

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

B.E. TECHNOLOGY, L.L.C.,

Plaintiff,

v.

SAMSUNG  
TELECOMMUNICATIONS  
AMERICA, LLC,

Defendant.

)  
)  
)  
) Case No. 2:12-cv-02824 JPM tmp

)  
) JURY DEMAND

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B.E. TECHNOLOGY, L.L.C.,

Plaintiff,

v.

SAMSUNG ELECTRONICS  
AMERICA, INC.,

Defendant.

)  
)  
)  
) Case No. 2:12-cv-02825 JPM tmp

)  
) JURY DEMAND

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PLAINTIFF B.E. TECHNOLOGY L.L.C.'S MEMORANDUM IN OPPOSITION TO  
DEFENDANT'S MOTION TO COMPEL SUPPLEMENTAL INFRINGEMENT  
CONTENTIONS AND STAY CERTAIN DISCOVERY OBLIGATIONS

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Plaintiff B.E. Technology, L.L.C. (“B.E.”) respectfully responds to defendants Samsung Telecommunications America, LLC’s (“STA”) and Samsung Electronics America, Inc.’s (“SEA”) (together “the defendants”) motion to compel supplemental infringement contentions and stay certain discovery obligations. B.E. has complied with this District’s Local Patent Rules (“LPR”) to serve initial infringement contentions that provide reasonable notice of B.E.’s infringement theories. Rather than comply with their own disclosure obligations required by the LPR, the defendants urge this Court to hold B.E.’s initial infringement contentions to a higher standard not justified at this early stage of the case or contemplated by the LPR.

The defendants surprisingly contend that they do not understand what in each of the accused products infringes the asserted patent. The defendants demonstrated at the initial case management conference a deep understanding of the asserted patent and why, they believe, their products do not infringe. Rather than further delay this action and mire B.E. in the supplementation of 178 claim charts, B.E. requests that the Court deny the defendants’ motion and order the case to proceed pursuant to the agreed upon, and now adopted by the Court, case schedule.

#### **I. RELEVANT BACKGROUND FACTS.**

B.E. filed its complaints in these actions on September 21, 2012. *See* STA D.E. 1; SEA D.E. 1. B.E. accuses the defendants of infringing at least claim 2 of U.S. Patent No. 6,771,290 (“’290 patent”), entitled Computer Interface Method and Apparatus with Portable Network Organization System and Targeted Advertising. *Id.* B.E.’s complaint includes a non-exhaustive list of accused products that include the infringing features. *Id.*

On December 31, 2013, the defendants filed Answers denying infringement of any claim of the ’290 patent. STA D.E. 22; SEA D.E. 26. On January 7, 2013, B.E. timely served initial infringement contentions and produced documents as required by LPR 3.1 and 3.2. B.E. accused

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