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19 *Attorneys for Defendants LG ELECTRONICS INC.,*
20 *LG ELECTRONICS U.S.A., INC., and*
21 *LG ELECTRONICS MOBILE RESEARCH U.S.A., LLC*

22 **THE UNITED STATES DISTRICT COURT**
23 **SOUTHERN DISTRICT OF CALIFORNIA**

24 BELL NORTHERN RESEARCH,
25 LLC,

26 Plaintiff,

27 v.

28 LG ELECTRONICS INC., LG
ELECTRONICS U.S.A., INC., and LG
ELECTRONICS MOBILE
RESEARCH U.S.A., LLC,

Defendants.

Case No. 3:18-cv-02864-CAB-BLM

**DEFENDANTS LG
ELECTRONICS INC., LG
ELECTRONICS U.S.A., INC., AND
LG ELECTRONICS MOBILE
RESEARCH U.S.A., LLC'S
INVALIDITY CONTENTIONS
AND PRODUCTION OF
DOCUMENTS PURSUANT TO
PATENT LOCAL RULES 3.3 AND
3.4**

1 Pursuant to S.D. Cal. Patent Local Rules 3.3 and 3.4, and the Rules and Orders
2 of this Court, Defendants LG Electronics Inc. (“LGE”), LG Electronics U.S.A., Inc.
3 (“LGEUS”), and LG Electronics Mobile Research U.S.A., LLC (“LGMR”)
4 (collectively, “Defendants” or “LG”) hereby serve their Invalidity Contentions
5 (“Invalidity Contentions”) on Plaintiff Bell Northern Research, LLC (“Plaintiff” or
6 “BNR”) in support of LG’s allegations of invalidity of United States Patent Nos.
7 7,945,285 (“the ’285 Patent”); 6,549,792 (“the ’792 Patent”); 7,990,842 (“the ’842
8 Patent”); 8,416,862 (“the ’862 Patent”); 7,957,450 (“the ’450 Patent”); 6,941,156 (“the
9 ’156 Patent”); 8,792,432 (“the ’432 Patent”); and 7,039,435 (“the ’435 Patent”)
10 (collectively, the “Asserted Patents”).

11 **I. INTRODUCTION AND RESERVATION OF RIGHTS**

12 These Invalidity Contentions are based on information currently available to
13 Defendants. Defendants’ investigation and analysis of prior art is ongoing, and they
14 reserve the right to supplement or modify these Invalidity Contentions in a manner
15 consistent with the Federal Rules of Civil Procedure and the Court’s rules.

16 Defendants’ Invalidity Contentions do not constitute an admission that any
17 current, past, or future version of the accused products infringe the Asserted Patents
18 either literally or under the doctrine of equivalents. Unless otherwise stated,
19 Defendants have relied on the broad claim constructions of the Asserted Claims that
20 Plaintiff has implicitly adopted in its Disclosure of Asserted Claims and Infringement
21 Contentions (“Infringement Contentions”) and amendments or supplements thereto, to
22 the extent any construction can be inferred from Plaintiff’s Infringement Contentions.
23 Such reliance should not be taken to mean that Defendants understand, or are adopting
24 or agreeing with, Plaintiff’s apparent constructions. Defendants expressly do not do so
25 and reserve their right to contest them.

26 Defendants’ Invalidity Contentions are made in addition to and/or in the
27 alternative to Defendants’ non-infringement positions, and should not be interpreted to
28 rely upon, or in any way affect, the non-infringement arguments Defendants intend to

1 2 3	feature for inter-frequency measurements,” 3GPP TSG-RAN WG2 Meeting #70, R2-102895, Montreal, Canada, May 10-14, 2010		
4 5 6 7	ZTE, “Considerations of Inter-frequency Detected Set measurements,” 3GPP TSG RAN WG2 Meeting #71 bis, R2-105423, Xian, China, October 11-15, 2010	October 11-15, 2010	ZTE
8 9 10 11 12	ZTE, “Specification Impact Analysis of Inter-frequency Detected Set Measurements,” 3GPP TSG RAN WG2 Meeting #71 bis, R2-105424, Xian, China, October 11-15, 2010	October 11-15, 2010	ZTE
13 14 15 16 17	Nokia Corp., Nokia Siemens Networks, “RACH signaling optimisation,” 3GPP TSG-RAN WG2 Meeting #72, R2-106482, Jacksonville, USA, November 15-19, 2010	November 15-19, 2010	Nokia

18
19 **H. Prior Art References for the '435 Patent**

20 Pursuant to Patent L.R. 3.3, the tables below identify the prior art items that
21 Defendants presently assert anticipate and/or render obvious the Asserted Claims of
22 the '435 Patent. Where applicable, this includes information about any alleged
23 knowledge of use of the invention in this country prior to the date of invention of the
24 '435 Patent.

Patent or Patent Application No.	Country of Origin	Date of Issue (if Issued Patent)
International Application Publication No. WO 02/05443 A2 (“Irvin”)	WIPO	
European Patent Application Publication No. EP 1 091 498 A1 (“Baiker”)	Europe	
U.S. Patent No. 6,018,646 (“Myllymaki”)	U.S.	January 25, 2000
U.S. Patent No. 6,456,856 (“Werling”)	U.S.	September 24, 2002
U.S. Patent No. 5,390,338 (“Bodin”)	U.S.	February 14, 1995
U.S. Patent No. 7,039,373 (“Ichikawa”)	U.S.	May 2, 2006
U.S. Patent No. 6,095,820 (“Luxon”)	U.S.	August 1, 2000
U.S. Patent No. 5,729,557 (“Gardner”)	U.S.	March 17, 1998
U.S. Patent No. 5,995,041 (“Bradley”)	U.S.	November 30, 1999
Admitted Prior Art of the '435 Patent	U.S.	May 2, 2006

In addition to the above prior art references, Defendants identify the following patents, printed publications, product literature, and other materials that are pertinent to invalidity of the Asserted Claims. Defendants may rely on these references as invalidating prior art, evidence of the knowledge of those skilled in the art, and/or evidence to support a motivation to combine or modify other prior art. Defendants reserve all rights to supplement or modify these invalidity contentions and to rely on these references to prove invalidity of the Asserted Claims in a manner consistent with the Federal Rules of Civil Procedure and the Rules of this Court.

Additional Patent or Patent Application	Country of Origin	Date of Issue (if Issued Patent)
U.S. Patent No. 6,002,943 ("Irvin II")	U.S.	December 14, 1999
International Application Publication No. WO 95/03549 ("Carter")	WIPO	
U.S. Patent No. 5,815,820 ("Kiem")	U.S.	September 29, 1998
U.S. Patent No. 5,541,609	U.S.	July 30, 1996
U.S. Patent No. 6,195,562	U.S.	February 27, 2001
U.S. Patent No. 5,956,626	U.S.	September 21, 1999
International Application Publication No. WO 98/49784	WIPO	
U.S. Patent No. 6,154,665	U.S.	November 28, 2000
U.S. Patent No. 6,026,288	U.S.	February 15, 2000
GB2340691	Great Britain	February 23, 2000
International Application Publication No. WO 98/29968 A2	WIPO	
U.S. Patent No. 5,805,067	U.S.	September 8, 1998
U.S. Patent No. 5,949,369	U.S.	September 7, 1999

III. PATENT LOCAL RULES 3.3(B) & (C) – INVALIDITY UNDER §§ 102 & 103

As explained below, and in the referenced claim charts, the Asserted Claims of the '285 Patent, '792 Patent, '842 Patent, '862 Patent, '450 Patent, '156 Patent, '432 Patent, and '435 Patent are invalid for anticipation and/or obviousness. In some instances, Defendants may have treated certain prior art as anticipatory where certain elements are expressly, implicitly, or inherently present based on Plaintiff's apparent claim construction in Plaintiff's infringement contentions. Defendants reserve the right to contend that each of the anticipatory references renders the claims obvious in view of the reference, either alone or in combination with other references. The identification of any patent or patent application should be deemed an identification of

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