

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION**

In Re Neo Wireless, LLC Patent Litigation	2:22-MD-03034-TGB Hon. Terrence G. Berg
Neo Wireless, LLC v. Ford Motor Company	2:22-CV-11402-TGB
Neo Wireless, LLC v. American Honda Motor Co., Inc., et al.	2:22-CV-11403-TGB
Neo Wireless, LLC v. Volkswagen Group of America, Inc., et al.	2:22-CV-11404-TGB
Neo Wireless, LLC v. Nissan North America Inc., et al.	2:22-CV-11405-TGB
Neo Wireless, LLC v. Toyota Motor Corporation, et al.	2:22-CV-11406-TGB
Neo Wireless, LLC v. General Motors Company, et al.	2:22-CV-11407-TGB
Neo Wireless, LLC v. Tesla Inc.	2:22-CV-11408-TGB
Neo Wireless, LLC v. Mercedes-Benz USA, LLC	2:22-CV-11769-TGB
Neo Wireless, LLC v. FCA US LLC	2:22-CV-11770-TGB

**DEFENDANTS' PRELIMINARY INVALIDITY AND
UNENFORCEABILITY CONTENTIONS**

Defendants¹ hereby provide the following Preliminary Invalidity and Unenforceability Contentions (“Contentions”) to Plaintiff Neo Wireless, LLC (“Neo Wireless” or “Plaintiff”) for U.S. Patent Nos. 8,467,366 (“the ’366 patent”), 10,833,908 (“the ’908 patent”), 10,075,941 (“the ’941 patent”), 10,447,450 (“the ’450 patent”), 10,965,512 (“the ’512 patent”), and 10,771,302 (“the ’302 patent”) (collectively, the “Asserted Patents”).

I. PRELIMINARY STATEMENT AND RESERVATION OF RIGHTS

In its September 28, 2022 Infringement Contentions, Neo Wireless asserted the following claims (the “Asserted Claims”):

- Claims 1-5, 17, 20, and 21 of the ’366 Patent;
- Claims 1-30 of the ’908 Patent;
- Claims 8, 10, 12, 13, and 14 of the ’941 Patent;
- Claims 7, 8, 10, and 11 of the ’450 Patent;
- Claims 15, 20, 21, 23, 28, and 29 of the ’512 Patent; and
- Claims 1, 2, 4-7, 23, 24, and 26-29 of the ’302 Patent.

The Defendants do not provide any Contentions directed to claims that Neo Wireless has not asserted for purposes of infringement. To the extent Neo Wireless may be permitted to assert additional claims in the future, the Defendants reserve all rights to disclose new or supplemental

¹ “Defendants” in this document and its attachment refer to: General Motors Co.; General Motors LLC; Ford Motor Co.; Am. Honda Motor Co., Inc., Honda Development & Mfg. of Am., LLC; Volkswagen Grp. of Am., Inc.; Volkswagen Grp. of Am. Chattanooga Operations, LLC; Nissan N. Am. Inc.; Nissan Motor Acceptance Corp. a/k/a Nissan Motor Acceptance Co. LLC; Tesla Inc.; FCA US, LLC; Mercedes-Benz USA, LLC; Toyota Motor Corp.; Toyota Motor N. Am. Inc.; Toyota Motor Sales, USA Inc.; Toyota Motor Eng. & Mfg. N. Am. Inc.; Toyota Motor Credit Corp.

D. Prior Art Products and/or Knowledge

The Asserted Claims are invalid under 35 U.S.C. §§ 102 and/or 103 based on prior art items offered for sale or publicly used or known or prior inventions, such as prior art products, including systems embodying any alleged inventions or structures described in, and/or any knowledge disclosed by or referred to in, any of the prior art patents or prior art publications identified above in Sections III.B and III.C. Because Defendants have not yet completed discovery in this case, Defendants reserve the right to supplement this disclosure with facts, documents, or other information learned at a later point through third-party discovery or further investigation. For example, Defendants expect to receive documents from additional third parties either through informal requests or under subpoenas that are believed to have knowledge, documentation, and/or corroborating evidence concerning some of the prior art listed above and below and/or additional prior art. These third parties include without limitation the authors, inventors, or assignees of the references listed in these disclosures. In addition, Defendants reserve the right to assert invalidity under other sections of 35 U.S.C. § 102 to the extent that discovery or further investigation yield information forming the basis for such invalidity.

Table 1: Products⁵

Entity that Maded/ Used / Offered / Known	Item Offered for Sale / Publically Used / Known	Date of Use / Sale / Offer / Public Disclosure	Identity of Person Receiving Offer / To Whom Made Known
Motorola Inc.	Canopy	At least 2002	Motorola Actual/Potential Customers

⁵ Any discussion of a physical product (such as those listed in Table 1) herein shall also apply with equal force to the corresponding product-related documents produced herewith, as well as those corresponding product-related documents produced at later points during discovery. In other words, both the product-related documents and the underlying products themselves qualify as prior art in the context that they are used herein.

Entity that Maded/ Used / Offered / Known	Item Offered for Sale / Publically Used / Known	Date of Use / Sale / Offer / Public Disclosure	Identity of Person Receiving Offer / To Whom Made Known
Motorola Inc.	Project Angel	At least March 2002	Motorola Actual/Potential Customers
Clearwire	Clear	At least 2004	Clearwire Actual/Potential Customers
Atheros	AR5005G	At least 2003	Atheros Actual/Potential Customers
Netro	Angel	At least 2003	Netro Actual/Potential Customers
SR Telecom	Angel	At least 2003	SR Telecom Actual/Potential Customers
AT&T Wireless	Digital Broadband (Project Angel)	At least 2000	AT&T Actual/Potential Customers
Radix/BeamReach	BeamPlex/Project Angel	At least 2002	BeamReach Actual/Potential Customers
Broadstrom/Adaptix	Broad@ir/CelerFlex/Project Angel	At least 2000	Adaptix Actual/Potential Customers
NextNet Wireless	Broadband Wireless	At least 2003	NextNet Actual/Potential Customers
L-3 PrimeWave Communications/IoSpan	AirBurst	At Least 2002	IoSpan Actual/Potential Customers
Amphion Semiconductor LTD.	CS3820 and CS3720	At least 2002	Amphion Actual/Potential Customers
Alvarion	BreezeMAX	At least 2002	Alvarion Actual/Potential Customers
Linksys	WAP54G/WMP54G/WRT54G	At least 2003	Linksys Actual/Potential Customers

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