

EXHIBIT B



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March 22, 2023

Matthew J. Moffa
PERKINS COIE LLP
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VIA EMAIL

Re: *BNR v. HMD et al.* Case No. 1:22-cv-22706-RNS, Plaintiff's Supplemental Contention Proposals per Post-Discovery Hearing Administrative Order (Dkt. 158)

Dear Mr. Moffa:

Pursuant to Judge Goodman's Post-Discovery Hearing Administrative Order (Dkt. 158), Plaintiff Bell Northern Research, LLC ("BNR" or "Plaintiff") hereby provides to Defendants HMD America, Inc., HMD Global Oy, Wingtech Technology Co., Ltd., Wingtech International, Inc., Best Buy Co., Inc., Best Buy Stores L.P., Target Corp., and Walmart, Inc. (collectively, "Defendants") BNR's supplemental contention proposals.

BNR's Supplemental Contention Proposals

1. Supplemental Contentions Under P.R. 3-1(c) (Claim Charts)

[P.R. 3-1(c)]: *A chart identifying specifically where each limitation of each asserted claim is found within each Accused Instrumentality*, including for each element that such party contends is governed by 35 U.S.C. § 112(6), the identity of the structure(s), act(s), or material(s) in the Accused Instrumentality that performs the claimed function;

For this issue highlighted above, BNR proposes serving a separate claim chart for each Accused Instrumentality and removing the "at least" language below (from Exhibit C-1, the '629 patent) as shown by strikethrough:

~~at least the *Nokia G50* and the *Nokia 1*, *Nokia 1 Plus*, *Nokia 1.3*, *Nokia 1.4*, *Nokia 2*, *Nokia 2 V*, *Nokia 2 V Tella*, *Nokia 2.1*, *Nokia 2.2*, *Nokia 2.3*, *Nokia 2.4*, *Nokia 3*, *Nokia 3 V*, *Nokia 3.1*, *Nokia 3.1 Plus*, *Nokia 3.1 C*, *Nokia 3.1 A*, *Nokia 3.2*, *Nokia 3.4*, *Nokia 4.2*,~~

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~~Nokia 5, Nokia 5.1, Nokia 5.1 Plus, Nokia 5.3, Nokia 5.4, Nokia 6, Nokia 6.1, Nokia 6.1 Plus, Nokia 6.2, Nokia 7, Nokia 7 Plus, Nokia 7.1, Nokia 7.2, Nokia 8, Nokia 8 Sirocco, Nokia 8V 5G UW, Nokia 8.1, Nokia 8.3 5G, Nokia 9 PureView, Nokia 225 4G, Nokia 800 Tough, Nokia 8110 4G, Nokia 2720 V Flip, Nokia 2760 Flip, Nokia 6300 4G, Nokia C1, Nokia C1 Plus, Nokia C2, Nokia C2 Tennen, Nokia C2 Tava, Nokia C3, Nokia C10, Nokia C20, Nokia C21, Nokia C30, Nokia C100, Nokia C200, Nokia C2 Tava, Nokia G10, Nokia G11 Plus, Nokia G20, Nokia G21, Nokia G300 5G, Nokia X71, Nokia T10, Nokia T20, Nokia XR20, Nokia X100 5G, Nokia G100, Nokia G400 5G, Nokia 2780 Flip~~

BNR would follow this approach for all of the asserted patents, including the '629 patent (*see* Exhibit C), the '072 patent (*see* Exhibit L), and the '432 patent (*see* Exhibit M). In the case of the '629 patent, for example, this would result in 70 new charts.

Alternatively, BNR proposes the following example for a “representative” basis for the '629 patent that would obviate the need for supplementation via additional charts.

- The claim chart herein for the G50 is representative of the Accused Instrumentalities because each Accused Instrumentality is compliant with the 802.11n standard as shown below for each limitation. For each Accused Instrumentality, the same infringing features exist within the 802.11n standard in the same way.

2. Supplemental Contentions Under P.R. 3-1(d) (Indirect Infringement)

[P.R. 3-1(d)] For each claim that is alleged to have been indirectly infringed, an identification of any direct infringement and a description of the acts of the alleged indirect infringer that contribute to or are inducing that direct infringement. If alleged direct infringement is based on joint acts of multiple parties, the role of each such party in the direct infringement must be described.

For each Defendant, BNR proposes supplementing its contentions with the identification of Defendant’s customers and end-users that would be the direct infringers as it relates to the accused products, and the indirect infringer would be the Defendant that contributes to or is inducing that direct infringement. As to the “acts” of indirect infringement, these identifications would be based on public information, such as website links showing how customers and end-users should use the accused products.

3. Supplemental Contentions Under P.R. 3-1(e) (Doctrine of Equivalents)

[P.R. 3-1(e)] Whether each limitation of each asserted claim is alleged to be literally present or present under the doctrine of equivalents in the Accused Instrumentality. For any claim under the

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doctrine of equivalents, the Initial Infringement Contentions must include an explanation of each function, way, and result that is equivalent [and] why any differences are not substantial;

To the extent that BNR asserts the doctrine of equivalents in supplemental contentions, BNR proposes that it will supplement its contentions with an explanation of each “function, way, and result that is equivalent [and] why any differences are not substantial.” BNR further proposes that this supplementation would occur in the claim chart, where applicable for a claim limitation.

4. Supplemental Contentions Under P.R. 3-1(b) (Method Claims)

[P.R. 3-1(b)] Separately, for each asserted claim, each accused apparatus, product, device, process, method, act, or other instrumentality (“Accused Instrumentality”) of each opposing party of which the party is aware. This identification must be as specific as possible. Each product, device, and apparatus must be identified by name, if known, or by any product, device, or apparatus which, when used, allegedly results in the practice of the claimed method or process;

BNR proposes supplementing its P.R. 3-1(b) contentions with the identification of each Defendant for the method claims, thus clarifying that the method is performed through use of the accused product by a particular Defendant.

5. Supplemental Contentions Under P.R. 3-1(c) (Means For Limitations)

A chart identifying specifically where each limitation of each asserted claim is found within each Accused Instrumentality, ***including for each element that such party contends is governed by 35 U.S.C. § 112(6), the identity of the structure(s), act(s), or material(s) in the Accused Instrumentality that performs the claimed function;***

For claims containing “means for” limitations, BNR proposes updating the relevant claim chart to reflect structure for the asserted patent.

Sincerely,

DEVLIN LAW FIRM LLC

/s/ Christopher Clayton
Christopher Clayton