

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

FALL LINE PATENTS, LLC,

Plaintiff,

v.

CHOICE HOTELS INTERNATIONAL,
INC.,

Defendant.

CIVIL ACTION NO. 6:17-CV-00407
(Consolidated Lead Case)

JURY TRIAL DEMANDED

DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS

Fall Line provides the following disclosures under Patent Local Rules 3-1 and 3-2. These disclosures and contentions are made with respect to United States Patent No. 9,454,748 (“Asserted Patent”).

I. Patent Rule 3-1

(a) Identification of Infringed Claims

Choice Hotels: claims 19-22 of the Asserted Patent.

Uber: claims 19-22 of the Asserted Patent.

(b) Identification of Accused Instrumentalities/Methods

For each of the above claims, the Accused Instrumentalities are as follows:

For Choice Hotels, the Choice Hotels mobile android app, the use of the mobile app by the end user, the mobile app running on a mobile device, and the associated back-end servers.

For Uber, the Uber mobile android app, the use of the mobile app by the end user, the mobile app running on a mobile device, and the associated back-end servers.

(c) Claim Charts

The claim charts required by Patent Local Rule 3-1(c) are attached as Exhibit 1 (Choice Hotels) and Exhibit 2 (Uber).

(d) Doctrine of Equivalents

In the attached claim charts, Fall Line asserts that each claim limitation is literally infringed. Fall Line reserves the right to assert additional theories under the doctrine of equivalents in response to claim construction positions that defendants may take.

(e) Priority Claims to Earlier Patent Applications

Each of the asserted claims of the Asserted Patent is entitled to a priority date of August 19, 2002.

(f) Fall Line's Instrumentalities

Fall Line does not intend to rely on the assertion that any of its own applications practice the Asserted Patent.

II. Patent Rule 3-2

(a) Fall Line is producing documents responsive to Patent Rule 3-2(a) numbered FALL_0002668-2738. These documents have been designated as confidential under the protective order and are required be treated as attorneys eyes only.

(b) Fall Line is producing documents responsive to Patent Rule 3-2(b) numbered FALL_0002602-2738. These documents have been designated as confidential under the protective order and are required be treated as attorneys eyes only.

(c) Fall Line is producing documents responsive to Patent Rule 3-2(c) numbered FALL_000001-2601.

Dated: October 16, 2017

/s/ Michael D. Ellis

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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of October, 2017, I electronically served the foregoing via email to all counsel of record.

/s/ Michael D. Ellis
Michael D. Ellis