\left\|w_{n}\right\|_{0}^{2}+\kappa\left\|\eta_{n}\right\|_{1}^{2} \\
& \leq 2\left|\eta_{n}\right|_{1}\left|w_{n}\right|_{0}+\mu\left(I_{h}(u)-I_{h}\left(w_{n}\right), w_{n}\right)  \tag{2.25}\\
& \leq 2\left|\eta_{n}\right|_{1}\left|w_{n}\right|_{0}+\mu\left(w_{n}-I_{h}\left(w_{n}\right), w_{n}\right) \\
& \quad-\mu\left|w_{n}\right|_{0}^{2}+\mu\left(I_{h}(u), w_{n}\right)
\end{align*}
$$

We bound each of the terms on the RHS below.
First, using Young's inequality, (2.24) and (2.2), we have

$$
\begin{equation*}
2\left|\eta_{n}\right|_{1}\left|w_{n}\right|_{0} \leq \frac{2\left|w_{n}\right|_{0}^{2}}{\kappa \lambda_{1}}+\frac{\kappa \lambda_{1}\left|\eta_{n}\right|_{1}^{2}}{2} \leq \frac{\mu\left|w_{n}\right|_{0}^{2}}{4}+\frac{\kappa\left\|\eta_{n}\right\|_{1}^{2}}{2} \tag{2.26}
\end{equation*}
$$

Next, using (2.11), Cauchy-Schwartz, Young's inequality and the second inequality in (2.24), we obtain

$$
\begin{align*}
& \mu \mid\left.\left(w_{n}-I_{h}\left(w_{n}\right), w_{n}\right)\right|_{0} \\
& \quad \leq \mu\left|w_{n}-I_{h}\left(w_{n}\right)\right|_{0}\left|w_{n}\right|_{0} \quad \leq \mu c h^{2}\left\|w_{n}\right\|_{0}^{2}+\frac{\mu}{4}\left|w_{n}\right|_{0}^{2}  \tag{2.27}\\
& \quad \leq \frac{v}{2}\left\|w_{n}\right\|_{0}^{2}+\frac{\mu}{4}\left|w_{n}\right|_{0}^{2},
\end{align*}
$$

Lastly, using Cauchy-Schwartz and Young's inequality, we have

$$
\begin{equation*}
\mu\left|\left(I_{h}(u), w_{n}\right)\right|_{0} \leq \mu\left|I_{h}(u)\right|_{0}^{2}+\frac{\mu}{4}\left|w_{n}\right|_{0}^{2} . \tag{2.28}
\end{equation*}
$$

Combining all the estimates, we obtain

$$
\begin{equation*}
\frac{d}{d t}\left(\left|w_{n}\right|_{0}^{2}+\left|\eta_{n}\right|_{1}^{2}\right)+\nu\left\|w_{n}\right\|_{0}^{2}+\kappa\left\|\eta_{n}\right\|_{1}^{2}+\frac{\mu}{2}\left|w_{n}\right|_{0}^{2} \leq 2 \mu\left|I_{h}(u)\right|_{0}^{2} \tag{2.29}
\end{equation*}
$$

Splitting the above inequality and using (2.2), we have

$$
\frac{d}{d t}\left|w_{n}\right|_{0}^{2}+\frac{\mu}{2}\left|w_{n}\right|_{0}^{2} \leq 2 \mu\left|I_{h}(u)\right|_{0}^{2} \quad \text { and } \quad \frac{d}{d t}\left|\eta_{n}\right|_{1}^{2}+\kappa \lambda_{1}\left|\eta_{n}\right|_{1}^{2} \leq 2 \mu\left|I_{h}(u)\right|_{0}^{2}
$$

Applying Gronwall, (2.7), (2.11) and (2.23), we obtain

$$
\begin{equation*}
\left|w_{n}\right|_{0}^{2} \leq 4 M_{0}^{2}, \text { and }\left|\eta_{n}\right|_{1}^{2} \leq \frac{2 \mu M_{0}^{2}}{\kappa \lambda_{1}} \tag{2.30}
\end{equation*}
$$

Dropping the first and the last term on LHS of (2.29) and integrating on the interval [ $s, s+1$ ], we obtain

$$
\begin{equation*}
\int_{s}^{s+1}\left(\nu\left\|w_{n}\right\|_{0}^{2}+\kappa\left\|\eta_{n}\right\|_{1}^{2}\right) \leq 2 \mu M_{0}^{2} \tag{2.31}
\end{equation*}
$$

The remainder of the proof is similar to the proof of existence of weak solutions of the 3D NSE ( [42], Theorem 1.2, page 164).

Remark 2.5 The solution of the AOT system (1.1) that we have obtained is also unique. Later, from Theorem 3.1, we obtain uniqueness of solution on the time interval $[0 . \infty$ ). The same argument can be used to show uniqueness here on the time interval $[0, T]$.

### 2.5 Time Independent Bound on Data Assimilated Temperature

The following theorem will establish a time independent bound on $\|\eta\|_{L^{2 p}}$, which will be a stepping stone in proving convergence of the data assimilated solution to the actual solution.

Theorem 2.3 Let $p \in \mathbb{N}$ and $\eta$ and $\eta_{n}$ be as in (2.19) and (2.23) respectively. Assume that the hypotheses of Theorem 2.2 hold. Then $\|\eta\|_{L^{2 p}}$ is uniformly bounded in time and satisfies

$$
\begin{equation*}
\|\eta\|_{L^{2 p}} \leq \frac{C p M_{0}}{\left((2 p-1) \lambda_{1}\right)^{\frac{1}{2 p}}}:=S_{p, u}=S_{p} \tag{2.32}
\end{equation*}
$$

where $M_{0}$ is as in (2.7).
Proof Taking the inner product of (2.22) with $\eta_{n}^{2 p-1}$, we obtain

$$
\begin{equation*}
\left(\frac{d \eta_{n}}{d t}, \eta_{n}^{2 p-1}\right)_{1}-\kappa\left(\Delta \eta_{n}, \eta_{n}^{2 p-1}\right)_{1}+\left(\left(w_{n} \cdot \nabla\right) \eta_{n}, \eta_{n}^{2 p-1}\right)_{1}=\left(w_{n} \cdot \boldsymbol{e}_{3}, \eta_{n}^{2 p-1}\right)_{1} \tag{2.33}
\end{equation*}
$$

We estimate each term below.

$$
\begin{align*}
& \frac{1}{2 p} \frac{d \eta_{n}^{2 p}}{d t}=\eta_{n}^{2 p-1} \frac{d \eta_{n}}{d t}  \tag{2.34}\\
& \quad \Rightarrow\left(\frac{d \eta_{n}}{d t}, \eta_{n}^{2 p-1}\right)_{1}=\frac{1}{2 p} \frac{d}{d t} \int_{\Omega} \eta_{n}^{2 p} d x=\frac{1}{2 p} \frac{d}{d t}\left\|\eta_{n}\right\|_{L^{2 p}}^{2 p}
\end{align*}
$$

Integrating by part, we obtain

$$
\begin{align*}
-\kappa\left(\Delta \eta_{n}, \eta_{n}^{2 p-1}\right)_{1} & =(2 p-1) \kappa\left(\nabla \eta_{n}, \eta_{n}^{2 p-2} \nabla \eta_{n}\right)_{1} \\
& =(2 p-1) \kappa\left(\eta_{n}^{p-1} \nabla \eta, \eta_{n}^{p-1} \nabla \eta_{n}\right)_{1}  \tag{2.35}\\
& =\frac{2 p-1}{p^{2}}\left|\nabla\left(\eta_{n}^{p}\right)\right|_{1}^{2} \\
\left(\left(w_{n} \cdot \nabla\right) \eta_{n}, \eta_{n}^{2 p-1}\right)_{1} & =-\left(\left(w_{n} \cdot \nabla\right) \eta_{n}^{2 p-1}, \eta_{n}\right)_{1} \\
& =-(2 p-1)\left(\eta_{n}^{2 p-2}\left(w_{n} \cdot \nabla\right) \eta_{n}, \eta_{n}\right)_{1}  \tag{2.36}\\
& =-\frac{2 p-1}{p^{2}}\left(\left(w_{n} \cdot \nabla \eta_{n}\right), \eta_{n}^{2 p-1}\right)_{1}
\end{align*}
$$

Therefore, $\left(\left(w \cdot \nabla \eta_{n}, \eta_{n}^{2 p-1}\right)\right)_{1}=0$.
From Holder's inequality, we have

$$
\begin{equation*}
\left|\left(w_{n} \cdot \boldsymbol{e}_{3}, \eta_{n}^{2 p-1}\right)_{1}\right| \leq\left\|w_{n}\right\|_{L^{q_{1}}} \cdot\left\|\left(\eta_{n}^{p}\right)^{2-\frac{1}{p}}\right\|_{L^{q_{2}}} \tag{2.37}
\end{equation*}
$$

where $q_{1}=\frac{6 p}{4 p+1}$ and $q_{2}=\frac{6 p}{2 p-1}$. Note that $q_{1} \leq 2 \forall p \in \mathbb{N}$ and since $\Omega$ is a bounded domain of finite measure, we obtain

$$
\begin{align*}
\left|\left(w_{n} \cdot \boldsymbol{e}_{3}, \eta_{n}^{2 p-1}\right)_{1}\right| \leq C\left|w_{n}\right|_{0} \cdot\left\|\left(\eta_{n}^{p}\right)^{2-\frac{1}{p}}\right\|_{L^{q_{2}}} & \leq C\left|w_{n}\right|_{0} \cdot\left(\int_{\Omega}\left(\eta_{n}^{p}\right)^{6}\right)^{1 / q_{2}} \\
& \leq C\left|w_{n}\right|_{0} \cdot\left(\left\|\eta_{n}^{p}\right\|_{L^{6}}\right)^{\frac{2 p-1}{p}} \tag{2.38}
\end{align*}
$$

Applying the Sobolev embedding $L^{6}(\Omega) \hookrightarrow H^{1}$, Young's inequality and (2.30), we obtain

$$
\begin{align*}
\left|\left(w_{n} \cdot \boldsymbol{e}_{3}, \eta_{n}^{2 p-1}\right)_{1}\right| & \leq C\left|w_{n}\right|_{0} \cdot\left(\left|\nabla\left(\eta_{n}^{p}\right)\right|_{1}\right)^{\frac{2 p-1}{p}} \\
& \leq C p^{2 p-2}\left|w_{n}\right|_{0}^{2 p}+\left(\frac{2 p-1}{2 p^{2}}\right)\left|\nabla\left(\eta_{n}^{p}\right)\right|_{1}^{2}  \tag{2.39}\\
& \leq C p^{2 p-2} M_{0}^{2 p}+\left(\frac{2 p-1}{2 p^{2}}\right)\left|\nabla\left(\eta_{n}^{p}\right)\right|_{1}^{2}
\end{align*}
$$

where $M_{0}$ is as in (2.7). Combining all the estimates we obtain

$$
\begin{equation*}
\frac{1}{2 p} \frac{d}{d t}\left\|\eta_{n}\right\|_{L^{2 p}}^{2 p}+\left(\frac{2 p-1}{2 p^{2}}\right)\left|\nabla\left(\eta_{n}^{p}\right)\right|_{1}^{2} \leq C p^{2 p-2} M_{0}^{2 p} \tag{2.40}
\end{equation*}
$$

Substituting $\zeta_{n}=\eta_{n}^{p}$, we obtain

$$
\begin{equation*}
\frac{1}{2 p} \frac{d}{d t}\left|\zeta_{n}\right|_{1}^{2}+\left(\frac{2 p-1}{2 p^{2}}\right)\left|\nabla \zeta_{n}\right|_{1}^{2} \leq C p^{2 p-2} M_{0}^{2 p} \tag{2.41}
\end{equation*}
$$

Since $\zeta_{n}=\eta_{n}^{p}$, it shares the same boundary conditions as $\eta_{n}$, and hence (2.2) is applicable to the above equation, giving us

$$
\begin{equation*}
\frac{d}{d t}\left|\zeta_{n}\right|_{1}^{2}+\left(\frac{(2 p-1) \lambda_{1}}{p}\right)\left|\zeta_{n}\right|_{1}^{2} \leq C p^{2 p-1} M_{0}^{2 p} \tag{2.42}
\end{equation*}
$$

Now, applying Gronwall, we obtain

$$
\begin{equation*}
\left\|\eta_{n}\right\|_{L^{2 p}}^{2 p}=\left|\zeta_{n}\right|_{1}^{2} \leq C\left(\frac{p^{2 p}}{(2 p-1) \lambda_{1}}\right) M_{0}^{2 p} \tag{2.43}
\end{equation*}
$$

Therefore, we have

$$
\begin{equation*}
\left\|\eta_{n}\right\|_{L^{2 p}} \leq \frac{C p M_{0}}{\left((2 p-1) \lambda_{1}\right)^{\frac{1}{2 p}}}:=S_{p, u}=S_{p} \tag{2.44}
\end{equation*}
$$

Hence $\eta_{n}$ is a bounded sequence in $L^{\infty}\left(0, T ; L^{2 p}(\Omega)\right)$ and there exists a subsequence $\eta_{n_{k}}$ and $\eta^{*}$ in $L^{\infty}\left(0, T ; L^{2 p}(\Omega)\right)$ such that that $\eta_{n_{k}}$ converges to $\eta^{*}$ in $L^{\infty}\left(0, T ; L^{2 p}(\Omega)\right)$ in the weak star topology. We also know that $\eta_{n}$, and hence $\eta_{n, k}$, converges to $\eta$ in $L^{\infty}\left(0, T ; L^{2}(\Omega)\right)$ in the weak star topology. Now since $p \geq 1$ and $\Omega$ is bounded, $L^{2 p}(\Omega) \subset L^{2}(\Omega)$ and $L^{2}(\Omega) \subset L^{q}(\Omega)$, where $2 p$ and $q$ are Holder conjugates. Hence

$$
\begin{equation*}
L^{\infty}\left(0, T ; L^{2 p}(\Omega)\right) \text { is a subspace of } L^{\infty}\left(0, T ; L^{2}(\Omega)\right) \tag{2.45}
\end{equation*}
$$

resulting in the sequence $\eta_{n_{k}}$ to have two weak star limits in $L^{1}\left(0, T ; L^{2}(\Omega)\right)$. therefore we must have $\eta^{*}=\eta$ and

$$
\|\eta\|_{L^{2 p}} \leq \frac{C p M_{0}}{\left((2 p-1) \lambda_{1}\right)^{\frac{1}{2 p}}}:=S_{p, u}=S_{p}
$$

### 2.6 Global Existence of Strong Solution

Another key result we will need in order to show convergence of the data assimilated solution to the actual solution is the regularity of the data assimilated velocity $w$. In order to do so, we will have to impose conditions on our data and look at the term $\left\|I_{h}(u)\right\|_{0}$. For the case of modal interpolation, in addition to satisfying (2.11), $I_{h}$ also satisfies

$$
\begin{equation*}
\left\|I_{h}(v)\right\| \leq\left\|P_{N}(u)\right\| \leq c\|v\| \forall v \in H^{1}(\Omega), N \sim \frac{1}{h} \tag{2.46}
\end{equation*}
$$

The piece-wise constant volume interpolant as defined in (2.13) does not satisfy (2.46) due to the lack of regularity of the characteristic function. In order to establish an inequality similar to (2.46) and also an inequality explicitly in terms of the data for volume interpolation, we define a smoothed volume interpolant operator $\tilde{I}_{h}$ that satisfies

$$
\begin{equation*}
\left\|\tilde{I}_{h}(v)\right\|_{0}^{2} \leq C h \sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha}\right|^{2} \leq C\|v\|_{0}^{2} \quad \forall v \in V_{0} \tag{2.47}
\end{equation*}
$$

where $\bar{v}_{\alpha}$ is as in (2.14). The proof of (2.47) and the justification as to why $\tilde{I}_{h}$ is a type-I interpolant is provided in the appendix.

Hence, we can now define a modified type-I interpolant which encompasses the usual modal interpolant and the smoothed volume interpolant.

Next, for a general Leray-Hopf weak solution $u$ of (2.8)-(2.10), we define the quantity $M_{h, u}\left(=M_{h, u, T}\right)$ as

$$
M_{h, u}^{2}=32 \sup _{0 \leq t \leq T}\left\{\begin{array}{l}
\left\|P_{N}(u)\right\|^{2} \sim \sum_{|k| \leq N}\left|\lambda_{k, 0}\right|^{2}|\hat{u}(k)|^{2}, N \sim \frac{1}{h} \text { (Modal) }  \tag{2.48}\\
\left.C h \sum_{\alpha}\left|\bar{u}_{\alpha}\right|^{2}, \bar{u}_{\alpha}=\frac{1}{\left|Q_{\alpha}\right|} \int_{Q_{\alpha}} u \quad \text { (Volume }\right)
\end{array}\right.
$$

where, $\lambda_{k, 0}$ is the $k^{\text {th }}$ smallest eigenvalue of $A_{0}$ corresponding to the eigenvector $\phi_{k, 0}$ and $P_{N}(u)=\sum_{k=1}^{N} \hat{u}(k) \phi_{k, 0}$.

Remark 2.6 Observe that $M_{h, u}$, as defined in (2.48), depends only on the data and is always finite. For the modal case, from (2.48), we may write

$$
\begin{equation*}
\left\|P_{N}(u)\right\|^{2} \leq \lambda_{N}|u|_{0} \leq \lambda_{N} M_{0} \text { (which is finite) } \tag{2.49}
\end{equation*}
$$

In the volume interpolation case, from (2.13), we have

$$
\begin{align*}
\sum_{\alpha \in \mathcal{J}}\left|\bar{u}_{\alpha}\right|^{2} & \leq \sum_{\alpha \in \mathcal{J}}\left(\left|\frac{1}{\left|Q_{\alpha}\right|} \int_{Q_{\alpha}} u(x) d x\right|\right)^{2} \\
& \leq \frac{N^{2}}{|\Omega|^{2}} \sum_{\alpha \in \mathcal{J}}\|u\|_{L^{1}\left(Q_{\alpha}\right)}^{2} \leq \frac{N}{|\Omega|} \sum_{\alpha \in \mathcal{J}}\|u\|_{L^{2}\left(Q_{\alpha}\right)}^{2}  \tag{2.50}\\
& \leq \frac{N}{|\Omega|}|u|_{0}^{2} \leq \frac{N}{|\Omega|} M_{0}^{2} \quad \text { (which is finite). }
\end{align*}
$$

Next, we have the following theorem that establishes the regularity of $w$.

Theorem 2.4 Let $\tilde{I}_{h}$ be a modified general type-I interpolant, $M_{h, u}$ be as in (2.48) and $0<T \leq \infty$. Let $h_{0}>0$ be be given by

$$
\begin{equation*}
h_{0}^{-2}=\frac{c}{v} \max \left\{\frac{1}{\kappa \lambda_{1}}, \frac{1}{\kappa}\left(1+\frac{1}{\lambda_{1}^{2}}\right)\right\} . \tag{2.51}
\end{equation*}
$$

Assume that for some $0<h \leq h_{0}$

$$
\begin{equation*}
h^{2} M_{h, u}^{4} \leq \frac{v^{4}}{c} \quad \text { or equivalently } \quad \frac{M_{h, u}^{4}}{v^{3}} \leq \frac{v}{c h^{2}} . \tag{2.52}
\end{equation*}
$$

Let $\mu$ be chosen such that

$$
\begin{equation*}
\max \left\{\frac{v}{c h_{0}^{2}}, \frac{c M_{h, u}^{4}}{v^{3}}\right\} \leq \mu \leq \frac{v}{c h^{2}} . \tag{2.53}
\end{equation*}
$$

Then, the data assimilated fluid velocity is regular and satisfies

$$
\begin{equation*}
\|w\|_{0} \leq M_{h, u} \tag{2.54}
\end{equation*}
$$

Proof Taking the inner product of (2.21) with $A_{0}\left(w_{n}\right)$ and (2.22) with $\eta_{n}$ and adding, we obtain

$$
\begin{aligned}
& \frac{1}{2} \frac{d}{d t}\left(\left\|w_{n}\right\|_{0}^{2}+\left|\eta_{n}\right|_{1}^{2}\right)+\nu\left|A_{0} w_{n}\right|_{0}^{2}+\kappa\left\|\eta_{n}\right\|_{1}^{2} \\
& \quad=-\left(B_{0}\left(w_{n}, w_{n}\right), A_{0} w_{n}\right)_{0}+\mu\left(w_{n}-\tilde{I}_{h} w_{n}, A_{0} w_{n}\right)_{0} \\
& \quad-\mu\left\|w_{n}\right\|_{0}^{2}+\mu\left(\tilde{I}_{h} u, A_{0} w_{n}\right)_{0}+\left(\eta_{n}, A_{0}\left(w_{n}\right) \cdot \boldsymbol{e}_{3}\right)_{1}+\left(\eta_{n}, w_{n} \cdot \boldsymbol{e}_{3}\right)_{1}
\end{aligned}
$$

First, applying (2.4) and Young's inequality, we have

$$
\left|\left(B_{0}\left(w_{n}, w_{n}\right), A_{0} w_{n}\right)\right|_{0} \leq c\left\|w_{n}\right\|_{0}^{3 / 2}\left|A_{0}\left(w_{n}\right)\right|_{0}^{3 / 2} \leq \frac{c}{v^{3}}\left\|w_{n}\right\|_{0}^{6}+\frac{v}{4}\left|A_{0} w_{n}\right|_{0}^{2} .
$$

Also, from (2.46), (2.47) and (2.48), we see that, for a modified type-I interpolant $\tilde{I}_{h}$, we may write

$$
\begin{equation*}
32\left\|\tilde{I}_{h} u(t)\right\|_{0} \leq M_{h, u}, t \in[0, T] . \tag{2.55}
\end{equation*}
$$

Similar to the proof of Theorem 2.2, applying Cauchy-Schwarz, Young's inequality, (2.53) and (2.2) to the remaining terms, we obtain

$$
\begin{aligned}
& \frac{1}{2} \frac{d}{d t}\left(\left\|w_{n}\right\|_{0}^{2}+\left|\eta_{n}\right|_{1}^{2}\right)+\frac{v}{2}\left|A_{0} w_{n}\right|_{0}^{2}+\left(\kappa-\frac{1}{\mu}-\frac{2}{\mu \lambda_{1}^{2}}\right)\left\|\eta_{n}\right\|_{1}^{2} \\
& \quad+\left(\frac{\mu}{8}-\frac{c}{v^{3}}\left\|w_{n}\right\|_{0}^{4}\right)\left\|w_{n}\right\|_{0}^{2} \leq \mu \sup _{[0, T]}\left\|\tilde{I}_{h} u(t)\right\|_{0}^{2}
\end{aligned}
$$

Let $\left[0, T_{1}\right]$ be the maximal interval on which $\left\|w_{n}(t)\right\| \leq M_{h, u}$ for $t \in\left[0, T_{1}\right]$, where $M_{h, u}$ as in (2.47). Note that $T_{1}>0$ exists because we have $w_{n}(0)=0$. Assume that $T_{1}<T$. Then by continuity, we must have $\left\|w_{n}\left(T_{1}\right)\right\|=M_{h, u}$. Applying (2.7),(2.30), the first inequality in (2.53) and dropping all terms except the first and the last term on the LHS, we obtain

$$
\frac{d}{d t}\left\|w_{n}\right\|_{0}^{2}+\frac{\mu}{8}\left\|w_{n}\right\|_{0}^{2} \leq 2 \mu \sup _{[0, T]}\left\|\tilde{I}_{h} u(t)\right\|_{0}^{2}
$$

Applying Gronwall's inequality and (2.55), we obtain

$$
\left\|w_{n}(t)\right\|_{0}^{2} \leq 16 \sup _{[0, T]}\left\|\tilde{I}_{h} u(t)\right\|_{0}^{2} \leq \frac{1}{2} M_{h, u}^{2} \quad \forall t \in\left[0, T_{1}\right] .
$$

This contradicts the fact that $\left\|w_{n}\left(T_{1}\right)\right\|=M_{h, u}$. Therefore $T_{1} \geq T$ and consequently, $\left\|w_{n}(t)\right\| \leq M_{h, u}$ for all $t \in[0, T]$. Passing to the limit as $n \rightarrow \infty$, we obtain the desired conclusion for $w$.

### 2.7 Synchronization for General Type-I Interpolant

We will now show that the data assimilated solution approaches the actual solution(synchronization) for the general type-I interpolant. To show synchronization, in addition to (2.16) and (2.17), we will need to establish an energy equality for the data assimilation equation. To do so, we borrow the following definition and result from [42].

Definition 2 Let us assume that $X_{0}, X, X_{1}$, are Hilbert spaces with

$$
\begin{equation*}
X_{0} \subset X \subset X_{1} \tag{2.56}
\end{equation*}
$$

the injections being continuous and

$$
\begin{equation*}
\text { the injection of } X_{0} \text { into } X \text { is compact. } \tag{2.57}
\end{equation*}
$$

For given $\gamma>0$, we define the space

$$
\mathscr{H}^{\gamma}\left(0, T ; X_{0}, X_{1}\right)=\left\{v \in L^{2}\left(0, T ; X_{0}\right), D_{t}^{\gamma} v \in L^{2}\left(0, T ; X_{1}\right)\right\},
$$

where, $D_{t}^{\gamma} v$ is the derivative in $t$ of order $\gamma$ of $v$ which is the inverse Fourier transform of $(2 i \pi \tau)^{\gamma} \hat{v}$ or

$$
\widehat{D_{t}^{\gamma} v(t)}=2 \pi \tau \hat{v}(\tau)
$$

We also state the following compactness result from [42].

Theorem 2.5 Let us assume that $X_{0}, X, X_{1}$, are Hilbert spaces that satisfy (2.56) and (2.57). Then the injection of $\mathscr{H}^{\gamma}\left(0, T ; X_{0}, X_{1}\right)$ into $L^{2}(0, T ; X)$ is compact.

Another result we need is the regularity of $\eta$ on a bounded interval of time, which is shown below.

Lemma 2.6 Let $\eta$ and $\eta_{n}$ be as in (2.19) and (2.23) respectively, $\tilde{I}_{h}$ be a modified general type-I interpolant, $M_{h, u}$ be as in (2.48) and $0<T<\infty$. Let $h_{0}>0$ be be given by

$$
\begin{equation*}
h_{0}^{-2}=\frac{c}{v} \max \left\{\frac{1}{\kappa}, \frac{1}{\kappa \lambda_{1}}, \frac{1}{\kappa}\left(1+\frac{1}{\lambda_{1}^{2}}\right)\right\} . \tag{2.58}
\end{equation*}
$$

Assume that for some $0<h \leq h_{0}$

$$
\begin{equation*}
h^{2} M_{h, u}^{4} \leq \frac{v^{4}}{c} \quad \text { or equivalently } \quad \frac{M_{h, u}^{4}}{v^{3}} \leq \frac{v}{c h^{2}} . \tag{2.59}
\end{equation*}
$$

Let $\mu$ be chosen such that

$$
\begin{equation*}
\max \left\{\frac{v}{c h_{0}^{2}}, \frac{c M_{h, u}^{4}}{v^{3}}\right\} \leq \mu \leq \frac{v}{c h^{2}} . \tag{2.60}
\end{equation*}
$$

Then $\eta$ is regular and satisfies

$$
\|\eta(t)\|_{1} \leq \frac{2 \mu M_{0}^{2}}{\beta} e^{\beta T}, \quad \forall t \in[0, T], \text { with } \beta=\kappa+C \kappa^{2} M_{h}^{2}
$$

and $M_{0}$ is as in (2.7).
Proof Taking the inner product of (2.21) with $w_{n}$ and (2.22) with $A_{1} \eta_{n}$ and adding, we obtain

$$
\begin{align*}
& \frac{1}{2} \frac{d}{d t}\left(\left|w_{n}\right|_{0}^{2}+\left\|\eta_{n}\right\|_{1}^{2}\right)+v\left\|w_{n}\right\|_{0}^{2}+\kappa\left|A_{1} \eta_{n}\right|_{1}^{2}+\left(B_{1}\left(w_{n}, \eta_{n}\right), A_{1} \eta_{n}\right) \\
& \quad \leq\left|\eta_{n}\right|_{1}\left|w_{n}\right|_{0}+\left|A_{1} \eta_{n}\right|_{1}\left|w_{n}\right|_{0}+\mu\left(I_{h}(u)-I_{h}\left(w_{n}\right), w_{n}\right)  \tag{2.61}\\
& \quad \leq\left|\eta_{n}\right|_{1}\left|w_{n}\right|_{0}+\left|A_{1} \eta_{n}\right|_{1}\left|w_{n}\right|_{0}+\mu\left(w_{n}-I_{h}\left(w_{n}\right), w_{n}\right)-\mu\left|w_{n}\right|_{0}^{2}+\mu\left(I_{h}(u), w_{n}\right)
\end{align*}
$$

We bound each of the terms on the RHS below.
First, using Young's inequality, (2.66) and (2.2), we have

$$
\begin{align*}
& \left|\eta_{n}\right|_{1}\left|w_{n}\right|_{0} \leq \frac{\mu\left|w_{n}\right|_{0}^{2}}{4}+\frac{\kappa\left\|\eta_{n}\right\|_{1}^{2}}{2} \text { and }  \tag{2.62}\\
& \left|A_{1} \eta_{n}\right|_{1}\left|w_{n}\right|_{0} \leq \frac{\mu\left|w_{n}\right|_{0}^{2}}{8}+\frac{\kappa}{4}\left|A_{1} \eta_{n}\right|_{1}^{2}
\end{align*}
$$

Next, using (2.4), we see that

$$
\left|\left(B_{1}\left(w_{n}, \eta_{n}\right), A_{1} \eta_{n}\right)\right| \leq C\left\|w_{n}\right\|_{0}\left|A_{1} \eta_{n}\right|_{1}^{3 / 2}\left\|\eta_{n}\right\|_{1}^{1 / 2} \leq C \kappa^{2} M_{h}^{2}\left\|\eta_{n}\right\|^{2}+\frac{\kappa}{4}\left|A_{1} \eta_{n}\right|_{1}^{2}
$$

Combining the above estimates with (2.7), (2.27) and (2.28), we obtain

$$
\begin{equation*}
\frac{d\left\|\eta_{n}\right\|_{1}^{2}}{d t}-\left(\kappa+C \kappa^{2} M_{h}^{2}\right)\left\|\eta_{n}\right\|_{1}^{2} \leq 2 \mu\left|I_{h}(u)\right|_{0}^{2} \leq 2 \mu M_{0}^{2} \tag{2.63}
\end{equation*}
$$

Now applying Gronwall, we obtain

$$
\left\|\eta_{n}(t)\right\|_{1} \leq \frac{2 \mu M_{0}^{2}}{\beta} e^{\beta t} \leq \frac{2 \mu M_{0}^{2}}{\beta} e^{\beta T}, \quad \text { where } \quad \beta=\kappa+C \kappa^{2} M_{h}^{2}
$$

Passing to the limit, we obtain the statement of the theorem.
The energy equality is shown in the following lemma.
Lemma 2.7 Let $(w, \eta)$ be the weak solution to (2.18)-(2.20), $\tilde{I}_{h}$ be a modified general type-I interpolant, $M_{h, u}$ be as in (2.48) and $0<T<\infty$. Let $h_{0}>0$ be be given by

$$
\begin{equation*}
h_{0}^{-2}=\frac{c}{v} \max \left\{\frac{1}{\kappa}, \frac{1}{\kappa \lambda_{1}}, \frac{1}{\kappa}\left(1+\frac{1}{\lambda_{1}^{2}}\right)\right\} . \tag{2.64}
\end{equation*}
$$

Assume that for some $0<h \leq h_{0}$

$$
\begin{equation*}
h^{2} M_{h, u}^{4} \leq \frac{v^{4}}{c} \quad \text { or equivalently } \quad \frac{M_{h, u}^{4}}{v^{3}} \leq \frac{v}{c h^{2}} \tag{2.65}
\end{equation*}
$$

Let $\mu$ be chosen such that

$$
\begin{equation*}
\max \left\{\frac{v}{c h_{0}^{2}}, \frac{M_{h, u}^{4}}{v^{3}}\right\} \leq \mu \leq \frac{v}{c h^{2}} . \tag{2.66}
\end{equation*}
$$

Then

$$
\begin{align*}
|w(t)|_{0}^{2}+2 v \int_{0}^{t}\|w(s)\|_{0}^{2} d s= & |w(0)|_{0}^{2}+2 \mu \int_{0}^{t}\left(I_{h}(u(s)-w(s)), w(s)\right)_{0} d s \\
& +2 \int_{0}^{t}\left(w \cdot \boldsymbol{e}_{3}(s), \eta(s)\right)_{1} d s  \tag{2.67}\\
|\eta(t)|_{1}^{2}+2 \kappa \int_{0}^{t}\|\eta(s)\|_{1}^{2} d s= & |\eta(0)|_{1}^{2}+2 \int_{0}^{t}\left(w \cdot \boldsymbol{e}_{3}(s), \eta(s)\right)_{1} d s \tag{2.68}
\end{align*}
$$

Proof Taking the inner product of (2.21) with $w_{n}$ and (2.22) with $\eta_{n}$ and then integrating over time on the interval $[0, t]$, we obtain

$$
\begin{align*}
\left|w_{n}(t)\right|_{0}^{2}+2 v \int_{0}^{t}\left\|w_{n}(s)\right\|_{0}^{2} d s= & \left|w_{n}(0)\right|_{0}^{2}+2 \mu \int_{0}^{t}\left(I_{h}\left(u(s)-w_{n}(s)\right), w_{n}(s)\right)_{0} d s \\
& +2 \int_{0}^{t}\left(w_{n} \cdot \boldsymbol{e}_{3}(s), \eta_{n}(s)\right)_{1} d s  \tag{2.69}\\
\left|\eta_{n}(t)\right|_{1}^{2}+2 \kappa \int_{0}^{t}\left\|\eta_{n}(s)\right\|_{1}^{2} d s= & \left|\eta_{n}(0)\right|_{1}^{2}+2 \int_{0}^{t}\left(w_{n} \cdot \boldsymbol{e}_{3}(s), \eta_{n}(s)\right)_{1} d s \tag{2.70}
\end{align*}
$$

Now, let

$$
C_{+}^{\infty}([0, T])=\{f \in C([0, T]) \mid f \text { is smooth and } f(x)>0 \forall x \in[0, T]\} .
$$

Multiplying (2.69) with $\phi \in C_{+}^{\infty}([0, T])$, integrating over $[0, T]$, we obtain

$$
\begin{align*}
& \int_{0}^{T}\left|w_{n}(t)\right|_{0}^{2} \phi(t) d t+\int_{0}^{T} 2 \nu \phi(t) \int_{0}^{t}\left\|w_{n}(s)\right\|_{0}^{2} d s d t \\
& \quad=\int_{0}^{T}\left|w_{n}(0)\right|_{0}^{2} \phi(t) d t+\int_{0}^{T} 2 \mu \phi(t) \int_{0}^{t}\left(I_{h}\left(w(s)-w_{n}(s)\right), w_{n}(s)\right)_{0} d s d t  \tag{2.71}\\
& \quad+\int_{0}^{T} 2 \mu \phi(t) \int_{0}^{t}\left(I_{h}(u(s)-w(s)), w_{n}(s)\right)_{0} d s d t \\
& \quad+2 \int_{0}^{T} \phi(t) \int_{0}^{t}\left(w_{n} \cdot \boldsymbol{e}_{3}(s), \eta_{n}(s)\right)_{1} d s d t
\end{align*}
$$

Observe that from Theorem (2.4), we know that

$$
w_{n} \rightharpoonup w \quad \text { in } L^{2}\left(0, T ; D\left(A_{0}\right)\right) \quad \text { and } \quad w_{n} \stackrel{*}{\rightharpoonup} w \quad \text { in } L^{\infty}\left(0, T ; V_{0}\right) .
$$

Also, from (2.4), we obtain

$$
\begin{equation*}
\left|B_{0}(w, w)\right|_{0} \leq\|w\|_{0}^{3 / 2}|A w|_{0}^{1 / 2} \tag{2.72}
\end{equation*}
$$

Applying the estimates (2.72), (2.54) and (2.31) to (2.18), we may conclude that

$$
\frac{d w}{d t} \in L^{2}\left(0, T ; H_{0}\right)
$$

Therefore, using Theorem 2.5, we obtain

$$
\begin{equation*}
w_{n} \rightarrow w \text { in } L^{2}\left(0, T ; V_{0}\right) . \tag{2.73}
\end{equation*}
$$

Hence, passing through the limit using (2.73), we obtain

$$
\begin{align*}
& \int_{0}^{T}|w(t)|_{0}^{2} \phi(t) d t+\int_{0}^{T} 2 v \phi(t) \int_{0}^{t}\|w(s)\|_{0}^{2} d s d t=\int_{0}^{T}\left|w_{n}(0)\right|_{0}^{2} \phi(t) d t \\
& \quad+\int_{0}^{T} 2 \mu \phi(t) \int_{0}^{t}\left(I_{h}(u(s)-w(s)), w(s)\right)_{0} d s d t  \tag{2.74}\\
& \quad+2 \int_{0}^{T} \phi(t) \int_{0}^{t}\left(w \cdot e_{3}(s), \eta(s)\right)_{1} d s d t
\end{align*}
$$

for all $\phi \in C_{+}^{\infty}([0, T])$. This amounts to saying (2.67) holds for almost everywhere $t \in[0, T]$.
Due to Theorem 2.6, we may repeat the exact same argument for $\eta$ to obtain (2.68).
Using the energy equality, We now establish the following lemma needed to show synchronization.

Lemma 2.8 Let $(u, \theta)$ be the general Leray-Hopf weak solution of (2.8)-(2.10) and $(w, \eta)$ be the weak solution to (2.18)-(2.20). Let $\tilde{w}=w-u, \tilde{\eta}=\eta-\theta$ and $0<T<\infty$. Then,

$$
\begin{align*}
|\tilde{w}(t)|_{0}^{2}+2 v \int_{0}^{t}\|\tilde{w}(s)\|_{0}^{2} d s \leq & |\tilde{w}(0)|_{0}^{2}-2 \mu \int_{0}^{t}\left(I_{h}(\tilde{w}(s)), \tilde{w}(s)\right)_{0} d s \\
& \left.+2 \int_{0}^{t} B_{0}(\tilde{w}(s), \tilde{w}(s)), w(s)\right)_{0} d s \\
& +2 \int_{0}^{t}\left(\tilde{w}(s) \cdot \boldsymbol{e}_{3}, \tilde{\eta}(s)\right)_{1} d s  \tag{2.75}\\
|\tilde{\eta}(t)|_{1}^{2}+2 \kappa \int_{0}^{t}\|\tilde{\eta}(s)\|_{1}^{2} d s \leq & \left.|\tilde{\eta}(0)|_{1}^{2}+2 \int_{0}^{t} B_{1}(\tilde{w}(s), \tilde{\eta}(s)), \eta(s)\right)_{1} d s \\
& +2 \int_{0}^{t}\left(\tilde{w}(s) \cdot \boldsymbol{e}_{3}, \tilde{\eta}(s)\right)_{1} d s \tag{2.76}
\end{align*}
$$

Proof Recall that we denote by $\phi_{j}^{0}$ the eigenfunction corresponding to $\lambda_{j}^{0}, j=$ $1,2, \ldots$, with $\lambda_{1}^{0} \leq \lambda_{2}^{0} \ldots$ being the eigenvalues of $A_{0}$. Let $H_{n}^{0}$ denote the span of $\phi_{1}^{0}, \phi_{2}^{0}, \ldots \phi_{n}^{0}$ and $P_{n}^{0}$ denote the projection onto the space $H_{n}^{0}$. Also, let $P_{n}^{0}(u)=u_{n}$ and $P_{n}^{0}(w)=w_{n}$. It is important to note that $u_{n}$ and $w_{n}$ in this lemma are projections of $u$ and $w$ onto a finite dimensional subspace and must not be confused with the Galerkin projections of $u$ and $w$. We observe that since $u_{n}$ finite dimensional, $\frac{\partial u_{n}}{d t}$ exists in the classical sense. We hence have

$$
\begin{align*}
\frac{d}{d t}\left(w_{n}, u_{n}\right)_{0}= & \left(\frac{\partial w_{n}}{d t}, u_{n}\right)_{0}+\left(w_{n}, \frac{\partial u_{n}}{d t}\right)_{0} \\
= & \left(-B_{0}(w, w)-v A_{0}(w)+\mu\left(I_{h}(u-w)+\eta \boldsymbol{e}_{3}\right), u_{n}\right)_{0}  \tag{2.77}\\
& +\left(w_{n}, f-B_{0}(u, u)-v A_{0}(u)+\theta \boldsymbol{e}_{3}\right)_{0}
\end{align*}
$$

Using the fact that $P_{n}^{0}$ commutes with $A_{0}$, we obtain

$$
\begin{equation*}
\left(A_{0}(u), w_{n}\right)_{0}=\left(A_{0}(u), P_{n}(w)\right)_{0}=\left(P_{n}(u), A_{0}(w)_{0}\right)=\left(u_{n}, A_{0}(w)\right)_{0} . \tag{2.78}
\end{equation*}
$$

Integrating on the interval $[s, t], 0 \leq s<t \leq T$, applying (2.78) and passing through the limit, we see that for almost all $s$ and $t, 0<s<t<T$ :

$$
\begin{align*}
& (w(t), u(t))-(w(s), u(s)) \\
& \quad=\int_{s}^{t}\left(\left(\eta(\sigma) \boldsymbol{e}_{3}, u(\sigma)\right)_{0}+\left(\theta(\sigma) e_{3}, w(\sigma)\right)_{0}\right) d \sigma \\
& \left.\quad-2 v \int_{s}^{t}\left(A_{0}(w)(\sigma), u(\sigma)\right)_{0} d \sigma+2 \mu \int_{s}^{t}\left(I_{h}(u(\sigma)-w(\sigma))\right), u(\sigma)\right)_{0} d \sigma  \tag{2.79}\\
& \quad-\int_{s}^{t}\left\{\left(B_{0}(w(\sigma), w(\sigma)), u(\sigma)\right)_{0}+\left(B_{0}(u(\sigma), u(\sigma)), w(\sigma)\right)_{0}\right\} d \sigma
\end{align*}
$$

Since $u$ is weakly continuous in $H_{0}$ and $w$ is strongly continuous in $H_{0}$, the function $t \rightarrow(u(t), w(t))$ is continuous and the relation (2.79) holds for all $s$ and $t, 0 \leq s<$ $t \leq T$. Moreover, we observe that
$\left(B_{0}(w, w), u\right)_{0}+\left(B_{0}(u, u), w\right)_{0}=\left(B_{0}(w-u, w), u\right)_{0}=\left(B_{0}(w-u, w-u), u\right)_{0}$. Incorporating this in (2.79) and letting $s=0$, we obtain

$$
\begin{align*}
& (w(t), u(t))+2 v \int_{0}^{t}((w, u))_{0} \\
& \quad=(w(0), u(0))_{0}+\int_{s}^{t}\left(\left(\eta(\sigma) \boldsymbol{e}_{3}, u(\sigma)\right)_{0}+\left(\theta(\sigma) \boldsymbol{e}_{3}, w(\sigma)\right)_{0}\right) d \sigma  \tag{2.80}\\
& \quad-\int_{0}^{t}\left(B_{0}(\tilde{w}(s), \tilde{w}(s)), w(s)\right) d s-2 \mu \int_{0}^{t} I_{h}(\tilde{w}(s), u) d s
\end{align*}
$$

Adding (2.16) and (2.67) and subtracting two times (2.80), we obtain (2.75). Repeating the same arguments for

$$
\frac{d}{d t}\left(\eta_{n}, \theta_{n}\right)_{1}=\left(\frac{\partial \eta_{n}}{d t}, \theta_{n}\right)_{1}+\left(\eta_{n}, \frac{\partial \theta_{n}}{d t}\right)_{1},
$$

we obtain (2.68).
With the above lemma in place, we will now prove synchronization in the following theorem.

Theorem 2.9 Let $I_{h}$ be the general type-I interpolant, $0<T<\infty$ and $M_{h, u}$ as in (2.48). Also, let $h_{0}>0$ be defined as

$$
\begin{equation*}
h_{0}^{-2}=\max \left\{\frac{c}{\nu \kappa \lambda_{1}}, \frac{c}{\nu \kappa}\left(1+\frac{1}{\lambda_{1}^{2}}\right), \frac{C S_{2}^{8}}{\nu^{4} \kappa^{4}}\right\}, \tag{2.81}
\end{equation*}
$$

where $S_{2}$ is as in (2.32) with $p=2$. We define $\tilde{w}=w-u$ and $\tilde{\eta}=\eta-\theta$. Assume that for some $h \leq h_{0}$,

$$
\begin{equation*}
h^{2} M_{h, u}^{4} \leq \frac{v^{4}}{c} \quad \text { or equivalently } \quad \frac{M_{h, u}^{4}}{v^{3}} \leq \frac{v}{c h^{2}} \tag{2.82}
\end{equation*}
$$

Let $\mu$ be chosen such that

$$
\begin{equation*}
\max \left\{\frac{v}{c h_{0}^{2}}, \frac{M_{h, u}^{4}}{v^{3}}\right\} \leq \mu \leq \frac{v}{c h^{2}} \tag{2.83}
\end{equation*}
$$

Then,

$$
\begin{equation*}
\left(|\tilde{w}(t)|_{0}^{2}+|\tilde{\eta}(t)|_{1}^{2}\right) \leq\left(|\tilde{w}(0)|_{0}^{2}+|\tilde{\eta}(0)|_{1}^{2}\right) e^{-\alpha t} \forall t \in[0, T] \tag{2.84}
\end{equation*}
$$

where $\alpha=\min \left\{\frac{\mu}{4}, \frac{\kappa \lambda_{1}}{2}\right\}$. In particular, if in the statement of Theorem $2.4, T=\infty$, then

$$
\begin{equation*}
\lim _{t \rightarrow \infty}\left(|\tilde{w}(t)|_{0}^{2}+|\tilde{\eta}(t)|_{1}^{2}\right)=0 \tag{2.85}
\end{equation*}
$$

Proof Adding equations (2.67) and (2.68), we obtain

$$
\begin{align*}
& |\tilde{w}(t)|_{0}^{2}+|\tilde{\eta}(t)|_{1}^{2} \\
& \quad+2 v \int_{0}^{t}\|\tilde{w}(s)\|_{0}^{2} d s+2 \kappa \int_{0}^{t}\|\tilde{\eta}(s)\|_{1}^{2} d s \leq|\tilde{w}(0)|_{0}^{2}+|\tilde{\eta}(0)|_{1}^{2}-2 \mu|\tilde{w}|^{2} \\
& \quad+2 \int_{0}^{t}\left(B_{0}(\tilde{w}(s), \tilde{w}(s)), w(s)\right)_{0} d s+2 \int_{0}^{t}\left(B_{1}(\tilde{w}(s), \tilde{\eta}(s)), \eta(s)\right)_{1} d s  \tag{2.86}\\
& \quad+2 \mu \int_{0}^{t}\left(\tilde{w}-I_{h}(\tilde{w}(s), \tilde{w}(s))\right)_{0} d s+4 \int_{0}^{t}\left(\tilde{w}(s) \cdot \boldsymbol{e}_{3}, \tilde{\eta}(s)\right)_{1} d s
\end{align*}
$$

We bound each term on the RHS.
First, applying (2.5), (2.32), Cauchy-Schwartz and Young's inequality, we obtain

$$
\begin{align*}
\left.\mid B_{0}(\tilde{w}, \tilde{w}), w\right)_{0} \mid & \leq\left|\left(B_{0}(\tilde{w}, w), \tilde{w} \mid\right)\right|_{0} \leq c|\tilde{w}|_{0}^{1 / 2}\|\tilde{w}\|_{0}^{3 / 2}\|w\|_{0} \\
& \leq \frac{c}{v^{3}}\|w\|_{0}^{4}|\tilde{w}|_{0}^{2}+\frac{v}{2}\|\tilde{w}\|_{0}^{2} \\
\left|\left(B_{1}(\tilde{w}, \tilde{\eta}), \eta\right)\right|_{1} & \leq|\tilde{w}|_{0}^{1 / 4}\|\tilde{w}\|_{0}^{3 / 4}\|\tilde{\eta}\|_{1}\|\eta\|_{L^{4}} \leq \frac{v}{4}\|\tilde{w}\|_{0}^{2}+\frac{\kappa}{2}\|\tilde{\eta}\|_{1}^{2}+\frac{C}{v^{3} \kappa^{4}} S_{2}^{8}|\tilde{w}|_{0}^{2} \tag{2.87}
\end{align*}
$$

Similar to the proof of Theorem 2.2, we apply Cauchy-Schwarz, Young's inequality, (2.53) and (2.2) to estimate the remaining terms. Combining the estimates and applying (2.2), (2.81),(2.83) and the fact that $\|w\|_{0} \leq M_{h, u}$, we obtain

$$
\begin{equation*}
|\tilde{w}(t)|_{0}^{2}+|\tilde{\eta}(t)|_{1}^{2}+\frac{\mu}{4} \int_{0}^{t}|\tilde{w}(s)|_{0}^{2} d s+\frac{\kappa \lambda_{1}}{2} \int_{0}^{t}|\tilde{\eta}(s)|_{1}^{2} d s \leq|\tilde{w}(0)|_{0}^{2}+|\tilde{\eta}(0)|_{1}^{2} . \tag{2.88}
\end{equation*}
$$

Changing the interval of integration from $[0, t]$ to $[t-1 / \alpha, t]$, applying Lemma 6.6 with $y=|\tilde{w}(t)|^{2}+|\tilde{\eta}(t)|^{2}$, we obtain

$$
\begin{align*}
& \left(|\tilde{w}(t)|^{2}+|\tilde{\eta}(t)|^{2}\right) \\
& \quad \leq\left(|\tilde{w}(0)|_{0}^{2}+|\tilde{\eta}(0)|_{1}^{2}\right) e^{-\alpha\left(t-\frac{1}{\alpha}\right)} \forall t \in[0, T], \quad \text { where } \alpha=\min \left\{\frac{\mu}{4}, \frac{\kappa \lambda_{1}}{2}\right\} \tag{2.89}
\end{align*}
$$

Remark 2.7 The proof of Theorem 2.9, when applied to the NSE, provides an alternate proof of the well-known Sather-Serrin weak-strong uniqueness result [41] for the 3D NSE which avoids the use of time mollification/regularization.

## 3 Forward Determining Map

We now describe the determining map introduced in [22], which played a crucial role in obtaining the determining form for evolution equations. Using the ideas in [9], we construct a similar map for the 3D Boussinesq and in the next section, for the 3D Navier-Stokes equations. This allows us to obtain a result concerning the existence of determining modes and volume elements for the 3D Boussinesq system (Theorem 3.3) as well as the aforementioned observable regularity criterion on the weak attractor for the 3D NSE.

We begin by introducing spaces that contain the domain and ranges of the map $W^{+}$ and by introducing the evolution equation which yields the definition of $W^{+}$.

We denote by $L_{b}^{2}\left(\mathbb{R}^{+} ; D\left(A_{0}\right)\right)$ the functions in $L^{2}\left(\mathbb{R}^{+} ; D\left(A_{0}\right)\right)$ which are translation bounded, i.e.,

$$
\begin{equation*}
\sup _{s \geq 0} \int_{s}^{s+1}\left|A_{0}(u(r))\right|_{0}^{2} d r<\infty \tag{3.1}
\end{equation*}
$$

Similarly, $L_{b}^{2}\left(\mathbb{R}^{+} ; V\right)$ denotes the functions in $L^{2}\left(\mathbb{R}^{+} ; V\right)$ which satisfy

$$
\sup _{s \geq 0} \int_{s}^{s+1}\|u(r)\|_{0}^{2} d r<\infty
$$

Let

$$
Y_{+}=\left(C_{b}\left(\mathbb{R}_{+} ; V_{0}\right) \cap L_{b}^{2}\left(\mathbb{R}_{+} ; D\left(A_{0}\right)\right)\right) \times C_{b}\left(\mathbb{R}_{+} ; H_{1}\right)
$$

and

$$
Z_{+}=\left(C_{b}\left(\mathbb{R}_{+} ; H_{0}\right) \cap L_{b}^{2}\left(\mathbb{R}_{+} ; V_{0}\right)\right) \times C_{b}\left(\mathbb{R}_{+} ; H_{1}\right)
$$

where, $C_{b}(I ; B)$ denotes the space of all bounded and continuous functions over the interval $I$ with values in the Banach space $B . Y_{+}$and $Z_{+}$are Banach spaces with norms

$$
\begin{equation*}
\|(u, \theta)\|_{Y_{+}}=\left\{\sup _{s \in \mathbb{R}_{+}}\|u(s)\|_{0}^{2}+\sup _{s \geq 0} \int_{s}^{s+1}\left|A_{0}(u(r))\right|_{0}^{2} d r+\sup _{s \in \mathbb{R}_{+}}|\theta(s)|_{1}^{2}\right\}^{\frac{1}{2}} \tag{3.2}
\end{equation*}
$$

and

$$
\begin{equation*}
\|u\|_{Z_{+}}=\left\{\sup _{s \in \mathbb{R}_{+}}|u(s)|_{0}^{2}+\sup _{s \geq 0} \int_{s}^{s+1}\|u(r)\|_{0}^{2} d r+\sup _{s \in \mathbb{R}_{+}}|\theta(s)|_{1}^{2}\right\}^{\frac{1}{2}} \tag{3.3}
\end{equation*}
$$

respectively. Moreover, let $X$ be the Banach space

$$
X_{+}=C_{b}\left(\mathbb{R}^{+} ;\left(H^{1}(\Omega)\right)^{3}\right)
$$

equipped with the norm

$$
\begin{equation*}
\|v\|_{X_{+}}=\sup _{s \geq 0}\|v(s)\|_{0} \tag{3.4}
\end{equation*}
$$

The observed spatial coarse-mesh data is denoted by $v(t)$. For the purpose of data assimilation, we consider the case $v \in X_{+}$with $\|v\|_{X_{+}} \leq \rho \sim h^{-1 / 2}$ for some $\rho>0$. We use $B_{X_{+}}(\rho)$ to denote the closed ball in $X_{+}$of radius $\rho$ centered at 0 . We also define the Banach space

$$
P_{+}=C_{b}\left(\mathbb{R}_{+} ; H_{0}\right) \times C_{b}\left(\mathbb{R}_{+} ; H_{1}\right)
$$

with the norm

$$
\begin{equation*}
\|(u, \theta)\|_{P_{+}}=\left\{|u|_{0}^{2}+|\theta|_{1}^{2}\right\}^{\frac{1}{2}} \tag{3.5}
\end{equation*}
$$

For $\sigma \in I \subset \mathbb{R}^{+}$and a Banach space $B$, we define the time translation $\tau_{\sigma}: C(I ; B) \rightarrow$ $C(I ; B)$ as

$$
\begin{equation*}
\tau_{\sigma}(u(t))=u(t+\sigma) \tag{3.6}
\end{equation*}
$$

Now given $v \in B_{X_{+}}(\rho)$, we consider the following initial-value problem:

$$
\begin{equation*}
\frac{d w}{d t}+v A_{0}(w)+B_{0}(w, w)=P_{\sigma}\left(\eta \boldsymbol{e}_{3}\right)+\mu\left(P_{\sigma}\left(v-I_{h}(w)\right)\right) \tag{3.7}
\end{equation*}
$$

$$
\begin{align*}
& \frac{d \eta}{d t}+\kappa A_{1}(\eta)+B_{1}(w, \eta)-w \cdot \boldsymbol{e}_{3}=0  \tag{3.8}\\
& w(x, 0)=0, \eta(x, 0)=0 \tag{3.9}
\end{align*}
$$

The corresponding Galerkin approximation is given by

$$
\begin{align*}
& \frac{d w_{n}}{d t}+v A_{0}(w)+B_{0}\left(w_{n}, w_{n}\right)=P_{n}\left(\eta_{n} \boldsymbol{e}_{3}\right)+\mu\left(P_{n}\left(v-I_{h}(w)\right)\right)  \tag{3.10}\\
& \frac{d \eta_{n}}{d t}+\kappa A_{1}\left(\eta_{n}\right)+B_{1}\left(w, \eta_{n}\right)-w_{n} \cdot \boldsymbol{e}_{3}=0  \tag{3.11}\\
& w_{n}(x, 0)=0, \eta_{n}(x, 0)=0 . \tag{3.12}
\end{align*}
$$

We can now define the map $W_{+}$.
Definition 3 Let $\rho>0$. We define the forward determining map $W_{+}: B_{X_{+}}(\rho) \rightarrow Y_{+}$ as

$$
\begin{equation*}
W_{+}(v)=(w, \eta) . \tag{3.13}
\end{equation*}
$$

Theorem 3.1 Let $I_{h}$ be a general type-I interpolant, $v \in B_{X_{+}}(\rho)$ for some $\rho>$ $0(\rho \sim 1 / \sqrt{h}), 0<T \leq \infty$ and

$$
\begin{equation*}
M_{h, u}^{2}=32 \sup _{[0, T]}\|v\|_{0}^{2} . \tag{3.14}
\end{equation*}
$$

Also, let $h_{0}>0$ be defined as

$$
\begin{equation*}
h_{0}^{-2}=\max \left\{\frac{c}{\nu \kappa \lambda_{1}}, \frac{c}{\nu \kappa}\left(1+\frac{1}{\lambda_{1}^{2}}\right), \frac{C S_{2}^{8}}{\nu^{4} \kappa^{4}}\right\}, \tag{3.15}
\end{equation*}
$$

where $c, h$ are as in (2.11) and $S_{2}$ is as in (2.32) with $p=2$. Assume that for some $h \leq h_{0}$,

$$
\begin{equation*}
h^{2} M_{h, u}^{4} \leq \frac{v^{4}}{c} \quad \text { or equivalently } \quad \frac{M_{h, u}^{4}}{v^{3}} \leq \frac{v}{c h^{2}} . \tag{3.16}
\end{equation*}
$$

Let $\mu$ be chosen such that

$$
\begin{equation*}
\max \left\{\frac{v}{c h_{0}^{2}}, \frac{M_{h, u}^{4}}{v^{3}}\right\} \leq \mu \leq \frac{v}{c h^{2}} \tag{3.17}
\end{equation*}
$$

Then, there exists a weak solution $(w, \eta)$ to (3.7)-(3.9). Moreover, the following statements hold true
(a) $\|w\|_{0} \leq M_{h, u}$
(b) $W_{+}: B_{X_{+}}(\rho) \rightarrow Z_{+}$is Lipschitz continuous.
(c) Let $(u, \theta)$ be a weak solution (2.8)-(2.10). Assume that $\left|I_{h}(u)(s)-v(s)\right|_{0} \rightarrow 0$ as $s \rightarrow \infty$. Then $\left\|W_{+}(v)(s)-(u(s), \theta(s))\right\|_{P_{+}} \rightarrow 0$ as $s \rightarrow \infty$
(d) Let $v_{1}, v_{2} \in B_{X_{+}}(\rho)$, Then, $W_{+}\left(v_{1}\right)=W_{+}\left(v_{2}\right)$ iff $P_{\sigma}\left(v_{1}-v_{2}\right)=P_{\sigma}(\bar{v})=0$, where $\bar{v}=v_{1}-v_{2}$.
(e) For every $\sigma \in \mathbb{R}^{+}$,

$$
\begin{equation*}
W_{+} \circ \tau_{\sigma}(v)=\tau_{\sigma} \circ W_{+}(v) . \tag{3.18}
\end{equation*}
$$

Proof The existence of a weak solution $(w, \eta)$ and the proof of (a) is obtained by repeating the proof of Theorem 2.2 and Theorem 2.4, after replacing $I_{h}(u)$ with $v$.

To prove (b), we define $\bar{w}_{n}=w_{n}^{1}-w_{n}^{2}, \bar{\eta}_{n}=\eta_{n}^{1}-\eta_{n}^{2}$ and $\bar{v}_{n}=P_{n}\left(\bar{v}_{1}-\bar{v}_{2}\right)$, where $\left(w_{n}^{1}, \eta_{n}^{1}\right)$ and $\left(w_{n}^{2}, \eta_{n}^{2}\right)$ are Galerkin approximations of $\left(w^{1}, \eta^{1}\right)$ and $\left(w^{2}, \eta^{2}\right)$ respectively and $\left(w^{1}, \eta^{1}\right)=W_{+}\left(v_{1}\right)$ and $\left(w^{2}, \eta^{2}\right)=W_{+}\left(v_{2}\right)$.
$\bar{w}_{n}$ and $\bar{\eta}_{n}$ satisfy the equations

$$
\begin{gather*}
\frac{d \bar{w}_{n}}{d t}+\nu A_{0}\left(\bar{w}_{n}\right)+B_{0}\left(\bar{w}_{n}, w_{n}^{2}\right)+B_{0}\left(w_{n}^{1}, \bar{w}_{n}\right) \\
=\bar{\eta}_{n} \boldsymbol{e}_{3} \mu P_{n}\left(\bar{v}_{n}-I_{h}\left(\bar{w}_{n}\right)\right)  \tag{3.19}\\
=\mu \bar{v}_{n}+\mu P_{n}\left(\bar{w}_{n}-I_{h}\left(\tilde{w}_{n}\right)\right)-\mu \bar{w}_{n} \\
\frac{d \bar{\eta}_{n}}{d t}+\kappa A_{1}\left(\bar{\eta}_{n}\right)+B_{1}\left(\bar{w}_{n}, \eta_{n}^{2}\right)+B_{1}\left(w_{n}^{1}, \bar{\eta}_{n}\right)-\bar{w}_{n} \cdot \boldsymbol{e}_{3}=0 \tag{3.20}
\end{gather*}
$$

Taking the inner product of $\bar{w}_{n}$ and $\bar{\eta}_{n}$ with (3.19) and (3.20) respectively, we obtain

$$
\begin{align*}
& \frac{1}{2} \frac{d}{d t}\left(\left|\bar{w}_{n}\right|_{0}^{2}+\left|\bar{\eta}_{n}\right|_{1}^{2}\right)+v\left\|\bar{w}_{n}\right\|_{0}^{2}+\kappa\left\|\bar{\eta}_{n}\right\|_{1}^{2} \\
& \quad+\mu\left|\bar{w}_{n}\right|_{0}^{2} \leq\left|\left(B_{0}\left(\bar{w}_{n}, w_{n}^{2}\right), \bar{w}_{n} \mid\right)\right|_{0}+\left|\left(B_{1}\left(\bar{w}_{n}, \eta_{n}^{2}\right), \bar{\eta}_{n}\right)\right|_{1}  \tag{3.21}\\
& \quad+2\left|\bar{w}_{n}\right|_{0}\left|\bar{\eta}_{n}\right|_{1}+\left|\mu\left(\bar{w}_{n}-I_{h}\left(\bar{w}_{n}\right)\right)\right|_{0}\left|\bar{w}_{n}\right|_{0}+\mu\left|\bar{v}_{n}\right|_{0}\left|\bar{w}_{n}\right|_{0} .
\end{align*}
$$

Applying Young's inequality, we obtain

$$
\begin{equation*}
\mu\left|\bar{v}_{n}\right|_{0}\left|\bar{w}_{n}\right|_{0} \leq \mu\left|\bar{v}_{n}\right|_{0}^{2}+\frac{\mu}{4}\left|\bar{w}_{n}\right|_{0}^{2} \tag{3.22}
\end{equation*}
$$

Bounding the other terms on the RHS of (3.21) exactly as in Theorem 2.9, we obtain

$$
\begin{align*}
& \frac{1}{2} \frac{d}{d t}\left(\left|\bar{w}_{n}\right|_{0}^{2}+\left.\bar{\eta}_{n}\right|_{1} ^{2}\right)+v\left\|\bar{w}_{n}\right\|_{0}+\left(\frac{\mu}{4}-\frac{c}{v^{3}}\left\|w_{n}\right\|_{0}^{4}-\frac{C S_{2}^{8}}{v^{3} \kappa^{4}}\right)\left|\bar{w}_{n}\right|_{0}^{2}  \tag{3.23}\\
& \quad+\left(\frac{\kappa \lambda_{1}}{2}-\frac{4}{\mu}\right)|\bar{\eta}|_{1}^{2} \leq \mu\left|\bar{v}_{n}\right|_{0}^{2}
\end{align*}
$$

We already have $\|w\|_{0} \leq M_{h, u}$. Now applying (3.17) and (3.15), we have

$$
\begin{equation*}
\frac{d}{d t}\left(\left.\left|\bar{w}_{n}\right|^{2}\right|_{0}+\left|\bar{\eta}_{n}\right|_{1}^{2}\right)+\frac{\mu}{4}\left|\bar{w}_{n}\right|_{0}^{2}+\frac{\kappa \lambda_{1}}{2}\left|\bar{\eta}_{n}\right|_{1}^{2} \leq 2 \mu\left|\bar{v}_{n}\right|_{0}^{2} \tag{3.24}
\end{equation*}
$$

Next, applying Gronwall (for $t, \sigma \in[0, T]$ with $t>\sigma$ ) separately to $\left|\bar{w}_{n}\right|^{2}$ and $\left|\bar{\eta}_{n}\right|^{2}$, we obtain

$$
\begin{align*}
& \left|\bar{w}_{n}(t)\right|_{0}^{2} \leq\left|\bar{w}_{n}(\sigma)\right|_{0}^{2} e^{-(\mu / 4)(t-\sigma)}+8 \sup _{t \in[0, T]}\left|\bar{v}_{n}\right|_{0}^{2}, \\
& \left|\bar{\eta}_{n}(t)\right|_{1}^{2} \leq\left|\bar{\eta}_{n}(\sigma)\right|_{1}^{2} e^{-\left(\frac{\kappa \lambda_{1}}{2}\right)(t-\sigma)}+\frac{4 \mu}{\kappa \lambda_{1}} \sup _{t \in \mathbb{R}_{+}}\left|\bar{v}_{n}\right|_{0}^{2} . \tag{3.25}
\end{align*}
$$

$\bar{w}_{n}$ and $\bar{\eta}_{n}$ converge respectively to $\bar{w}$ and $\bar{\eta}$ weakly. Also $\bar{v}_{n} \rightarrow \bar{v}_{n}$ in $B_{x_{+}}(\rho)$. Therefore, letting $n \rightarrow \infty$, setting $\sigma=0$ and noting that $\bar{w}(0)=\bar{\eta}(0)=0$, we obtain

$$
\begin{equation*}
\left.|\bar{w}(t)|^{2}\right|_{0} \leq 8 \sup _{t \in \mathbb{R}_{+}}|\bar{v}|_{0}^{2} \quad \text { and }|\bar{\eta}(t)|_{1}^{2} \leq \frac{4 \mu}{\kappa \lambda_{1}} \sup _{t \in \mathbb{R}_{+}}|\bar{v}|_{0}^{2} . \tag{3.26}
\end{equation*}
$$

Using (3.23), we may write

$$
\begin{equation*}
\nu\left\|\bar{w}_{n}\right\|_{0} \leq \mu \sup _{t \in \mathbb{R}_{+}}\left|\bar{v}_{n}(t)\right|_{0}^{2} \tag{3.27}
\end{equation*}
$$

Letting $n \rightarrow \infty$ and integrating both sides on the interval $[t, t+1]$, we obtain

$$
\begin{equation*}
\sup _{t \in \mathbb{R}_{+}} \int_{t}^{t+1} v\|\bar{w}(s)\|_{0} d s \leq \mu \sup _{t \in \mathbb{R}_{+}}|\bar{v}(t)|_{0}^{2} \tag{3.28}
\end{equation*}
$$

(3.26) and (3.28) together prove (b).

To prove (c), we define $\tilde{w}=w-u$ and $\tilde{\eta}=\eta-\theta$, where $(w, \eta)=W_{+}(v)$. Replacing $I_{h}(u)$ with $v$ in (2.67) and repeating the arguments of Lemma (2.8), we obtain a modified version of (2.75), given by

$$
\begin{align*}
|\tilde{w}(t)|_{0}^{2}+2 v \int_{\sigma}^{t}\|\tilde{w}(s)\|_{0}^{2} d s \leq & \left.|\tilde{w}(0)|_{0}^{2}+2 \int_{\sigma}^{t} B_{0}(\tilde{w}(s), \tilde{w}(s)), w(s)\right)_{0} d s \\
& +2 \mu \int_{\sigma}^{t}\left(v(s)-I_{h} w(s), \tilde{w}(s)\right)_{0} d s \\
& +2 \int_{\sigma}^{t}\left(\tilde{w}(s) \cdot \boldsymbol{e}_{3}, \tilde{\eta}(s)\right)_{1} d s \\
\leq & \left.|\tilde{w}(0)|_{0}^{2}+2 \int_{\sigma}^{t} B_{0}(\tilde{w}(s), \tilde{w}(s)), w(s)\right)_{0} d s \\
& +2 \mu \int_{\sigma}^{t}\left(v(s)-I_{h} u(s), \tilde{w}(s)\right)_{0} d s \\
& +2 \mu \int_{\sigma}^{t}\left(\tilde{w}-I_{h} \tilde{w}(s), \tilde{w}(s)\right)_{0} d s \\
& -\mu \int_{\sigma}^{t}\|\tilde{w}\|_{0} d s+2 \int_{\sigma}^{t}\left(\tilde{w}(s) \cdot \boldsymbol{e}_{3}, \tilde{\eta}(s)\right)_{1} d s . . \tag{3.29}
\end{align*}
$$

Applying Cauchy-Schwarz and Young's inequality, we obtain

$$
\begin{equation*}
2 \mu\left|\left(v(s)-I_{h} u(s), \tilde{w}(s)\right)_{0}\right| \leq 2 \mu\left|v(s)-I_{h} u(s)\right|_{0}^{2}+\frac{\mu}{2}|\tilde{w}(s)|_{0}^{2} . \tag{3.30}
\end{equation*}
$$

Also,

$$
\begin{equation*}
|v|_{0}^{2} \leq \frac{1}{\lambda_{1}}\|v\|_{0}^{2} \leq \frac{1}{\lambda_{1}} \rho^{2} . \tag{3.31}
\end{equation*}
$$

and $\left|I_{h} u\right|_{0} \leq|u|_{0} \leq M_{0}$. Hence it makes sense to talk about the term

$$
\sup _{0 \leq s \leq \infty}\left|I_{h}(u)(s)-v(s)\right|_{0}
$$

Proceeding exactly as in Theorem 2.9, we obtain

$$
\begin{align*}
& |\tilde{w}(t)|_{0}^{2}+|\tilde{\eta}(t)|_{1}^{2}+\frac{\mu}{4} \int_{\sigma}^{t}|\tilde{w}(s)|_{0}^{2} d s+\frac{\kappa \lambda_{1}}{2} \int_{\sigma}^{t}|\tilde{\eta}(s)|_{1}^{2} d s \leq|\tilde{w}(\sigma)|_{0}^{2}+|\tilde{\eta}(\sigma)|_{1}^{2}  \tag{3.32}\\
& \quad+2 \mu \sup _{\sigma \leq s \leq t}\left|I_{h}(u)(s)-v(s)\right|_{0} .
\end{align*}
$$

Next, letting

$$
\alpha=\min \left\{\frac{\mu}{4}, \frac{\kappa \lambda_{1}}{2}\right\}, \sigma=t / 2
$$

and applying Corollary 6.7 , (2.30) and (2.7), we obtain

$$
\begin{equation*}
\left(|\tilde{w}(t)|_{0}^{2}+|\tilde{\eta}(t)|_{1}^{2}\right) \leq M e^{-\alpha(t / 2)}+4 \mu \sup _{t / 2 \leq s \leq t}\left|I_{h}(u)(s)-v(s)\right|_{0}, \tag{3.33}
\end{equation*}
$$

where

$$
M=\max \left\{4 M_{0}^{2}, \frac{2 \mu M_{0}^{2}}{\kappa \lambda_{1}}\right\}
$$

Taking the $\lim$ sup as $t \rightarrow \infty$ and using the hypothesis that $\left|I_{h}(u)(s)-v(s)\right|_{0} \rightarrow 0$ as $s \rightarrow \infty$, we see that

$$
\begin{equation*}
\lim _{t \rightarrow \infty}\left(|\tilde{w}(t)|_{0}^{2}+|\tilde{\eta}(t)|_{1}^{2}\right)=0 \tag{3.34}
\end{equation*}
$$

proving (c).
To prove (d), we note that $\bar{w}=w_{1}-w_{2}=0$ and $\bar{\eta}=\eta_{1}-\eta_{2}=0$, where $\left(w_{1}, \eta_{1}\right)=W_{+}\left(v_{1}\right)$ and $\left(w_{2}, \eta_{2}\right)=W_{+}\left(v_{2}\right)$. Since $w_{1}$ and $w_{2}$ are regular, the term $\bar{w}$ is differentiable a.e on $\mathbb{R}^{+}$. From (3.7), we may write

$$
\begin{equation*}
\frac{d \bar{w}}{d t}+v A_{0}(\bar{w})+B_{0}\left(\bar{w}, w_{1}\right)+B_{0}\left(w_{2}, \bar{w}\right)-\bar{\eta} e_{3}=\mu P_{\sigma}\left(\bar{v}-I_{h}(\bar{w})\right) \tag{3.35}
\end{equation*}
$$

Letting $\bar{w}=0$ and $\bar{\eta}=0$, we obtain $P_{\sigma}(\bar{v})=0$. If $P_{\sigma}(\bar{v})=0$, we obtain $W_{+}\left(v_{1}\right)=$ $W_{+}\left(v_{2}\right)$ from the Lipschitz continuity of $W_{+}$.

To show (e), we observe that $\tau_{\sigma} \circ W_{+}(v)$ is a solution of (3.7)-(3.9) corresponding to $\tau_{\sigma}(v)$. From the Lipschitz property of the map $W_{+}$, we have uniqueness of solution. Hence

$$
W_{+} \circ \tau_{\sigma}(v)=\tau_{\sigma} \circ W_{+}(v) .
$$

Corollary 3.2 Let $I_{h}$ be a general type-I interpolant and $u$ be a weak solution (2.8)-(2.10). Let the hypothesis of Theorem 3.1 hold. Then $\| W_{+}\left(I_{h}(u)\right)(s)-$ $(u(s), \theta(s)) \|_{P_{+}} \rightarrow 0$ as $s \rightarrow \infty$

Proof Applying part (c) of Theorem 3.1 with $v=I_{h}(u)$, we obtain the statement of the corollary.

Remark 3.1 The fact that $W^{+}$is Lipschitz continuous means that the way we reconstruct our solution from the data is "stable". Lipschitz continuity in turn implies uniqueness of solutions as well. Also, Corollary 3.2 says that the solution obtained from type-I interpolation data(for appropriate $h$ ) asymptotically approaches the actual solution.

Theorem 3.3 Let $\left(u_{1}, \theta_{1}\right)$ and $\left(u_{2}, \theta_{2}\right)$ be two restricted Leray-Hopf weak solutions and $M_{h, u_{i}}($ for $i=1,2)$ be as in (2.48). Also, let $h_{0}>0$ be defined as

$$
\begin{equation*}
h_{0}^{-2}=\max \left\{\frac{c}{\nu \kappa \lambda_{1}}, \frac{c}{v \kappa}\left(1+\frac{1}{\lambda_{1}^{2}}\right), \frac{C S_{2}^{8}}{\nu^{4} \kappa^{4}}\right\}, \tag{3.36}
\end{equation*}
$$

where $c, h$ are as in (2.11) and $S_{2}$ is as in (2.32) with $p=2$. Assume that on $[0, \infty)$, for $i=1,2$, for some $h \leq h_{0}$,

$$
\begin{equation*}
h^{2} M_{h, u_{i}}^{4} \leq \frac{v^{4}}{c} \quad \text { or equivalently } \quad \frac{M_{h, u_{i}}^{4}}{\nu^{3}} \leq \frac{v}{c h^{2}} \tag{3.37}
\end{equation*}
$$

Then, if

$$
\lim _{t \rightarrow \infty}\left|I_{h}\left(u_{1}\right)(t)-I_{h}\left(u_{2}\right)(t)\right|_{0}=0
$$

then

$$
\lim _{t \rightarrow \infty}\left|u_{1}(t)-u_{2}(t)\right|=0 \text { and } \lim _{t \rightarrow \infty}\left|\theta_{1}(t)-\theta_{2}(t)\right|=0 .
$$

Proof Repeating the proof of part (c) of Theorem 3.1 with $(u, \theta)=\left(u_{1}, \theta_{1}\right),(w, \eta)=$ ( $u_{2}, \theta_{2}$ ) and $v=I_{h} u_{2}$, we obtain the statement of the theorem.
Remark 3.2 The above theorem shows that $h \leq h_{0}$ satisfying (3.37) is asymptotically determining.

## 4 Determining Map on the Weak Attractor

In this section, only for simplicity, we will be looking at solutions to the data assimilated 3D NSE on the weak attractor. We discuss well-posedness of the data assimilated equation for time ranging over all real numbers as well as the question of uniqueness and regularity for 3-D NSE on the weak attractor when the low modes are known. The three-dimensional incompressible NSE with time independent forcing (assumed for simplicity) is given by

$$
\begin{align*}
\frac{\partial u}{\partial t}+(u \cdot \nabla) u-\Delta u+\nabla p & =f  \tag{4.1}\\
\nabla \cdot u & =0
\end{align*}
$$

Concerning the boundary conditions, we either consider the 3D NSE on a domain $\Omega \mathbb{R}^{3}$ with $\partial \Omega \in C^{2}$ and homogeneous Dirichlet boundary condition $\left.u\right|_{\partial \Omega}=0$ or on the torus $\mathbb{T}^{3}$ with space-peridic boundary condition with period $L$ in each of the spatial variables. Applying the Leray-Hopf projection $P_{\sigma}$ on divergence-free vector fields (see [14]) to (4.1), we obtain

$$
\begin{align*}
\frac{\partial u}{\partial t}+B_{0}(u, u)+A_{0}(u) & =f .  \tag{4.2}\\
\nabla \cdot u & =0
\end{align*}
$$

where, by abuse of notation, we denote $P_{\sigma}(f)$ by $f$. Applying $P_{n}^{0}$ to (4.2), we obtain the Galerkin approximation to the system, given by

$$
\begin{align*}
\frac{\partial u_{n}}{\partial t}+B_{0}\left(u_{n}, u_{n}\right)+A_{0}\left(u_{n}\right) & =P_{n}^{0} f  \tag{4.3}\\
\nabla \cdot u_{n} & =0
\end{align*}
$$

### 4.1 Well-Posedness

We begin by providing definitions of weak and strong solutions [14, 42].
Definition 4 A (Leray-Hopf) weak solution on a time interval $I=[0, T] \subset \mathbb{R}$ is defined as a function $u=u(t)$ on $I$ with values in $H_{0}$ and satisfying the following properties:

- $u \in L^{\infty}\left(0, T ; H_{0}\right) \cap L^{2}\left(0, T ; V_{0}\right) \cap C\left(0, T: V_{0}^{\prime}\right)$
- $\frac{d u}{d t} \in L^{4 / 3}\left(0, T ; V_{0}^{\prime}\right)$
- $u$ satisfies the functional equation (4.2) in the distribution sense on $I$, with values in $V_{0}^{\prime}$;
- For almost all $t^{\prime} \in I, u$ satisfies the following energy inequality

$$
\begin{equation*}
|u(t)|_{0}^{2}+2 v \int_{t^{\prime}}^{t}\|u(s)\|_{0}^{2} d s \leq\left|u\left(t^{\prime}\right)\right|_{0}^{2}+2 \int_{t^{\prime}}^{t}(f(s), u(s))_{0} d s \tag{4.4}
\end{equation*}
$$

for all $t \in I$, with $t^{\prime}>t$.
Definition 5 A weak solution is said to be a strong/regular solution if it also belongs to $L^{\infty}\left(0, T ; V_{0}\right) \cap L^{2}\left(0, T ; D\left(A_{0}\right)\right)$.

We have the following previously established results on existence and uniqueness.
Theorem 4.1 Let $f \in L^{2}\left(0, T ; V_{0}^{\prime}\right)$. Then, there exists a weak solution $u$ of (4.2), satisfying all the properties given in Definition 4.

Theorem 4.2 Let $v$ be a strong solution to (4.2). Then, there doesn't exist any other weak solution $u$ of (4.2).

Remark 4.1 For 3-D NSE, we have existence of weak solution(Theorem 4.1), but not uniqueness. Moreover, we have uniqueness of strong solutions(Theorem 4.2), but not existence.

### 4.2 Weak Attractor

Despite the lack of a well-posedness result for the three-dimensional Navier- Stokes equations, it is still a natural question to ask what the dynamics and the asymptotic behaviors of their weak solutions are, despite the possibility that they are not unique with respect to the initial condition. In particular, it is natural to ask whether there exists some sort of global attractor in this case. Due to the lack of a well-defined semigroup associated with the solutions of the system, the classical theory of dynamical system does not apply directly. Nevertheless, it is still possible to adapt a number of results from the classical theory to this situation.

One of the first and main results in this direction was given in [30], and subsequently in [39], in which an object called the weak global attractor was defined. Its topological properties were further studied in [28].

Definition 6 The Weak attractor for the NSE, $\mathbb{A}$, denotes the set of $u_{0} \in H_{0}$ for which there exists a weak solution $u(t)$ of (4.2), for $t \in \mathbb{R}$, such that

- $u \in L^{\infty}\left(\mathbb{R} ; H_{0}\right)$
- $u(0)=u_{0}$.

Remark 4.2 The weak global attractor for the 3-D Navier-Stokes operator has the following properties:

- For every weak solution $u$ of (4.2) on the time interval $(0, \infty)$, we have

$$
u(t) \rightarrow \mathbb{A} \text { weakly in } H_{0}, \text { as } t \rightarrow \infty
$$

- $\mathbb{A}$ is weakly compact in $H_{0}$.
- $\mathbb{A}$ is invariant in the sense that if $u_{0} \in \mathbb{A}$ and $u$ is a global weak solution uniformly bounded in $H_{0}$ with $u(0)=u_{0}$ then $u(t) \in \mathbb{A}$ for all $t \in \mathbb{R}$.


### 4.3 Determining Map

We begin by introducing spaces that contain the domain and ranges of the determining map $W$ and by introducing the evolution equation which yields the definition of $W$.

We denote by $L_{b}^{2}\left(\mathbb{R} ; D\left(A_{0}\right)\right)$ the functions in $L^{2}\left(\mathbb{R} ; D\left(A_{0}\right)\right)$ which are translation bounded, i.e.,

$$
\begin{equation*}
\sup _{s \in \mathbb{R}} \int_{s}^{s+1}\left|A_{0}(u(r))\right|_{0}^{2} d r<\infty \tag{4.5}
\end{equation*}
$$

Similarly, $L_{b}^{2}(\mathbb{R} ; V)$ denotes the functions in $L^{2}(\mathbb{R} ; V)$ which satisfy

$$
\sup _{s \in \mathbb{R}} \int_{s}^{s+1}\|u(r)\|_{0}^{2} d r<\infty .
$$

Let

$$
Y=C_{b}\left(\mathbb{R} ; V_{0}\right) \cap L_{b}^{2}\left(\mathbb{R} ; D\left(A_{0}\right)\right) \text { and } Z=C_{b}\left(\mathbb{R} ; H_{0}\right) \cap L_{b}^{2}\left(\mathbb{R} ; V_{0}\right)
$$

where, $C_{b}(I ; B)$ denotes the space of all bounded and continuous functions over the interval $I$ with values in the Banach space $B . Y$ and $Z$ are Banach spaces with norms

$$
\begin{equation*}
\|u\|_{Y}=\left\{\|u\|_{0}^{2}+\sup _{s \in \mathbb{R}} \int_{s}^{s+1}\left|A_{0}(u(r))\right|_{0}^{2} d r\right\}^{\frac{1}{2}} \tag{4.6}
\end{equation*}
$$

and

$$
\begin{equation*}
\|u\|_{Z}=\left\{|u|_{0}^{2}+\sup _{s \in \mathbb{R}} \int_{s}^{s+1}\|u(r)\|_{0}^{2} d r\right\}^{\frac{1}{2}} \tag{4.7}
\end{equation*}
$$

respectively.
For $\tau \in I \subset \mathbb{R}$ and a Banach space $B$, we define the time translation $\tau_{\sigma}$ : $C(I ; B) \rightarrow C(I ; B)$ as

$$
\begin{equation*}
\tau_{\sigma}(u(t))=u(t+\sigma) \tag{4.8}
\end{equation*}
$$

Moreover, let $X$ be the Banach space

$$
X=C_{b}\left(\mathbb{R} ;\left(\dot{H}^{1}(\Omega)\right)^{3}\right) \cap V_{0}
$$

equipped with the norm

$$
\begin{equation*}
\|v\|_{X}=\sup _{s \in \mathbb{R}}\|v(s)\|_{0} . \tag{4.9}
\end{equation*}
$$

The observed spatial coarse-mesh data is denoted by $v(t)$. For the purpose of data assimilation, we consider the case $v \in X$ with $\|v\|_{X} \leq \rho$ for some $\rho>0$. We use $B_{X}(\rho)$ to denote the closed ball in $X$ of radius $\rho$ centered at 0 .

The data assimilation algorithm is given by the solution $w$ of the equation

$$
\begin{align*}
\frac{\partial w}{\partial t}+B_{0}(w, w)+v A_{0}(w) & =f+\mu\left(v-I_{h}(w)\right)  \tag{4.10}\\
\nabla \cdot w & =0
\end{align*}
$$

Observe that the above system is not an initial value problem but an evolution equation for all $t \in \mathbb{R}$. The Galerkin approximation of (4.10) is obtained by applying $P_{n}$ and is given by

$$
\begin{align*}
\frac{\partial w_{n}}{\partial t}+B_{0}\left(w_{n}, w_{n}\right)+v A_{0}\left(w_{n}\right) & =P_{n} f+\mu\left(P_{n}(v)-I_{h}\left(w_{n}\right)\right)  \tag{4.11}\\
\nabla \cdot w_{n} & =0
\end{align*}
$$

where $u_{n}$ is as in (4.3).
Theorem 4.3 Let $u$ be the solution to (2.8)-(2.9) on the weak attractor for $t \in \mathbb{R}$, $v \in B_{X}(\rho)$ for some $\rho>0$ and $I_{h}$ be any type 1 interpolant. Define

$$
\begin{equation*}
M_{h}^{2}=8\left(\frac{|f|^{2}}{v^{2} \lambda_{1}}+\rho^{2}\right) \tag{4.12}
\end{equation*}
$$

Also, let $h_{0}>0$ be defined as

$$
\begin{equation*}
h_{0}^{2}=\frac{1}{4 c \lambda_{1}} . \tag{4.13}
\end{equation*}
$$

Assume that for some $h \leq h_{0}$,

$$
\begin{equation*}
h^{2} M_{h, u}^{4} \leq \frac{v^{4}}{c} \quad \text { or equivalently } \quad \frac{M_{h, u}^{4}}{v^{3}} \leq \frac{v}{c h^{2}} . \tag{4.14}
\end{equation*}
$$

Let $\mu$ be chosen such that

$$
\begin{equation*}
\max \left\{\frac{M_{h}^{4}}{v^{3}}, \frac{v}{c h_{0}^{2}}\right\} \leq \mu \leq \frac{v}{c h^{2}} \tag{4.15}
\end{equation*}
$$

Then there exists a unique global solution $(w, \eta)$ of (2.18)-(2.19) such that

$$
\begin{equation*}
w \in L^{\infty}\left(\mathbb{R} ; V_{0}\right) \cap L^{2}\left(\mathbb{R} ; D\left(A_{0}\right)\right) \tag{4.16}
\end{equation*}
$$

Moreover, the following bounds hold
(1) $\|w\|_{0} \leq M_{h}$.
(2) $\int_{t}^{t+1}\left|A_{0} w(t)\right|_{0}^{2} d t \leq \frac{4}{v}\left(\frac{1}{v}|f|_{0}^{2}+\mu \rho^{2}\right)$

Also, consider $v_{1}, v_{2} \in B_{X}(\rho)$ and let $w_{1}$ and $w_{2}$ be solutions to (4.10) corresponding to inputs $v_{1}$ and $v_{2}$ respectively. Denote $\tilde{w}=w_{1}-w_{2}$ and $\tilde{v}=v_{1}-v_{2}$. Then
(3) $|\tilde{w}(t)|_{0}^{2} \leq 4\|\tilde{v}\|_{X}^{2}$
(4) $\int_{s}^{s+1}\|\tilde{w}(t)\|_{0}^{2} d t \leq \frac{4 \mu}{v}\|\tilde{v}\|_{X}^{2}$

Proof The proof existence of global solution satisfying (4.16) is obtained by showing that the solution, $w_{n}$ to the Galerkin system (4.11) with $w(-N)=0$ satisfies (1) and (2) on the time interval $[-N, \infty$ )(the proof for which follows exactly that of Theorem 2.4) and extracting a subsequence via the diagonal process and then passing to the limit. We proceed as in Theorem 2.4. We will first look at equation (4.11) on the time interval $[-N, \infty]$ with the initial condition $w_{n}(-N)=0$.
Taking the inner product of (4.11) with $A_{0} w_{n}$, we obtain

$$
\begin{align*}
& \frac{1}{2} \frac{d}{d t}\left\|w_{n}\right\|_{0}^{2}+v\left|A_{0} w_{n}\right|_{0}^{2} \\
& \quad=-\left(B_{0}\left(w_{n}, w_{n}\right), A_{0}\left(w_{n}\right)\right)_{0}+\mu\left(w_{n}-I_{h}\left(w_{n}\right), A_{0}\left(w_{n}\right)\right)_{0}  \tag{4.17}\\
& \quad-\mu\left\|w_{n}\right\|_{0}^{2}+\mu\left(P_{n}(v), A_{0}\left(w_{n}\right)\right)_{0}+\left(f, A_{0}\left(w_{n}\right)\right)
\end{align*}
$$

Applying (2.1) and Cauchy-Schwarz, we obtain

$$
\begin{aligned}
\mu\left(P_{n}(v), A_{0}\left(w_{n}\right)\right)_{0} & \leq \mu\left\|P_{n}(v)\right\|_{0}^{2}+\frac{\mu}{4}\left\|w_{n}\right\|_{0}^{2} \\
\left|\left(f, A_{0} w_{n}\right)_{0}\right| & \leq \frac{1}{v}|f|_{0}^{2}+\frac{v}{4}\left|A_{0} w_{n}\right|^{2} .
\end{aligned}
$$

Bounding the remaining terms as in Theorem 2.4 and combining estimates, we obtain

$$
\begin{equation*}
\frac{d}{d t}\left\|w_{n}\right\|_{0}^{2}+\left(\mu-\frac{c}{v^{3}}\left\|w_{n}\right\|_{0}^{4}\right)\left\|w_{n}\right\|_{0}^{2}+\frac{v}{2}\left|A_{0} w_{n}\right|_{0}^{2} \leq \frac{2}{v}|f|_{0}^{2}+2 \mu\left\|P_{n}(v)\right\|_{0}^{2} \tag{4.18}
\end{equation*}
$$

Let $\left[-N, T_{1}\right]$ be the maximal interval on which $\left\|w_{n}(t)\right\| \leq M_{h}$ for $t \in\left[-N, T_{1}\right]$, where $M_{h}$ as in (4.15). Note that $T_{1}>-N$ exists because we have $w_{n}(-N)=0$. Assume that $T_{1}<\infty$. Then by continuity, we must have $\left\|w_{n}\left(T_{1}\right)\right\|=M_{h}$. Applying (2.7),(2.30), the first inequality in (2.53) and dropping all terms except the first and the last term on the LHS of (4.18), we obtain

$$
\begin{equation*}
\frac{d}{d t}\left\|w_{n}\right\|_{0}^{2}+\frac{\mu}{2}\left\|w_{n}\right\|_{0}^{2} \leq \frac{2}{v}|f|_{0}^{2}+2 \mu \sup _{t \in \mathbb{R}}\left\|P_{n}(v)\right\|_{0}^{2} \tag{4.19}
\end{equation*}
$$

Applying Gronwall, we obtain, for all $t \in\left[-N, T_{1}\right]$,

$$
\begin{aligned}
\left\|w_{n}\right\|_{0}^{2} \leq 4\left(\frac{|f|^{2}}{v^{2} \lambda_{1}}+\|(v)\|_{X}^{2}\right)\left(1-e^{-\frac{\mu}{8}(n+t)}\right) & \leq 4\left(\frac{|f|^{2}}{v^{2} \lambda_{1}}+\rho^{2}\right) \\
& \leq \frac{1}{2} M_{h}^{2}
\end{aligned}
$$

This contradicts the fact that $\left\|w_{n}\left(T_{1}\right)\right\|=M_{h}$. Therefore $\left\|w_{n}(t)\right\| \leq M_{h}$ for all $t \in[-n, \infty)$. Dropping all terms except the last term on the LHS of (4.18) and integrating both sides over the interval $[t, t+1]$, it follows that

$$
\begin{equation*}
\int_{t}^{t+1}\left|A_{0} w_{n}\right|_{0}^{2} \leq \frac{4}{v}\left(\frac{1}{v}|f|_{0}^{2}+\mu \rho^{2}\right) \tag{4.20}
\end{equation*}
$$

Therefore, we have a sequence of solutions $w_{n}$ that satisfy (1) and (2) on the interval $[-N, \infty)$. One can now extract a convergent subsequence via the diagonal process and pass through the limit to show that the limit $w$ is a solution to (4.10) and satisfies (4.16), (1) and (2).

We now proceed to prove (3) and (4). Let $w_{1, n}$ and $w_{2, n}$ satisfy (4.11) with $v=v_{1}$ and $v=v_{2}$ respectively. Then $\tilde{w}_{n}=w_{1, n}-w_{2, n}$ and $\tilde{v}_{n}=P_{n}(\tilde{v})$ satisfy

$$
\begin{align*}
& \frac{d \tilde{w}_{n}}{d t}+\nu A_{0}\left(\tilde{w}_{n}\right)+B_{0}\left(\tilde{w}_{n}, w_{1, n}\right)+B_{0}\left(w_{2, n}, \tilde{w}_{n}\right)  \tag{4.21}\\
& \quad=\mu P_{n}\left(\tilde{v}-I_{h}(\tilde{w})\right)=\mu \tilde{v}_{n}+\mu\left(\tilde{w}_{n}-I_{h}\left(\tilde{w}_{n}\right)\right)-\mu \tilde{w}_{n}
\end{align*}
$$

Taking the inner product of (4.21) with $\tilde{w}$, we obtain

$$
\begin{align*}
& \frac{1}{2} \frac{d}{d t}\left|\tilde{w}_{n}\right|_{0}^{2}+v\left\|\tilde{w}_{n}\right\|_{0}^{2}+\mu\left|\tilde{w}_{n}\right|_{0}^{2}  \tag{4.22}\\
& \quad \leq\left|\left(B_{0}\left(\tilde{w}_{n}, w_{1, n}\right), \bar{w}_{n} \mid\right)\right|_{0}+\left|\mu\left(\tilde{w}_{n}-I_{h}\left(\tilde{w}_{n}\right)\right)\right|_{0}\left|\bar{w}_{n}\right|_{0}+\mu\left|\tilde{v}_{n}\right|_{0}\left|\bar{w}_{n}\right|_{0}
\end{align*}
$$

We bound each term on the RHS.
First, applying (2.5), Cauchy-Schwartz and Young's inequality, we obtain

$$
\begin{align*}
\left|\left(B_{0}\left(\tilde{w}_{n}, w_{1, n}\right), \tilde{w}_{n} \mid\right)\right|_{0} & \leq c\left|\tilde{w}_{n}\right|_{0}^{1 / 2}\left\|\tilde{w}_{n}\right\|_{0}^{3 / 2}\left\|w_{1, n}\right\|_{0} \\
& \leq \frac{c}{v^{3}}\left\|w_{1, n}\right\|_{0}^{4}\left|\tilde{w}_{n}\right|_{0}^{2}+\frac{v}{2}\left\|\tilde{w}_{n}\right\|_{0}^{2} . \tag{4.23}
\end{align*}
$$

Applying (2.11), Cauchy-Schwartz, Young's inequality and (4.15) as in Theorem 2.2 to bound the remaining terms, we obtain

$$
\begin{equation*}
\frac{d}{d t}\left|\tilde{w}_{n}\right|_{0}^{2}+\frac{v}{2}\left\|\tilde{w}_{n}\right\|_{0}^{2}+\left(\left.\mu-\frac{c}{v^{3}}\left\|w_{1, n}\right\|_{0}^{4} \right\rvert\,\right)\left|\tilde{w}_{n}\right|_{0}^{2} \leq 2 \mu\left|\tilde{v}_{n}\right|_{0} . \tag{4.24}
\end{equation*}
$$

From proof of (1), we know that $\left\|w_{1, n}(t)\right\|_{0} \leq M_{h} \forall t \in \mathbb{R}$. Hence, applying (4.15) and integrating on the interval $[\sigma, t]$, we obtain

$$
\begin{equation*}
\left|\tilde{w}_{n}(t)\right|_{0}^{2} \leq\left|\tilde{w}_{n}(\sigma)\right|^{2} e^{\frac{\mu}{2}(\sigma-t)}+4\left\|\tilde{v}_{n}\right\|_{X}^{2}\left(1-e^{\frac{\mu}{2}(\sigma-t)}\right) . \tag{4.25}
\end{equation*}
$$

Letting $\sigma \rightarrow-\infty$, we obtain

$$
\begin{equation*}
\left|\tilde{w}_{n}(t)\right|_{0}^{2} \leq 4\left\|\tilde{v}_{n}\right\|_{X}^{2} \tag{4.26}
\end{equation*}
$$

Keeping only the second term on the LHS of (4.24) and integrating on the interval $[s, s+$ 1], we obtain

$$
\begin{equation*}
\int_{s}^{s+1}\left\|\tilde{w}_{n}(t)\right\|_{0}^{2} d t \leq \frac{4 \mu}{v}\left\|\tilde{v}_{n}\right\|_{X}^{2} \tag{4.27}
\end{equation*}
$$

Taking the limit $n \rightarrow \infty$ in (4.26) and (4.27), we obtain (3) and (4).
Definition 7 Consider $\rho>0, \mu>0$ and $h>0$ satisfying the hypothesis of Theorem 4.3. Then, the determining map $W: B_{X}(\rho) \rightarrow Y$ is given by $W(v)=w$.

Remark 4.3 Observe that $Y \subset Z$. Hence, from (3) and (4) in Theorem 4.3, we may conclude that $W: B_{X}(\rho) \rightarrow Z$ is Lipschitz continuous. Lipschitz continuity in turn implies uniqueness of solutions.

Corollary 4.4 The determining map $W$ defined in Definition 7, in addition to being Lipschitz continuous has the following properties
(1) Let $v_{1}, v_{2} \in B_{X}(\rho)$, Then, $W\left(v_{1}\right)=W\left(v_{2}\right)$ iff $P_{\sigma}\left(v_{1}-v_{2}\right)=P_{\sigma}(\bar{v})=0$.
(2) For every $\sigma \in \mathbb{R}$,

$$
\begin{equation*}
W \circ \tau_{\sigma}(v)=\tau_{\sigma} \circ W(v) \tag{4.28}
\end{equation*}
$$

Proof To prove (4.4), we note that $\bar{w}=w_{1}-w_{2}=0$, where $w_{1}=W\left(v_{1}\right)$ and $w_{2}=W\left(v_{2}\right)$. Since $w_{1}$ and $w_{2}$ are regular, the term $\bar{w}$ is differentiable a.e on $\mathbb{R}$. From (4.10), we may write

$$
\begin{equation*}
\frac{\partial \bar{w}}{\partial t}+\nu A_{0}(\bar{w})+B_{0}\left(\bar{w}, w_{1}\right)+B_{0}\left(w_{2}, \bar{w}\right)=\mu P_{\sigma}\left(\bar{v}-I_{h}(\bar{w})\right) \tag{4.29}
\end{equation*}
$$

Letting $\bar{w}=0$, we obtain $P_{\sigma}(\bar{v})=0$. If $P_{\sigma}(\bar{v})=0$, We obtain $W\left(v_{1}\right)=W\left(v_{2}\right)$ from the Lipschitz continuity of $W$.
To show (4.4), we observe that $\tau_{\sigma} \circ W(v)$ is a solution of (4.10) corresponding to $\tau_{\sigma}(v)$. From the Lipschitz property of the map $W$, we have uniqueness of solution. Hence

$$
W \circ \tau_{\sigma}(v)=\tau_{\sigma} \circ W(v)
$$

## 5 An Observable Regularity Criterion on the Weak Attractor

In this section we establishes that the Leray-Hopf weak solution $u$ to (4.2) on weak attractor is in fact a strong solution. We restrict our attention to the 3D NSE only for simplicity. Similar result can be established using the same method for the 3D Boussinesq system as well.

The regularity criterion for the 3D NSE on the weak attractor is as follows:
Theorem 5.1 Let u be a Leray-Hopf weak solution of (4.2) on the weak attractor. Let $h_{0}>0$ be defined as

$$
h_{0}^{-2}=\max \left\{\frac{1}{c \lambda_{1}}, \frac{c|f|^{4}}{v^{8} \lambda_{1}^{2}}\right\} \quad(f \text { is the body force })
$$

Assume there exists $0<h \leq h_{0}$ for which

$$
h^{2} M_{h, u}^{4} \leq \frac{v^{4}}{c} .
$$

Then $u(t)$ is regular for all $t \in \mathbb{R}$.
We will use the following three lemmas to prove Proposition 5.5, which will help us obtain our regularity criterion stated above. The first lemma is obtained by repeating the arguments of Lemma 2.8.

Lemma 5.2 Let $u$ be the general Leray-Hopf weak solution of (4.1) and $w$ be the strong solution to (4.10) as given in [11]. Let $\tilde{w}=w-u$. Then,

$$
\begin{align*}
|\tilde{w}(t)|_{0}^{2}+2 v \int_{0}^{t}\|\tilde{w}(s)\|_{0}^{2} d s & \leq|\tilde{w}(0)|_{0}^{2}+2 \int_{0}^{t} b(\tilde{w}(s), \tilde{w}(s), w(s)) d s \\
& -2 \mu \int_{0}^{t}\left(I_{h}(\tilde{w}(s), \tilde{w}(s))\right)_{0} d s \tag{5.1}
\end{align*}
$$

Bounding each term in (5.1) as in Theorem 4.3 and applying Lemma 6.6, we obtain the second lemma.

Lemma 5.3 Let u be a general Leray-Hopf weak solution of (4.1) and $w$ be a strong solution to (4.10) as given in [11]. Also, let $\tilde{w}=w-u$. Then,

$$
\begin{equation*}
|\tilde{w}(t)|_{0}^{2} \leq 4 M^{2} e^{-\mu\left(t-\frac{1}{\mu}\right)} \tag{5.2}
\end{equation*}
$$

where

$$
\begin{equation*}
M=\max \left\{\sup _{0 \leq t \leq \frac{1}{\mu}}|w(t)|_{0}, \sup _{0 \leq t \leq \frac{1}{\mu}}|u(t)|_{0}\right\} . \tag{5.3}
\end{equation*}
$$

Lemma 5.4 Let u be a Leray-Hopf weak solution of (4.1) on the weak attractor and $w$ be the strong solution of (4.10) as given in the Theorem 4.3. Let $\tilde{w}=w-u$ and $\tilde{w}_{\tau}(t)=\tilde{w}(t-\tau-1 / \mu)$. Then

$$
\begin{equation*}
\left|\tilde{w}_{\tau}(t)\right|_{0}^{2} \leq 4 M^{2} e^{-\mu\left(t-\frac{1}{\mu}\right)} \tag{5.4}
\end{equation*}
$$

where $M$ is as in (5.3).
Proof Dropping the middle term on the LHS of (??), we obtain

$$
\begin{equation*}
|\tilde{w}(t)|_{0}^{2}+\mu \int_{0}^{t}|\tilde{w}(s)|_{0}^{2} d s \leq|\tilde{w}(0)|_{0}^{2} \tag{5.5}
\end{equation*}
$$

Changing the interval of integration from $[0, t]$ to $[t-\tau-2 / \mu, t-\tau-1 / \mu]$, we obtain

$$
\begin{equation*}
|\tilde{w}(t-\tau-1 / \mu)|_{0}^{2}+\mu \int_{t-\tau-2 / \mu}^{t-\tau-1 / \mu}|\tilde{w}(s)|_{0}^{2} d s \leq|\tilde{w}(t-\tau-2 / \mu)|_{0}^{2} \tag{5.6}
\end{equation*}
$$

Applying the definition of $\tilde{w}_{\tau}$, (5.6) can be rewritten as

$$
\begin{equation*}
\left|\tilde{w}_{\tau}(t)\right|_{0}^{2}+\mu \int_{t-1 / \mu}^{t}\left|\tilde{w}_{\tau}(s)\right|_{0}^{2} d s \leq\left|\tilde{w}_{\tau}(t-1 / \mu)\right|_{0}^{2} \tag{5.7}
\end{equation*}
$$

Proceeding exactly as in Lemma 5.3, we obtain the statement of the lemma.
Proposition 5.5 Let u be a general Leray-Hopf weak solution of (4.1) and $w$ be a strong solution to (4.10) as given in Theorem 4.3. Also, let $\tilde{w}=w-u$ and $\tilde{w}_{\tau}(t)=$ $\tilde{w}(t-\tau-1 / \mu)$. Then, $|\tilde{w}(t)|_{0}=0 \forall t \in \mathbb{R}$.

Proof It is enough to show that for any $t_{0} \in \mathbb{R},\left|\tilde{w}\left(t_{0}\right)\right|_{0}^{2} \leq \epsilon$. Given $t_{0} \in \mathbb{R}$, let $\tau \in \mathbb{R}$ be such that

$$
\begin{equation*}
\left(4 M^{2} e^{-\mu \tau}\right) e^{-\mu\left(t_{0}\right)} \leq \epsilon \tag{5.8}
\end{equation*}
$$

where $M$ is as in (5.3). Then, from Lemma 5.4, we have

$$
\begin{equation*}
\left|\tilde{w}_{\tau}\left(t_{0}+\tau+1 / \mu\right)\right|_{0}^{2} \leq\left(4 M^{2} e^{-\mu \tau}\right) e^{-\mu\left(t_{0}\right)} . \tag{5.9}
\end{equation*}
$$

Applying (5.8) and the definition of $\tilde{w}_{\tau}$, we obtain

$$
\begin{equation*}
\left|\tilde{w}\left(t_{0}\right)\right|_{0}^{2} \leq \epsilon \tag{5.10}
\end{equation*}
$$

From the above theorem we see that on the weak attractor, $u=w$, where $u$ is a general Leray-Hopf weak solution to (4.1) and $w$ be a strong solution to (4.10). This would in turn mean that $u$ on the weak attractor can be shown to be regular whenever we can can construct such a $w$, giving us a regularity criterion summarized in Theorem 5.1.

### 5.1 Weakened Regularity Condition

In Theorem 4.3, the condition we imposed on the data to show regularity of $w$ can be weakened. In this section, we will show that the weakened condition on the data is sufficient to obtain the same regularity result as that in Theorem 4.3(1).

We define $K_{h}:=K_{h, \tau_{0}}$, for $\tau_{0}>0$ and Holder conjugates $p \geq 3$ and $q \geq 1$, as

$$
\begin{equation*}
K_{h}=\sup _{t \in[-\infty, T]}\left(\int_{t}^{t+\tau_{0}}\left\|I_{h} u\right\|^{2 p} d s\right)^{1 / 2 p} \tag{5.11}
\end{equation*}
$$

The weakened condition is obtained in terms of $K_{h}$ instead of $\rho$. The criterion is as follows:

Theorem 5.6 Let u be a Leray-Hopf weak solution of (4.2) on the weak attractor and $K_{h}$ be defined as in (5.11). Let $h_{0}>0$ be defined as

$$
h_{0}^{-2}=\max \left\{c \lambda_{1}, \frac{c|f|^{4}}{\nu^{5} \lambda^{2}}\right\} .
$$

Assume there exists $\tau_{0}>0$ and $0<h \leq h_{0}$ for which $K_{h}<\infty$ and

$$
h^{2} \max \left\{\frac{v}{c h_{0}^{2}},\left(\frac{C K_{h}^{4}}{q^{\frac{2}{q}}}\right)^{\frac{p}{p-2}}\right\} \leq \frac{v}{c} .
$$

Then $u(t)$ is regular for all $t \in \mathbb{R}$.
To obtain the above result, we first prove the following proposition.
Proposition 5.7 Let $\tilde{I}_{h}$ be a modified general type-I interpolant, $K_{h}$ be defined as in (5.11) and $0 \leq T \leq \infty$. Let $h_{0}>0$ be given by

$$
\begin{equation*}
h_{0}^{-2}=\max \left\{c \lambda_{1}, \frac{c|f|^{4}}{v^{8} \lambda^{2}}\right\} \tag{5.12}
\end{equation*}
$$

Assume there exists $\tau_{0}>0$ and $0<h \leq h_{0}$ such that $K_{h}<\infty$ and

$$
\begin{equation*}
h^{2}\left(\frac{C K_{h}^{4}}{q^{\frac{1}{q}}}\right)^{\frac{p}{p-2}} \leq \frac{v}{c} . \text { or equivalently }\left(\frac{C K_{h}^{4}}{q^{\frac{1}{q}}}\right)^{\frac{p}{p-2}} \leq \frac{v}{c h^{2}} . \tag{5.13}
\end{equation*}
$$

Let $\mu$ be chosen such that

$$
\begin{equation*}
\max \left\{\frac{v}{c h_{0}^{2}},\left(\frac{C K_{h}^{4}}{q^{\frac{1}{q}}}\right)^{\frac{p}{p-2}}\right\} \leq \mu \leq \frac{v}{4 c h^{2}} . \tag{5.14}
\end{equation*}
$$

Then, the data assimilated fluid velocity is regular and satisfies

$$
\begin{equation*}
\|w\|_{0} \leq M_{h} \tag{5.15}
\end{equation*}
$$

where

$$
\begin{equation*}
M_{h}^{2}=\frac{8|f|^{2}}{\lambda_{1} v^{2}}+\frac{C K_{h}^{2} \mu^{1 / p}}{q^{1 / q}}\left(\frac{1}{1-e^{-\frac{v \lambda_{1} p}{4} \tau_{0}}}\right)^{1 / p} . \tag{5.16}
\end{equation*}
$$

Proof Taking the inner product of the 3-D NSE with $A_{0} w_{n}$, we obtain

$$
\begin{align*}
& \frac{1}{2} \frac{d}{d t}\left\|w_{n}\right\|_{0}^{2}+v\left|A_{0} w_{n}\right|_{0}^{2} \\
& =-\left(B_{0}\left(w_{n}, w_{n}\right), A_{0}\left(w_{n}\right)\right)_{0}+\mu\left(w_{n}-I_{h}\left(w_{n}\right), A_{0}\left(w_{n}\right)\right)_{0}  \tag{5.17}\\
& \quad-\mu\left\|w_{n}\right\|_{0}^{2}+\mu\left(I_{h} u, A_{0}\left(w_{n}\right)\right)_{0}+\left(f, A_{0}\left(w_{n}\right)\right)
\end{align*}
$$

Applying Cauchy-Schwartz and Young's inequality, we obtain

$$
\begin{gathered}
\mu\left(I_{h} u, A_{0}\left(w_{n}\right)\right)_{0} \leq \mu\left\|I_{h} u\right\|_{0}^{2}+\frac{\mu}{4}\left\|w_{n}\right\|_{0}^{2} . \\
\left|\left(f, A_{0} w_{n}\right)_{0}\right| \leq|f|_{0}\left|A_{0} w_{n}\right|_{0} \leq \frac{1}{v}|f|_{0}^{2}+\frac{v}{4}\left|A_{0} w_{n}\right|^{2}
\end{gathered}
$$

Bounding the remaining terms similar to Theorem 2.4 and inserting the above estimate into (5.17), we obtain

$$
\begin{equation*}
\frac{d}{d t}\left\|w_{n}\right\|_{0}^{2}+\left(\mu-\frac{c}{v^{3}}\left\|w_{n}\right\|_{0}^{4}\right)\left\|w_{n}\right\|_{0}^{2}+\frac{v}{2}\left|A_{0} w_{n}\right|_{0}^{2} \leq \frac{2}{v}|f|_{0}^{2}+2 \mu\left\|I_{h} u\right\|_{0}^{2} \tag{5.18}
\end{equation*}
$$

Let $\left[0, T_{1}\right]$ be the maximal interval on which $\left\|w_{n}(t)\right\| \leq M_{h}$ for $t \in\left[0, T_{1}\right]$. Note that $T_{1}>0$ exists because we have $w_{n}(0)=0$. Assume that $T_{1}<T$. Then by continuity, we must have $\left\|w_{n}\left(T_{1}\right)\right\|=M_{h}$. Applying (5.14)and (5.16) to (5.18) and dropping the last term on the LHS of (5.18), we obtain

$$
\begin{equation*}
\frac{d}{d t}\left\|w_{n}\right\|_{0}^{2}+\frac{\mu}{2}\left\|w_{n}\right\|_{0}^{2} \leq \frac{2}{v}|f|_{0}^{2}+2 \mu\left\|P_{n}(v)\right\|_{0}^{2} \tag{5.19}
\end{equation*}
$$

Applying Gronwall's and Holder's inequalities, for any $t \in\left[0, T_{1}\right]$ we obtain

$$
\begin{align*}
\left\|w_{n}(t)\right\|^{2} & \leq \frac{4|f|^{2}}{\mu \nu}+2 \mu \int_{0}^{t} e^{-\frac{\mu}{2}(t-s)}\left\|I_{h} u\right\|^{2} d s \\
& \leq \frac{4|f|^{2}}{\mu \nu}+2 \mu\left(\int_{0}^{t} e^{-\frac{\mu q}{4}(t-s)} d s\right)^{1 / q}\left(\int_{0}^{t} e^{-\frac{\mu p}{4}(t-s)}\left\|I_{h} u\right\|^{2 p} d s\right)^{1 / p} \\
& \leq \frac{4|f|^{2}}{\mu \nu}+\frac{C \mu^{1 / p}}{q^{1 / q}}\left(\int_{0}^{t} e^{-\frac{\mu p}{4}(t-s)}\left\|I_{h} u\right\|^{2 p} d s\right)^{1 / p} \tag{5.20}
\end{align*}
$$

Where $1 \leq p, q \leq \infty$ are Holder conjugates. We now try to bound the second term on the RHS of the above inequality.
Case 1: $t \geq \tau_{0}$.
Let $k=\left\lfloor\frac{t}{\tau_{0}}\right\rfloor$ be the largest integer such that $k \tau_{0} \leq t$. Therefore,

$$
\begin{equation*}
t=k \tau_{0}+\epsilon, \text { where } 0 \leq \epsilon \leq \tau_{0} \tag{5.21}
\end{equation*}
$$

Let $\alpha=\frac{p \mu}{4}$. Then, from (5.11) and (5.21), we may write

$$
\begin{align*}
\int_{0}^{t} e^{-\frac{\mu p}{4}(t-s)}\left\|I_{h} u\right\|^{2 p} d s \leq & \sum_{j=1}^{k} \int_{(j-1) \tau_{0}}^{j \tau_{0}} e^{-\alpha(t-s)}\left\|I_{h}(u)\right\|^{2 p} d s \\
& +\int_{n \tau_{0}}^{t} e^{-\alpha(t-s)}\left\|I_{h}(u)\right\|^{2 p} d s \\
\leq & e^{-\alpha \epsilon} \sum_{j=1}^{k} e^{-\alpha(n-j) \tau} \int_{(j-1) \tau_{0}}^{j \tau_{0}}\left\|I_{h}(u)\right\|^{2 p} d s  \tag{5.22}\\
& +\int_{n \tau_{0}}^{n \tau_{0}+\epsilon}\left\|I_{h}(u)\right\|^{2 p} d s \\
\leq & e^{-\alpha \epsilon} K_{h}^{2 p} \sum_{m=0}^{k-1} e^{m \alpha \tau_{0}}+K_{h}^{2 p} \leq \frac{2 K_{h}^{2 p}}{1-e^{\alpha \tau_{0}}} .
\end{align*}
$$

Case 2: $t \leq \tau_{0}$.
From(5.11), we see that

$$
\begin{equation*}
\int_{0}^{t} e^{-\alpha(t-s)}\left\|I_{h} u\right\|^{2} d s \leq \int_{0}^{t}\left\|I_{h} u\right\|^{2} d s \leq \int_{0}^{\tau_{0}}\left\|I_{h} u\right\|^{2} d s \leq K_{h}^{2 p} \leq \frac{2 K_{h}^{2 p}}{1-e^{\alpha \tau_{0}}} \tag{5.23}
\end{equation*}
$$

Applying (5.22), (5.23) and (5.16) to (5.20), we obtain that for any $t \in\left[0, T_{1}\right]$

$$
\begin{align*}
\left\|w_{n}(t)\right\|^{2} \leq & \frac{4|f|^{2}}{\mu \nu}+\frac{C K_{h}^{2} \mu^{1 / p}}{q^{1 / q}}\left(\frac{2}{1-e^{-\frac{\mu p}{4} \tau_{0}}}\right)^{1 / p} \leq \frac{4|f|^{2}}{\lambda_{1} \nu^{2}} \\
& +\frac{C K_{h}^{2} \mu^{1 / p}}{q^{1 / q}}\left(\frac{2}{1-e^{-\frac{\nu \lambda_{1} p}{4} \tau_{0}}}\right)^{1 / p} \leq \frac{1}{2} M_{h}^{2} . \tag{5.24}
\end{align*}
$$

This contradicts the fact that $\left\|w_{n}\left(T_{1}\right)\right\|=M_{h}$. Therefore $T_{1} \geq T$ and consequently, $\left\|w_{n}(t)\right\| \leq M_{h}$ for all $t \in[0, T]$. Passing to the limit as $n \rightarrow \infty$, we obtain the desired conclusion for $w$.

Similar to Theorem 5.1, using Lemma 5.2 - Lemma 5.4, we obtain the regularity criterion given in Theorem 5.6

Remark 5.1 Note that in Theorem 5.6, the definition of $M_{h}$ is given by (5.16), which is not the same as (2.48). Also, the regularity criterion given by Theorem 5.6 is in the spirit of the criterion given by Corollary 5.2 in [31]. However, our condition solely depends on the observed data.

## 6 Appendix

We now present the proofs of a few novel results that have been used to prove theorems in this paper. Although some of the ideas of the proofs are borrowed from [6], to the best of our knowledge, these estimates concerning the interpolant operators are new and may have independent interest.

Recall that for volume interpolation, we divided our domain into smaller sub domains(cuboids $Q_{\alpha}$ ) of diameter $h$ and indexed by the set $\mathcal{J}$. Let us define the set $\mathcal{E} \subset \mathcal{J}$ as

$$
\begin{equation*}
\mathcal{E}=\left\{\alpha=\left(\alpha_{1}, \alpha_{2}, \alpha_{3}\right) \in \mathcal{J}: \alpha_{3}=1 \text { or } \alpha_{3}=\sqrt[3]{N}\right\} \tag{6.1}
\end{equation*}
$$

$\mathcal{E}$ represents the collection of sub domains touching the top and bottom boundaries ( $x_{3}=0$ and $x_{3}=1$ ). For sub domains $Q_{\alpha}$ with $\alpha \in \mathcal{E}$, we introduce a modification $Q_{\epsilon, \alpha}$ for $0<\epsilon<h$, given by

$$
Q_{\epsilon, \alpha}= \begin{cases}\left(\left(\alpha_{1}-1\right) * h_{L}, \alpha_{1} * h_{L}\right) \times\left(\left(\alpha_{2}-1\right) * h_{L}, \alpha_{2} * h_{L}\right) \times\left(\epsilon, h_{1}\right) & , \text { for } \alpha_{3}=1  \tag{6.2}\\ \left(\left(\alpha_{1}-1\right) * h_{L}, \alpha_{1} * h_{L}\right) \times\left(\left(\alpha_{2}-1\right) * h_{L}, \alpha_{2} * h_{L}\right) \times\left(1-h_{1}, 1-\epsilon\right) & , \text { for } \alpha_{3}=\sqrt[3]{N},\end{cases}
$$

where $h_{x}=x / \sqrt[3]{N}$. We now define the $\tilde{I}_{h}$ as

$$
\begin{equation*}
\tilde{I}_{h}(v)(x)=\sum_{\alpha \in \mathcal{J}} \bar{v}_{\alpha} \phi_{\alpha}(x), \quad v \in H^{1}(\Omega) \tag{6.3}
\end{equation*}
$$

where

$$
\begin{align*}
& \phi_{\alpha}=\rho_{\epsilon} * \psi_{Q_{\alpha},}, \rho_{\epsilon}(x)=\epsilon^{-3} \rho(x / \epsilon), \bar{v}_{\alpha}=\frac{1}{\left|Q_{\alpha}\right|} \int_{Q_{\alpha}} v(x) d x .  \tag{6.4}\\
& \psi_{Q_{\alpha}}(x)= \begin{cases}\chi_{Q_{\alpha}} & , \text { for } \alpha \notin \mathcal{E} \\
\chi_{Q_{\epsilon, \alpha}} & , \text { for } \alpha \in \mathcal{E}\end{cases}  \tag{6.5}\\
& \rho(x)= \begin{cases}K_{0} \exp \left(\frac{-1}{1-x^{2}}\right) & , \text { for }|x|<1 \\
0 & , \text { otherwise }\end{cases} \tag{6.6}
\end{align*}
$$

and

$$
\left(K_{0}\right)^{-1}=\int_{|x|<1} \exp \left(\frac{-1}{1-x^{2}}\right) d x
$$

We set $\epsilon=h / 10$.
Remark 6.1 $\left\|\tilde{I}_{h}\right\|_{0}$ is well defined since the characteristic function of each sub domain has been mollified. The characteristic function of sub domains touching the top and bottom boundaries have been modified $\left(Q_{\epsilon, \alpha}\right)$ so that it's support is an " $\epsilon$ distance" away from the top and the bottom boundaries. This is done so that after mollification, the modified characteristic function respects the Dirichlet boundary condition at $x_{3}=$ 0,1 .

Lemma 6.1 Let $\phi_{\alpha}$ and $\rho$ be defined as in (6.4) and (6.6) respectively. Then, for $i=1$, 2 and 3

$$
\left|\partial_{x_{i}} \phi_{\alpha}\right|^{2} \leq C h\left\|\partial_{x_{i}} \rho\right\|_{L^{\infty}(\Omega)}^{2}
$$

Proof Recall that $\phi_{\alpha}=\rho_{\epsilon} * \psi_{Q_{\alpha}}$. Applying Young's inequality for convolutions, we obtain

$$
\begin{align*}
\left|\partial_{x_{i}}\left(\rho_{\epsilon} * \psi_{Q_{\alpha}}\right)\right|^{2} & =\left|\left(\partial_{x_{i}} \rho_{\epsilon}\right) * \psi_{Q_{\alpha}}\right|^{2} \\
& \leq\left\|\partial_{x_{i}} \rho_{\epsilon}\right\|_{L^{1}(\Omega)}^{2}\left|\psi_{Q_{\alpha}}\right|^{2} \tag{6.7}
\end{align*}
$$

Now, we look at each term on the RHS of (6.7). Differentiating the second Eq. in (6.4) with $x_{i}$ and using the fact that $\epsilon=h / 10$, we obtain

$$
\begin{align*}
\left\|\partial_{x_{i}} \rho_{\epsilon}\right\|_{L^{1}(\Omega)}^{2} & =\left(\int_{|x| \leq \epsilon}\left|\epsilon^{-4} \partial_{x_{i}} \rho(x / \epsilon)\right| d x\right)^{2} \leq C \epsilon^{-2}\left\|\partial_{x_{i}} \rho\right\|_{L^{\infty}(\Omega)}^{2}  \tag{6.8}\\
& \leq C h^{-2}\left\|\partial_{x_{i}} \rho\right\|_{L^{\infty}(\Omega)}^{2} .
\end{align*}
$$

From the definition of $\chi_{Q_{\alpha}}$, we readily obtain

$$
\begin{equation*}
\left|\psi_{Q_{\alpha}}\right|^{2} \leq \int_{Q_{\alpha}} 1^{2} d x=\frac{|\Omega|}{N} \leq h^{3} \tag{6.9}
\end{equation*}
$$

Combining (6.7), (6.8) and (6.9) and noting that $|\Omega| / N \leq h^{3}$, we obtain

$$
\begin{equation*}
\left|\partial_{x_{i}} \phi_{\alpha}\right|^{2} \leq \frac{C|\Omega| h^{-2}}{N}\left\|\partial_{x_{i}} \rho\right\|_{L^{\infty}(\Omega)}^{2} \leq C h\left\|\partial_{x_{i}} \rho\right\|_{L^{\infty}(\Omega)}^{2} \tag{6.10}
\end{equation*}
$$

We now prove the following theorem. The proof technique was borrowed from [6], where it was used to prove a similar statement for the two dimensional case.

Theorem 6.2 Let $\mathcal{K}=\{-1,0,1\}^{3}$ and $\tilde{I}_{h}$ be as in (6.3) and $K_{\rho}=$

$$
\begin{align*}
& \left(\sum_{i=1}^{3}\left\|\partial_{x_{i}} \rho\right\|_{L^{\infty}(\Omega)}^{2}\right)^{1 / 2} \text {. Then, } \\
& \left|\tilde{I}_{h}(v)\right|_{H^{1}(\Omega)}^{2} \leq \operatorname{Ch} K_{\rho}^{2} \sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha}\right|^{2} \forall v \in H^{1}(\Omega) . \tag{6.11}
\end{align*}
$$

Proof We set $\epsilon=h / 10$. Hence, it follows immediately that $\left|\phi_{\alpha} \phi_{\beta}\right|=0$ for $\alpha-$ $\beta \notin \mathcal{K}$, where $\mathcal{K}=\{-1,0,1\}^{3}$. Differentiating (6.3) and applying Cauchy-Schwarz inequality, we obtain

$$
\begin{align*}
\left|\partial_{x_{i}} \tilde{I}_{h}(v)\right|^{2} & \leq \int_{\Omega} \sum_{\gamma \in \mathcal{K}} \sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha} \partial_{x_{i}} \phi_{\alpha}(x)\right|\left|\bar{v}_{\alpha+\gamma} \partial_{x_{i}} \phi_{\alpha+\gamma}(x)\right| d x \\
& \leq \int_{\Omega} \sum_{\gamma \in \mathcal{K}}\left(\sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha}\right|^{2}\left|\partial_{x_{i}} \phi_{\alpha}(x)\right|^{2}\right)^{1 / 2}\left(\sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha+\gamma}\right|^{2}\left|\partial_{x_{i}} \phi_{\alpha+\gamma}(x)\right|^{2}\right)^{1 / 2} d x \\
& \leq \int_{\Omega} \sum_{\gamma \in \mathcal{K}} \sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha}\right|^{2}\left|\partial_{x_{i}} \phi_{\alpha}(x)\right|^{2} d x \leq 27 \int_{\Omega} \sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha}\right|^{2}\left|\partial_{x_{i}} \phi_{\alpha}(x)\right|^{2} d x \\
& \leq 27 \sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha}\right|^{2}\left|\partial_{x_{i}} \phi_{\alpha}\right|^{2} \tag{6.12}
\end{align*}
$$

Applying (6.10) to (6.12), we may write

$$
\begin{equation*}
\left|\partial_{x_{i}} \tilde{I}_{h}(v)\right|^{2} \leq \frac{C|\Omega| h^{-2}}{N}\left\|\partial_{x_{i}} \rho\right\|_{L^{\infty}(\Omega)}^{2} \sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha}\right|^{2} \leq C h\left\|\partial_{x_{i}} \rho\right\|_{L^{\infty}(\Omega)}^{2} \sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha}\right|^{2} \tag{6.13}
\end{equation*}
$$

Now, summing over $i$, we obtain

$$
\begin{equation*}
\left|\tilde{I}_{h}(v)\right|_{H^{1}(\Omega)}^{2} \leq \frac{C|\Omega| h^{-2}}{N} K_{\rho}^{2} \sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha}\right|^{2} \leq \operatorname{Ch} K_{\rho}^{2} \sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha}\right|^{2} \forall v \in H^{1}(\Omega) . \tag{6.14}
\end{equation*}
$$

Corollary 6.3 Let $\tilde{I}_{h}$ be as in (6.3) and $K_{\rho}=\left(\sum_{i=1}^{3}\left\|\partial_{x_{i}} \rho\right\|_{L^{\infty}(\Omega)}^{2}\right)^{1 / 2}$. Then

$$
\begin{equation*}
\left\|\tilde{I}_{h}(v)\right\| \leq C K_{\rho}\|v\| \forall v \in H^{1}(\Omega) \text { and } \sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha}\right|^{2} \leq \frac{C N^{1 / 3}}{|\Omega|^{1 / 3}}\|v\|^{2} . \tag{6.15}
\end{equation*}
$$

Proof We first look at the term $\sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha}\right|^{2}$ in (6.13). Using the definition of $\bar{v}_{\alpha}$ given in (2.14), Holder's inequality and Gagliardo-Nirenberg-Sobolev inequality, we obtain

$$
\begin{align*}
\sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha}\right|^{2} & \leq \sum_{\alpha \in \mathcal{J}}\left(\left|\frac{1}{\left|Q_{\alpha}\right|} \int_{Q_{\alpha}} v(x) d x\right|\right)^{2} \leq \frac{N^{2}}{|\Omega|^{2}} \sum_{\alpha \in \mathcal{J}}\|v\|_{L^{1}\left(Q_{\alpha}\right)}^{2} \\
& \leq \frac{N^{2}}{|\Omega|^{2}} \sum_{\alpha \in \mathcal{J}}\left|Q_{\alpha}\right|^{5 / 3}\|v\|_{L^{6}\left(Q_{\alpha}\right)}^{2} \\
& \leq \frac{C N^{1 / 3}}{|\Omega|^{1 / 3}} \sum_{\alpha \in \mathcal{J}}\|v\|_{H^{1}\left(Q_{\alpha}\right)}^{2} \leq \frac{C N^{1 / 3}}{|\Omega|^{1 / 3}} \sum_{\alpha \in \mathcal{J}} \sum_{i=1}^{3}\left\|\left(\partial_{x_{i}} v\right) \chi_{Q_{\alpha}}\right\|_{L^{2}(\Omega)}^{2}  \tag{6.16}\\
& \leq \frac{C N^{1 / 3}}{|\Omega|^{1 / 3}} \sum_{i=1}^{3}\left(\sum_{\alpha \in \mathcal{J}}\left(\partial_{x_{i}} v\right) \chi_{Q_{\alpha}}, \sum_{\alpha \in \mathcal{J}}\left(\partial_{x_{i}} v\right) \chi_{Q_{\alpha}}\right)
\end{align*}
$$

Next, using the fact that for $\alpha, \beta \in \mathcal{J}$,

$$
\chi_{Q_{\alpha}} \chi_{Q_{\beta}}= \begin{cases}0 & \text { if } \alpha \neq \beta  \tag{6.17}\\ \chi_{Q_{\alpha}} & \text { if } \alpha=\beta\end{cases}
$$

we can simplify the expression on the RHS of (6.16) to obtain

$$
\begin{equation*}
\sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha}\right|^{2} \leq \frac{C N^{1 / 3}}{|\Omega|^{1 / 3}} \sum_{i=1}^{3}\left\|\partial_{x_{i}} v\right\|_{L^{2}(\Omega)}^{2} \leq \frac{C N^{1 / 3}}{|\Omega|^{1 / 3}}\|v\|^{2} \tag{6.18}
\end{equation*}
$$

Applying (6.18) to the the first inequality in (6.14) and summing over $i$, we obtain

$$
\begin{equation*}
\left\|\tilde{I}_{h}(v)\right\| \leq C K_{\rho}\|v\| \forall v \in H^{1}(\Omega) . \tag{6.19}
\end{equation*}
$$

Next, we briefly try to see why $\tilde{I}_{h}$ is a type-I interpolant. We first look at a lemma, which is a modified version of a similar result in [18].

Lemma 6.4 Let $U=\left\{(p, q, r) \in \mathbb{R}^{3}:|p-a|<0.5 h,|q-b|<0.5 h,|r-c|<\right.$ $0.5 h$, for $a, b, c \in \mathbb{R}\}$ be a cube of side length $h>0$ and center $m=(a, b, c)$
and $u \in W^{1, p}(U)$. Assume $1 \leq p \leq \infty$. Then there exists a $C$, depending on only on p, such that

$$
\left\|u-(u)_{U}\right\|_{p} \leq C h\|\nabla u\|_{p},
$$

where

$$
(u)_{U}=\frac{1}{|U|} \int_{U} u(x) d x
$$

Proof From Theorem2.2, it follows that the statement is true for a cube $V$ of side length one given by $V=\left\{(p, q, r) \in \mathbb{R}^{3}:|p|<0.5,|q|<0.5,|r|<0.5\right\}$. For $y \in V$, we define $v \in W^{1, p}(V)$ by

$$
v(y)=u(h y+m) .
$$

From Theorem 2.2 we obtain

$$
\left\|v-(v)_{V}\right\|_{p} \leq C\|\nabla v\|_{p} .
$$

Changing variables, we obtain the statement of the theorem.
Theorem 6.5 Let $\tilde{I}_{h}$ be the smoothed volume interpolant as defined in (6.3). Then $\tilde{I}_{h}$ is a type-I interpolant.

Proof Recall that $\left|\phi_{\alpha} \phi_{\beta}\right|=0$ for $\alpha-\beta \notin \mathcal{K}$, where $\mathcal{K}=\{-1,0,1\}^{3}$. Repeating the arguments in (6.12) and applying Young's inequality for convolutions, we obtain

$$
\begin{equation*}
\left|\tilde{I}_{h}(v)\right|^{2} \leq 27 \sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha}\right|^{2}\left|\phi_{\alpha}\right|^{2} \leq 27 \sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha}\right|^{2}\left\|\rho_{\epsilon}\right\|_{L^{1}(\Omega)}^{2}\left|\psi_{Q_{\alpha}}\right|^{2} \tag{6.20}
\end{equation*}
$$

Observe that

$$
\begin{align*}
\left.\left\|\rho_{\epsilon}\right\|_{L^{1}(\Omega)}\right|^{2} & =\left(\int_{|x| \leq \epsilon}\left|\epsilon^{-3} \rho(x / \epsilon)\right| d x\right)^{2}  \tag{6.21}\\
& \leq C\|\rho\|_{L^{\infty}(\Omega)}^{2}
\end{align*}
$$

Applying (6.21) and the middle inequality of (6.9) to (6.20), we obtain

$$
\begin{align*}
\left|\tilde{I}_{h}(v)\right|^{2} & \leq C\|\rho\|_{L^{\infty}(\Omega)}^{2} \frac{|\Omega|}{N} \sum_{\alpha \in \mathcal{J}}\left|\bar{v}_{\alpha}\right|^{2} \leq C\|\rho\|_{L^{\infty}(\Omega)}^{2} \frac{|\Omega|}{N} \sum_{\alpha \in \mathcal{J}}\left(\left|\frac{1}{\left|Q_{\alpha}\right|} \int_{Q_{\alpha}} v(x) d x\right|\right)^{2} \\
& \leq C\|\rho\|_{L^{\infty}(\Omega)}^{2} \frac{N}{|\Omega|} \sum_{\alpha \in \mathcal{J}}\|v\|_{L^{1}\left(Q_{\alpha}\right)}^{2} \leq C\|\rho\|_{L^{\infty}(\Omega)}^{2} \sum_{\alpha \in \mathcal{J}}\|v\|_{L^{2}\left(Q_{\alpha}\right)}^{2}  \tag{6.22}\\
& \leq C\|\rho\|_{L^{\infty}(\Omega)}^{2}|v|^{2}
\end{align*}
$$

We now look at $\left|v-\tilde{I}_{h}(v)\right|$.

$$
\begin{equation*}
\left|v-\tilde{I}_{h}(v)\right|^{2} \leq\left|\sum_{\alpha \in \mathcal{J}}\left(v-\bar{v}_{\alpha}\right) \phi_{\alpha}\right|^{2} \tag{6.23}
\end{equation*}
$$

After repeating the arguments in (6.20) and (6.21), we obtain

$$
\begin{align*}
\left|v-\tilde{I}_{h}(v)\right|^{2} & \leq C\|\rho\|_{L^{\infty}(\Omega)}^{2} \sum_{\alpha \in \mathcal{J}}\left|\left(v-\bar{v}_{\alpha}\right) \phi_{\alpha}\right|^{2} \\
& \leq C\|\rho\|_{L^{\infty}(\Omega)}^{2} \frac{|\Omega|}{N} \sum_{\alpha \in \mathcal{J}}\left|\left(v-\bar{v}_{\alpha}\right)\right|^{2}\left\|\phi_{\alpha}\right\|_{L^{\infty}(\Omega)}^{2} \\
& \leq C\|\rho\|_{L^{\infty}(\Omega)}^{2} \frac{N}{|\Omega|} \sum_{\alpha \in \mathcal{J}}\left|\left(v-\bar{v}_{\alpha}\right)\right|^{2}\left\|\rho_{\epsilon}\right\|_{L^{\infty}(\Omega)}^{2}|\psi|_{L^{1}(\Omega)}^{2}  \tag{6.24}\\
& \leq C h^{-6} \frac{|\Omega|^{2}}{N^{2}}\|\rho\|_{L^{\infty}(\Omega)}^{4} \sum_{\alpha \in \mathcal{J}}\left|\left(v-\bar{v}_{\alpha}\right)\right|^{2}
\end{align*}
$$

Lastly, applying Lemma 6.4 and noting that $|\Omega| / N \leq h^{3}$, we obtain

$$
\begin{equation*}
\left|v-\tilde{I}_{h}(v)\right|^{2} \leq C h^{2}\|\rho\|_{L^{\infty}(\Omega)}^{4} \sum_{\alpha \in \mathcal{J}}\|v\|_{H^{1}\left(Q_{\alpha}\right)}^{2} \leq C h^{2}\|\rho\|_{L^{\infty}(\Omega)}^{4}\|v\|_{H^{1}(\Omega)}^{2} \tag{6.25}
\end{equation*}
$$

Therefore, from (6.22) and (6.25), we see that $\tilde{I}_{h}$ is a type-I interpolant.
We now state and prove the following lemma due to E.S Titi (via private communication).

Lemma 6.6 Let $y: \mathbb{R} \rightarrow \mathbb{R}$ be a real valued function, with $y(t) \geq 0 \forall t \in \mathbb{R}$. Let $K \geq 0$. If y satisfies, for $0 \leq s \leq t$ and a constant $\mu>0$, the inequality

$$
\begin{equation*}
y(t)+\mu \int_{s}^{t} y(\tau) d \tau \leq y(s)+K \tag{6.26}
\end{equation*}
$$

then

$$
\begin{equation*}
y(t) \leq \mu e^{-\mu\left(t-\frac{1}{\mu}\right)} \int_{0}^{\frac{1}{\mu}} y(\tau) d \tau+2 K, \quad \forall t \geq 1 / \mu \tag{6.27}
\end{equation*}
$$

Proof Let

$$
\begin{equation*}
\psi(t)=\int_{t-\frac{1}{\mu}}^{t} y(\tau) d \tau \tag{6.28}
\end{equation*}
$$

Choosing $s=(t-1 / \mu)$,we can then rewrite (6.26) as

$$
\begin{equation*}
\frac{\partial \psi(t)}{d t}+\mu \psi(t) \leq K \tag{6.29}
\end{equation*}
$$

Thus, from standard Gronwall over the interval $[\sigma, t]$ inequality, we obtain

$$
\begin{equation*}
\psi(t) \leq \psi(\sigma) e^{-\mu(t-\sigma)}+\frac{K}{\mu} . \tag{6.30}
\end{equation*}
$$

Choosing $\sigma=1 / \mu$, we obtain

$$
\begin{equation*}
\psi(t) \leq \psi(1 / \mu) e^{-\mu\left(t-\frac{1}{\mu}\right)}+\frac{K}{\mu} \tag{6.31}
\end{equation*}
$$

Now, keeping only the first term on the LHS of (6.26), integrating with respect to $s$ over the interval $\left[t-\frac{1}{\mu}, t\right]$ and applying (6.31), we see that

$$
\begin{align*}
\left(\frac{1}{\mu}\right) y(t) \leq \int_{t-\frac{1}{\mu}}^{t} y(\tau) d \tau+\frac{K}{\mu} & \leq \psi(1 / \mu) e^{-\mu\left(t-\frac{1}{\mu}\right)}+\frac{2 K}{\mu} \\
& \leq e^{-\mu\left(t-\frac{1}{\mu}\right)} \int_{0}^{\frac{1}{\mu}} y(\tau) d \tau+\frac{2 K}{\mu} . \tag{6.32}
\end{align*}
$$

Multiplying (6.32) by a factor of $\mu$, we obtain (6.27).
If, in (6.30), we choose $\sigma=t / 2$, we obtain the following Corollary
Corollary 6.7 Let $y: \mathbb{R} \rightarrow \mathbb{R}$ be a real valued function, with $y(t) \geq 0 \forall t \in \mathbb{R}$. Let $K \geq 0$. If y satisfies, for $0 \leq s \leq t$ and a constant $\mu>0$, the inequality

$$
\begin{equation*}
y(t)+\mu \int_{s}^{t} y(\tau) d \tau \leq y(s)+K \tag{6.33}
\end{equation*}
$$

then

$$
\begin{equation*}
y(t) \leq \mu e^{-\mu(t / 2)} \int_{t / 2-1 / \mu}^{t / 2} y(\tau) d \tau+2 K, \quad \forall t \geq 1 / \mu+2 K . \tag{6.34}
\end{equation*}
$$

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[^0]:    Animikh Biswas
    abiswas@umbc.edu
    Abhishek Balakrishna
    bala2@umbc.edu
    1 Department of Mathematics and Statistics,
    University of Maryland Baltimore County, Baltimore, MD 21250, USA

