

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

PARKERVISION, INC.,

Plaintiff,

v.

TCL INDUSTRIES HOLDINGS CO.,
LTD., TCL ELECTRONICS HOLDINGS
LTD., SHENZHEN TCL NEW
TECHNOLOGY CO., LTD., TCL KING
ELECTRICAL APPLIANCES
(HUIZHOU) CO., LTD., TCL MOKA
INT'L LTD., and TCL MOKA
MANUFACTURING S.A. DE C.V.,

Defendants.

Case No. 6:20-cv-00945-ADA

JURY TRIAL DEMANDED

**PARKERVISION, INC.'S DISCLOSURE OF
PRELIMINARY INFRINGEMENT CONTENTIONS**

Plaintiff ParkerVision, Inc. (“ParkerVision”) hereby makes the following disclosure of asserted claims, infringement contentions, and document production to Defendants TCL Industries Holdings Co., Ltd., TCL Electronics Holdings Ltd., Shenzhen TCL New Technology Co., Ltd., TCL King Electrical Appliances (Huizhou) Co., Ltd., TCL Moka Int’l Ltd., and TCL Moka Manufacturing S.A. de C.V. (collectively, “TCL”).

These infringement contentions (“ICs”) are based on ParkerVision’s current interpretation of U.S. Patent Nos. 6,049,706 (the “’706 patent”); 6,266,518 (the “’518 patent”); 6,580,902 (the “’902 patent”); 7,110,444 (the “’444 patent”); 7,292,835 (the “’835 patent”); 8,588,725 (the “’725 patent”); 8,660,513 (the “’513 patent”); 9,118,528 (the “’528 patent”);

9,246,736 (the “’736 patent”); and 9,444,673 (the “’673 patent”) (collectively, the “patents-in-suit”), teardowns, circuit extractions, and public information describing TCL’s products.

ParkerVision reserves the right to amend its ICs and the asserted claims based on claim construction proceedings and this Court’s claim construction rulings or rulings by other courts in related cases, information obtained through discovery and/or otherwise as this case progresses.

ParkerVision reserves the right to amend its infringement contentions and asserted claims based on any proceedings before the United States Patent and Trademark Office in connection with ParkerVision’s patents.

A. Identification of infringed claims.

The asserted claims of the patents-in-suit include those claims identified in the attached claim charts. ParkerVision identified these asserted claims based on its current and preliminary understanding and reserves the right to supplement its identification of infringed claims as discovery proceeds, including identifying additional claims.

ParkerVision accuses TCL of directly infringing the following claims of the patents-in-suit:

- At a minimum, claims 1, 2, 6, 7, 28, 34, 101, 102, 103, 105, 106, 107, 108, 109, 111, 114, 115, 116, 117, 118, 123, 125, 127, 128, 129, 134, 135, 136, 137, 138, 139, 140, 152, 162, 164, 165, 166, 168, 172, 173, 175, 176, 179, 183, 184, 186, 187, 190, and 194 of the ’706.
- At a minimum, claims 50 and 67 of the ’518 patent.
- At a minimum, claims 1, 2, 4, and 5 of the ’902 patent.
- At a minimum, claims 2, 3, and 4 of the ’444 patent.
- At a minimum, claims 1, 12, 13, 14, 15, 17, 18, 19, and 20 of the ’835 patent.
- At a minimum, claims 1, 6, 7, 13, 14, and 16-19 of the ’725 patent.
- At a minimum, claims 19, 24, 27, and 28 of the ’513 patent.
- At a minimum, claims 1, 5, 9, 14, 15, and 17 of the ’528 patent.

- At a minimum, claims 1, 11, 15, 19, 21, 26, and 27 of the '736 patent.
- At a minimum, claims 1, 2, 5, 6, 7, 13, 16, 17, 18, and 19 of the '673 patent.

TCL directly infringes one or more claims of the asserted patents by making, using, offering for sale, selling, and/or importing in or into the United States products covered (either literally or under the doctrine of equivalents) one or more claims of the patents-in-suit (including, but not limited to, the TCL products identified in the attached claim charts).

B. Identification of accused instrumentalities.

ParkerVision identifies the accused instrumentalities based on its preliminary understanding of information currently available to ParkerVision. This preliminary understanding is obtained at least through ParkerVision's independent investigation of TCL's televisions, examination of teardowns and circuit extractions, and review of relevant literature and manuals.

ParkerVision reserves the right to supplement its infringement contentions as discovery proceeds and TCL produces documents/information that are either required under the Court's local rules or responsive to ParkerVision's discovery requests, including identifying additional accused instrumentalities, which have features similar to the products set forth below. In due course, after receiving discovery of products made, used, sold, offered for sale and/or imported by TCL in the United States, ParkerVision will supplement these IC's as applicable.

In addition to the TCL products specifically charted, the accused instrumentalities include TCL products that operate and/or are structurally the same as the products identified in the attached claim charts. TCL products that operate and/or are structurally the same as the products in the attached claim charts infringe for the same reasons as those charted products.

The accused instrumentalities also include TCL products that are considered sold in the United States according to the Federal Circuit's decision in *Carnegie Mellon Univ. v. Marvell Tech. Group. Ltd.*, No. 2014-1492 (Aug. 4. 2015).

Subject to the foregoing and based on the information currently available, ParkerVision identifies the following accused instrumentalities, including all reasonably similar variants or improvements, as the accused instrumentalities. Specifically, ParkerVision identifies that the manufacture, use, sale, offer for sale, and/or importation in or into the United States by TCL of products including or embodying at least the following TCL products directly infringe each of the asserted claims of the patents-in-suit:

TV Model No.	FCC ID
65S427	W8U65S427
43S423	W8U43S423
55S426	W8U55S426
75Q825	W8U75Q825
65R625	W8U65R625
55S427	W8U55S427
55R625	W8U55R625
43S525	W8U43S525
65S525	W8U65S525
55S525	W8U55S525
55S423	W8U55S423
43S421	W8U43S421
50S525	W8U50S525
50S423	W8U50S423
65S423	W8U65S423
75S425	W8U75S425
75R615	W8U75R615
32S301	W8U32S301
55S421	W8U55S421
32S325	W8U32S325
49S325	W8U49S325
43S325	W8U43S325
40S325	W8U40S325
32S327	W8U32S327

TV Model No.	FCC ID
32S425	W8U43S425
50S425	W8U50S425
49S425	W8U49S425
32S321	W8U32S321
65S425	W8U65S425
55S425	W8U55S425
49S403	W8U49S403
65S401	W8U65S401
43S403	W8U43S403
55S401	W8U55S401
65S517	W8U65S517
55S517	W8U55S517
65R613	W8U65R613
55R613	W8U55R613
49S517	W8U49S517
43S517	W8U43S517
75C807	W8U75C807
49S303	W8U49S303
43S303	W8U43S303
40S303	W8U40S303
28S303	W8U28S303
32S303	W8U32S303
55C807	W8U55C807
65C807	W8U65C807

C. Chart identifying accused instrumentalities.

ParkerVision provides the attached claim charts, which identify where to find each element of each asserted claim within the accused instrumentalities. These claim charts provide TCL with the requisite notice by identifying instrumentalities that incorporate or reflect the recited claim elements. As such, these charts serve a notice function, and they do not present every possible permutation or theory of ParkerVision's case.

The claim charts are not intended to be an expert report on infringement or provide detailed analysis of the claim terms or infringement. ParkerVision will disclose and produce an expert report regarding infringement with appropriate analysis pursuant to the Court's Scheduling Order. These charts include infringement by TCL, including diagrams, teardowns, circuit extractions, and images of the accused products, and other publicly available documentary evidence by way of example and not limitation.

The asserted claims include elements that are implemented, at least in part, by TCL confidential information. In some instances, the information used in them are, at least in part, not publicly available. An analysis of TCL's (or other third parties') technical information may be necessary to more fully identify all infringing features and functionality. Accordingly, pursuant to the Court's Scheduling Order, ParkerVision reserves the right to supplement these charts once such information is made available to ParkerVision.

Furthermore, ParkerVision reserves the right to revise these charts, as appropriate, upon issuance of the Court's Claim Construction Order, including the identification of whether any such differences between the accused instrumentalities and the claims are insubstantial and whether the accused instrumentalities read on the claim elements under the doctrine of equivalents.

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