

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

Corrigent Corporation

Plaintiff,

v.

Cisco Systems, Inc.

Defendant.

Civil Action No. 6:22-cv-00396-ADA

JURY TRIAL DEMANDED

**PLAINTIFF CORRIGENT CORPORATION'S
PRELIMINARY INFRINGEMENT CONTENTIONS**

Plaintiff Corrigent Corporation (“Corrigent” or “Plaintiff”) hereby serves its Preliminary Infringement Contentions on Defendant Cisco Systems, Inc. (“Cisco” or “Defendant”) pursuant to paragraph 2 of the Standing Order Governing Proceedings (OGP) 4.1–Patent Cases entered on April 14, 2022. These Preliminary Infringement Contentions include “preliminary infringement contentions chart[s] setting forth where the accused product(s) each element of the asserted claim(s) are found.” *Id.*

Asserted Patents	Claim Charts
U.S. Patent No. 6,957,369 (“369 patent”)	Exhibit 1
U.S. Patent No. 7,113,485 (“485 patent”)	Exhibit 2
U.S. Patent No. 7,330,431 (“431 patent”)	Exhibit 3
U.S. Patent No. 7,593,400 (“400 patent”)	Exhibit 4
U.S. Patent No. 9,118,602 (“602 patent”)	Exhibit 5

These Preliminary Infringement Contentions also “identify the priority date (*i.e.*, the earliest date of invention) for each asserted claim.” *Id.* Corrigent has also served, contemporaneously with its Preliminary Infringement Contentions: “a copy of the file history for each patent in suit.” *Id.*; *see* COR-CSC00000001 - COR-CSC00002323. Corrigent also performed a reasonable search for “all

documents evidencing conception and reduction to practice for each claimed invention” within Corrigent’s possession, custody, and control, and states that no such documents exist. *Id.*

Corrigent bases its Preliminary Infringement Contentions on its current knowledge, understanding, and belief as to the facts and information available as of the date of this disclosure, without the benefit of substantial discovery or *Markman* Order. As with the rest of Corrigent’s Preliminary Infringement Contentions, Corrigent’s claim charts are preliminary and exemplary in nature, and may not necessarily capture the precise nature or entire scope of Defendant’s infringement. Corrigent reserves the right to supplement these Preliminary Infringement Contentions to allege other theories of infringement based on Corrigent’s continuing investigation during the course of discovery (including any relevant discovery responses served and documents produced, as well as those that are served and produced in the future), or in response to positions taken by Defendant as the case proceeds. Corrigent further reserves the right to modify, supplement, amend, or otherwise alter these Preliminary Infringement Contentions as discovery progresses, as permitted by the Federal Rules of Civil Procedure, the Standing Order Governing Proceedings (OGP) 4.1–Patent Cases entered on April 14, 2022, or by order of the Court. In particular, Corrigent reserves the right to modify, supplement, amend, or otherwise alter these Preliminary Infringement Contentions following the Court’s *Markman* Order and the opportunity for expert discovery. In addition to the documents cited in Exhibits 1–5 of these Preliminary Infringement Contentions, expert discovery is likely to show that the Accused Products practice the limitations of the Asserted Claims. Corrigent will provide its expert disclosures as required and pursuant to the deadlines set forth in the Scheduling Order.

These disclosures contend that Defendant’s network routing and switching products infringe U.S. Patent Nos. 6,957,369 (“369 patent”), 7,113,485 (“485 patent”), 7,330,431 (“431

patent”), and 7,593,400 (“400 patent”), and 9,118,602 (“602 patent”) (collectively, “Asserted Patents”). Specifically, these disclosures contend the Defendant infringes (1) at least claims 1–26 of the ’369 patent; (2) at least claims 1–20 of the ’485 patent; (3) at least claims 1–30 of the ’431 patent; (4) at least claims 1–20 of the ’400 patent; and (5) at least claims 1–26 of the ’602 patent (collectively, “Asserted Claims”).

Corrigent identifies through these Preliminary Infringement Contentions, including the claim charts of Exhibits 1–5, the following products that infringe the Asserted Claims of the Asserted Patents (collectively, “Accused Products”). The Accused Products specifically identified in the claim charts of Exhibits 1–5 are representative of the other Accused Products identified herein, and each Accused Product has the same or substantially similar structure, function, configuration, and operation.

Asserted Patents	Asserted Claims	Accused Products
’369 patent	1–26	Cisco’s Nexus 7000 Series Switches, ¹ Nexus 9000 Series Switches, ² and Catalyst 9500 Series Switches ³

¹ Including, on information and belief, e.g., N7K-C7004 - Cisco Nexus 7000 4-Slot Switch, N7K-C7009 - Cisco Nexus 7000 9-Slot Switch, N7K-C7010 - Cisco Nexus 7000 10-Slot Switch, N7K-C7018 - Cisco Nexus 7000 18-Slot Switch.

² Including, on information and belief, e.g., Cisco Nexus 9800 Modular Switches, Cisco Nexus 9500 Modular Switches, Cisco Nexus 9400 Centralized Modular Switches, Cisco Nexus 9000 Fixed Switches, further including, on information and belief, e.g., N9K-C9808- Cisco Nexus 9800 8-slot chassis, N9K-C9504: 4-Slot Chassis, N9K-C9508: 8-Slot Chassis, N9K-C9516: 16-Slot Chassis, N9K-C9408 - Nexus 9400 Chassis with 8 linecard slots, • N9K-C9364D-GX2A, N9K-C9348D-GX2A, N9K-C9332D-GX2B, N9K-C9316D-GX, N9K-C93600CD-GX, N9K-C9364C-GX, N9K-C9336PQ, N9K-C9364C, N9K-C9332C, N9K-C93180YC-FX3, N9K-C93180YC-FX3S, N9K-C93108TC-FX3P, N9K-C93180YC-FX, N9K-C93108TC-FX, N9K-C9348GC-FX, N9K-C9336C-FX2, N9K-C9336C-FX2-E, N9K-C93240YC-FX2, N9K-C93360YC-FX2, N9K-C93216TC-FX2, N9K-C93180YC-EX, N9K-C93108TC-EX, N9K-C93180LC-EX, N9K-C93180YC-FX-24, N9K-C93108TC-FX-24, N9K-C93180YC-EX-24, N9K-C93108TC-EX-24, N9K-C92348GC-X, N9K-C92160YC-X, N9K-C9272Q, N9K-C92304QC, N9K-C9236C, N9K-C92300YC, N9K-C9396PX, N9K-C9396TX, N9K-C93128TX, N9K-C93120TX, N9K-C9332PQ, N9K-C9372PX-E, N9K-C9372TX-E, N9K-C9372PX, N9K-C9372TX.

³ Including, on information and belief, e.g., C9500X-28C8D-A, C9500X-28C8D-E, C9500-32C-E, C9500-32C-A, C9500-32QC-E, C9500-32QC-A, C9500-48Y4C-E, C9500-48Y4C-A, C9500-

Asserted Patents	Asserted Claims	Accused Products
'485 patent	1–20	Cisco ASR 9000 Series Routers, ⁴ Cisco Catalyst 8000 EDGE Platforms, ⁵ Cisco NCS 540/560 Series Routers ⁶
'431 patent	1–30	Cisco's "Collaboration Platform" Compatible Products ⁷
'400 patent	1–20	Cisco ASR 9000 Series Routers ⁸

24Y4C-E, C9500-24Y4C-A, C9500-24Q-E, C9500-24Q-A, C9500-12Q-E, C9500-12Q-A, C9500-40X-E, C9500-40X-A, C9500-16X-E, C9500-16X-A.

⁴ Including, on information and belief, e.g., ASR 9922, ASR 9912, ASR 9910, ASR 9906, ASR 9904, ASR 9903, ASR 9902, ASR 9901, ASR 9010, ASR 9006, ASR 9001, ASR 9000v-2.

⁵ Including, on information and belief, e.g., C8200-1N-4T, C8200L-1N-4T, C8200-UCPE-1N8, Catalyst 8300-1N1S-6T, Catalyst 8300-1N1S-4T2X, Catalyst 8300-2N2S-6T, Catalyst 8300-2N2S-4T2X, Catalyst 8500L (PID: C8500L-8S4X), Catalyst 8500 (PID: C8500-12X), Catalyst 8500-4QC (PID: C8500-12X4QC).

⁶ Including, on information and belief, e.g., N540-FH-CSR-SYS, N540-FH-AGG-SYS, N540-24Q8L2DD-SYS, N540-24Z8Q2C-SYS, N540-ACC-SYS, N540X-ACC-SYS, N540X-16Z4G8Q2C-A, N540X-16Z4G8Q2C-D, N540X-12Z16G-SYS-A, N540X-12Z16G-SYS-D, N540-28Z4C-SYS-A, N540-28Z4C-SYS-D, N540-12Z20G-SYS-A, N540-12Z20G-SYS-D, N540X-16Z8Q2C-D, N540X-6Z18G-SYS-A, N540X-6Z18G-SYS-D, N540X-8Z16G-SYS-A, N540X-8Z16G-SYS-D, N540X-4Z14G2Q-A, N540X-4Z14G2Q-D, N540-6Z14S-SYS-D, NCS 560-4, NCS 560-7.

⁷ Including, on information and belief, e.g., Cisco BE7000.

⁸ Including, on information and belief, e.g., ASR 9922, ASR 9912, ASR 9910, ASR 9906, ASR 9904, ASR 9903, ASR 9902, ASR 9901, ASR 9010, ASR 9006, ASR 9001, ASR 9000v-2.

Asserted Patents	Asserted Claims	Accused Products
'602 patent	1–26	Cisco's Nexus 7000 Series Switches, ⁹ Nexus 9000 Series Switches, ¹⁰ Cisco ASR 9000 Series Routers, ¹¹

More specifically, Corrigent contends that Defendant directly infringes under 35 U.S.C. § 271(a), either literally or by the doctrine of equivalents, and/or indirectly infringes, by both inducing direct infringement and contributing to direct infringement under 35 U.S.C. §§ 271(b) and (c) at least claims 1–26 of the '369 patent; at least claims 1–20 of the '485 patent; at least claims 1–30 of the '431 patent; at least claims 1–20 of the '400 patent; and at least claims 1–26 of the '602 patent by Defendant's making, using, selling, offering for sale, and/or importing the Accused Products.

Presently, and during all relevant times, Corrigent has been and is the sole owner of all right, title, and interest in the Asserted Patents, including the right to recover for past infringement.

Corrigent contends through these Preliminary Infringement Contentions that the priority date for each Asserted Claim of the '369 patent is no later than May 30, 2002, the filing date of U.S. Application No. 10/156,851, to which the '369 patent claims priority. *See* '369 patent at (22)

⁹ Including, on information and belief, e.g., N7K-C7004 - Cisco Nexus 7000 4-Slot Switch, N7K-C7009 - Cisco Nexus 7000 9-Slot Switch, N7K-C7010 - Cisco Nexus 7000 10-Slot Switch, N7K-C7018 - Cisco Nexus 7000 18-Slot Switch.

¹⁰ Including, on information and belief, e.g., Cisco Nexus 9800 Modular Switches, Cisco Nexus 9500 Modular Switches, Cisco Nexus 9400 Centralized Modular Switches, Cisco Nexus 9000 Fixed Switches, further including, on information and belief, e.g., N9K-C9808- Cisco Nexus 9800 8-slot chassis, N9K-C9504: 4-Slot Chassis, N9K-C9508: 8-Slot Chassis, N9K-C9516: 16-Slot Chassis, N9K-C9408 - Nexus 9400 Chassis with 8 linecard slots, • N9K-C9364D-GX2A, N9K-C9348D-GX2A, N9K-C9332D-GX2B, N9K-C9316D-GX, N9K-C93600CD-GX, N9K-C9364C-GX, N9K-C9336PQ, N9K-C9364C, N9K-C9332C, N9K-C93180YC-FX3, N9K-C93180YC-FX3S, N9K-C93108TC-FX3P, N9K-C93180YC-FX, N9K-C93108TC-FX, N9K-C9348GC-FX, N9K-C9336C-FX2, N9K-C9336C-FX2-E, N9K-C93240YC-FX2, N9K-C93360YC-FX2, N9K-C93216TC-FX2, N9K-C93180YC-EX, N9K-C93108TC-EX, N9K-C93180LC-EX, N9K-C93180YC-FX-24, N9K-C93108TC-FX-24, N9K-C93180YC-EX-24, N9K-C93108TC-EX-24, N9K-C92348GC-X, N9K-C92160YC-X, N9K-C9272Q, N9K-C92304QC, N9K-C9236C, N9K-C92300YC, N9K-C9396PX, N9K-C9396TX, N9K-C93128TX, N9K-C93120TX, N9K-C9332PQ, N9K-C9372PX-E, N9K-C9372TX-E, N9K-C9372PX, N9K-C9372TX.

¹¹ Including, on information and belief, e.g., ASR 9922, ASR 9912, ASR 9910, ASR 9906, ASR 9904, ASR 9903, ASR 9902, ASR 9901, ASR 9010, ASR 9006, ASR 9001, ASR 9000v-2.

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