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21 BELL NORTHERN RESEARCH, LLC

22 **IN 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.

C.A. No. 3:18-CV-02864-CAB-BLM

BELL NORTHERN RESEARCH,
LLC'S PATENT L.R. 3.6 SECOND
AMENDED DISCLOSURE OF
ASSERTED CLAIMS AND
INFRINGEMENT CONTENTIONS

1 Pursuant to Patent L.R. 3.6, 3.1 and the Court’s Case Management Order,
2 Plaintiff Bell Northern Research, LLC (“BNR”) hereby provides its Second Amended
3 Disclosure of Asserted Claims and Infringement Contentions, including the claim
4 charts attached as Exhibits B, E–H¹ and all Annexes thereto. This disclosure is made
5 solely for the purpose of the above-captioned action, with respect to above-named
6 Defendants.

7 Discovery in this matter is in progress and BNR’s investigation of Defendants’
8 infringement is ongoing. For example, Defendants have not yet completed production
9 of documents relating to the accused products; nor have they provided any deposition
10 testimony in this action. This disclosure is therefore based upon information that BNR
11 has been able to obtain publicly and through discovery thus far, together with BNR’s
12 current good faith beliefs regarding the Accused Instrumentalities in this matter. For
13 example, the figures shown in the accompanying claim charts, including but not
14 limited to those depicting the location of and identifying the presence of claim
15 elements in the Accused Instrumentalities, are illustrative and may change after
16 production and review of Defendants’ confidential information. Accordingly, BNR
17 explicitly reserves the right to amend and/or supplement the accompanying claim
18 charts regarding direct and/or indirect infringement, as well as literal infringement
19 and/or infringement under the doctrine of equivalents based on evidence uncovered in
20 this litigation.

21 The claim charts attached as exhibits hereto are not designed to represent the
22 entire scope of infringement of the Accused Instrumentalities, but are merely to
23 illustrate examples of how the Accused Instrumentalities infringe the Asserted Claims
24 of the Patents-in-Suit. Further, the division of claim elements in the charts attached as
25 exhibits hereto is provided solely for purposes of convenience in presenting BNR’s

26 _____
27
28 ¹ Exhibits A, C and D are intentionally omitted.

1 Infringement Contentions. The division is not meant to modify the claim language or
2 to inform claim construction.

3 The following disclosures should not be construed as BNR's proposed
4 construction of any asserted claim or claim term. This disclosure does not represent
5 BNR's position on whether any claim term should be or needs to be construed,
6 clarified, or interpreted by the Court. Further, these disclosures also are based at least
7 in part on BNR's present understanding of the meaning and scope of the asserted
8 claims of the patents-in-suit in the absence of claim construction proceedings for all
9 the patents-in-suit or substantial discovery in this matter. BNR reserves the right to
10 supplement or amend these disclosures if its understanding of the claim terms changes,
11 including if the Court construes them.

12 This disclosure is given without prejudice to BNR's rights, and BNR hereby
13 expressly reserves its rights under the Patent Local Rules or any other applicable basis
14 to further supplement or amend its contentions, including without limitation, to add
15 Asserted Claims or Accused Instrumentalities as additional facts are ascertained,
16 analyses are made, research is completed, contentions are made, claims are construed,
17 and Defendants' confidential information is received and reviewed in discovery.

18 **a. Asserted Claims (Patent L.R. 3.1(a)):**

19 Based on information presently available, BNR asserts that each of the
20 following claims is infringed by Defendants. In accordance with the Court's
21 instructions at the May 28, 2019 Case Management Conference in the related cases in
22 this district and the parties' agreement, BNR has limited its assertions to no more than
23 seven claims per patent. BNR expressly reserves the right to modify, substitute,
24 change, or amend which claims it asserts against Defendants as more information
25 becomes available, including without limitation the parties' claim construction
26 positions and the Court's claim construction rulings.

U.S. Patent No.	Asserted Claims
6,549,792 (“’792 Patent”)	1, 2, 4, 6, 9, 14, 15
8,416,862 (“’862 Patent”)	9, 10, 11, 12
7,957,450 (“’450 Patent”)	2, 3, 11, 12, 13, 21, 22
8,792,432 (“’432 Patent”)	9, 12
7,039,435 (“’435 Patent”)	1, 2, 3, 6

b. Accused Instrumentalities (L.P.R. 3.1(b)):

Based on information presently available, BNR identifies the Accused Instrumentalities below. Defendants infringe the Asserted Claims pursuant to § 271(a) by making, using, importing, selling, and/or offering to sell in the United States without authority these Accused Instrumentalities. The particular acts constituting infringement by Defendants’ accused instrumentalities are detailed in the claim charts attached herewith as Exhibits A, B, E - H. BNR reserves the right to amend or add additional Accused Instrumentalities to these Contentions, if warranted and/or based on further investigation and discovery.

Asserted Claim	Accused Instrumentalities
’792 Patent	
1	G7 ThinQ, G8 ThinQ, G6, G6+, G Flex, V30+, V30, V40 ThinQ, V35 ThinQ, V50 ThinQ, G7 Fit, G8X ThinQ, G8X ThinQ Dual Screen
2	G7 ThinQ, G8 ThinQ, G6, G6+, G Flex, V30+, V30, V40 ThinQ, V35 ThinQ, V50 ThinQ, G7 Fit, G8X ThinQ, G8X ThinQ Dual Screen
4	G7 ThinQ, G8 ThinQ, G6, G6+, G Flex, V30+, V30, V40 ThinQ, V35 ThinQ, V50 ThinQ, G7 Fit, G8X ThinQ, G8X ThinQ Dual Screen