

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

MULLEN INDUSTRIES LLC,

Plaintiff,

v.

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

Defendants.

Case No. 2:24-cv-00049-JRG

JURY TRIAL DEMANDED

**PLAINTIFF’S DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT
CONTENTIONS**

Pursuant to Local Patent Rules (“P.R.”) 3-1 and 3-2, and the Court’s Order dated April 17, 2024 (D.I. 11), Plaintiff Mullen Industries LLC (“Plaintiff”) serves its Disclosure of Asserted Claims and Infringement Contentions.

Pursuant to P.R. 3-1(a), Plaintiff identifies below each claim of each patent in suit that is asserted to be infringed by each of Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (“Samsung” or “Defendants”):

Asserted Patent	Asserted Claims
11234117 (’117 Patent)	1, 2-14, 15, 16-28, 29, 30-41, 42, 43-72, 73, 74-92
11246024 (’024 Patent)	1, 2-14, 16-20, 22-23, 24, 25-35, 37-41, 43, 44, 45, 46-50, 53-57, 59-69, 71-75, 77, 78
11190633 (’633 Patent)	1, 2-39
11122418 (’418 Patent)	1, 2, 6, 7, 10, 13, 17

11109218 (’218 Patent)	11 , 12-15
11096039 (’039 Patent)	1 , 4, 7, 8, 9, 13
9635540 (’540 Patent)	1 , 2-7, 13-21, 23, 26, 28-33, 35
9204283 (’283 Patent)	1 , 2, 6, 8 , 9, 13, 15 , 16, 17
8374575 (’575 Patent)	1 , 2, 3, 6, 8, 13 , 23, 24, 26, 28, 30 , 31, 32, 35, 37, 38 , 39, 40, 42, 44

Pursuant to P.R. 3-1(b), Plaintiff identifies the following apparatuses, products, devices, processes, methods, or other instrumentalities (“Accused Instrumentalities”) of which Plaintiff is currently aware.

Regarding the asserted ’117 Patent, the following are the Accused Instrumentalities of which Plaintiff is currently aware: all Samsung smart phones, tablets, and/or watches sold by Samsung, and/or used by Samsung and/or its customers, from the issuance through the expiry of the ’117 Patent, which include the claimed location-based features, including those provided via (i) Samsung SmartThings¹ and/or (ii) Google Maps² as illustrated in the attached claim chart for the ’117 Patent.

Regarding the asserted ’024 Patent, the following are the Accused Instrumentalities of which Plaintiff is currently aware: all server systems operated by Samsung, and/or used by Samsung and/or its customers, from the issuance through the expiry of the ’024 Patent, which

¹ E.g., <https://smarthingsfind.samsung.com/login>.

² E.g., <https://www.youtube.com/watch?v=wjXDjiPdGb0;https://r2.community.samsung.com/t5/Tech-Talk/How-to-Find-Your-Family-and-Friends-Using-Google-Maps/td-p/7430575>.

include the claimed location-based features, including those provided via (i) Samsung SmartThings and/or (ii) Google Maps as illustrated in the attached claim chart for the '024 Patent.

Regarding the asserted '633 Patent, the following are the Accused Instrumentalities of which Plaintiff is currently aware: all Samsung smart watches sold by Samsung, and/or used by Samsung and/or its customers, from the issuance through the expiry of the '633 Patent.

Regarding the asserted '418 Patent, the following are the Accused Instrumentalities of which Plaintiff is currently aware: all Samsung smart phones, tablets, and/or watches sold by Samsung, and/or used by Samsung and/or its customers, from the issuance through the expiry of the '418 Patent, which include the claimed location-based features, including those provided via (i) Samsung SmartThings and/or (ii) Google Maps as illustrated in the attached claim chart for the '418 Patent.

Regarding the asserted '218 Patent, the following are the Accused Instrumentalities of which Plaintiff is currently aware: all Samsung smart phones, tablets, and/or watches sold by Samsung, and/or used by Samsung and/or its customers, from the issuance through the expiry of the '418 Patent, which include the claimed location-based features, including those provided via (i) Samsung SmartThings and/or (ii) Google Maps as illustrated in the attached claim chart for the '218 Patent.

Regarding the asserted '039 Patent, the following are the Accused Instrumentalities of which Plaintiff is currently aware: all server systems operated by Samsung, and/or used by Samsung and/or its customers, from the issuance through the expiry of the '039 Patent, which include the claimed location-based features, including those provided via (i) Samsung SmartThings and/or (ii) Google Maps as illustrated in the attached claim chart for the '039 Patent.

Regarding the asserted '540 Patent, the following are the Accused Instrumentalities of which Plaintiff is currently aware: processes or methods performed by Samsung and/or its customers in connection with location-based services and features provided to Samsung smart phones, tablets, and/or watches, including those provided via Google Maps as illustrated in the attached claim chart for the '540 Patent.

Regarding the asserted '283 Patent, the following are the Accused Instrumentalities of which Plaintiff is currently aware: processes or methods performed by Samsung and/or its customers in connection with location-based services and features provided to Samsung smart phones, tablets, and/or watches, including those provided via (i) Samsung SmartThings and/or (ii) Google Maps as illustrated in the attached claim chart for the '283 Patent.

Regarding the asserted '575 Patent, the following are the Accused Instrumentalities of which Plaintiff is currently aware: processes or methods performed by Samsung and/or its customers in connection with location-based services and features provided to Samsung smart phones, tablets, and/or watches, including those provided via (i) Samsung SmartThings and/or (ii) Google Maps as illustrated in the attached claim chart for the '575 Patent.

Pursuant to P.R. 3-1(c), for each asserted patent, attached is a chart identifying specifically where each element of each asserted claim is found within each Accused Instrumentality. In the accompanying claim charts, representative Samsung device models are shown. For avoidance of doubt, the accused products include all Samsung smart phones, tablets, watches, and servers as identified above on a patent-by-patent basis.

Pursuant to P.R. 3-1(d), Samsung literally infringes each element of each asserted claim of each patent-in-suit. Additional details regarding Samsung's infringement are provided on a patent-by-patent basis in the accompanying claim charts.

At present, Samsung has provided no discovery, including regarding (i) the Accused Instrumentalities, (ii) Samsung's use (e.g., testing) of Accused Instrumentalities in the United States, (iii) the performance by Samsung and/or another entity of the accused processes (e.g., through testing) in the United States, and (iv) Samsung's knowledge of the Patents-in-Suit and its infringement thereof. As such, these infringement contentions are based on the information that is known and publicly available to Plaintiff at this time. Plaintiff reserves the right to supplement, amend, and/or modify these contentions based on additional information obtained through discovery, *Markman* proceedings, Samsung's arguments in this case including as to claim construction and/or alleged noninfringement, or otherwise, pursuant to the federal rules and the rules of this Court. For example, to the extent Samsung argues that it does not directly and/or literally practice any claim element, Plaintiff reserves the right to demonstrate, including with the benefit of discovery (e.g., discovery of Samsung's source code for the accused products and server system), indirect infringement and/or infringement under the doctrine of equivalents. Plaintiff also reserves the right to amend its contentions based on a change in circumstances, expert discovery, any rulings of the Court, and any other case or proceedings, if any. In addition, Plaintiff reserves the right to rely upon, at trial or otherwise, any evidence or information from any source hereinafter discovered or obtained.

Pursuant to P.R. 3-1(e), Plaintiff identifies that each asserted claim of each of U.S. Patent Nos. 11,246,024; 11,234,117; 11,122,418; 11,109,218; 11,096,039; 9,635,540; 9,204,283; and 8,374,575 is entitled to a priority date of March 25, 2002 corresponding to the filing date of U.S. Provisional Patent Application No. 60/367,967. Plaintiff identifies that each asserted claim of U.S. Patent No. 11,190,633 is entitled to a priority date is March 14, 2003 corresponding to the filing date of U.S. Provisional Patent Application No. 60/455,218.

Pursuant to P.R. 3-2(a), Plaintiff is presently unaware of any documents (e.g., contracts, purchase orders, invoices, advertisements, marketing materials, offer letters, beta site testing agreements, and third party or joint development agreements) relating to any discussions with, disclosures to, or other manner of providing to a third party, or any sale of or offer to sell, any claimed invention prior to the respective dates of application for the patents in suit.

Pursuant to P.R. 3-2(b), Plaintiff is presently unaware of any documents evidencing the conception, reduction to practice, design, and development of each claimed invention, which were created on or before the respective dates of application for any patent in suit or the priority dates identified above.

Pursuant to P.R. 3-2(c), Plaintiff produces contemporaneous with this disclosure a copy of the file history for each patent in suit as Bates Nos. MIL_000025 – MIL_057185. Specifically:

File History	Bates Start	Bates End
11,246,024	MIL_000025	MIL_001557
11,234,117	MIL_001558	MIL_003247
11,190,633	MIL_003248	MIL_003841
11,122,418	MIL_003842	MIL_004584
11,109,218	MIL_004585	MIL_005233
11,096,039	MIL_005234	MIL_005792
9,635,540	MIL_005793	MIL_007421
9,204,283	MIL_007422	MIL_007982
8,374,575	MIL_007983	MIL_008550
IPR2023-00148 (‘024 Patent)	MIL_008551	MIL_012675
IPR2023-00149 (‘024 Patent)	MIL_012676	MIL_016766
IPR2023-00115 (‘117 Patent)	MIL_016767	MIL_021512
IPR2023-00116 (‘117 Patent)	MIL_021513	MIL_027875
IPR2023-00117 (‘117 Patent)	MIL_027876	MIL_033210
IPR2022-01389 (‘633 Patent)	MIL_033211	MIL_034185

IPR2023-00090 ('418 Patent)	MIL 034186	MIL 037982
IPR2023-00087 ('218 Patent)	MIL 037983	MIL 041295
IPR2023-00096 ('039 Patent)	MIL 041296	MIL 045036
IPR2023-00098 ('540 Patent)	MIL 045037	MIL 049350
IPR2023-00091 ('283 Patent)	MIL 049351	MIL 052942
IPR2023-00097 ('575 Patent)	MIL 052943	MIL 057185

Dated: May 15, 2024

Respectfully submitted,

/s/ Peter F. Snell

Stafford Davis
State Bar No. 24054605
sdavis@stafforddavisfirm.com
Catherine Bartles
State Bar No. 24104849
cbartles@stafforddavisfirm.com
THE STAFFORD DAVIS FIRM, PC
815 South Broadway Avenue
Tyler, Texas 75701
Tel: 903-593-7000
Fax: 903-705-7369

Peter F. Snell
Admitted in this Court
NY Bar No. 4474136
MINTZ LEVIN COHN FERRIS
GLOVSKY AND POPEO, P.C.
919 Third Avenue
New York, NY 10022
(212) 935-3000
pfsnell@mintz.com

*Attorneys for Plaintiff
Mullen Industries LLC*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document and accompanying attachments have been served on counsel of record for Defendants by email and/or other electronic means on May 15, 2024.

/s/ Peter F. Snell
Peter F. Snell