

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

TRUE SIGHT COMMUNICATIONS LLC,	)	Case No. 2:23-cv-00643-JRG
	)	
Plaintiff,	)	<u>JURY TRIAL DEMANDED</u>
	)	
v.	)	
	)	
SAMSUNG ELECTRONICS CO., LTD and	)	
SAMSUNG ELECTRONICS AMERICA,	)	
INC.,	)	
	)	
Defendants.	)	

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

Plaintiff Truesight Communications LLC (“Truesight” or “Plaintiff”) hereby makes the following infringement disclosures under the Patent Local Rules with respect to U.S. Patent No. 8,949,879 (the “’879 Patent”), U.S. Patent No. 8,898,803 (the “’803 Patent”), 9,595,300 (the “’300 Patent”), and U.S. Patent No. 8,745,749 (the “’749 Patent”) (collectively, the “Asserted Patents”). Truesight’s investigation is ongoing and discovery is not open. Accordingly, these disclosures are based on information available to Truesight at this time. Truesight reserves the right to supplement these disclosures after further discovery from defendant and non-parties, particularly documents and other discovery regarding Defendants’ accused devices. Truesight also reserves the right to assert additional claims of the Asserted Patents, accuse different products, or find alternative literal and/or equivalent infringing elements in Defendants’ products.

Samsung v. Truesight IPR2024-01477 Exhibit 1017
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I. DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS PURSUANT TO PATENT LOCAL RULE 3-1

A. ASSERTED CLAIMS

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

- Claims 1 through 19 of the ’879 Patent;
- Claims 1 through 14 of the ’803 Patent;
- Claims 1 through 20 of the ’300 Patent; and
- Claims 1 through 25 of the ’749 Patent.

B. ACCUSED INSTRUMENTALITIES

1. Accused Products

Truesight is currently aware that all versions and variants of Samsung smartphones, tablets, and smart televisions made, sold, offered for sale, used, or imported in the United States since 2017 (“Accused Products”) infringe the Asserted Patents. Truesight is currently aware that certain of Defendants’ products infringe one or more of the Asserted Patents. Upon information and belief, these Accused Products include Samsung smartphones, tablets, and smart televisions that include technology which infringe the Asserted Patents. For example, and without limitation, exemplar infringing Samsung products, include at least the following: Samsung Galaxy S24 series, Samsung Galaxy S23 series, Samsung Galaxy S22 series, Samsung Galaxy S21 series, Samsung Galaxy S20 series, Samsung Galaxy S10 series, Samsung Galaxy A72, Samsung Galaxy A52, Samsung Galaxy A32, Samsung Galaxy M51, Samsung Galaxy M31, Samsung Galaxy Z Fold 5, Samsung Galaxy Z Fold 4, Samsung Galaxy Z Fold 3, Samsung Galaxy Z Fold 2, Samsung Galaxy

Z Flip 5, Samsung Galaxy Z Flip 4, Samsung Galaxy Z Flip 3, Samsung Galaxy Z Flip, Samsung Galaxy Note 20, Samsung Galaxy Note 10 Samsung Galaxy Tab A9, Samsung Galaxy Tab S9, Samsung Galaxy Tab A8, Samsung Galaxy Tab S8, Samsung Galaxy Tab A7, Samsung Galaxy Tab S7, Samsung Galaxy Tab S6 Lite, Samsung Galaxy Tab S5e, Samsung Galaxy Tab S4, Samsung Galaxy Tab S3, alone or in combination with certain streaming applications and software, among other products; all Samsung smart televisions including, but not limited to, AU7000, AU8000, AU8000B, AU9000, BU8000, BU8500, CU7000C, CU8000B, HAU8000, HBU8000, HLS03T, HQ60A, HQ60B, LS01BA, LS01T, LS03A, LS03T, LS05T, LST7, QP75A-8K, LSP9T, Q60A, Q60B, Q60BH, Q60C, Q60CJ, Q60T, Q700T, Q70A, Q70B, Q70C, Q70T, Q70CH, Q800T, Q80A, Q80B, Q80BK, Q80C, Q80CK, Q80T, Q900TS, Q90T, Q950TS, Q95T, QALS03M, QALST9K, QAAQ50R, QAAQ60G, QAAQ70F, QAAQ80E, QAQN800B, QAQN85K, QAQN900A, QAQN90D, QBLS03M, QBLS03S, QBLS05W, QCLS03S, QN700A, QN700B, QN700BC, QN700C, QN800A, QN800B, QN800BB, QN800C, QN85A, QN85B, QN85BE, QN85C, QN85CG, QN900A, QN900B, QN900BA, QN900C, QN900CA, QN90A, QN90B, QN90BD, QN90CE, QN91A, QN95A, QN95B, QN95BC, QN95C, QN95CD, QN100BZ, QTLS01N, QTLS03M, QTLS03S, QTLS05W, QTLST7K, QTQ60F, QTQ70E, QTQ800B, QTQ80D, QTQ900SU, QTQ90C, QTQ950SA, S90C, S95B, S95C, The Frame 2021, The Frame 2022, The Serif 2022, AU7100, TU8500, TU8300, TU8000, TU7100, TU7000, UTU6900T, UTU6900T, UTU7000K, UTU8000H, UTU8300T, UTU8500N, UTU9000H, alone or in combination with certain streaming applications and software, among other products; and other infringing technology Samsung sold, imported, or used in the United States since 2017, and

Samsung smartphones, tablets, and smart televisions sold, imported, or used In the United States since 2017 by Samsung customers.¹

2. Claim Charts

A claim chart identifying a location of every element of every asserted claim of the '879 Patent within the Accused Products is attached hereto as **Appendix A**. Truesight believes that the Accused Products cited in the claim charts are representative of the Accused Products, including all generations and versions.

A claim chart identifying a location of every element of every asserted claim of the '803 Patent within the Accused Products is attached hereto as **Appendices B1 and B2**. Truesight believes that the Accused Products cited in the claim charts are representative of the Accused Products, including all generations and versions.

A claim chart identifying a location of every element of every asserted claim of the '300 Patent within the Accused Products is attached hereto as **Appendix C**. Truesight believes that the Accused Products cited in the claim charts are representative of the Accused Products, including all generations and versions.

A claim chart identifying a location of every element of every asserted claim of the '749 Patent within the Accused Products is attached hereto as **Appendix D**. Truesight believes that the Accused Products cited in the claim charts are representative of the Accused Products, including all generations and versions.

Truesight 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

¹ Truesight has provided additional information regarding certain aspects of the Accused Products in the attached claim charts of **Appendices A-D**.

learned during the course of discovery including, but not limited to, information that is not publicly available or readily discernible without discovery. Truesight 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 Patent Local Rules 3-1 and 3-6, and the Court's Standing Proposed Discovery Order Section 3(a)(i).

C. LITERAL INFRINGEMENT AND DOCTRINE OF EQUIVALENTS

Truesight asserts that, under the proper construction of the asserted claims and their claim terms, the limitations of the asserted claims of the Truesight patents are literally present in the Accused Products, as set forth in the claim charts attached hereto as **Appendices A-D**. Truesight 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 instrumentalities, if any, are insubstantial.

Truesight also contends that Defendants have directly infringed and/or continue to directly infringe the asserted claims by making, using offering for sale, selling, and importing into the United States the accused instrumentalities. Moreover, Defendants have directly infringed and/or continue to directly infringe the asserted method claims by using (*i.e.*, Defendants' employees testing and/or servicing the accused instrumentalities) in the United States. Furthermore, Defendants have indirectly infringed and/or continue to indirectly infringe by contributing to and/or inducing others (*e.g.*, Defendants' suppliers, Defendants' customers or their customers' customers) to directly infringe those claims by making, using, offering for sale, or selling the Accused Products. Such indirect infringement is further evidenced by Defendants' technical materials and marketing materials including, but not limited to, marketing materials, product

briefs, product specifications, troubleshooting guides, technical support websites, reference manuals, and other business documents and communications conveyed to Defendants' customers.

Truesight also contends that Defendants have contributorily infringed and/or continue to contributorily infringe with the knowledge that the Accused Products, or the use thereof, infringe the Asserted Patents. Defendants have knowingly and intentionally contributed to the direct infringement of the Asserted Patents by others, by supplying the Accused Products and/or associated software, that embody a material part of the claimed invention of the Asserted Patents, that are known by Defendants to be specially made or adapted for use in an infringing manner, and are not staple articles with substantial non-infringing uses.

Pursuant to Patent Local Rule 3-6(a)(1), Truesight 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. APPLICATION PRIORITY DATES

Each of the asserted claims of the '879 Patent claim priority to U.S. Provisional Patent Application No. 61/478,204, filed on April 22, 2011.

Each of the asserted claims of the '803 Patent claim priority to U.S. Provisional Patent Application No. 61/294,070, filed on January 11, 2010.

Each of the asserted claims of the '300 Patent claim priority to U.S. Provisional Patent Application No. 61/253,792, filed on October 21, 2009.

Each of the asserted claims of the '749 Patent claim priority to U.S. Provisional Patent Application No. 61/413,296, filed on November 15, 2010.

E. PRODUCTS THAT PRACTICE THE ASSERTED PATENTS

Truesight is continuing to investigate what products and/or historical products may practice the claimed inventions, including those products of third parties (*e.g.*, previous assignees) of the Asserted Patents. At the present time Truesight is not currently aware of any past products that practice its patents. Truesight's investigation is ongoing, and Truesight will supplement these contentions following its investigation (and claim construction as necessary).

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

Truesight is producing or making available for inspection documents that are in Truesight's possession, custody, or control as set forth in Patent Local Rule 3-2. A Truesight 3-2 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 Patent Local Rules, or that any document qualifies as prior art. Thus, Truesight reserves its right to add to, delete from, or otherwise modify its disclosures in this section as its investigation proceeds.

Production of these documents is governed by Patent Local Rule 2-2 and, with the exception of documents produced pursuant to P.R. 3.2(c) and public documents listed in the infringement charts, are considered "Confidential – Outside Attorneys Eyes Only" and disclosure of the confidential document or information, shall be limited to each parties's outside attorney(s) of record and the employees of such outside attorney(s).

Dated: May 29, 2024

Respectfully submitted,

/s/ Vincent J. Rubino, III

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***ATTORNEYS FOR PLAINTIFF,
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CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2024, a true and correct copy of the above and foregoing document and appendices has been served by email on all counsel of record.

/s/ Vincent J. Rubino, III
Vincent J. Rubino, III

TRUESIGHT 3-2 PRODUCTION INDEX

3-2(c)

Bates Start	Bates End
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