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

HARBOR ISLAND DYNAMIC, LLC,	§	Case No. 2:24-cv-00140-JRG-RSP
Plaintiff,	§	**JURY TRIAL DEMANDED**
v.	§	
SAMSUNG ELECTRONICS CO. LTD. and SAMSUNG ELECTRONICS AMERICA, INC.,	§	
Defendants.	§	

PLAINTIFF'S DISCLOSURE OF
ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS

Plaintiff Harbor Island Dynamic LLC ("HID" or "Plaintiff") hereby makes the following infringement disclosures under the Local Patent Rules with respect to United States Patent Nos. 9,245,826 (the "'826 Patent"), 7,772,673 (the "'673 Patent"), 9,147,609 (the "'609 Patent"), and 7,745,886 (the "'886 Patent"), (collectively, the "HID Patents" or "Asserted Patents"). HID's investigation is ongoing and discovery is in its preliminary stages. Accordingly, these disclosures are based on information available to HID at this time. HID reserves the right to supplement this disclosure after further discovery from Defendants and non-parties, particularly documents and other discovery regarding Defendants' accused devices. HID also reserves the right to assert additional claims of the HID Patents, accuse different products, or find alternative literal and/or equivalent infringing elements in Defendants' products.

I. DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS PURSUANT TO LOCAL PATENT RULE 3-1

A. ASSERTED CLAIMS

Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, "Samsung" or "Defendants") have infringed and/or continue to infringe one or more of the following claims of the HID Patents in connection with the Accused Products set forth below:

- Claims 1, 2, 4, 9, 11, 12, 14, and 19 of the '826 Patent;
- Claims 1, 3, 5, 7, 10, 12, 14, and 15 of the '673 Patent;
- Claims 1, 2, 4, and 5 of the '609 Patent;
- Claims 1 and 3 of the '886 Patent;

B. ACCUSED INSTRUMENTALITIES

1. Accused Products

(a) '826 and '673 Patent

HID is currently aware that Defendants have and continue to directly infringe the '826 and '673 Patents, either literally or under the doctrine of equivalents, without authority and in violation of 35 U.S.C. § 271, by making, using, offering to sell, selling, and/or importing into the United States products that satisfy each and every limitation of one or more claims of the '826 and '673 Patents. Such products include each device made, used, offered for sale, sold, and/or imported into the United States. The Accused Products include, but are not limited to, the following image sensors made according to the same or similar processes as the S5KHM3SX CMOS Image Sensor: all and variants of Samsung image sensors, including S5KHM3SX CMOS Image Sensor, S5KJN1 CIS, S5KGM5SX CIS, S5KGN1SP CIS, S5K4H7YX CIS, S5K3J1X03 CIS, S5K2G1XX CIS, S5KHP9, S5KGNJ, S5KJN5, S5KGNK, S5K3LU, S5KHP2, S5KHP3, S5KGN3, S5KHM6,

S5KHP1, S5KGN5, S5KGM5, S5KJN1, S5KGN2, S5KHM3, S5KJD1, S5KGW3, S5KHM2, S5KGN1, S5KHM1, S5KGH1, S5KGW2, S5KHMX, S5KGM2, S5KGW1, S5K3T2, S5KGD1, S5K3J1, S5K2L4, S5K4HA, S5K3M5, S5K3T1, S5K5E9, S5K3L6, S5K3P9, S5K2X5, S5K4H7, S5K2X7, S5K2T7, S5K5F1, S5KGM1, S5K3P8, S5K2P7, S5K2P6, S5K3L8, S5K3M3, S5K3L2, S5K2L5, S5K2L7, S5K2L7, S5K2L1, S5K2L2, S5K2LQ, S5K4H8, S5K3H1, S5K2P2, and any other image sensors made by the same or similar processes that were made, sold, offered for sale, used, or imported into the United States since February 26, 2018 ("'826 Accused Image Sensors"). The Accused Products further include, but are not limited to, any products that incorporate any of the Accused Image Sensors including, but not limited to, all versions and variants of Samsung smartphones and tablets that incorporate any of the Accused Image Sensors, such as Samsung Galaxy S24 Ultra, Galaxy S24, Galaxy S24+, Samsung Galaxy S23 Ultra, Samsung Galaxy S22 Ultra, Samsung Galaxy S22, Samsung Galaxy S22+, Samsung Galaxy S21 Ultra, Samsung Galaxy M53, Samsung Galaxy S20 Ultra, Samsung Galaxy Note 20 Ultra, Samsung Galaxy A32, Samsung Galaxy M52, Samsung Galaxy S20+, Samsung Galaxy S21+, Samsung Galaxy S20, Samsung Galaxy S20 FE, Samsung Galaxy S21, Samsung Galaxy Note 20, Samsung Galaxy A70s, Samsung Galaxy A71, Samsung Galaxy A71 5G, Samsung Galaxy A71 5G UW, Samsung Galaxy A51, Samsung Galaxy A51 5G, Samsung Galaxy A51 5G UW, Samsung Galaxy A41, Samsung Galaxy F41, Samsung Galaxy M31, Samsung Galaxy S22, Samsung Galaxy S23, Samsung Galaxy S23+, Samsung Galaxy Z Fold 6, Samsung Galaxy Z Flip 6, Samsung Galaxy Z Fold 5, Samsung Galaxy Z Flip 5, Samsung Galaxy Z Fold 4, Samsung Galaxy Z Fold 3, Samsung Galaxy Z Fold 2, Samsung Galaxy A13 5G, Samsung Galaxy A23, Samsung Galaxy M13 5G, Samsung Galaxy M23, Samsung Galaxy A12/F12/M12, Samsung Galaxy A21s, Samsung Galaxy A22 5G, Samsung Galaxy A32 5G, Samsung Galaxy A42 5G/M42 5G, Samsung Galaxy M32 5G, Samsung

Galaxy S10 Lite, Samsung Galaxy A90 5G, Samsung Galaxy M30s, Samsung Galaxy A70, Samsung Galaxy A60, Samsung Galaxy S71, Samsung Galaxy S7 Edge1, Samsung Galaxy S7 Active, Samsung Galaxy Note 7/FE, Samsung Galaxy S8, Samsung Galaxy S8+, Samsung Galaxy Note 8, Samsung Galaxy Note 9, Samsung Galaxy S9, Samsung Galaxy S9+, Samsung Galaxy S10, Samsung Galaxy S10 5G, Samsung Galaxy S10+, Samsung Galaxy S10e, Samsung Galaxy Z Flip, Samsung Galaxy Z Flip 3, Samsung Galaxy S5, Samsung Galaxy S6, Samsung Galaxy S6 edge, Samsung Galaxy S6 edge+, Samsung Galaxy Note 4, Samsung Galaxy Note 5, Samsung Galaxy A8, Samsung Galaxy A8+, Samsung Galaxy A8 Star, Samsung Galaxy A8s, Samsung Galaxy A3, Samsung Galaxy A5, Samsung Galaxy A6, Samsung Galaxy A6+, Samsung Galaxy A6s, Samsung Galaxy A7, Samsung Galaxy A9, Samsung Galaxy A9 Pro, Samsung Galaxy A04, Samsung Galaxy A04e, Samsung Galaxy A04s, Samsung Galaxy A14, Samsung Galaxy A14 5G, Samsung Galaxy A24, Samsung Galaxy A34, Samsung Galaxy A34 5G, Samsung Galaxy A54 5G, Samsung Galaxy A05, Samsung Galaxy A05s, Samsung Galaxy A15, Samsung Galaxy E7, Samsung Galaxy J5, Samsung Galaxy J7, Samsung Galaxy Tab S3, and Samsung Galaxy Tab S2 that were made, sold, offered for sale, used, or imported into the United States since February 26, 2018 ("'826 Accused Devices" and "'673 Accused Devices"). Samsung further has and continues to indirectly infringe one or more claims of the '826 and '673 Patents by knowingly and intentionally inducing others, including Samsung customers, to include the '826 Accused Products and '673 Accused Products within their own downstream products that they make, use, sell, or offer for sale in the United States or import into the United States, for example, including but not limited to, the Google Pixel 7 Pro smartphone, and Motorola Moto G Stylus 5G smartphone.

(b) ’609 Patent

HID is currently aware that Defendants have and continue to directly infringe the ’609 Patent, either literally or under the doctrine of equivalents, without authority and in violation of 35 U.S.C. § 271, by making, using, offering to sell, selling, and/or importing into the United States products that satisfy each and every limitation of one or more claims of the ’609 Patent. The Accused Products include, but are not limited to, the following image sensors made according to the same or similar processes as the S5K2G1XX Image Sensor: all and variants of Samsung image sensors, including S5KHM3SX CMOS Image Sensor, S5KJN1 CIS, S5KGM5SX CIS, S5KGN1SP CIS, S5K4H7YX CIS, S5K3J1X03 CIS, S5K2G1XX CIS, S5KHP9, S5KGNJ, S5KJN5, S5KGNK, S5K3LU, S5KHP2, S5KHP3, S5KGN3, S5KHM6, S5KHP1, S5KGN5, S5KGM5, S5KJN1, S5KGN2, S5KHM3, S5KJD1, S5KGW3, S5KHM2, S5KGN1, S5KHM1, S5KGH1, S5KGW2, S5KHMX, S5KGM2, S5KGW1, S5K3T2, S5KGD1, S5K3J1, S5K2L4, S5K4HA, S5K3M5, S5K3T1, S5K5E9, S5K3L6, S5K3P9, S5K2X5, S5K4H7, S5K2X7, S5K2T7, S5K5F1, S5KGM1, S5K3P8, S5K2P7, S5K2P6, S5K3L8, S5K3M3, S5K3L2, S5K2L5, S5K2L7, S5K2L7, S5K2L1, S5K2L2, S5K2LQ, S5K4H8, S5K3H1, S5K2P2, and any other image sensors made by the same or similar processes that were made, sold, offered for sale, used, or imported into the United States since February 26, 2018 (“’609 Accused Image Sensors”). The Accused Products further include, but are not limited to, any products that incorporate any of the Accused Image Sensors, including but not limited to all versions and variants of Samsung smartphones and tablets that incorporate any of the Accused Image Sensors, such as Samsung Galaxy S24 Ultra, Galaxy S24, Galaxy S24+, Samsung Galaxy S23 Ultra, Samsung Galaxy S22 Ultra, Samsung Galaxy S22, Samsung Galaxy S22+, Samsung Galaxy S21 Ultra, Samsung Galaxy M53, Samsung Galaxy S20 Ultra, Samsung Galaxy Note 20 Ultra, Samsung Galaxy A32, Samsung Galaxy M52,

Samsung Galaxy S20+, Samsung Galaxy S21+, Samsung Galaxy S20, Samsung Galaxy S20 FE, Samsung Galaxy S21, Samsung Galaxy Note 20, Samsung Galaxy A70s, Samsung Galaxy A71, Samsung Galaxy A71 5G, Samsung Galaxy A71 5G UW, Samsung Galaxy A51, Samsung Galaxy A51 5G, Samsung Galaxy A51 5G UW, Samsung Galaxy A41, Samsung Galaxy F41, Samsung Galaxy M31. Samsung Galaxy S22, Samsung Galaxy S23, Samsung Galaxy S23+, Samsung Galaxy Z Fold 6, Samsung Galaxy Z Flip 6, Samsung Galaxy Z Fold 5, Samsung Galaxy Z Flip 5, Samsung Galaxy Z Fold 4, Samsung Galaxy Z Fold 3, Samsung Galaxy Z Fold 2, Samsung Galaxy A13 5G, Samsung Galaxy A23, Samsung Galaxy M13 5G, Samsung Galaxy M23, Samsung Galaxy A12/F12/M12, Samsung Galaxy A21s, Samsung Galaxy A22 5G, Samsung Galaxy A32 5G, Samsung Galaxy A42 5G/M42 5G, Samsung Galaxy M32 5G, Samsung Galaxy S10 Lite, Samsung Galaxy A90 5G, Samsung Galaxy M30s, Samsung Galaxy A70, Samsung Galaxy A60, Samsung Galaxy S71, Samsung Galaxy S7 Edge1, Samsung Galaxy S7 Active, Samsung Galaxy Note 7/FE, Samsung Galaxy S8, Samsung Galaxy S8+, Samsung Galaxy Note 8, Samsung Galaxy Note 9, Samsung Galaxy S9, Samsung Galaxy S9+, Samsung Galaxy S10, Samsung Galaxy S10 5G, Samsung Galaxy S10+, Samsung Galaxy S10e, Samsung Galaxy Z Flip, Samsung Galaxy Z Flip 3, Samsung Galaxy S5, Samsung Galaxy S6, Samsung Galaxy S6 edge, Samsung Galaxy S6 edge+, Samsung Galaxy Note 4, Samsung Galaxy Note 5, Samsung Galaxy A8, Samsung Galaxy A8+, Samsung Galaxy A8 Star, Samsung Galaxy A8s, Samsung Galaxy A3, Samsung Galaxy A5, Samsung Galaxy A6, Samsung Galaxy A6+, Samsung Galaxy A6s, Samsung Galaxy A7, Samsung Galaxy A9, Samsung Galaxy A9 Pro, Samsung Galaxy A04, Samsung Galaxy A04e, Samsung Galaxy A04s, Samsung Galaxy A14, Samsung Galaxy A14 5G, Samsung Galaxy A24, Samsung Galaxy A34, Samsung Galaxy A34 5G, Samsung Galaxy A54 5G, Samsung Galaxy A05, Samsung Galaxy A05s, Samsung Galaxy A15, Samsung Galaxy E7, Samsung

Galaxy J5, Samsung Galaxy J7, Samsung Galaxy Tab S3, and Samsung Galaxy Tab S2 that were made, sold, offered for sale, used, or imported into the United States since February 26, 2018 ("'609 Accused Devices"). Samsung further has and continues to indirectly infringe one or more claims of the '609 Patent by knowingly and intentionally inducing others, including Samsung customers, to include the '609 Accused Products within their own downstream products that they make, use, sell, or offer for sale in the United States or import into the United States, for example, including but not limited to, the Google Pixel 7 Pro smartphone, and Motorola Moto G Stylus 5G smartphone.

(c) '886 Patent

HID is currently aware that Defendants have and continue to directly infringe the '886 Patent, either literally or under the doctrine of equivalents, without authority and in violation of 35 U.S.C. § 271, by making, using, offering to sell, selling, and/or importing into the United States products that satisfy each and every limitation of one or more claims of the '886 Patent. Such products include each device made, used, offered for sale, sold, and/or imported into the United States containing the SKY58083 Front End Module or other components made by the same or a similar process including, but not limited to, the Samsung Galaxy S22 Ultra Smartphone.

2. Claim Charts

Claim charts identifying every element of every asserted claim of the HID Patents within the Accused Products are attached hereto as Appendices A, B, C, and D. HID believes that the Accused Products cited in the claim charts are representative of all versions of the Accused Products, however, should discovery yield documents or information demonstrating that Defendants sell other infringing products which are not represented by the claim charts, HID reserves the right to amend these claim charts, as well as other information contained in this document and the Appendices attached hereto, to incorporate new information learned during the

course of discovery including, but not limited to, information that is not publicly available or readily discernible without discovery. HID further reserves the right to amend these claim charts, as well as other information contained in this document and the exhibits attached hereto, pursuant to Local Patent Rules 3-1(g) and 3-6.

C. LITERAL INFRINGEMENT AND DOCTRINE OF EQUIVALENTS

HID asserts that, under the proper construction of the asserted claims and their claim terms, the limitations of the asserted claims of the HID Patents are literally present in the Accused Products as set forth in the claim charts attached hereto as Appendices A, B, C, and D.

HID contends that any and all elements found not to be literally infringed are infringed under the doctrine of equivalents because the differences between the claimed inventions and the Accused Products, if any, are insubstantial.

HID contends that Defendants directly infringe the asserted claims by making, using, offering for sale, selling, and importing into the United States the Accused Products. HID also contends that Defendants indirectly infringe by contributing to and/or inducing others (*e.g.*, Defendants' service providers or partners, suppliers, Defendants' customers or its customers' customers) to directly infringe those claims by making or using the Accused Products. In addition, HID contends that Defendants directly infringe to the extent that activities of third parties may be legally attributable to Defendants.

HID contends that Defendants induce infringement of the HID Patents by others (manufacturers and distributors Accused Products, end-users of Accused Products, and Defendants' customers) by inducing others to make or use the Accused Products with the knowledge that making or using directly infringes the HID Patents or, in the alternative, with the belief that there was a high probability that others infringe the HID Patents, but while remaining willfully blind to the infringement.

Pursuant to Local Patent Rule 3-6(a)(1), HID reserves the right to amend its Infringement Contentions as to literal infringement or infringement under the doctrine of equivalents in light of the Court's claim construction.

D. PRIORITY DATES

Each asserted claim of the '826 Patent is entitled to at least the priority date of its earliest application, U.S. Provisional Patent Application No. 61/776,063, with a filing date of March 11, 2013.

Each asserted claim of the '673 Patent is entitled to at least its filing date of March 16, 2007.

Each asserted claim of the '609 Patent is entitled to at least the priority date of its earliest application, U.S. Provisional Patent Application No. 61/545,003, with a filing date October 7, 2011.

Each asserted claim of the '886 Patent is entitled to at least the priority date of its earliest application, U.S. Provisional Patent Application No. 61/007,035, with a filing date December 16, 2007.

HID makes this disclosure without prejudice to its right to prove an earlier date of invention.

II. PRODUCTION OF DOCUMENTS PURSUANT TO LOCAL PATENT RULE 3-2

HID is producing or making available for inspection documents that are in HID's possession, custody, or control as set forth in Local Patent Rule 3-2. A Production Index identifying these documents is attached hereto.

This preliminary identification of documents is for convenience and is not an admission that each document falls within any exemplary categories in the Local Patent Rules, or that any

document qualifies as prior art. Thus, HID reserves its right to add to, delete from, or otherwise modify its disclosures in this section as its investigation proceeds.

Dated: July 18, 2024

Respectfully submitted,

/s/ Joseph M. Mercadante

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ATTORNEYS FOR PLAINTIFF HARBOR ISLAND DYNAMIC, LLC

CERTIFICATE OF SERVICE

I hereby certify that on July 18, 2024, a true and correct copy of the above and foregoing document has been served by email on all counsel of record.

/s/ Joseph M. Mercadante
Joseph M. Mercadante

HID 3-2 PRODUCTION INDEX

3-2(a)

None.

3-2(b)

Plaintiff is not in possession, custody, or control of any documents responsive to P.R. 3-2(b).

3-2(c)

Bates Start	Bates End
HID-000001	HID-000012_0001