EXHIBIT 1

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12   UNITED STATES DISTRICT COURT

13   NORTHERN DISTRICT OF CALIFORNIA

14   SAN JOSE DIVISION

15 | IN RE PERSONALWEB TECHNOLOGIES, LLC, ET AL., PATENT LITIGATION | **CASE NO.: 5:18-md-02834-BLF** |
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18 AMAZON.COM, INC., et al.,   **PERSONALWEB'S DISCLOSURES PURSUANT TO PATENT LOCAL RULES 3-1 AND 3-2**

19   Plaintiffs,

20 v.

21 PERSONALWEB TECHNOLOGIES, LLC, et   **Case No.: 5:18-cv-00767-BLF**
   al.,

22   Defendants.

23 PERSONALWEB TECHNOLOGIES, LLC and
24 LEVEL 3 COMMUNICATIONS, LLC,

25   Counterclaimants,

26 v.

27 AMAZON.COM, INC. and AMAZON WEB
   SERVICES, INC.,

28   Counterdefendants.

Pursuant to Patent Local Rules 3-1 and 3-2, Counterclaimant PersonalWeb Technologies, LLC ("Counterclaimant" or "PersonalWeb") hereby makes the following Disclosure of Asserted Claims and Infringement Contentions to Counterdefendants Amazon.com, Inc. and Amazon Web Services, Inc. (collectively, "the Amazon Parties" or "Defendants"). These discloses are preliminary and subject to change based upon discovery and the Court's claim construction rulings:

I.   PRELIMINARY STATEMENT

In making these contentions, Plaintiff has not yet received any discovery from Defendants regarding their infringing methods and systems and has not had access to the source code of the accused methods and systems. Plaintiff has, however researched available information, including (1) Defendants' website(s), (2) publicly available information published by Defendants' about their accused products and services, and (3) publicly available statements and information describing Defendants' accused products and services. Furthermore, PersonalWeb is serving these contentions before being allowed access to PersonalWeb's Final Infringement Contentions in *PersonalWeb v. Amazon*, Eastern District of Texas, Case No. 6:11-cv-00658 (LED), which are also non-public information. PersonalWeb therefore reserves the right to amend its Infringement Contentions under Patent L.R. 3-6(c).

Defendants engage in the allegedly infringing conduct through computer systems operating proprietary software. Defendants do not publicly disclose the precise operation of their computer systems and do not publicly disclose their source code. Because Defendants have not publicly disclosed the specific operation of their accused products and services and do not publicly disclose their source code for those products and services, PersonalWeb is inherently limited in the degree of specificity it can provide in the preliminary infringement contentions. Under these circumstances, the Northern District of Texas recognizes that the plaintiff will not be able to provide highly specified infringement contentions and should be permitted further discovery to supplement initial contentions with additional information. *SpeedTrack, Inc. v. Amazon.com, Inc.,* No. 4:09-cv-04479-JSW (KAW), 2018 U.S. Dist. LEXIS 112885, at *16 (N.D. Cal. July 6, 2018). Similarly, Patent Local Rule 3-1 "does not require [the patent owner] to produce evidence of infringement", but rather requires that the

1 patent owner merely provide the accused infringer "with notice of infringement beyond that which is

2 provided by the mere language of the patents themselves." *Network Caching Technology, LLC v.*

3 *Novell, Inc.*, 2003 U.S. Dist. LEXIS 9881, 2003 WL 21699799, *4 (N.D. Cal. 2003).

4   Accordingly, PersonalWeb reserves the right to amend its disclosures, including the identity

5 of the claims being asserted, upon receiving discovery from Defendants.

6 **II.   DISCLOSURES UNDER PATENT LOCAL 3-1**

7 **(a)   3-1(a): Asserted Claims**

8   The following claims of each patent in suit are allegedly infringed by the Amazon Parties, the

9 applicable statutory subsections of 35 U.S.C. §271 asserted.

Asserted Patent	Asserted Claims	Statutory Provision
'310	20, 69	35 U.S.C. § 271(a)
'420	25, 26, 27, 29, 32, 34, 35, 36, 166	35 U.S.C. § 271(a)
'442	10, 11	35 U.S.C. § 271(a)

18 **(b)   3-1(b): Accused Instrumentality**

19   The accused method operates in a system that includes website file host servers of Amazon

20 Web Services ("AWS") Simple Storage Service ("S3") ("S3 website file host servers") when used to

21 by Amazon and website operators to control the distribution of hosted webpage file content to other

22 computers connected to S3 website file host servers via the Internet, such as CloudFront content

23 delivery network service ("CloudFront PoP servers"), outside intermediate cache servers and

24 computers running web browsers.

25   The accused method operates in a system that includes Points of Presence of the CloudFront

26 PoP servers when used by Amazon and website operators to control the distribution of hosted webpage

27

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file content to other computers connected to AWS CloudFront PoP servers and each other via the Internet, such as outside intermediate cache servers and computers running web browsers.

The accused systems and methods include certain accused functionalities when combined in the manner specified by the asserted claims. Inclusion in the list below does not imply that the functionality is an element of any particular patent claim. These functionalities include, but are not necessarily limited to:

(a) generating content-based values for the content of webpage files uploaded to and stored as objects on S3 web hosting servers by website operators;

(b) storing such values associated with the respective uniform resource identifiers ("URIs") or uniform resource locators ("URLs") of such objects;

(c) inserting such content-based values as ETags in HTTP 200 messages;

(d) identifying such content-based values received in conditional HTTP GET request ETag headers;

(e) comparing such received content-based values with stored ETag values to determine if there is a matching value currently stored for that URI/URL;

(f) receiving and responding to HTTP GET request for a given URI of a given webpage asset file of a website operator customer stored on S3 servers by generating and serving HTTP 200 messages with the current content for that URI/URL placed into the message body and the current content-based value associated with the current content for that URI/URL placed into an ETag header of HTTP 200 message;

(g) receiving and responding to conditional HTTP GET request having an If-None-Match header containing content-based ETag values for the content of hosted webpage file objects by comparing the content-based ETag value received in the conditional GET request with the content-based ETag values stored on the server to determine whether the received value matches the latest/current ETag value stored on the server associated with that URI/URL;

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