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8 WEST VIEW RESEARCH, LLC

9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA
11

12 WEST VIEW RESEARCH, LLC,
13 a California limited liability
company,

14 Plaintiff,

15 V.

16 AUDI AG, a German corporation;
17 VOLKSWAGEN AG, a German
corporation; and VOLKSWAGEN
18 GROUP OF AMERICA, INC. d/b/a
AUDI OF AMERICA, INC., a New
19 Jersey corporation,

20 Defendants.
21

22 And Related Counterclaim.
23
24
25
26
27
28

CASE NO. 14-CV-2668-CAB-WVG

**PLAINTIFF AND COUNTER-
DEFENDANT WEST VIEW
RESEARCH, LLC'S REVISED
DISCLOSURE OF ASSERTED
CLAIMS AND INFRINGEMENT
CONTENTIONS, PURSUANT TO
PATENT L.R. 3.1 AND THE JUNE 10,
2015 COURT ORDER**

JURY TRIAL DEMANDED

Judge: Hon. Cathy Ann Bencivengo
Ctm: 4C

1 In connection with the above-entitled action, Plaintiff and Counter-Defendant
 2 WEST VIEW RESEARCH, LLC (“West View” or “Plaintiff”) hereby makes the
 3 following Revised Disclosure of Asserted Claims and Infringement Contentions,
 4 pursuant to Southern District of California Local Patent Rule 3.1 and this Court’s
 5 June 10, 2015 Order on Motions to Amend and Strike adopting West View’s
 6 revised seven selected claims for each Patent-in-Suit (the “June 10 Order”).

7 West View’s disclosure in this regard is made without the benefit of
 8 discovery, and therefore it reserves the right to amend its Revised Disclosure of
 9 Asserted Claims and Infringement Contentions.

10
 11 **I. Patent L.R. 3.1.a - Each claim of each patent in suit that is allegedly**
 12 **infringed by each opposing party.**

13 In accordance with Patent L.R. 3.1.a, West View discloses that the following
 14 claims are infringed by Defendants AUDI AG, VOLKSWAGEN AG, and
 15 VOLKSWAGEN GROUP OF AMERICA, INC. d/b/a AUDI OF AMERICA, INC.
 16 (collectively, “Audi/VW”), with respect to each of U.S. Patent Nos. 8,719,038 (the
 17 “’038 patent”), 8,719,037 (the “’037 patent”), 8,682,673 (the “’673 patent”),
 18 8,296,146 (the “’146 patent”), 8,065,156 (the “’156 patent”), 8,290,778 (the “’778
 19 patent”), 8,706,504 (the “’504 patent”), and 8,781,839 (the “’839 patent”)
 20 (collectively, the “Patents-in-Suit”).

Patent No.	Asserted Claims
8,719,038	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 30, 31, 32, 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, 44, 45, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, and 68
8,719,037	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, and 77

1	8,682,673	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, and 30
2	8,296,146	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34
3	8,065,156	7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36, and 37
4	8,290,778	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 29, and 30
5	8,706,504	1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 13, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 33, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, and 48
6	8,781,839	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, and 47

11 In accordance with the June 10 Order, West View selects the following seven
12 claims in each of the Patents-in-Suit, which West View hereby asserts against
13 Audi/VW:
14

15	Patent No.	Revised Seven Selected Claims
16	8,719,038	1, 5, 12, 16, 22, 54, and 66
17	8,719,037	1, 22, 37, 42, 48, 75, and 77
18	8,682,673	1, 15, 19, 23, 25, 27, and 28
19	8,296,146	1, 11, 17, 18, 19, 27, and 30
20	8,065,156	10, 11, 15, 18, 20, 22, and 24
21	8,290,778	1, 5, 9, 22, 27, 28, and 30
22	8,706,504	1, 37, 43, 44, 45, 46, and 48
23	8,781,839	1, 10, 11, 16, 23, 29, and 35

22 **II. Patent L.R. 3.1.b - Separately for each asserted claim, each accused**
23 **apparatus, product, device, process, method, act, or other instrumentality**
24 **(“Accused Instrumentality”) of each opposing party of which the party is**
25 **aware. This identification must be as specific as possible. Each product, device**
26 **and apparatus must be identified by name or model number, if known. Each**
27 **method or process must be identified by name, if known, or by any product,**
28

1 **device, or apparatus which, when used, allegedly results in the practice of the**
2 **claimed method or process.**

3 Upon information and belief, as of the date of this disclosure, West View is
4 aware of the following Accused Instrumentalities, grouped into the following
5 categories:

- 6 (1) Model year 2011 and later “AUDI”-branded “A3,” “A4,” “A5,” “A6,”
7 “A7,” “A8,” “Allroad”, “Q3”, “Q5,” and “Q7”-models (including
8 without limitation “Premium”, Premium Plus”, “Prestige”, “S” , “RS”,
9 “Sportback”, “L”, “W12”, Hybrid, and other variants of the foregoing
10 as applicable) of motor vehicles with Defendants’ so-called “Audi
11 MMI” (“Multi Media Interface” or “MMI”) technology, and may also
12 include such vehicles with Defendants’ so-called “Audi connect®”
13 technology (hereinafter, the “Audi MMI and Audi connect®
14 Products”);
- 15 (2) “AUDI”-branded “Smart Display” touchscreen tablet device (and any
16 other similar platforms that incorporate this technology) (hereinafter,
17 the “Audi Smart Display Products”);
- 18 (3) “AUDI”-branded vehicles, including but not limited to, 2016 “Q7”
19 vehicles, with, and/or having capability to interface with, Defendants’
20 so-called “Smart Display” (and any other vehicles which incorporate
21 this technology) (hereinafter, the “Audi Smart Display Vehicles”);
- 22 (4) “AUDI”-branded vehicles with smartphone integration (“Android
23 Auto®” only), which may include, but is not limited to, “A3,” “A4,”
24 “A5,” “A6,” “A7,” “A8,” “Allroad”, “Q3”, “Q5,” and “Q7”-models
25 (including without limitation “Premium”, “Premium Plus”, “Prestige”,
26 “S”, “RS”, “Sportback”, “L”, “W12”, Hybrid, and other variants of the
27 foregoing as applicable), (hereinafter “Audi Android Auto Products”);
28

- 1 (5) “VOLKSWAGEN”-branded vehicles with standard or optional Hard
2 Drive/SD Card navigation systems with touchscreen capability and
3 voice recognition, including but not limited to the RNS-510 and RNS-
4 850 units, and also including, but not limited to, the following models:
5 “Passat,” “CC,” “Touareg,” “Golf,” “Golf GTI,” and “Golf Sport
6 Wagon” (hereinafter “Volkswagen HD/SD Navigation Systems”);
- 7 (6) “VOLKSWAGEN”-branded vehicles with “Modularen Infotainment-
8 baukasten” (MIB) modular infotainment systems, including without
9 limitation the MIB and MIB-II variants, and which may include
10 smartphone integration (“Android Auto®” and “MirrorLink” only),
11 and which may include any related Volkswagen-branded software
12 applications (“apps”), such vehicles which may include, without
13 limitation, “Jetta,” “Passat,” “CC,” “Golf,” “Golf GTI,” and “Golf
14 Sport Wagon,” as well as “Touareg,” “Beetle,” “Eos,” and “Tiguan”
15 models (hereinafter “Volkswagen MIB Products”);
- 16 (7) Incipient “VOLKSWAGEN” branded “Cross”-based SUV vehicles
17 (model names to be determined), and the related “CrossBlue”, Cross
18 Coupe, and/or “Cross Coupe GTE” concept vehicles, and any variants
19 thereof (hereinafter “Volkswagen Cross Vehicles”);
- 20 (8) All versions of the “VOLKSWAGEN”-branded “Media Control”
21 software application for portable electronic tablet and/or smartphone
22 devices (Android only) usable with vehicles in the U.S. (hereinafter
23 “Volkswagen Media Control Tablet/Smartphone Application
24 Products”); and
- 25 (9) Incipient “VOLKSWAGEN”-branded “Cross”-based vehicles (model
26 names to be determined), and the related “Cross Blue”, Cross Coupe,
27 and/or “Cross Coupe GTE” concept vehicles, which include Wi-Fi
28 hotspot capability and integration for a portable electronic tablet

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