

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

IGT and IGT CANADA SOLUTIONS ULC,	)	
	)	
Plaintiffs,	)	
	)	C.A. No. 6:21-CV-00331-ADA
v.	)	
	)	Judge: Honorable Alan D. Albright
ZYNGA INC.,	)	
	)	
Defendant.	)	

**PLAINTIFFS' SECOND AMENDED FINAL INFRINGEMENT CONTENTIONS**

Pursuant to the Court’s Order granting leave to amend (*see* Dkt. 106), Plaintiffs IGT (“IGT US”) and IGT Canada Solutions ULC (“IGT Canada”) (together, “IGT”) hereby provide these Second Amended Infringement Contentions to Defendant Zynga Inc. (“Zynga”). As attached hereto, these amended contentions supplement and supersede Exhibit C to IGT’s original Final Infringement Contentions, served March 16, 2022. In all other cases, however, IGT incorporates by reference its original Final Infringement Contentions (Exhibit F) and First Amended Final Infringement Contentions (Exhibits A, B, D, and E), served June 23, 2022, including all of IGT’s disclaimers, objections, and reservations of rights as if fully set forth herein.

Fact discovery is closed. *See* Dkt. 97. These contentions are based on the information that has been provided to IGT to date, and IGT expressly reserves the right to revise, amend, and/or supplement these infringement contentions, including after Zynga provides further discovery or any other pertinent information, after receiving new or modified claim constructions from the Court, or for any other reason(s) contemplated by the Federal Rules of Civil Procedure, the Court’s Local Rules and Standing Orders, or otherwise as allowed by the Court. IGT also reserves all rights to rely upon additional information and documents in support of its infringement contentions.

Ex. C: '089 Patent

Claim 28	Zynga's Accused Methods
	<p>Further, if the claim requirement of “a software authorization agent” as that element of the '089 Patent is found not to be literally infringed, it is infringed under the Doctrine of Equivalents. Zynga's Accused Methods perform the same function as the claimed software authorization agent (e.g., they ensure that gaming software transfers an download of software in the same way (i.e., by referring to a transaction database or other repository of information for authorized software transfers), to achieve the same result (e.g., allowing authorized software transfers and rejecting unauthorized software transfers). Any difference between Zynga's accused methods and the claimed “software authorization agent,” if any, is insubstantial.</p> <p>Additionally, if the claim requirement of “gaming software” as that element appearing in the '089 Patent is found not to be literally infringed, it is infringed under the Doctrine of Equivalents. Zynga's Accused Methods perform the same function as the claimed gaming software (e.g., they provide requisite game assets, instructions, data, and other procedures necessary for gameplay), in the same way (i.e., via computer software), to achieve the same result (i.e., to allow a game on any supported hardware platform). Any difference between Zynga's accused methods and the claimed “gaming software,” if any, is insubstantial.</p>