

ANONYMOUS MEDIA RESEARCH
HOLDINGS, LLC,

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Case No. 2:23-cv-00439-JRG

V.

SAMSUNG ELECTRONICS CO, LTD.
AND SAMSUNG ELECTRONICS
AMERICA, INC.,

Jury Trial Demanded

Defendants.

Pursuant to Local Patent Rules 3-1 and 3-2, Plaintiff Anonymous Media Research Holdings, LLC (“AMRH”) hereby makes the following disclosure of asserted claims and infringement contentions with respect to U.S. Patent Nos. 8,510,768 (the “’768 Patent”), 8,756,622 (the “’622 Patent”), 8,296,791 (the “’791 Patent”), 10,719,848 (the “’848 Patent”), 10,719,849 (the “’849 Patent”), and 10,572,896 (the “’896 Patent”) (collectively, the “Asserted Patents”), to Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Samsung” or “Defendants”). AMRH’s investigation is ongoing, and discovery is in its early stages. AMRH reserves the right to further amend or modify its disclosures herein—including to supplement the infringement contentions pursuant to P.R. 3.6—based on additional information obtained through discovery or other means concerning Samsung’s products or services.

I. AMRH's P.R. 3-1 Disclosures

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

AMRH asserts that Samsung infringes the following claims based on information currently

known to it:

- Claims 1-3, 6, 9-11, and 14 of the '768 Patent;
- Claims 1, 2, 5-7, 9-11, and 13 of the '622 Patent;
- Claims 1-3, 5, 7, and 9-11 of the '791 Patent;
- Claims 1-3, 6, 9-11, and 14 of the '848 Patent;
- Claims 1, 2, 5-7, 9-11, and 13 of the '849 Patent; and
- Claims 1-3, 5, 7, and 9-13 of the '896 Patent.

This disclosure is based on currently (and publicly) available information. AMRH has not had the opportunity to discover Samsung's internal evidence regarding the implementation of Samsung's ACR-based media measurement hardware and software apparatuses, including source code, which would demonstrate whether Samsung's Accused ACR Instrumentalities meet the limitations of additional claims of the Asserted Patents. AMRH reserves the right to amend and/or supplement this disclosure following further discovery and/or claim construction.

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

Subject to ongoing discovery and investigation, and based on present information and belief available to date, AMRH contends that the Asserted Claims, listed above, are infringed by the infrastructure of hardware and software systems, devices, and apparatuses, including source code, that Samsung utilizes to perform the Automatic Content Recognition ("ACR")-based media measurement and data processing functionalities identified in AMRH's operative Complaint, hereafter collectively "the Accused ACR Instrumentalities." By way of example, the media measurement and data processing functionalities performed by the Accused ACR Instrumentalities include, but are not limited to, the following:

- the receiving of ACR data obtained from consumer media devices (such as Smart TVs), including samples of audio and/or video data (*e.g.*, fingerprints or snapshots) of media content consumed and any associated metadata of such ACR data (*e.g.*, capture times);
- the processing or post-processing of such ACR data after they are collected;
- the querying of any database(s) of reference content to identify potential matches between such ACR data and the reference content;
- the processing or post-processing of content identification results that correspond to such ACR data based on contextual data or expected pattern(s);
- the identification of channel information (including, *e.g.*, media delivery channels, broadcast channels, or cable channels) that correspond to such ACR data;
- the deduction of any consumer behavior actions that altered the play of the identified media content corresponding to such ACR data, including but not limited to any fast-forwarding, pausing, rewinding, or skipping of some or all portions of any media content; and
- the compilation or creation of output (in any format, including any reports, databases, play streams, or play lists) resulting from the processing or post-processing of such ACR data.

C. P.R. 3-1(c):

AMRH contends that each element of each infringed claim is found with Samsung's Accused ACR Instrumentalities as set forth in the infringement claim charts attached as Exhibits 1-6. These claim charts are based on information presently (and publicly) available to AMRH and are representative of, and fully disclose, AMRH's theories of infringement as to all versions of the Accused ACR Instrumentalities. AMRH 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):

AMRH asserts that, under the proper construction of the Asserted Claims and their claim terms, each element of each asserted claim is literally present in each of the Accused Instrumentalities as shown in Exhibits 1-6. To the extent that any limitation is found to not be

literally present, or to the extent that Samsung argues that any limitation is not present in the Accused Instrumentalities, AMRH asserts that such limitation is present under the doctrine of equivalents. Based on information presently available to AMRH, AMRH is not advancing any theory under the doctrine of equivalents. Pursuant to P.R. 3-6, AMRH expressly reserves the right to amend and supplement its position on infringement under the doctrine of equivalents of any element of any asserted claims after further discovery and/or pending this Court's claim construction order.

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

Each claim of the '768 Patent is entitled to a priority date of May 27, 2004, because the '768 Patent claims priority to Provisional Application No. 60/574,836, filed on May 27, 2004.

Each claim of the '622 Patent is entitled to a priority date of May 27, 2004, because the '622 Patent claims priority to Provisional Application No. 60/574,836, filed on May 27, 2004.

Each claim of the '791 Patent is entitled to a priority date of May 27, 2004, because the '791 Patent claims priority to Provisional Application No. 60/574,836, filed on May 27, 2004.

Each claim of the '848 Patent is entitled to a priority date of May 27, 2004, because the '848 Patent claims priority to Provisional Application No. 60/574,836, filed on May 27, 2004.

Each claim of the '849 Patent is entitled to a priority date of May 27, 2004, because the '849 Patent claims priority to Provisional Application No. 60/574,836, filed on May 27, 2004.

Each claim of the '896 Patent is entitled to a priority date of May 27, 2004, because the '896 Patent claims priority to Provisional Application No. 60/574,836, filed on May 27, 2004.

F. P.R. 3-1(f):

At this time, AMRH does not contend that any of its own instrumentalities presently practice any Asserted Claim of the Asserted Patents.

II. AMRH's P.R. 3-2 Document Production

A. P.R. 3-2(a):

Based on a reasonably diligent search and investigation to date, AMRH has identified and concurrently produces the following documents responsive to Local Patent Rule 3-2(a): AMRH_SAMSUNG_00002530-00004930. AMRH will supplement this production as appropriate should any relevant, non-privileged documents be identified later during the case.

B. P.R. 3-2(b):

Based on a reasonably diligent search and investigation to date, AMRH has identified and concurrently produces the following documents responsive to Local Patent Rule 3-2(b): AMRH_SAMSUNG_00000001-00001920, AMRH_SAMSUNG_00004931-00004953. AMRH will supplement this production as appropriate should any relevant, non-privileged documents be identified later during the case.

C. P.R. 3-2(c):

AMRH produces concurrently a copy of the file histories for the Asserted Patents:

- '768 Patent File History at AMRH_SAMSUNG_00000505-00000932.
- '622 Patent File History at AMRH_SAMSUNG_00000933-00001254.
- '791 Patent File History at AMRH_SAMSUNG_00000106-00000504.
- '848 Patent File History at AMRH_SAMSUNG_00001508-00001724.
- '849 Patent File History at AMRH_SAMSUNG_00001725-00001920.
- '896 Patent File History at AMRH_SAMSUNG_00001255-00001507.

AMRH will supplement this production should it assert any additional patents in the future.

Dated: January 22, 2024

Respectfully submitted,

/s/ Jason McManis

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CERTIFICATE OF SERVICE

I hereby certify that on January 22, 2024, the foregoing document was served upon all counsel of record via email.

/s/ Jason McManis
Jason McManis