

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

IMAGE PROCESSING TECHNOLOGIES,)
LLC,)

Plaintiff,)

v.)

LG ELECTRONICS, INC., and)
LG ELECTRONICS USA, INC.,)

Defendants.)

Civil No. 2:22-cv-00077

JURY TRIAL DEMANDED

DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS

Pursuant to Local Patent Rule 3-1, Plaintiff Image Processing Technologies, LLC (“Plaintiff” or “IPT”) hereby provides its Disclosure of Asserted Claims and Infringement Contentions concerning defendants LG Electronics, Inc. (“LGE”) and LG Electronics USA, Inc. (“LG USA”) (collectively “Defendants” or “LG”).

This Disclosure of Asserted Claims and Infringement Contentions is based on available information obtained to date. IPT has not obtained any discovery in this case from Defendants or third parties who have relevant information regarding the Accused Instrumentalities (defined below). IPT reserves the right to supplement and amend this Disclosure of Asserted Claims and Infringement Contentions, including pursuant to Local Patent Rule 3-6 and ¶ 3 of Plaintiff’s Proposed Discovery Order, including based on additional information obtained through discovery or other means concerning Defendants’ products or services, including specifically source code related to each Accused Instrumentality.

I. Local Patent Rule 3-1(a): Asserted Claim

Subject to ongoing discovery and investigation, and based on available information obtained to date, IPT hereby contends that the Defendants infringe claim 1 of U.S. Patent No. 6,959,293 (“the ’293 Patent”) (the “Asserted Claim”).

II. Local Patent Rule 3-1(b): Accused Instrumentalities

Subject to ongoing discovery and investigation, IPT contends that Defendants have infringed and continue to infringe the Asserted Claim:

- (i) under 35 U.S.C. § 271(a), by having made, used, sold, offered for sale, and making, using, offering to sell, and selling in the United States and imported and importing into the United States, each of the Accused Instrumentalities and Accused Features listed below, as shown in Exhibit A; and
- (ii) under 35 U.S.C. § 271(b), by (1) having induced and inducing end users of each Accused Instrumentality and Accused Feature to have used and use each Accused Instrumentality and Accused Feature in a manner that infringed and infringes the Asserted Claim, as shown in Exhibit A, and (2) as to LGE, by having induced LG USA, and inducing LG USA, to have made, used, offered for sale, and sold, and to make, use, offer to sell, and sell in the United States, and to have imported and to import into the United States, each of the Accused Instrumentalities and Accused Features.

The Accused Instrumentalities include smartphones and tablets with cameras running the Android OS, or substantially similar technology, made, used, sold, or offered for sale in the United States, or imported into the United States by LGE and/or LG USA (the “Accused Instrumentalities”). In particular, the Accused Instrumentalities include at least the LG G7 ThinQ GSM smartphone and any other similar smartphone or tablet. On information and belief, other similar smartphones and tablets include at least one or more of the following models (and any other smartphones or tablets with substantially similar technology) to the extent offered for sale, sold, or used in the United States or imported into the United States prior to March 11, 2016: LG V Series smartphones, LG Q Series smartphones; LG G Series smartphones; W41 Pro; W41+, W41; W31+; W31; W11; K 92 5G; K62; Q52; K52; K42; K71; Wing 5G; K22; Q92 5G; Q31;

K31; Velvet 5G UW; Q61; Stylo 6; Velvet; Velvet 5G; V60 ThinQ 5G UW; V60 ThinQ 5G; Q51; W10 Alpha; K61; K51S; K41S; G Pad 5 10.1; V50S ThinQ 5G; G8X ThinQ; Q70; K30; K20; K40S; K50S; Escape; Escape 2; Escape 3; W30 Pro; W30; W10; Stylo 5; V50 ThinQ 5G; G8S ThinQ; G8 ThinQ; Q60; Classic; K50; K40; Q9; V40 ThinQ; Tribute Empire; Candy; G7 Fit; G7 One; Harmony 2; Q8; K11 Plus; Q Stylo 4; Stylo 4; Q Stylus; V35 ThinQ; Q7; Q7+; G7 ThinQ; V30S ThinQ; V35S ThinQ ; Zone 4; X power 3; K30; K10; K8; Aristo 2; Aristo 2 Plus; X4+; V30; V30+; Q8; Q6; Phoenix; Phoenix Plus; G Pad IV; X venture; G6; G6+; G6 Duo; X power2; Stylo 3; Stylo 3 Plus; Stylus 3; Harmony; K20 plus; K10; K8; K7; K4; K3; G Pad III 10.1 FHD; U; Risio; V20; X Skin; X venture; V5; X max; X mach; G Pad III; G Pad X; G Pad X II; G Pad F; G Pad F2; X power X style; Stylus 2 Plus; Stylo 2; Stylo 2 V; K5; K3; G5 SE; G5; X cam; X screen; K8; Stylus 2; K10; K7; K4; G Pad II; Ray; G. Vista 2; V10; Nexus 5X; Zero; G. Pad II.10.1; G Pad II; Tribute 2; Rebel 3 LTE; Rebel 2 LTE; Tribute HD; Fiesta LTE; Fiesta 2 LTE; Bello II; G4 Beat; G4c; G4Dual; G4; G Stylo; G4 Stylus; AKA; Magna; Spirit; Leon; Joy; G Flex2; Tribute; Tribute Dynasty; X charge; L Prime; G2 Lite; G3 Dual-LTE; G3 Screen; F60; L60; L60 Dual; G3 Stylus; L Bello; L. Fino; G Pad 8.0 LTE; G Vista; G3 A; G Pad 7.0 LTE; L50; L30; L20; G. Vista; G3 LTE-A; G3 S Dual; G3 S; L65 D280; G3; L35; Volt; G. Pad 10.1 LTE; G Pad 10.1; G Pad 8.0; G Pad 7.0; L80; L80 Dual; Lucid 3 VS876; L65 Dual D285; G Pad 8.3 LTE; F70 D315; G2 mini LTE (Tegra); G2 mini LTE; G2 mini; L90 Dual D410; L90 D405; L70 D320N; L70 Dual D325; L45 Dual X132; L40 D160; L40 Dual D170; G Pro 2; Optimus L4 II Tri E470; Optimus L1 II Tri E475; Optimus F3Q; GX F310L; Nexus 5; G Flex; Fireweb; G Pro Lite; Grace LTE; and G Pro Lite Dual. On information and belief, the LG G7 ThinQ GSM smartphone is representative of the Accused Instrumentalities (including those identified above) as each smartphone or tablet operates in substantially the same matter and utilizes substantially the same software. For

example, on information and belief, each of the Accused Instrumentalities identified above utilize the same or similar Android software, chips, and drivers to infringe Claim 1 of the '293 Patent.

The attached Exhibit A sets forth a representative claim chart detailing how LG infringes with respect to the Accused Instrumentalities for the Asserted Claim. IPT reserves the right to supplement its disclosure and representative claim chart as new information becomes available in fact discovery.

III. Local Patent Rule 3-1(c): Preliminary Infringement Chart

Subject to ongoing discovery and investigation, and based on available information obtained to date, IPT contends that each element of the Asserted Claim is found within each Accused Instrumentality and each Accused Feature as shown in the infringement claim charts attached hereto as Exhibit A. IPT reserves the right to supplement and amend this Disclosure of Asserted Claims and Infringement Contentions, including pursuant to Local Patent Rule 3-6 and ¶ 3 of Plaintiff's Proposed Discovery Order, including based on additional information obtained through discovery or other means concerning Defendants' products or services, including specifically source code related to each Accused Instrumentality.

Pursuant to ¶ 3 of Plaintiff's Proposed Discovery Order, IPT hereby asserts that one or more claim elements of claim 1 of the '293 Patent constitute software limitations and IPT requires source code for the Accused Instrumentalities to fully identify specifically where such elements of the claim are found within each Accused Instrumentality. Notwithstanding this limitation, IPT has endeavored to provide the information presently available to it in the attached Exhibit A. IPT reserves the right to supplement this Disclosure of Asserted Claims and Infringement Contentions within thirty (30) days after the relevant source code for each Accused Instrumentality is produced, whether produced by Defendants LGE and/or LG USA or, if necessary, relevant third parties.

IV. Local Patent Rule 3-1(d): Literal Infringement and Doctrine of Equivalents

IPT asserts that each element of claim 1 of the '293 Patent is literally present in each Accused Instrumentality. To the extent that any element of claim 1 of the '293 Patent is found not to be literally present in any Accused Instrumentality, IPT asserts that such element of claim 1 of the '293 Patent is present under the doctrine of equivalents in such Accused Instrumentality.

V. Local Patent Rule 3-1(e): Priority Date

IPT contends that claim 1 of the '293 Patent is entitled to a priority date of February 24, 2000, because claim 1 is entitled to the priority of French Patent Application Serial No. FR0002355, filed February 24, 2000, which issued as French Patent No. FR 2 805 629 B1. (See '293 Patent, Certificate of Correction (Sept. 21, 2010).)

VI. Local Patent Rule 3-1(f): Practicing Apparatus, Product, Device, Method, Act, or Other Instrumentality

Based upon information and belief, IPT presently asserts that the GVPP-7 (also referred to as Generic Visual Perception Processor, version 7) reflects the Asserted Claim.

VII. Local Patent Rule 3-2: Document Production Accompanying Disclosure

Pursuant to Local Patent Rule 3-2, IPT is producing and/or making available for inspection and copying documents contemporaneously with service of this Disclosure of Asserted Claims and Infringement Contentions. Documents that correspond to Local Patent Rule 3-2(a) and Local Patent Rule 3-2(b) can be found in IPT's production, including at IPT-LG000000051-83; IPT-LG000000671-1659; IPT-LG000026779-8183; IPT-LG000028259-89; IPT-LG000028444-56; IPT-LG000028665-882; IPT-LG000029121-933; IPT-LG000030071-147; IPT-LG000030528-30907; IPT-LG000036003-128; IPT-LG000036244-468; IPT-LG000042641-3690; IPT-LG000044067-110; IPT-LG000055930-6635. Documents that

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