

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

NETWORK-1 SECURITY SOLUTIONS, INC.,

Plaintiff,

v.

Alcatel-Lucent USA Inc., Alcatel-Lucent Holdings Inc., Allied Telesis, Inc., Avaya Inc., AXIS Communications AB, AXIS Communications, Inc., Dell Inc., GarrettCom, Inc., Hewlett-Packard Company, Huawei Technologies Co., Ltd., Huawei Technologies USA Inc., Juniper Networks, Inc., NEC Corporation, NEC Corporation of America, Polycom, Inc., Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., Samsung Telecommunications America, LLC, ShoreTel, Inc., Sony Corporation, Sony Corporation of America, Sony Electronics Inc.,

Defendants.

Case No.: 6:11-CV-492-LED

JURY TRIAL DEMANDED

DEFENDANTS' INVALIDITY CONTENTIONS PURSUANT TO PATENT RULE 3-3

Pursuant to Patent Rule 3-3 and the September 7, 2012 Docket Control Order, Defendants Alcatel-Lucent USA Inc., Alcatel-Lucent Holdings Inc., Avaya Inc., AXIS Communications AB, AXIS Communications, Inc., Dell Inc., Hewlett-Packard Company, Juniper Networks, Inc., Polycom, Inc., Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., Samsung Telecommunications America, LLC, ShoreTel, Inc., Sony Corporation, Sony Corporation of America, Sony Electronics Inc. (collectively, "Defendants") jointly hereby serve their Invalidity Contentions on Network-1 Security Solutions, Inc. ("Plaintiff" or "Network-1").

NETWORK-1 EXHIBIT 2010
Sony v. Network-1
CBM2015-00078

PRELIMINARY STATEMENT

On September 24, 2012, Network-1 served its Disclosure of Asserted Claims and Infringement Contentions under Patent Local Rule 3-1 (“Infringement Contentions”). Network-1 identified claims 6 and 9 of U.S. Patent No. 6,218,930 (“the ‘930 patent”) as being asserted against Defendants’ power sourcing equipment, powered devices, and related equipment such as power supplies (collectively, “the Asserted Claims”).

Depending on the Court’s construction of the claims of the patent-in-suit, and/or positions that the plaintiff or its expert witness(es) may take concerning claim interpretation, infringement, and/or invalidity issues, different charted prior art references may be of greater or lesser relevance and different combinations of these references may be implicated. Given this uncertainty, the charts may reflect alternative applications of the prior art against the asserted claims. Nothing stated herein shall be construed as an admission or a waiver of any particular construction of any claim term. Nor shall anything in these Invalidity Contentions be treated as an admission that any defendant’s accused products meet any limitations of the claims.

Defendants’ investigation and discovery are ongoing and may, therefore, uncover additional prior art and additional bases of invalidity not presently known. Defendants reserve all rights to supplement and/or modify these Invalidity Contentions based upon further discovery and/or investigations, including rulings by the Court, fact discovery, expert discovery, and/or third-party discovery. Defendants also reserve the right to revise and/or supplement these Invalidity Contentions in response to any revision and/or supplementation by Plaintiff of its Infringement Contentions.

In addition to the invalidity contentions and prior art identified herein, Defendants hereby incorporate and expressly reserve the right to rely on the invalidity contentions served pursuant

to Patent L.R. 3-3 in Civil Case Nos. 6:08-cv-030-LED and 6:05-cv-00291-LED, including any prior art produced and/or cited therein. Defendants also hereby expressly reserve the right to rely on the prosecution history, reexamination history and/or review history for the '930 patent.

I. P.R. 3-3(A) – THE IDENTITY OF EACH ITEM OF PRIOR ART THAT ALLEGEDLY ANTICIPATES EACH ASSERTED CLAIM OR RENDERS IT OBVIOUS

A. Prior Art Patent and Patent Application References

The following prior art patent references, and the patent references listed in Ex. A, anticipate and/or render obvious the Asserted Claims of the '930 patent.

	Number	Country of Origin	Date of Issue
1	USPN 5,991,885 (Chang '885 patent) DFNDTS-00001733-00001751	United States	11/23/1999
2	USPN 4,254,305 (Treiber or '305 patent) DFNDTS-00001525-00001536	United States	03/03/1981
3	USPN 6,246,748 (Yano or '748 patent) DFNDTS-00001835-00001844	United States	06/12/2001
4	US Prov. No. 60/115,628 PowerDsine provisional) DFNDTS-00001476-00001491	United States	01/12/1999 (Filed)
5	USPN 6,473,608 (PowerDsine patent or '608 patent) DFNDTS-00001915-00001997	United States	10/29/2002
6	USPN 6,115,468 (De Nicolo or '468 patent) DFNDTS-00001765-00001772	United States	09/05/2000
7	USPN 5,994,998 (Fisher or '998 patent) DFNDTS-00001752-00001764	United States	11/30/1999
8	USPN 6,762,675	United States	07/13/2004

	Number	Country of Origin	Date of Issue
	(Cafiero or '675 patent) DFNDTS-00002179-00002187		
10	USPN 6,480,510 (Binder or '510 patent) DFNDTS-00001998-00002018	United States	11/12/2002
11	USPN 6,571,181 (Rakshani or '181 patent) DFNDTS-00002091-00002109	United States	05/27/2003
12	USPN 5,396,555 (Shibata '555 patent) DFNDTS-00001635-00001654	United States	03/07/1995
13	USPN 6,640,308 (Keyghobad or '308 patent) DFNDTS-00002110-00002131	United States	10/28/2003
14	USPN 5,675,813 (Holmdahl or '813 patent) DFNDTS-00001664-00001680	United States	10/07/1997
15	USPN 4,862,158 (Keller or '158 patent) DFNDTS-00001556-00001566	United States	08/29/1989
16	USPN 5,368,041 (Shambroom or '041 patent) DFNDTS-00001618-00001634	United States	11/29/1994
17	USPN 5,884,086 (Amoni or '086 patent) DFNDTS-00001709-00001724	United States	03/16/1999
18	USPN 5,949,806 (Ness or '806 patent) DFNDTS-00001725-00001732	United States	09/07/1999
19	USPN 5,289,359 (Ziermann or '359 patent) DFNDTS-00001595-00001604	United States	02/22/1994
20	USPN 6,459,175 (Potega or '175 patent)	United States	10/01/2002

	Number	Country of Origin	Date of Issue
	DFNDTS-00001853-00001914		
21	USPN 6,526,516 (Ishikawa or '516 patent) DFNDTS-00002019-00002071	United States	02/25/2003
22	USPN 6,889,095 (Eidson or '095 patent) DFNDTS-00002188-00002199	United States	05/03/2005
23	USPN 4,961,222 (Johansson or '222 patent) DFNDTS-00001567-00001570	United States	10/02/1990
24	USPN 6,125,448 (Schwan or '448 patent) DFNDTS-00001773-00001796	United States	09/26/2000
25	USPN 4,535,401 (Penn or '401 patent) DFNDTS-00001537-00001549	United States	08/13/1985
26	USPN 5,216,704 (Williams or '704 patent) DFNDTS-00001583-00001594	United States	06/01/1993
27	USPN 6,650,622 (Austermann or '622 patent) DFNDTS-00002145-00002170, DFNDTS-00004762-00004830	United States	11/18/2003
28	USPN 5,345,592 (Woodmas or '592 patent) DFNDTS-00001605-00001617	United States	09/06/1994
29	USPN 6,643,566 (Lehr '566 patent) DFNDTS-00002132-00002144	United States	11/04/2003
30	USPN 7,466,819 (Lehr '819 patent) DFNDTS-00002200-00002216	United States	12/16/2008
31	USPN 7,612,470 (Pincu or '470 patent)	United States	11/03/2009

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