

**EXHIBITS TO THIS DOCUMENT CONTAIN INFORMATION
DESIGNATED "HIGHLY CONFIDENTIAL – SOURCE CODE"**

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

16 UNIVERSAL ELECTRONICS INC.,
17 a Delaware Company,

18 Plaintiff,
19 v.

20 ROKU, INC., a Delaware Company,

21 Defendant.

**Case No. 8:18-cv-01580-JVS-ADS
Honorable James V. Selna**

**PLAINTIFF UNIVERSAL
ELECTRONICS INC.'S FIRST
AMENDED AND SUPPLEMENTAL
DISCLOSURE OF ASSERTED
CLAIMS AND INFRINGEMENT
CONTENTIONS**

**EXHIBITS TO THIS DOCUMENT CONTAIN INFORMATION
DESIGNATED “HIGHLY CONFIDENTIAL – SOURCE CODE”****TO DEFENDANT ROKU, INC. AND ITS ATTORNEYS OF RECORD:**

Pursuant to Judge Selna’s Standing Order, the Scheduling Order in this case, and N.D. Cal. Patent L.R. 3-1 and 3-2, Plaintiff Universal Electronics Inc. (“UEI”) hereby provides its First Amended and Supplemental Disclosure of Asserted Claims and Infringement Contentions (“Infringement Contentions”) to Roku Inc. (“Roku”) with respect to U.S. Patent No. 7,589,642 (the “642 Patent”), U.S. Patent No. 8,004,389 (the “389 Patent”), U.S. Patent No. 9,911,325 (the “325 Patent”), U.S. Patent No. 9,716,853 (the “853 Patent”), U.S. Patent No. 7,782,309 (the “309 Patent”), U.S. Patent No. 7,821,504 (the “504 Patent”), U.S. Patent No. 7,821,505 (the “505 Patent”), U.S. Patent No. 7,895,532 (the “532 Patent”), and U.S. Patent No. 8,015,446 (the “446 Patent”) (collectively, the “Asserted Patents”).

Roku has not yet completed discovery in this case, and UEI’s investigation into Roku’s infringement is ongoing. These disclosures are therefore based on information produced by Roku to date regarding the function and operation of the Accused Instrumentalities (as discussed and defined below), together with UEI’s understanding of the meaning and scope of the asserted claims and the Court’s claim construction order. Nothing in these disclosures shall be construed as a waiver to UEI’s right to seek to amend these disclosures as permitted by law.

I. Rule 3-1 Disclosures**A. Asserted Claims**

Pursuant to the Court’s March 14, 2019 Order (Dkt. 64), and without waiving any rights, UEI has limited itself to 25 claims. *See* Plaintiff Universal Electronics Inc.’s April 5, 2019 Notice of Limiting of Asserted Claims. The attached supplemental and amended claim charts are focused on these 25 claims and include additional detail as to those claims. The remaining asserted claims are not included in the current set of charts. Exemplary citations to source code and/or Roku confidential technical documentation are provided within the supplemental and amended claim

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1 charts as further evidence of infringement based on the discovery provided by Roku to
2 date.

3
4 UEI asserts that Roku has infringed and continues to infringe, has contributed to
5 and continues to contribute to the infringement of, and has actively induced and
6 continues to actively induce others to infringe at least the following claims of the
7 Asserted Patents:

8 Claims 1-6, 19, 22-25 of the 642 Patent;

9 Claims 2-16 of the 389 Patent;

10 Claims 1-2, 4, and 7 of the 325 Patent;

11 Claims 1-3 and 5-8 of the 853 Patent;

12 Claims 1-6 and 8 of the 309 Patent;

13 Claims 1-5, 7, 14-16, 18, 20, 21, and 27-29 of the 504 Patent;

14 Claims 1, 2, 4-10, 12-14, 16-17, 19, 21, 38-42, 45-47, 49, 51, 52, 58, 69-76, 78,
15 79, 81, 83, and 84 of the 505 Patent;

16 Claims 10-12 of the 532 Patent;

17 Claims 1-4 of the 446 Patent.

18 **B. Accused Instrumentalities**

19 UEI accused the following Roku products (“Accused Instrumentalities”) of
20 infringing the Asserted Claims:

21 **642 Patent.** The Roku Ultra, Roku Premiere (2018), Roku Premiere+ (2018),
22 Roku StreamingStick, Roku StreamingStick+, Roku Express, Roku Express+, Roku
23 Premiere (2016), Roku Premiere+ (2016), Roku 4, Roku 3, Roku 2, Roku LT, Roku
24 XS, the Roku TV, Roku Smart Soundbar, including all set top box products
25 compatible with remotes using internal designations Alice (2 and 4 through 9) and
26 Trinity (1 through 3), and any variations of the same practice or are used to practice
27 claims 1-6 and 22-25, as described in Exhibits A-1 and A-2. Roku’s remote control
28 products, including the Roku Enhanced Voice Remote, Roku Enhanced Remote, the

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1 remotes included with the Roku Ultra, Roku Premiere (2018), Roku Premiere+
2 (2018), Roku StreamingStick, Roku StreamingStick+, and Roku 4, and variations of
3 the same, practice or are used to practice claim 19, as described in Exhibit A-3.

4 **389 Patent.** The Roku Ultra, Roku Premiere (2018), Roku Premiere+ (2018),
5 Roku StreamingStick, Roku StreamingStick+, Roku Express, Roku Express+, Roku 4,
6 and Roku TV practice or are used to practice claims 2-3 of the 389 Patent, as
7 described in Exhibit B-1. Roku’s remote control products, including the Roku
8 Enhanced Voice Remote, Roku Enhanced Remote, the remotes included with the
9 Roku Ultra, Roku Premiere (2018), Roku Premiere+ (2018), Roku StreamingStick,
10 Roku StreamingStick+, Roku 4, Roku Smart Soundbar, including all set top box
11 products compatible with remotes using internal designations Alice (2 and 4 through
12 9) and Trinity (1 through 3), and variations of the same, practice or are used to
13 practice claims 4-6, 8, 10-13, and 15 of the 389 Patent, as described in Exhibit B-2.

14 **325 Patent.** The Roku Ultra, Roku Premiere (2018), Roku Premiere+ (2018),
15 Roku StreamingStick, Roku StreamingStick+, Roku Express, Roku Express+, Roku
16 Premiere, Roku Premiere+, Roku 4, Roku 3, Roku 2, Roku LT, Roku XS, Roku TV,
17 Roku Smart Soundbar, including all set top box products compatible with remotes
18 using internal designations Alice (2 and 4 through 9) and Trinity (1 through 3)
19 practice or are used to practice claims 1-2, 4, and 7 of the 325 Patent, as described in
20 Exhibit C-1.

21 **853 Patent.** The Roku TV, Roku Smart Soundbar, Roku Ultra, Roku Premiere+
22 (2018), Roku Premiere (2018), including all set top box products compatible with
23 remotes using internal designations Alice (2 and 4 through 9) and Trinity (1 through
24 3) practice or are used to practice claims 1-3 and 5-8 of the 853 Patent, as described in
25 Exhibits D-1 and D-2.

26 **309 Patent.** Smartphones and tablets with the Roku Mobile App installed
27 practice or are used to practice claims 1-6 and 8 of the 309 patent.
28

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1 **504 Patent.** Smartphones and tablets with the Roku Mobile App installed
2 practice or are used to practice claims 1-5, 7, 14-16, 18, 20, 21, and 27-29 of the 504
3 patent.

4 **505 Patent.** Smartphones and tablets with the Roku Mobile App installed
5 practice or are used to practice claims 1, 2, 4-10, 12-14, 16-17, 19, 21, 38-42, 45-47,
6 49, 51, 52, 58, 69-76, 78, 79, 81, 83, and 84 of the 505 patent.

7 **532 Patent.** Smartphones and tablets with the Roku Mobile App installed
8 practice or are used to practice claims 10-12 of the 532 patent.

9 **446 Patent.** Smartphones and tablets with the Roku Mobile App installed
10 practice or are used to practice claims 1-4 of the 446 patent.

11 **C. Claim Charts**

12 UEI’s claim charts identifying where and how each limitation of each asserted
13 claim is found within each Accused Instrumentality, including for each limitation that
14 UEI contends is governed by 35 U.S.C. § 112(b), the identity of the structure(s),
15 act(s), or material(s) in the Accused Instrumentality that performs the claimed
16 function are provided as follows:

- 17 Exhibit A - 642 Patent;
18 Exhibit B - 389 Patent;
19 Exhibit C - 325 Patent;
20 Exhibit D - 853 Patent;
21 Exhibit E - 309 Patent;
22 Exhibit F - 504 Patent;
23 Exhibit G - 505 Patent;
24 Exhibit H - 532 Patent;
25 Exhibit I - 446 Patent.

26 These claim charts are based on information presently known to UEI and
27 contain illustrative examples of evidence indicating Roku’s known infringement of the
28

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