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

CERENCE OPERATING CO., Plaintiff, v. SAMSUNG ELECTRONICS CO., LTD.; and SAMSUNG ELECTRONICS AMERICA, INC., Defendants.	Case No. 2:23-cv-00482-JRG-RSP **JURY TRIAL DEMANDED**

DEFENDANTS' INVALIDITY CONTENTIONS

Pursuant to the Local Patent Rules and the Court's Scheduling Order, Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, "Samsung" or "Defendants") provide these Invalidity Contentions with respect to the Asserted Claims of U.S. Patent Nos. 7,395,078 ("'078 patent), 8,081,993 ("'993 patent"), 11,393,461 ("'461 patent"), 11,087,750 ("'750 patent"), and 9,026,428 ("'428 patent"), (collectively, the "Asserted Patents") identified by Cerence Operating Co., ("Cerence" or "Plaintiff") in its Infringement Contentions.[1]

The Asserted Claims, as reflected in Plaintiff's Infringement Contentions, are as follows:

U.S. Patent No.	Asserted Claims
7,395,078	1-3, 8-10, 12, 15-17
8,081,993	1-2, 6-8, 10-11, 15-17
11,393,461	1-18
11,087,750	1-19
9,026,428	1

[1] Plaintiff served infringement contentions on March 11, 2024. Plaintiff's infringement contentions are referred to as the "Infringement Contentions."

further below, their modification or combination would have amounted to combining prior art elements according to known methods to yield predictable results; the use of known techniques to improve similar devices or methods in the same way; a simple substitution of one known, equivalent element for another to obtain predictable results; applying a known technique to a known device or method that is ready for improvement to yield predictable results; choosing from a finite number of identified, predictable solutions, with a reasonable expectation of success; and/or there was an express teaching, suggestion, or motivation in the prior art for their combination. *See Q.I. Press Controls v. Lee*, 732 F.3d 1371, 1379 (Fed. Cir. 2014); *Randall Mfg. v. Rea*, 733 F.3d 1355, 1362-63 (Fed. Cir. 2013); *KSR*, 550 U.S. at 421.

1. Exemplary combinations

This section lists out the exemplary combinations of references that would render obvious the Asserted Claims of the Asserted Patents, and the next section, details the exemplary limitations and motivations to combine.

In addition to the exemplary combinations of references below, the combination of (1) any of the references listed as anticipatory in Section III.B with the knowledge of one of ordinary skill or (2) any of the exemplary combinations listed below with the knowledge of ordinary skill would render obvious the Asserted Claims of the Asserted Patents.

These identified combinations are exemplary, and Samsung reserves the right to identify additional combinations during expert discovery and later stages of the case within the scope of the Local Rules and jurisprudence.

a) The ’078 Patent

(1) Independent Claim 1

- Dolan alone or in view of one or more of Freedman, and SMS Specification

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- Freedman alone or in view of one or more of Dolan, MMS Specification, and SMS Specification
- Kamai alone or in view of one or more of Freedman, Dolan, MMS Specification, and SMS Specification
- Jong alone or in view of one or more of Dolan, MMS Specification, and SMS Specification
- Chang alone or in view of one or more of Dolan, MMS Specification, and SMS Specification
- Shaked alone or in view of one or more Freedman, Dolan, MMS Specification, and SMS Specification
- Northcutt alone or in view of one or more of Freedman, Kamai, Jong, Chang, Dolan, Sim, Lee, Lin, Halonen, Hünlich, Guglielmi, Ekelund, Rorex, Squibbs, MMS Specification, SMS Specification, and Nishitani
- Sim alone or in view of one or more of Freedman, Kamai, Jong, Chang, Northcutt, Dolan, Lee, Lin, Halonen, Hünlich, Guglielmi, Ekelund, Rorex, Squibbs, MMS Specification, SMS Specification, and Nishitani

(2) Dependent Claims 2, 3, 8

- Dolan alone or in view of one or more of Freedman, and SMS Specification
- Freedman alone or in view of one or more of Dolan, MMS Specification, and SMS Specification
- Kamai alone or in view of one or more of Freedman, Dolan, MMS Specification, and SMS Specification

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- Northcutt alone or in view of one or more of Freedman, Kamai, Jong, Chang, Dolan, Sim, Lee, Lin, Halonen, Hünlich, Guglielmi, Ekelund, Rorex, Squibbs, MMS Specification, SMS Specification, and Nishitani
- Sim alone or in view of one or more of Freedman, Kamai, Jong, Chang, Northcutt, Dolan, Lee, Lin, Halonen, Hünlich, Guglielmi, Ekelund, Rorex, Squibbs, MMS Specification, SMS Specification, and Nishitani

b) The ’993 Patent

(1) Independent Claim 1

- Dolan alone or in view of one or more of Freedman, and SMS Specification
- Freedman alone or in view of one or more of Dolan, MMS Specification, and SMS Specification
- Kamai alone or in view of one or more of Freedman, Dolan, MMS Specification, and SMS Specification
- Jong alone or in view of one or more of Dolan, MMS Specification, and SMS Specification
- Chang alone or in view of one or more of Dolan, MMS Specification, and SMS Specification
- Shaked alone or in view of one or more Freedman, Dolan, MMS Specification, and SMS Specification
- Northcutt alone or in view of one or more of Freedman, Kamai, Jong, Chang, Dolan, Sim, Lee, Lin, Halonen, Hünlich, Guglielmi, Ekelund, Rorex, Squibbs, MMS Specification, SMS Specification, and Nishitani

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- Sim alone or in view of one or more of Freedman, Kamai, Jong, Chang, Northcutt, Dolan, Lee, Lin, Halonen, Hünlich, Guglielmi, Ekelund, Rorex, Squibbs, MMS Specification, SMS Specification, and Nishitani

(2) Dependent Claims 2 and 6

- Dolan alone or in view of one or more of Freedman, and SMS Specification
- Freedman alone or in view of one or more of Dolan, MMS Specification, and SMS Specification
- Kamai alone or in view of one or more of Freedman, Dolan, MMS Specification, and SMS Specification
- Jong alone or in view of one or more of Dolan, MMS Specification, and SMS Specification
- Chang alone or in view of one or more of Dolan, MMS Specification, and SMS Specification
- Shaked alone or in view of one or more Freedman, Dolan, MMS Specification, and SMS Specification
- Northcutt alone or in view of one or more of Freedman, Kamai, Jong, Chang, Dolan, Sim, Lee, Lin, Halonen, Hünlich, Guglielmi, Ekelund, Rorex, Squibbs, MMS Specification, SMS Specification, and Nishitani
- Sim alone or in view of one or more of Freedman, Kamai, Jong, Chang, Northcutt, Dolan, Lee, Lin, Halonen, Hünlich, Guglielmi, Ekelund, Rorex, Squibbs, MMS Specification, SMS Specification, and Nishitani

(3) Dependent Claim 7

- Dolan alone or in view of one or more of Freedman, and SMS Specification

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Number	Filing Date	Published/Issued Date	Short Name
US 7,996,589	2005-10-14	2011-08-09	Schultz
US 8,103,499	2008-03-18	2012-01-24	Lai
US 8,411,958	2004-05-04	2013-04-02	Rieman
US 8,797,293	2013-07-09	2014-08-05	Kim ’293
US 8,892,435	2009-02-13	2014-11-18	Kitade
US 8,908,973	2008-03-04	2014-12-09	Goldsmith ’973
US 9,323,345	2009-04-20	2016-04-26	Huang ’345

2. Prior Art Publications

Author or Publisher	Title	Publication/Use Date
Blackberry	"A short history of the BlackBerry"	2013-10-03
Nadeau	https://classictech.wordpress.com/2021/09/30/microsoft-multi-tool-word/	2021-09-30
Napper	Computer 50: The University of Manchester Celebrates the Birth of the Modern Computer	2010-07-26
Datamath	Datamath Calculator Museum, http://www.datamath.org/Related/Casio/fx-7000G.htm	2004-02-28
World Economic Forum	IBM Created the world’s first smartphone 25 years ago, https://www.weforum.org/agenda/2018/03/remembering-first-smartphone-simon-ibm/	2018-03-13

Dated: May 28, 2024 */s/ Patrick C. Reidy*

Jin-Suk Park
jin.park@arnoldporter.com
Ali Sharifahmadian
ali.sharifahmadian@arnoldporter.com

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ARNOLD & PORTER KAYE SCHOLER LLP
601 Massachusetts Ave., NW
Washington, DC 20001-3743
Telephone: (202) 942-5000
Facsimile: (202) 942-5555

Patrick C. Reidy
patrick.reidy@arnoldporter.com
Raj Patel
raj.patel@arnoldporter.com
ARNOLD & PORTER KAYE SCHOLER LLP
70 West Madison, Suite 4200
Chicago, IL 60602-4231
Telephone: (312) 583-2300
Facsimile: (312) 583-2360

Ryan M. Nishimoto
ryan.nishimoto@arnoldporter.com
Daniel S. Shimell
daniel.shimell@arnoldporter.com
ARNOLD & PORTER KAYE SCHOLER LLP
777 South Figueroa Street, 44th Floor
Los Angeles, CA 90017
Telephone: (213) 243-4000
Facsimile: (213) 243-4199

-and-

Melissa Smith
melissa@gillamsmithlaw.com
GILLAM & SMITH LLP
303 South Washington Avenue
Marshall, TX 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

Attorneys for Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc.

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CERTIFICATE OF SERVICE

I hereby certify that on May 28, 2024, a true and correct copy of the foregoing document was served by electronic mail on all counsel of record.

/s/Daniel Shimell
Daniel Shimell

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