

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

FG SRC LLC,

Plaintiff,

v.

INTEL CORPORATION,

Defendant.

Case No. 6:20-cv-00315-ADA

JURY TRIAL DEMANDED

PLAINTIFF’S PRELIMINARY INFRINGEMENT CONTENTIONS

Pursuant to the Order Governing Proceedings – Patent Case (Dkt. 16), Plaintiff hereby provides its preliminary infringement contentions regarding U.S. Patent No. 7,149,867 (the “’867 patent”). These contentions are preliminary and based on Plaintiff’s research and investigation to date and materials in the public domain. Moreover, no discovery or claim construction has taken place yet in this case. As a result, Plaintiff reserves the right to supplement, amend, or modify these contentions following discovery from Defendant and third parties, additional investigation, or rulings by the Court (including claim construction).

A. Asserted Claims.

The following table lists the patent and asserted claims.

Patent Number	Asserted Claims
7,149,867	1, 3, 4, 9, 11, and 12

B. Accused Products.

The following table lists all products currently accused of infringing the ’867 patent and the asserted claim(s) infringed by each product.

Accused Products	Asserted Claims
Intel FPGA Programmable Acceleration Cards (including Intel FPGA PAC D5005, Intel FPGA PAC N3000, and Intel FPGA PAC with Arria 10 GX FPGA)	1, 3, 4, 9, 11, 12
Intel FPGA development kits (including the Intel Stratix 10 SoC FPGA Development Kit)	1, 3, 4, 9, 11, 12
Agilex F-Series FPGA and SoC FPGA products (including the AGF 004, AGF 006, AGF 008, AGF 012, AGF 014, AGF 022, and AGF 027)	1, 3, 4, 9, 11, 12
Agilex I-Series SoC FPGA products (including the AGI 022 and AGI 027)	1, 3, 4, 9, 11, 12
Stratix 10 GX FPGA products (including the GX 400, GX 500, GX 650, GX 850, GX 1100, GX 1650, GX 2100, GX 2500, GX 2800, GX 1660, GX 2110, GX 10M, GX 4500, and GX 5500)	1, 3, 4
Stratix 10 SX SoC FPGA products (including the SX 400, SX 500, SX 650, SX 850, SX 1100, SX 1650, SX 2100, SX 2500, SX 2800, SX 4500, and SX 5500)	1, 3, 4, 9, 11, 12
Stratix 10 TX SoC FPGA products (including the TX 400, TX 850, TX 1100, TX 1650, TX 2100, TX 2500, and TX 2800)	1, 3, 4, 9, 11, 12
Stratix 10 MX FPGA products (including the MX 1650 and MX 2100)	1, 3, 4, 9, 11, 12
Stratix 10 DX SoC FPGA products (including the DX 1100, DX 2100, and DX 2800)	1, 3, 4, 9, 11, 12
Arria 10 GT FPGA products (including the GT 900 and GT 1150)	1, 3, 4
Arria 10 GX FPGA products (including the GX 160, GX 220, GX 270, GX 320, GX 480, GX 570, GX 660, GX 900, and GX 1150)	1, 3, 4
Arria 10 SX SoC FPGA products (including the SX 160, SX 220, SX 270, SX 320, SX 480, SX 570, and SX 660)	1, 3, 4, 9, 11, 12
Cyclone 10 GX FPGA products (including the 10CX085, 10CX105, 10CX150, and 10CX220)	1, 3, 4
Arria V GX FPGA products (including the 5AGXA1, 5AGXA3, 5AGXA5, 5AGXA7, 5AGXB1, 5AGXB3, 5AGXB5, and 5AGXB7)	1, 3, 4
Arria V GT FPGA products (including the 5AGTC3, 5AGTC7, 5AGTD3, and 5AGTD7)	1, 3, 4
Arria V GZ FPGA products (including the 5AGZE1, 5AGZE3, 5AGZE5, and 5AGZE7)	1, 3, 4
Arria V SX SoC FPGA products (including the 5ASXB3 and 5ASXB5)	1, 3, 4, 9, 11, 12
Arria V ST SoC FPGA products (including the 5ASTD3 and 5ASTD5)	1, 3, 4, 9, 11, 12
Cyclone 10 LP FPGA products (including the 10CL006, 10CL010, 10CL016, 10CL025, 10CL040, 10CL055, 10CL080, and 10CL120)	1, 3, 4

Accused Products	Asserted Claims
Cyclone V E FPGA products (including the 5CEA2, 5CEA4, 5CEA5, 5CEA7, and 5CEA9)	1, 3, 4
Cyclone V GX FPGA products (including the 5CGXC3, 5CGXC4, 5CGXC5, 5CGXC7, and 5CGXC9)	1, 3, 4
Cyclone V GT FPGA products (including the 5CGTD5, 5CGTD7, and 5CGTD9)	1, 3, 4
Cyclone V SE SoC FPGA products (including the 5CSEA2, 5CSEA4, 5CSEA5, and 5CSEA6)	1, 3, 4, 9, 11, 12
Cyclone V SX SoC FPGA products (including the 5CSXC2, 5CSXC4, 5CSXC5, and 5CSXC6)	1, 3, 4, 9, 11, 12
Cyclone V ST SoC FPGA products (including the 5CSTD5 and 5CSTD6)	1, 3, 4, 9, 11, 12
(Max 10 FPGA products including the 10M02, 10M04, 10M08, 10M16, 10M25, 10M40, and 10M50)	1, 3, 4

C. Infringement Theories.

As more fully detailed in Plaintiff's First Amended Complaint (Dkt. 18), Plaintiff asserts that Defendant directly, indirectly, and willfully infringes the Asserted Claims of the '867 patent. Plaintiff's First Amended Complaint and any amendments or supplements thereto, including the allegations and underlying facts demonstrating Defendant's direct infringement, induced infringement, and willful infringement, are incorporated by reference as if fully set forth herein. Plaintiff reserves the right to amend or supplement its infringement theories as the case progresses, including discovery and claim construction.

D. Claim Charts.

Claim charts identifying where each element of each asserted claim is found within each Accused Product are attached hereto as Exhibits A through I and are incorporated by reference as if fully set forth herein. Nothing in these claim charts is intended to prevent Plaintiff from presenting additional evidence of infringement at trial. Plaintiff reserves the right to amend or supplement these charts.

E. The priority date to which each asserted claim is entitled.

Patent Number	Asserted Claims	Priority Date
7,149,867	1, 3, 4, 9, 11, 12	June 18, 2003

F. Document Production.

The file histories of each asserted patent are being produced concurrently herewith as Bates numbers SRC_INTEL002562 to SRC_INTEL002849.

Documents evidencing conception and reduction to practice for each claimed invention are being produced concurrently herewith as Bates numbers SRC_INTEL000001 to SRC_INTEL0002561 and SRC_INTEL002850 to SRC_INTEL002876.

Dated: July 23, 2020

Respectfully submitted,

/s/ Ari Rafilson

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above document has been served upon all counsel of record via e-mail on July 23, 2020.

/s/ Ari Rafilson
Ari Rafilson