IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

HISENSE USA CORPORATION, Plaintiff, v. BRIGHTPLUS VENTURES LLC, Defendant.	Civil Action No.: 1:22-cv-02774-TCB **Jury Trial Demanded**
BRIGHTPLUS VENTURES LLC, Counter-Claim Plaintiff v. HISENSE USA CORPORATION, HISENSE CO. LTD., HISENSE INTERNATIONAL (HK) CO. LTD., HISENSE VISUAL TECHNOLOGY CO., LTD., and TVS REGZA CORPORATION, Counter-Claim Defendants.	Civil Action No.: 1:22-cv-02774-TCB **Jury Trial Demanded**

BRIGHTPLUS VENTURES LLC'S DISCLOSURE OF INFRINGEMENT CONTENTIONS

Pursuant to Patent L.R. 4.1, Counter-Claim Plaintiff Brightplus Ventures LLC ("Brightplus" or "Plaintiff"), makes the following Disclosure of Infringement

Contentions on Counter-Claim Defendants Hisense USA Corporation, Hisense Co. Ltd., Hisense International (HK) Co., Ltd., Hisense Visual Technology Co., Ltd., and TVS REGZA Corporation (collectively "Hisense" or "Counter-Claim Defendants").

I. ASSERTED CLAIMS

Based on the information currently available to it, Plaintiff asserts that Hisense infringes directly or indirectly, at least the following claims of U.S. Patent No. 7,690,812 ("'812 Patent"); U.S. Patent No. 7,872,705 ("'705 Patent"); U.S. Patent No. 8,177,382 ("'382 Patent"); U.S. Patent No. 8,294,075 ("'075 Patent"); U.S. Patent No. 8,330,710 ("'710 Patent"); U.S. Patent No. 8,941,331 ("'331 Patent"); U.S. Patent No. 9,605,835 ("'835 Patent"); U.S. Reissued Patent No. RE42,598 ("'598 Patent") and U.S. Patent No. RE45,796 ("'796 Patent") (collectively "the Patents-in-Suit"):

- For the '812 Patent: Claims 1, 2, 4, 5, 6, 12, 15, 18, 21
- For the '705 Patent: Claims 1, 5, 6, 9, 11, 13, 14, 16, 17, 22, 28, 32
- For the '382 Patent: Claims 1, 13, 17, 18
- For the '075 Patent: Claims 1, 2, 3, 5, 6, 7, 10, 12
- For the '710 Patent: Claims 1, 2, 5, 12, 13, 16, 17, 47, 48
- For the '331 Patent: Claims 17, 18, 20

- For the ’835 Patent: Claims 1, 3, 5, 8, 9, 11, 13, 14
- For the ’598 Patent: Claims 46, 47, 48
- For the ’796 Patent: Claims 46, 47, 48, 49, 50, 53

Brightplus reserves the right to supplement this disclosure as discovery continues and new information is obtained about Hisense’s accused products.

II. ACCUSED INSTRUMENTALITIES

Based on the information currently available to Brightplus, the Accused Instrumentalities include, without limitation:

- Hisense A4 Series televisions including 32A4GV, 32A45FH , 32A4H, 40A45H, 40A4GV, and 32A45GV;
- Hisense A6 Series televisions including 43A6GX, 50A6GX, 43A6H, 50A6H, 55A6H, 65A6H, 70A6H, 75A6H, 43A65H, 65A65H, 55A65H, 50A65H, 55A6GV, 43A6GV, and 50A6GV;
- Hisense A7 Series televisions including 85A76H and 85A7H;
- Hisense H4 Series televisions including 32H4G5, 43H4G, 32H4G, and 40H4030F1;
- Hisense R6 Series televisions including 75R6030, 65R6E4, 65R6G, 55R6G, 50R6G, 43R6G, and 75R6E3;
- Hisense U6 Series televisions including 50U6G1, 50U6H, 55U6H,

65U6H, 75U6H, 50U6HF, 58U6HF, and 50U6G;

- Hisense U7 Series televisions including 55U7H, 65U7H, 75U7H, 85U7H, 55U75H, 65U75H, and 75U75H;
- Hisense U8 Series televisions including 55U8H, 65U8H, 75U8H, and 75U800GR;
- Hisense U9 Series televisions including 75U9DG;
- Toshiba C350 Series television including 43C350KU, 55C350KU, 50C350KU, 65C350KU, and 75C350KU;
- Toshiba M550 Series television including 65M550KU, 55M550KU, and 75M550KU; and
- Toshiba V35 Series television including 32V35KU and 43V35KU.

III. INFRINGEMENT CLAIM CHARTS

Attached hereto (as Exhibits 1A-9A) are claim charts identifying where each element of each asserted claim is found in the Accused Instrumentalities. Brightplus reserves the right to supplement the attached charts as additional information concerning Hisense's various Accused Instrumentalities is obtained in discovery and based on Brightplus's consultations with its technical expert(s).

IV. LITERAL INFRINGEMENT AND THE DOCTRINE OF EQUIVALENTS

Based on the information currently available to it, Brightplus asserts that

each element of each asserted claim identified above is literally present in the Accused Instrumentalities. To the extent any element is held not to be literally present, Brightplus reserves the right to assert that such element is present under the doctrine of equivalents.

V. PRIORITY DATES

Brightplus contends that the asserted claims of U.S. Patent No. 7,690,812 ("the '812 Patent") are entitled to the priority date not later than March 16, 2007, the filing date of U.S. Application No. 11/687,160.

Brightplus contends that the asserted claims of U.S. Patent No. 7,872,705 ("the '705 Patent") are entitled to the priority date not later than July 29, 2007, the filing date of U.S. Application No. 11/829,912.

Brightplus contends that the asserted claims of U.S. Patent No. 8,177,382 ("the '382 Patent") are entitled to the priority date not later than March 11, 2008, the filing date of U.S. Application No. 12/045,729.

Brightplus contends that the asserted claims of U.S. Patent No. 8,294,075 ("the '075 Patent") are entitled to the priority date not later than April 21, 2006, the filing date of U.S. Application No. 11/408,648. In the alternative, Brightplus contends that the asserted claims of the '075 Patent are entitled to the priority date not later than August 5, 2010, the filing date of U.S. Application No. 12/851,026.

Brightplus contends that the asserted claims of U.S. Patent No. 8,330,710 ("the '710 Patent") are entitled to the priority date not later than May 8, 2007, the filing date of U.S. Application No. 11/745,713. In the alternative, Brightplus contends that the asserted claims of the '710 Patent are entitled to the priority date not later than October 11, 2011, the filing date of U.S. Application No. 13/270,387.

Brightplus contends that the asserted claims of U.S. Patent No. 8,941,331 ("the '331 Patent") are entitled to the priority date not later than November 18, 2005, the filing date of U.S. Application No. 60/738,305. In the alternative, Brightplus contends that the asserted claims of the '331 Patent are entitled to the priority date not later than November 17, 2006, the filing date of U.S. Application No. 11/601,504. In the alternative, Brightplus contends that the asserted claims of the '331 Patent are entitled to the priority date not later than December 23, 2010, the filing date of U.S. Application No. 12/977,422. In the alternative, Brightplus contends that the asserted claims of the '331 Patent are entitled to the priority date not later than May 11, 2012, the filing date of U.S. Application No. 13/469,188. In the alternative, Brightplus contends that the asserted claims of the '331 Patent are entitled to the priority date not later than May 17, 2013, the filing date of U.S. Application No. 13/896,977.

Brightplus contends that the asserted claims of U.S. Patent No. 9,605,835

("the '835 Patent") are entitled to the priority date not later than April 21, 2006, the filing date of U.S. Application No. 11/408,648. In the alternative, Brightplus contends that the asserted claims of the '835 Patent are entitled to the priority date not later than August 5, 2010, the filing date of U.S. Application No. 12/851,026. In the alternative, Brightplus contends that the asserted claims of the '835 Patent are entitled to the priority date not later than October 22, 2012, the filing date of U.S. Application No. 13/657,609. In the alternative, Brightplus contends that the asserted claims of the '835 Patent are entitled to the priority date not later than February 2, 2015, the filing date of U.S. Application No. 14/611,800.

Brightplus contends that the asserted claims of U.S. Reissued Patent No. RE42,598 (the '598 Patent") are entitled to the priority date not later than December 23, 2004, the filing date of U.S. Application No. 11/022, 332. In the alternative, Brightplus contends that the asserted claims of the '598 Patent are entitled to the priority date not later than January 28, 2010, the filing date of U.S. Application No. 12,696,050.

Brightplus contends that the asserted claims of U.S. Reissued Patent No. RE45,796 (the '796 Patent") are entitled to the priority date not later than December 23, 2004, the filing date of U.S. Application No. 11/022, 332. In the alternative, Brightplus contends that the asserted claims of the '796 Patent are

entitled to the priority date not later than January 28, 2010, the filing date of U.S. Application No. 12,696,050. In the alternative, Brightplus contends that the asserted claims of the ’796 Patent are entitled to the priority date not later than June 27, 2011, the filing date of U.S. Application No. 13/169,359.

VI. DOCUMENT PRODUCTION

A. PATENT L.R. 4.1(c)(1)

Brightplus does not believe any of the documents in its possession, custody, or control meet the description of the rule.

B. PATENT L.R. 4.1(c)(2)

Brightplus does not believe any of the documents in its possession, custody, or control meet the description of the rule.

C. PATENT L.R. 4.1(c)(3)

Brightplus identifies documents in the following Bates range, BP_FH_00000001-BP_FH_00003429, as the file history for each of the Patents-in-Suit.

- The ’812 Patent: BP_FH_00000001-BP_FH_00000193
- The ’705 Patent: BP_FH_00000194-BP_FH_00000664
- The ’382 Patent: BP_FH_00000665-BP_FH_00001494
- The ’075 Patent: BP_FH_00001495-BP_FH_00001861

- The ’710 Patent: BP_FH_00001862-BP_FH_00002044
- The ’331 Patent: BP_FH_00002045-BP_FH_00002359
- The ’835 Patent: BP_FH_00002360-BP_FH_00002685
- The ’598 Patent: BP_FH_00002686-BP_FH_00002946
- The ’796 Patent: BP_FH_00002947-BP_FH_00003429

D. <u>PATENT L.R. 4.1(c)(4)</u>

Brightplus identifies documents in the following Bates range, BP_HISENSE_GEN_00000060 – BP_HISENSE_GEN_00002652, as copies of non-U.S. patents claiming a common priority with any patent asserted in the case, together with a copy of all prior art cited in such non-U.S. patent proceedings.

Dated: January 30, 2023

/s/ Dmitry Kheyfits

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CERTIFICATE OF SERVICE

I certify that all counsel of record are being served via electronic mail with a copy of this document and all accompanying documents on January 30, 2023.

/s/ Mary Itson
Mary Itson