

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

STRATOSAUDIO INC.,	)	
	)	Case No. 6:20-CV-01125-ADA
Plaintiff,	)	
	)	
v.	)	<b>JURY TRIAL DEMANDED</b>
	)	
HYUNDAI MOTOR AMERICA	)	
	)	
Defendant.	)	
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**PLAINTIFF’S SUPPLEMENTAL PRELIMINARY INFRINGEMENT CONTENTIONS**

Plaintiff StratosAudio Inc. (“Plaintiff”) provides the following Supplemental Preliminary Infringement Contentions to defendant Hyundai Motor America (hereinafter referred to as “Hyundai” or “Defendant”). This disclosure is based on the information available to Plaintiff as of the date of this disclosure, and Plaintiff reserves the right to amend this disclosure to the full extent consistent with the Court’s Rules and Orders.

**I. INFRINGEMENT**

Plaintiff asserts that Defendant infringes one or more of the following claims (collectively, “Asserted Claims”) of the following patents (collectively, “Asserted Patents”):

- U.S. Patent No. 8,166,081 (“’081 patent”), claims 9-11, and 23
- U.S. Patent No. 8,688,028 (“’028 patent”), claims 11, 14, 16, and 18
- U.S. Patent No. 8,903,307 (“’307 patent”), claims 11, 16, and 18
- U.S. Patent No. 9,584,843 (“’843 patent”), claims 10, 11, and 13
- U.S. Patent No. 9,294,806 (“’806 patent”), claims 5-8, and 10



U.S. Patent No. 9,355,405 (“’405 patent”), claims 12, and 14-16

Plaintiff asserts that the Asserted Claims are infringed by the various methods and apparatuses used, made, sold, offered for sale, or imported into the U.S. by Defendant, as identified in the claim charts attached to Plaintiff’s Preliminary Infringement Contentions served on May 14, 2021 and the claim charts served herewith. Plaintiff’s Preliminary Infringement Contentions served on May 14, 2021 and attached exhibits are incorporated herein by reference.

Plaintiff’s analysis is based on certain limited information that is publicly available or produced by Defendant to date, and Plaintiff’s own investigation prior to any discovery in this action. Plaintiff reserves the right to amend or supplement these disclosures to the full extent consistent with the Court’s Rules and Orders.

**II. PRIORITY DATE (I.E., EARLIEST DATE OF INVENTION)**

The Asserted Claims of the ’081 patent are entitled to a priority date of February 5, 2008. At this time, and based on currently available evidence, Plaintiff contends the earliest corroborated date of invention for the ’081 patent is October 5, 2007. The Asserted Claims of the ’028 patent are entitled to a priority date of September 13, 2000. At this time, and based on currently available evidence, Plaintiff contends the earliest corroborated date of invention for the ’028 patent is January 6, 2000. The Asserted Claims of the ’307 patent are entitled to a priority date of September 13, 2000. At this time, and based on currently available evidence, Plaintiff contends the earliest corroborated date of invention for the ’307 patent is January 6, 2000. The Asserted Claims of the ’843 patent are entitled to a priority date of February 5, 2008. At this time, and based on currently available evidence, Plaintiff contends the earliest corroborated date of invention for the ’843 patent is September 13, 2007. The Asserted Claims of the ’806 patent are entitled to a priority date of February 5, 2008. At this time, and based on currently available

evidence, Plaintiff contends the earliest corroborated date of invention for the '806 patent is September 13, 2007. The Asserted Claims of the '405 patent are entitled to a priority date of February 5, 2008. At this time, and based on currently available evidence, Plaintiff contends the earliest date of invention for the '405 patent is October 5, 2007.

### **III. DOCUMENT PRODUCTION**

Documents Bates numbered STRATOS\_00000001 - STRATOS\_00247658 were previously produced. Documents Bates numbered STRATOS\_00247659 - STRATOS\_00247678 are being produced concurrently herewith. These documents include documents related to the invention date for the Asserted Patents.

Date: September 27, 2021

Respectfully submitted,

#### **WHITE & CASE LLP**

By: /s/ Jonathan Lamberson

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StratosAudio Exhibit 2009

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 27th day of September 2021, I served via e-mail the attorneys of record for Defendants.

/s/ Jonathan Lamberson