

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

GEOSCOPE TECHNOLOGIES PTE. LTD.,

Plaintiff,

vs.

GOOGLE LLC,

Defendant.

Civil Action No. 1:22-cv-01331-
MSN-JFA

**PLAINTIFF GEOSCOPE TECHNOLOGIES PTE. LTD.'S
PRELIMINARY INFRINGEMENT CONTENTIONS**

Pursuant to the Joint Discovery Plan (Dkt. No. 50) Plaintiff Geoscope Technologies Pte. Ltd. (“Geoscope”) provides the following Preliminary Infringement Contentions (“Contentions”) for U.S. Patent Nos. 7,561,104 (“the ’104 Patent”), 8,400,358 (“the ’358 Patent”), 8,786,494 (“the ’494 Patent”), 8,406,753 (“the ’753 Patent”), 9,097,784 (“the ’784 Patent”), and 8,320,264 (“the ’264 Patent”) (collectively, “the Asserted Patents”). The Contentions include Appendices A, B, C, D, E, and F (collectively, the “Claim Charts”).

Geoscope makes these Contentions based on the information reasonably available to Geoscope at this time. Discovery has only recently commenced, Defendant Google LLC (“Google”) has not provided any technical discovery except for certain source code made available for inspection on March 31, 2023, and claim construction has not yet occurred. Geoscope reserves the right to supplement and/or amend these Contentions, including the Claim Charts, to the full extent consistent with the Court’s Rules and Orders, the Joint Discovery Plan, and any other applicable rule or authority, including in light of discovery (including a complete production by Google of relevant source code and other non-public technical information) and claim construction.

I. INTRODUCTION

Geoscope asserts that Google infringes, directly under 35 U.S.C. § 271(a), contributorily under 35 U.S.C. § 271(c), and by inducement under 35 U.S.C. § 271(b) the Asserted Claims by Google Location Services¹ (also referred to as Google Location Accuracy), including the comprising hardware and software components and associated APIs and frameworks such as Fused Location Provider, Network Location Provider, and Geolocation API (the “Accused Instrumentality”). Geoscope’s present understanding without the benefit of discovery is that Google Location Services broadly refers to Google’s instrumentality that determines a device’s location using information from, *inter alia*, Wi-Fi signals, cellular signals, and device sensor measurements, and can be considered a single instrumentality with multiple comprising components, including hardware components and software components such as Fused Location Provider and Network Location Provider. *See, e.g.*, GEOSCOPE-G-013632 at 13634 (“[W]ith Google Location Services, additional information from nearby Wi-Fi, mobile networks, and device sensors can be collected to determine your device’s location.”); GEOSCOPE-G-013655 at 21:19-22:55. To the extent that discovery reveals additional or other information about the structure and organization of Google Location Services, including its relationship to other hardware components and software components such as Fused Location Provider and Network Location Provider, Geoscope reserves the right to amend and/or supplement these Contentions, including the Claim Charts.

The Accused Instrumentality infringes the Asserted Claims, as set forth in the Claim Charts. Discovery, including inspection of the source code and other technical documents relating

¹ The name “Google Location Services” is used herein and in the accompanying claim charts though citations may use the name “Google Location Accuracy.” This is not intended to be limiting on the scope of the Accused Instrumentality or the allegations of infringement.

to Google's products, services or features, may reveal that additional Google products, services, or features infringe the Asserted Claims. Geoscope reserves the right to amend and/or supplement these Contentions, including the Claim Charts, to include additional products, services, or features identified during discovery, or released, developed, or made available by Google after the date on which these Contentions are served. Additionally, discovery, including inspection of the source code and other technical documents relating to the Accused Instrumentality, may reveal that Google infringes additional claims of the Asserted Patents. Geoscope reserves the right to amend and/or supplement these Contentions, including the Claim Charts, to include additional asserted claims.

Geoscope identifies where each element of each Asserted Claim is found within the Accused Instrumentality in the Claim Charts, supported by citations to documents identified by Bates number. The citations herein and in the Claim Charts are exemplary and illustrative. Geoscope reserves the right amend and/or supplement these Contentions, including the Claim Charts, to identify additional or other documents supporting Geoscope's allegations of infringement. Each limitation of each Asserted Claim is considered to be literally present in the Accused Instrumentality. Where Geoscope contends—based on the information presently available to it—that a limitation is met under the doctrine of equivalents, to the extent it is not literally present, Geoscope has identified the basis for that contention on a limitation-by-limitation basis in the Claim Charts. Geoscope reserves the right to assert additional or different theories of infringement under the doctrine of equivalents as discovery progresses and after claim construction. The Asserted Claims include limitations that are performed, in whole or in part, by software. Google does not make public the source code or other technical documents concerning the operation of the Accused Instrumentality. Accordingly, Geoscope's current positions on

infringement are provided without the benefit of the source code (which was only made available very recently and has not yet been inspected) for and other non-public information regarding the Accused Instrumentality. Discovery, including inspection of the source code and other technical documents relating to the Accused Instrumentality, may reveal that the Accused Instrumentality infringes in additional or other manners. Further, Geoscope's positions on infringement of specific claims will depend on the claim constructions adopted by the Court, which has not yet construed the claim terms. Geoscope reserves the right to amend and/or supplement these Contentions, including the Claim Charts, for any of the reasons set forth above (including after a complete production by Google of relevant source code and other non-public technical information and claim construction) in accordance with the Joint Discovery Plan (Dkt. No. 50), or as otherwise ordered by the Court.

II. OVERVIEW OF DIRECT AND INDIRECT INFRINGEMENT

Geoscope asserts that Google directly infringes the Asserted Claims under 35 U.S.C. § 271(a) by making, having made, using, selling, offering for sale, and/or importing systems and methods protected thereby within the United States. To the extent any step of any asserted method claims is not directly performed by Google, it is performed under the direction or control of Google. Receipt of the benefits of the Accused Instrumentality, including to provide a customer or end-user with "a more accurate device location and generally improve[d] location accuracy," are necessarily conditioned on performance of the claimed steps, and Google establishes the manner and/or timing of such performance by directing and controlling the operation of the Accused Instrumentality. *See* GEOSCOPE-G-013632 at 13632, 13634.

Geoscope further asserts that Google induces the direct infringement of the Asserted Claims of by users of the Accused Instrumentality pursuant to 35 U.S.C. § 271(b) at least by making and providing the Accused Instrumentality, and through activities relating to selling,

marketing, advertising, promotion, support, and distribution of the Accused Instrumentality.² For example, when a user uses the Accused Instrumentality as designed and intended by Google, each component and/or step of each Asserted Claim is used and/or performed as described in the Claim Charts. As another example, Google induces the direct infringement of the Asserted Claims by touting the benefits of, and encouraging the use of the Accused Instrumentality in manners that directly infringe the Asserted Claims as described in the Claim Charts. *See, e.g.*, GEOSCOPE-G-013632; GEOSCOPE-G-013647.

Geoscope further asserts that Google contributes to the direct infringement of the Asserted Claims by users of the Accused Instrumentality pursuant to 35 U.S.C. § 271(c) at least by making, selling, offering to sell, and/or importing or exporting one or more components of the Accused Instrumentality used to practice the Asserted Claims, that constitute a material part of the inventions claimed in the Asserted Claims, and that have no substantial non-infringing use, with knowledge that such components are especially made or adapted for use in infringing the Asserted Claims.

III. DOCUMENT PRODUCTION

Concurrently with service of these Preliminary Infringement Contentions, Geoscope will produce, *inter alia*, the documents cited herein, including in the Claim Charts, and other documents required under the Joint Discovery Plan (Dkt. No. 50 § III.B.3).

² The indirect infringement claims as to U.S. Patent Nos. 8,786,494 and 9,097,784 are limited to the post-complaint period at this time. Dkt. No. 44 at 14.

Dated: April 7, 2023

/s/ Saunak K. Desai

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*Attorneys for Plaintiff Geoscope Technologies
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CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of April 2023, I caused a true and correct copy of the foregoing **PLAINTIFF GEOSCOPE TECHNOLOGIES PTE. LTD.'S PRELIMINARY INFRINGEMENT CONTENTIONS** to be served on all counsel of record via e-mail service.

/s/ Saunak K. Desai

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