

1 John C. Carey (*pro hac vice*)
2 *jcarey@careyrodriguez.com*
3 Ernesto N. Rubi (*pro hac vice*)
4 *erubi@careyrodriguez.com*
5 Frank S. Hedin (CA SBN 291289)
6 *fhedin@careyrodriguez.com*
7 CAREY RODRIGUEZ
8 O'KEEFE MILIAN GONYA, LLP
9 1395 Brickell Avenue, Suite 700
10 Miami, FL 33131
11 Telephone: 305-372-7474
12 Facsimile: 305-372-7475

13 Mark Punzalan (CA SBN 247599)
14 *markp@punzalanlaw.com*
15 Herbert T. Patty (CA SBN 255502)
16 *herbertp@punzalanlaw.com*
17 PUNZALAN LAW, P.C.
18 600 Allerton Street, Suite 201
19 Redwood City, CA 94063
20 Telephone: 650-362-4150
21 Facsimile: 650-362-4151

22 *Attorneys for Plaintiff Rothschild Digital Media Innovations, LLC*

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ROTHSCHILD DIGITAL MEDIA
INNOVATIONS, LLC,

Plaintiff,

v.

SONY COMPUTER ENTERTAINMENT
AMERICA LLC,

Defendant.

Case No. 5:14-cv-03928-PSG

**PLAINTIFF ROTHSCHILD DIGITAL MEDIA
INNOVATIONS, LLC'S SUPPLEMENTAL
DISCLOSURE OF ASSERTED CLAIMS AND
INFRINGEMENT CONTENTIONS**

[N.D. Cal. Patent L.R. 3-1 & 3-2]

1 Pursuant to the Court’s Case Scheduling Order entered on November 19, 2014 (ECF 52),
2 Plaintiff Rothschild Digital Media Innovations, LLC (“RDMI”) hereby provides its Supplemental
3 Disclosure of Asserted Claims and Infringement Contentions under Northern District of California
4 Patent Local Rules 3-1 and 3-2. These supplemental disclosures are subject to the limitations and
5 definitions described below.
6

7 LIMITATIONS

8 These disclosures and infringement contentions do not constitute a disclosure of any
9 information that is subject to the attorney-client privilege or attorney work-product doctrine, or that
10 is otherwise immune from discovery. RDMI bases the following disclosures and infringement
11 contentions regarding Defendant Sony Computer Entertainment America, LLC’s (“SCEA’s”) products and methods upon information available to RDMI at this time. Although discovery
12 regarding the accused products and methods has been requested from SCEA, RDMI has not yet
13 received any discovery from SCEA, and therefore RDMI reserves the right to supplement or amend
14 these disclosures and infringement contentions based on additional information obtained in the
15 future through discovery or other means. Nothing herein shall constitute an admission.
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18 **I. Rule 3-1(a) – Asserted Claims**

19 RDMI asserts that SCEA is liable for infringement of:

- 20 • Claims 1, 6-9, and 21-24 of U.S. Patent 6,101,534
- 21 • Infringement of each claim is asserted under 35 U.S.C. § 271 (a), (b), (c), and (f)

22 **II. Rule 3-1(b) – Accused Instrumentalities**

23 For each asserted claim, RDMI identifies the following SCEA game consoles as Accused
24 Instrumentalities:
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- 26 • PlayStation 3 (all model numbers beginning with “CECH”);
- 27 • PlayStation 4 (all model numbers beginning with “CUH”);

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- PlayStation Vita, commonly abbreviated by SCEA as “PS Vita” (all model numbers beginning with “PCH”);
- PlayStation Portable, commonly abbreviated as “PSP” (all model numbers beginning with “PSP”).

For each asserted claim, and with respect to PlayStation 3 Game Console, RDMI identifies the following SCEA online multiplayer video games as Accused Instrumentalities:

- *Resistance: Fall of Man*
- *Untold Legends: Dark Kingdom*
- *MotorStorm: Pacific Rift*
- *MotorStorm: Apocalypse*
- *Ratchet & Clank: All 4 One*
- *Uncharted 2: Among Thieves*
- *Uncharted 3: Drake's Deception*
- *Warhawk*
- *Tekken 6*
- *LittleBigPlanet*
- *LittleBigPlanet 2*
- *LittleBigPlanet Karting*
- *Resistance 2*
- *Resistance 3*
- *Socom: U.S. Navy Seals Confrontation*
- *Time Crisis 4*
- *Demon's Souls*
- *Ghostbusters*

- 1 • *Killzone 3*
- 2 • *Fat Princess*
- 3 • *Time Crisis: Razing Storm*
- 4 • *White Knight Chronicles*
- 5 • *White Knight Chronicles 2*
- 6 • *MLB 11: The Show*
- 7 • *PlayStation Move Heroes*

9 For each asserted claim, and with respect to PlayStation 4 Game Console, RDMI identifies
10 the following SCEA online multiplayer video games as Accused Instrumentalities:

- 11 • *Driveclub*
- 12 • *Minecraft*

14 For each asserted claim, and with respect to PlayStation Portable Game Console, RDMI
15 identifies the following SCEA online multiplayer video games as Accused Instrumentalities:

- 16 • *Ace Combat X: Skies of Deception*
- 17 • *Patapon*
- 18 • *Resistance: Retribution*
- 19 • *Fat Princess: Fistful of Cake*
- 20 • *ModNation Racers*
- 21 • *Invizimals: The Lost Tribes*

23 For each asserted claim, and with respect to PlayStation Vita Game Console, RDMI
24 identifies the following SCEA online multiplayer video games as Accused Instrumentalities:

- 25 • *LittleBigPlanet PS Vita*
- 26 • *PlayStation All-Stars Battle Royale*
- 27 • *Reality Fighters*
- 28

- 1 • *Resistance: Burning Skies*
- 2 • *Unit 13*
- 3 • *Wipeout 2048*

4 For each asserted claim, the following SCEA Game Servers are identified as Accused

5 Instrumentalities:

- 6 • PlayStation Network (abbreviated by SCEA as “PSN”)
- 7 • PlayStation Plus.

8 RDMI has served discovery requests upon Defendants to obtain additional information
9 related to the Accused Instrumentalities that is in SCEA’s possession, custody or control, and
10 RDMI anticipates it will also serve subpoenas on third parties to obtain additional relevant
11 information that is in their possession, custody or control. Proper and complete discovery
12 responses, when provided by SCEA and third parties, will facilitate supplementation of this
13 submission and a more thorough identification of instrumentalities that are or may be accused of
14 infringing the asserted claims.
15

16 **III. Rule 3-1(c) – Claim Charts**

17 Attached as Exhibit “1” to “45” are claim charts that identify where each element of each
18 asserted claim is found within the Accused Instrumentalities, subject to the completion of
19 discovery.¹ Because SCEA has yet to provide any discovery relating to its accused products and
20 methods, despite outstanding discovery requests for the same, in order to describe the structure,
21 operation and functionality of the Accused Instrumentalities at this juncture, claim chart citations
22 are made to publicly available material as well as RDMI’s internal analysis.
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28 ¹ The attached claim charts contain certain citations and quotations to the specification of the patent. Such citations and quotations are not required by Patent Local Rule 3-1, are for illustrative purposes only, and are not intended to be exhaustive.

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