

EXHIBIT E

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

CELLULAR COMMUNICATIONS
EQUIPMENT LLC,

Plaintiff,

v.

LG ELECTRONICS, INC., ET AL.,

Defendants.

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CIVIL ACTION NO. 6:14-cv-982
CONSOLIDATED LEAD CASE

JURY TRIAL DEMANDED

**PLAINTIFF’S PRELIMINARY DISCLOSURE OF
ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS**

Pursuant to P.R. 3-1 and the Court’s May 4, 2015 Order (Dkt No. 44), Plaintiff Cellular Communications Equipment LLC submits this disclosure of asserted claims and infringement contentions to Defendants Sony Mobile Communications Inc. and Sony Mobile Communications (USA) Inc. (collectively, “Sony”), AT&T Mobility LLC (“AT&T”), Cellco Partnership d/b/a Verizon Wireless (“Verizon”), and T-Mobile USA, Inc., and T-Mobile US, Inc. (collectively, “T-Mobile”).

I. P.R. 3-1 Disclosure of Asserted Claims and Infringement Contentions

(a) Defendants infringe the following claims:

1. Claims 1-7, 9, and 10-16 of U.S. Pat. 8,385,966;
2. Claims 13-15, and 21-23 of U.S. Pat. 8,848,556; and
3. Claims 1, 3, 7, 9, and 15 of U.S. Pat. 8,868,060;

Defendants’ infringements are both direct and indirect, as set forth in the claim charts attached as Exhibits A through C. Plaintiff reserves the right to augment or supplement its contentions to

identify additional claims infringed by Defendants after discovery, in response to Defendants' P.R. 3-4 production, or as permitted under the Patent Rules.

(b) Defendants' direct and indirect infringements pertain to the Accused Products identified in Exhibits A through C. Plaintiff expects that this disclosure may be subject to amendment or supplementation to identify and accuse additional products released, developed, or made available by Defendants after the date on which these contentions are served, or of which Plaintiff was not aware at the time of these contentions.

(c) Charts identifying where each element or step of the asserted claims is found within, or performed by, each Accused Product are attached as Exhibits A through C. The charts are based on publicly-available information currently accessible to Plaintiff.

(d) Based on its current understanding of the claim language and publicly-available information pertaining to the Accused Products, and without notice of any non-infringement position from Defendants, Plaintiff asserts that Defendants literally infringe each element or step of the asserted claims. However, any claim element or step not literally present in or performed by the Accused Products is satisfied under the doctrine of equivalents because any difference between such claim element or step and the accused element or step are insubstantial. In other words, the accused element or step performs substantially the same function, in substantially the same way, to achieve substantially the same result.

As discovery has not yet begun and the Court has not construed certain claim terms, it is not yet clear whether Plaintiff will rely on the doctrine of equivalents. Accordingly, Plaintiff reserves the right, in response to discovery, Defendants' P.R. 3-4 production, or as permitted under the Patent Rules, to amend its infringement contentions as necessary.

(e) The asserted claims of U.S. Pat. 8,385,966 claim priority to an earlier application filed May 5, 2008. The asserted claims of U.S. Pat. 8,848,556 claim priority to an earlier

application filed June 21, 2010. The asserted claims of U.S. Pat. 8,868,060 claim priority to an earlier application filed April 2, 2007. Each patent listed in this section (e) is entitled to a priority date no later than the filing date of the earliest application to which it claims priority.

(f) Plaintiff is not aware of any apparatus, product, device, process, method, act, or other instrumentality of its own that practices the claimed inventions.

II. P.R. 3-2 Document Production Accompanying Disclosure

- (a) Plaintiff is not presently aware of documents responsive to P.R. 3-2(a).
- (b) Other than information included in the file histories noted below, Plaintiff is not presently aware of documents responsive to P.R. 3-2(b).
 - (c) Documents responsive to P.R. 3-2(c) have been produced as follows:
 1. File History of U.S. Pat. No. 8,385,966: CCE_LG000001-0263
 2. File History of U.S. Pat. No. 8,848,556: CCE_LG000263-0824
 3. File History of U.S. Pat. No. 8,868,060: CCE_LG000825-01446

Dated: May 15, 2015

Respectfully submitted,

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