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

STA GROUP LLC, Plaintiff, - vs. - **MOTOROLA SOLUTIONS, INC.**, Defendant.	Civil Action No. 2:22-CV-000381 **Jury Trial Demanded**

PLAINTIFF'S FIRST AMENDED DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS AND DOCUMENT PRODUCTION ACCOMPANYING DISCLOSURE PURSUANT TO P.R. 3-1 & 3-2

Pursuant to Patent Rules 3-1 and 3-2, Plaintiff STA Group LLC ("STA" or "Plaintiff") hereby provides its First Amended Disclosure of Asserted Claims and Infringement Contentions ("Infringement Contentions") and its Document Production Accompanying Disclosure against Defendant Motorola Solutions, Inc. ("Motorola" or "Defendant").

Plaintiff presents these Infringement Contentions based on Plaintiff's analysis of the facts currently known, including on Plaintiff's review of certain publicly available information and information obtained through discovery. Plaintiff reserves the right to amend or further supplement these disclosures—including to supplement its infringement contentions pursuant to P.R. 3-6—with additional information learned in the course of discovery or further investigation concerning Motorola's products, services, and/or source code sufficient to show the operation of Motorola's products and/or services.

Motorola Solutions, Inc., Ex1022, p. 1

I. STA'S P.R. 3-1 DISCLOSURES

A. P.R. 3-1(a): Infringed Claims

Subject to ongoing discovery and investigation, STA asserts that Motorola infringes literally or under the doctrine of equivalents on:

i. Claims 1-12 and 14-21 of U.S. Patent No. 7,324,802 (the "'802 Patent") (collectively, "Asserted Claims of the '802 Patent") directly under 35 U.S.C. § 271(a) by making, using, offering to sell and/or selling the Accused Instrumentalities set forth in Part I.B. below. Additionally, Motorola indirectly infringes under 35 U.S.C. § 271(b) and (c) by inducing and/or contributing to the infringement of its customers, wherein the underlying infringement is the use of the Accused Instrumentalities which infringe the Asserted Claims of the '802 Patent.

ii. Claims 1-11 of U.S. Patent No. 8,489,134 (the "'134 Patent") (collectively, "Asserted Claims of the '134 Patent") directly under 35 U.S.C. § 271(a) by making, using, offering to sell and/or selling the Accused Instrumentalities set forth in Part I.B. below. Additionally, Motorola indirectly infringes under 35 U.S.C. § 271(b) and (c) by inducing and/or contributing to the infringement of its customers, wherein the underlying infringement is the use of the Accused Instrumentalities which infringe the Asserted Claims of the '134 Patent.

iii. Claims 1, 2, 6-10, 16, 17, and 20 of U.S. Patent No. 8,831,664 (the "'664 Patent") (collectively, "Asserted Claims of the '664 Patent") directly under 35 U.S.C. § 271(a) by making, using, offering to sell and/or selling the Accused Instrumentalities set forth in Part I.B. below. Additionally, Motorola indirectly infringes under 35 U.S.C. § 271(b) and (c) by inducing and/or contributing to the infringement of its customers, wherein the

underlying infringement is the use of the Accused Instrumentalities which infringe the Asserted Claims of the ’664 Patent.

iv. Claims 1, 5, 8, 11, and 15 of U.S. Patent No. 8,994,830 (the “‘830 Patent”) (collectively, “Asserted Claims of the ’830 Patent”) directly under 35 U.S.C. § 271(a) by making, using, offering to sell and/or selling the Accused Instrumentalities set forth in Part I.B. below. Additionally, Motorola indirectly infringes under 35 U.S.C. § 271(b) and (c) by inducing and/or contributing to the infringement of its customers, wherein the underlying infringement is the use of the Accused Instrumentalities which infringe the Asserted Claims of the ’830 Patent.

STA reserves the right to supplement its position as to infringement following further discovery and/or claim construction.

B. P.R. 3-1(b): Accused Instrumentalities

Subject to ongoing discovery and investigation, and based on present information and belief, STA contends that the Asserted Claims of the ’802 Patent, the Asserted Claims of the ’134 Patent, the Asserted Claims of the ’830 Patent, and the Asserted Claims of the ’664 Patent are infringed by Motorola’s products and services as identified in the charts attached hereto as Exhibits A–D, respectively (“Accused Instrumentalities”):

i. **The ’802 Patent**: Motorola manufactures, sells, offers for sale, uses, induces the use of, and contributes to the use of products that comprise a unified product ecosystem, which include but is not limited to, ASTRO 25 Products (*e.g.*, the ASTRO 25 system, ASTRO Core, Advanced Messaging Solution, PremierOne), WAVE Products (*e.g.*, WAVE Mobile Communicator, WAVE Desktop Communicator, WAVE PTX Broadband PTT devices),

Kodiak Products (*e.g.*, Kodiak's Broadband Push-to-Talk (PTT) products), and radios (*e.g.*, MOTOTRBO, 7000XE P25 Portable Radio) ("the '802 Accused Products").

ii. **<u>The '134 Patent</u>**: Motorola manufactures, sells, offers for sale, uses, induces the use of, and contributes to the use of products that comprise a unified product ecosystem, which include but is not limited to, ASTRO 25 Products (*e.g.*, the ASTRO 25 system, ASTRO Core, Advanced Messaging Solution, PremierOne), CommandCentral, SmartConnect, Critical Connect, WAVE Products (*e.g.*, WAVE Mobile Communicator, WAVE Desktop Communicator, WAVE PTX Broadband PTT devices), Kodiak Products (*e.g.*, Kodiak's Broadband Push-to-Talk (PTT) products), and radios (*e.g.*, MOTOTRBO, 7000XE P25 Portable Radio) ("the '134 Accused Products").

iii. **<u>The '664 Patent</u>**: Motorola manufactures, sells, offers for sale, uses, induces the use of, and contributes to the use of products that comprise a unified product ecosystem, which include but is not limited to, ASTRO 25 Products (*e.g.*, the ASTRO 25 system, ASTRO Core, Advanced Messaging Solution, PremierOne), CommandCentral Products (*e.g.*, CommandCentral Aware), WAVE Products (*e.g.*, WAVE Mobile Communicator, WAVE Desktop Communicator, WAVE PTX Broadband PTT devices), Kodiak Products (*e.g.*, Kodiak's Broadband Push-to-Talk (PTT) products), and radios (*e.g.*, MOTOTRBO, 7000XE P25 Portable Radio) ("the '664 Accused Products").

iv. **<u>The '830 Patent</u>**: Motorola manufactures, sells, offers for sale, uses, induces the use of, and contributes to the use of products that comprise a unified product ecosystem, which include but is not limited to, ASTRO 25 Products (*e.g.*, the ASTRO 25 system, ASTRO Core, Advanced Messaging Solution, PremierOne), CommandCentral Products (*e.g.*, CommandCentral Aware), WAVE Products (*e.g.*, WAVE Mobile Communicator, WAVE

Desktop Communicator, WAVE PTX Broadband PTT devices), Kodiak Products (*e.g.*, Kodiak's Broadband Push-to-Talk (PTT) products), radios (*e.g.*, MOTOTRBO, 7000XE P25 Portable Radio), and Avigilon Alta Products (*e.g.*, "Aware" Video Management Tools) ("the '830 Accused Products").

v. Plaintiff reserves the right to supplement its infringement contentions to identify additional products and/or services, if necessary, when it is provided with non-public documents and/or source code from third parties and/or Motorola via the discovery process.

C. P.R. 3-1(c): Preliminary Infringement Charts

Subject to ongoing discovery and investigation, and based on present information and belief, Plaintiff contends that each element of each infringed claim is found within each Accused Instrumentality as shown in the preliminary infringement charts attached hereto as Exhibits A–D and incorporated herein in its entirety. Plaintiff's identification in the claim charts is exemplary and based upon public information and information obtained through discovery currently available to Plaintiff.

Plaintiff reserves the right to amend its asserted claims and infringement contentions pursuant to P.R. 3-6 as discovery progresses and additional information is gathered.

D. P.R. 3-1(d): Literal Infringement and Infringement Under the Doctrine of Equivalents

Subject to ongoing discovery and investigation, and based on available information obtained to date, Plaintiff hereby contends that each element of each asserted claim is literally present in each of the Accused Instrumentalities as specifically shown in Exhibits A–D unless otherwise stated in those exhibits. As indicated above, discovery is necessary to further develop Plaintiff's infringement positions—either literal or under the doctrine of equivalents—and the Court has yet to issue a claim construction order. Pursuant to P.R. 3-6, Plaintiff expressly reserves

the right to amend and supplement its position on whether there is infringement under the doctrine of equivalents of any element of any asserted claim after further discovery from Motorola (and/or third parties) and/or pending this Court's claim construction order.

E. P.R. 3-1(e): Priority Dates

i. The '802 Patent was filed on January 20, 2005 as U.S. Patent Application Serial No. 11/039,569. The '802 Patent is entitled to a priority date of at least January 20, 2005.

ii. The '134 Patent was filed on September 2, 2008 as U.S. Patent Application Serial No. 12/202,450. The '134 Patent is entitled to a priority date of at least September 2, 2008.

iii. The '830 Patent was filed on August 8, 2008 as U.S. Patent Application Serial No. 12/188,982. The '830 Patent is entitled to a priority date of at least August 8, 2008.

iv. The '664 Patent was filed on August 16, 2011 as U.S. Patent Application Serial No. 13/210,967. The '664 Patent is entitled to priority to U.S. Patent Application Serial No. 12/340,417, filed December 19, 2008. The '664 Patent is entitled to a priority date of at least December 19, 2008.

F. P.R. 3-1(f): Right to Rely on Plaintiff's Own Instrumentality

STA does not contend that it practices the Asserted Claims of the '802 Patent, the '134 Patent, the '664 Patent, or the '830 Patent.

II. DOCUMENT PRODUCTION ACCOMPANYING DISCLOSURE

A. Documents Responsive to P.R. 3-2(a)

Plaintiff does not presently possess any relevant, non-privileged documents responsive to P.R. 3-2(a). Plaintiff will supplement this response should any relevant, non-privileged documents be identified in the future.

B. Documents Responsive to P.R. 3-2(b)

Plaintiff does not presently possess any relevant, non-privileged documents responsive to P.R. 3-2(b). Plaintiff is continuing its investigation and will supplement this response should any relevant, non-privileged documents be identified in the future.

C. Documents Responsive to P.R. 3-2(c)

Pursuant to P.R. 3-2(c), copies of the file history of the '802 Patent, the '134 Patent, the '664 Patent, and the '830 Patent have been produced under the following Bates Numbers: STA_000001 to STA_001504. In addition, applications to which the Asserted Patents claim priority have been produced under the following Bates Numbers: STA_001505 to STA_002078.

III. CONCLUSION

The information contained in these disclosures is based on Plaintiff's analysis of the facts currently known to it and based on Plaintiff's review of public information reasonably available to it and information obtained through discovery. Additional pertinent information about Motorola's Accused Instrumentalities is not available without engaging in further discovery. Thus, Plaintiff reserves the right to supplement, modify, and/or amend these disclosures as new information becomes available, and discovery progresses. Plaintiff anticipates that additional facts and relevant documents will be uncovered that will warrant supplementing and/or amending these disclosures.

Dated: June 15, 2023

Respectfully submitted,

/s/ *James Shimota*

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was served on June 15, 2023 to counsel of record for Motorola via email at the following address:

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