

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

MYPAQ HOLDINGS LTD.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA,
INC., SAMSUNG SEMICONDUCTOR,
INC., and SAMSUNG AUSTIN
SEMICONDUCTOR, LLC,

Defendants.

CIVIL ACTION NO. 6:21-CV-398-ADA

JURY TRIAL DEMANDED

PLAINTIFF'S PRELIMINARY INFRINGEMENT CONTENTIONS

Pursuant to the Court's Standing Order Governing Proceedings—Patent Cases (the "Order"), Dkt. 27, Plaintiff MyPAQ Holdings Ltd. ("MyPAQ") hereby serves its Preliminary Infringement Contentions and disclosure of priority dates to Defendants Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., Samsung Semiconductor, Inc. and Samsung Austin Semiconductor, LLC (collectively, "Samsung"). MyPAQ expressly reserves all objections related to their use for any purpose and does not waive any applicable privileges with respect to the information disclosed herein or document productions made pursuant to the Order.

MyPAQ makes this disclosure to the best of its present ability and without the benefit of fact discovery. MyPAQ's investigation is ongoing, and this disclosure is based on information reasonably available to MyPAQ as of this date. MyPAQ reserves the right to supplement or amend these disclosures, its contentions in this case, and its document production pursuant to these disclosures including to the full extent allowed by the Federal Rules of Civil Procedure, Local Rules, and this Court's orders. By making these disclosures, MyPAQ does not waive any applicable privilege, work product, or other protection, and reserves the right to object to the production or admissibility of any information provided herein.

I. PRELIMINARY INFRINGEMENT CONTENTIONS

The preliminary infringement contentions set forth herein, including without limitation the claim charts attached hereto as Exhibits 1–21 and supporting materials produced herewith as MYPAQ-SAMSUNG000001 to MYPAQ-SAMSUNG001514, which are fully incorporated by reference herein, identify, based on publicly available information, and upon information and belief, where each element of the Asserted Claims is found within the Accused Instrumentalities and/or the manufacturing processes thereof.

The documents, identification of Accused Instrumentalities, and other evidence cited in these charts are exemplary and not intended to be exhaustive. MyPAQ's identifications in these preliminary contentions, including, without limitation, its identifications of exemplary Accused Instrumentalities, the infringing features in the exemplary Accused Instrumentalities, and/or manufacturing processes used in the manufacture of the exemplary Accused Instrumentalities, the locations of the foregoing in the exemplary Accused Instrumentalities, and/or the theories of infringement, are based upon information known to MyPAQ at the time of these preliminary infringement contentions. MyPAQ reserves the right to supplement and/or amend these preliminary infringement contentions based on information not known to MyPAQ at the time of service of its preliminary infringement contentions and/or that is otherwise later discovered by MyPAQ after service of its preliminary infringement contentions, including, without limitation, supplementation and/or amendment of MyPAQ's contentions to identify, refine, modify, amend, and/or supplement the identified Accused Instrumentalities, locations of the infringing features in the Accused Instrumentalities or their manufacturing process, and/or theories of infringement provided herein.

MyPAQ further reserves the right to rely on additional evidence throughout subsequent proceedings in this case, whether or not such information is available to MyPAQ as of the date of this disclosure or is consistent with the documents and evidence cited in MyPAQ's preliminary

infringement contentions. These preliminary infringement contentions shall not limit MyPAQ's right to assert any position it deems appropriate at any later date as to infringement, validity, claim construction, or any other issue in this litigation. Nor shall they be deemed an admission or contention as to the scope or interpretation of any claim term.

MyPAQ contends that Samsung infringes the following claims (the "Asserted Claims") of the following U.S. Patents (the "Asserted Patents"):

Patent	Claims
U.S. Patent 7,403,399	1, 2, 4, 5, 6, 10, 13
U.S. Patent 7,675,759	1, 2, 3, 6, 11, 12, 13, 16, 19
U.S. Patent 7,978,489	1, 4, 5, 6, 7, 8, 9, 11, 12, 22, 25, 26, 27, 28, 29, 30, 32, 33, 39, 42, 43, 46, 47, 48, 49, 50, 51, 53, 54, 60, 63
U.S. Patent 8,477,514	1, 2, 3, 5, 6, 7, 8, 10, 11, 12, 15, 16, 17, 20

Samsung infringes the Asserted Claims of the Asserted Patents under 35 U.S.C. § 271(a) by making, using, offering to sell, and/or selling in the United States and/or importing into the United States power adapters that implement circuitry and/or power blade connectors that infringe one or more of the Asserted Patents. These devices include at least the following power adapters and semiconductor products (collectively, the "Accused Instrumentalities"):

- Samsung EP-TA800XBEGUS (the "TA800"),
- Samsung EP-TA845XBEGUS (the "TA845"),
- Samsung EP-TA865 (the "TA865"), and
- Samsung Power IC S2MM101 (the "S2MM101").

The claim charts provided in Exhibits 1–21 detailing infringement by the TA800 and the TA845 also apply to and are exemplary of infringement by the TA865 and all other Samsung products that share similar circuitry and functionality.

The Accused Instrumentalities infringe the Asserted Claims either literally and/or under the doctrine of equivalents. MyPAQ further contends that Samsung infringes the Asserted Patents by (i) practicing the asserted method claims of the Asserted Patents in the United States, and/or (ii) making, using, offering to sell, and/or selling in the United States and/or importing into the United States the Accused Instrumentalities set forth above.

MyPAQ further contends that Samsung infringes the Asserted Claims under 35 U.S.C. § 271(b) by actively and knowingly inducing, directing, causing, and/or encouraging others, including, but not limited to, their designers, manufacturers, suppliers, distributors, resellers, software developers, customers, end users, subscribers, and repair providers, to infringe the Asserted Patents by making, using, selling, and/or offering to sell in the United States and/or importing into the United States, the Accused Instrumentalities set forth above. MyPAQ contends that Samsung actively and knowingly induces infringement by others by, *inter alia*, providing the aforementioned direct infringers with (i) infringing functionality and/or devices and/or (ii) manuals and guides, technical documentation, technical support and assistance, advertisements and marketing. MyPAQ reserves the right to supplement its position as to infringement following further discovery and/or claim construction, including new information or knowledge regarding the structure, function, operation, implementation, and process of manufacturing the Accused Instrumentalities.

These contentions are preliminary and are based on MyPAQ's research and investigation to date and materials in the public domain. Discovery has not yet commenced. Samsung's preliminary invalidity contentions have not yet been served. Claim construction proceedings have not yet commenced. MyPAQ reserves the right to supplement or amend these contentions in light of discovery, invalidity contentions, alleged prior art, claim construction, and/or any other additional information provided by Samsung.

II. DISCLOSURE OF PRIORITY DATES, DATES OF CONCEPTION, AND REDUCTION TO PRACTICE

MyPAQ provides the following disclosure regarding the priority dates and dates of conception/reduction to practice for the Asserted Claims of the Asserted Patents. MyPAQ reserves the right to amend this disclosure should new information and knowledge regarding the conception, reduction to practice and/or priority dates of the Asserted Claims of the Asserted Patents come to light during discovery. MyPAQ further intends to rely on testimony by the inventors, experts, and other witnesses deposed in this matter concerning conception, diligence, and reduction to practice of the Asserted Claims of the Asserted Patent, including testimony at any hearing or trial of this matter.

The priority dates of the '399 Patent are as follows:

- The '399 Patent was assigned U.S. patent application serial number 11/394,734 upon filing on March 30, 2006, and issued on July 22, 2008, as U.S. Patent No. 7,403,399.
- The '399 Patent claims priority from German patent application DE 10 2005 014 746, filed March 31, 2005.
- Based on information currently available to MyPAQ, the earliest priority date claimed by MyPAQ for the '399 Patent is at least March 31, 2005.

The priority dates of the '759 Patent are as follows:

- The '759 Patent was assigned U.S. patent application serial number 11/710,276 upon filing on February 23, 2007, and issued on March 9, 2010, as U.S. Patent No. 7,675,759.
- The '759 Patent is a continuation-in-part of application serial number 11/607,325, filed on December 1, 2006, which issued on March 9, 2010, as U.S. Patent No. 7,675,758.

Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.