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

MOBILE DATA TECHNOLOGIES LLC,	§	
	§	Civil Action No. 2:24-cv-00435-JRG-RSP
Plaintiff,	§	
	§	
v.	§	
	§	**COMPLAINT FOR PATENT INFRINGEMENT**
SAMSUNG ELECTRONICS AMERICA, INC. AND SAMSUNG ELECTRONICS CO., LTD.,	§	**JURY TRIAL DEMANDED**
Defendants.	§	

PLAINTIFF MOBILE DATA TECHNOLOGIES LLC'S DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS PURSUANT TO P.R. 3-1 AND DOCUMENT PRODUCTION PURSUANT TO P.R. 3-2 AMENDED TO REFLECT AMENDED COMPLAINT ADDING U.S. PATENT NO. 8,793,336 B2

Pursuant to the Rules of Practice for Patent Cases before the Eastern District of Texas 3-1 and 3-2, Plaintiff Mobile Data Technologies, LLC ("MDT"), hereby provides its Disclosure of Asserted Claims and Infringement Contentions and Document Production Accompanying Disclosure for Defendants Samsung Electronics America, Inc. ("SEA") and Samsung Electronics Co., Ltd. ("SEC") (SEA and SEC collectively "Samsung" or "Defendants").

MDT hereby certifies that it undertook reasonable efforts to prepare its infringement contentions and reserves the right to amend them based on material identified after the contentions are served and during subsequent discovery, including after the Court's claim construction. These disclosures are based on MDT's current knowledge, understanding, and belief as to the facts and public information available to it as of the date of these disclosures.

Discovery has not yet begun, and MDT has not yet completed its investigation, collection of information, discovery, or analysis of non-public Samsung information related to this action. The evidence cited in support of the disclosures herein is necessarily exemplary only and is therefore illustrative and not exhaustive. For example, MDT anticipates that relevant facts and evidence are uniquely within the possession, custody, or control of Samsung regarding the Accused Instrumentalities in this action which may reveal additional ways and manners in which the Accused Instrumentalities infringe the Patents-in-Suit. These disclosures are based at least in part upon MDT's present understanding of the meaning and scope of the claims in United States Patent No. 8,825,801 ("the '801 patent"), United States Patent No. 9,032,039 ("the '039 patent"), United States Patent No. 9,619,578 ("the '578 patent"), United States Patent No. 9,922,348 ("the '348 patent"), United States Patent No. 8,793,336 B2 ("the '336 patent"), (collectively the "Patents-in-Suit") in the absence of additional claim construction proceedings or discovery. MDT reserves the right pursuant to P.R. 3-6 (a) and (b) to supplement, amend or modify the information contained herein and to use and introduce such information and any subsequently-identified information at trial, including based on this Court's claim construction rulings or rulings by other Courts in related cases. MDT further reserves the right to amend its infringement contentions and asserted claims based on any proceedings before the United States Patent and Trademark Office regarding MDT's patents.

PATENT INITIAL DISCLOSURES 3-1. Disclosure of Asserted Claims and Infringement Contentions

(a) Each claim of each Patent-in-Suit that is allegedly infringed by each opposing party.

The asserted claims of the Patents-in-Suit are identified in the attached infringement charts (Exs. 1-4). SEA and SEC infringe in the exact same way, so each chart applies to both SEA and SEC. Similarly, each of the Accused Samsung Smartphones (see definition below)

infringe in the exact same way as every other Accused Samsung Smartphone, so each chart applies to all Accused Samsung Smartphones. Rather than create identical charts for each of the Accused Samsung Smartphones, Plaintiff represents that each of the Accused Samsung Smartphones is equivalent for the purposes of infringement such that each infringement chart applies to all Accused Samsung Smartphones. For clarity, the claims asserted against both Defendants are listed below:

Patent	Claims asserted against both SEA and SEL
8,825,801	1, 7, 8, 9, 10, 11, 12, 15, 17, 20, 22, 23, 24, 25
9,032,039	1, 2, 3, 4, 8, 9, 13, 14, 15, 17, 18, 19, 22, 23, 24, 25, 28, 29, 30
9,619,578	1, 7, 8, 9, 10, 11, 12, 15, 16, 21
9,922,348	1, 2, 6, 7, 8, 9, 12, 13, 14, 17, 18
8,793,336	1, 6, 7, 8, 9, 10, 11, 13, 14, 15, 20, 21, 23, 24, 25, 26

(b) Separately for each asserted claim, each accused apparatus, product, device, process, method, act, or other instrumentality ("Accused Instrumentality") of each opposing party of which the party is aware. This identification shall be as specific as possible. Each product, device, and apparatus must be identified by name or model number, if known. Each method or process must be identified by name, if known, or by any product, device, or apparatus which, when used, allegedly results in the practice of the claimed method or process.

Hereafter, the term "Accused Products" or "Accused Instrumentalities" refers to all Samsung products manufactured, used, tested, imported, sold or offered to sell by or on behalf of Defendants practicing the Patents-in-Suit and all processes employed by Defendants that practice the Patents-in-Suit, consisting of at least: (a) Defendants' Samsung Members mobile application (including the app formerly known as the Samsung+ app); and (b) all current and former

Samsung smartphones capable of using the Samsung Members mobile application. A list of these smartphones is included herein. The Samsung Members App comes pre-installed on all new Samsung smartphones and can be installed on older devices by via the Play Store. The list of Samsung smartphones specifically accused in this case (hereafter the "Accused Samsung Smartphones") includes all Samsung smartphones made, used, tested, designed, distributed, offered for sale, and/or sold in the United States and/or imported into the United States since June 10, 2018 including without limitation any Samsung smartphones available at any time since June 10, 2018 on Samsung's U.S. website at Samsung.com, including Samsung's webpage at https://www.samsung.com/us/smartphones/ including without limitation all variations (including all available options for RAM, storage, color, and carrier) of the following Samsung smartphones:

(a) Galaxy Z Series, including without limitation the following:

1. Galaxy Fold Series smartphones, including without limitation Galaxy Fold, Galaxy Fold 5G, Galaxy Z Fold, Galaxy Z Fold 2, Galaxy Z Fold 3, Galaxy Z Fold 4, Galaxy Z Fold 5, and Galaxy Z Fold 6)
2. Galaxy Flip Series smartphones, including without limitation Galaxy Z Flip, Z Flip 5G, Z Flip 3, Z Flip 3, Z Flip 4, Z Flip 5, and Z Flip 6)

(b) Galaxy S Series, including without limitation the following:

1. Galaxy S5, including without limitation Galaxy S5, GalaxyS5 mini, and GalaxyS5 Neo), Galaxy S6 (including without limitation Galaxy S6, Galaxy S6 Edge, and Galaxy S6 Edge+, Galaxy S6 Active), Galaxy S7 (including without limitation Galaxy S7, Galaxy S7 Edge, Galaxy S7 Active), Galaxy S8 (including without limitation Galaxy S8, Galaxy S8+, Galaxy S8 Active), Galaxy S9

(including without limitation Galaxy S9, Galaxy S9+, Galaxy S9 Active), Galaxy S10 (including without limitation Galaxy S10, Galaxy S10e, Galaxy S10+, Galaxy S10 5G, Galaxy S10 Lite), Galaxy S20 (including without limitation Galaxy S20 (including without limitation Galaxy S20, Galaxy S20 5G, Galaxy S20+, Galaxy S20+ 5G, Galaxy S20 Ultra, Galaxy S20 Ultra LTE/5G, Galaxy S20 FE, Galaxy S20 FE 5G, Galaxy S20 FE 2022, Galaxy S20 5G UW), Galaxy S21 (including without limitation Galaxy S21, Galaxy S21 5G, Galaxy S21 FE 5G, Galaxy S21+ 5G, Galaxy S21 Ultra 5G, Galaxy S22 (including without limitation Galaxy S22 5G, Galaxy S22+ 5G, Galaxy S22 Ultra 5G), Galaxy S23 (including without limitation Galaxy S23, Galaxy S23+, Galaxy S23 Ultra, Galaxy S23 FE), and Galaxy S24 (including without limitation Galaxy S24 FE, Galaxy S24 Ultra, Galaxy S24+, and Galaxy 24).

(c) Galaxy A Series, including without limitation the following:

1. Galaxy A 2016 including without limitation Galaxy A3 (2016), Galaxy A5 (2016), Galaxy A7 (2016), Galaxy A8 (2016), Galaxy A9 (2016), Galaxy A9 Pro (2016).
2. Galaxy A 2017 including without limitation Galaxy A3 (2017), Galaxy A5 (2017), Galaxy A7 (2017).
3. Galaxy A 2018 including without limitation Galaxy A6 (2018), Galaxy A6+ (2018), Galaxy A6s (2018), Galaxy A7 (2018), Galaxy A8 (2018), Galaxy A8+ (2018), Galaxy A8 Star (2018), Galaxy A8s (2018), Galaxy A9 (2018).
4. Galaxy Ax0 Series (aka 2019 Galaxy A Series), including without limitation the following: Galaxy A2 Core (2019), Galaxy A10e (2019), Galaxy A10 (2019), Galaxy A10s (2019), Galaxy A20e (2019), Galaxy A20 (2019), Galaxy A20s

(2019), Galaxy A30 (2019), Galaxy A30s (2019), Galaxy A40 (2019), Galaxy A50 (2019), Galaxy A50s (2019), Galaxy A60 (2019), Galaxy A70 (2019), Galaxy A80 (2019), Galaxy A90 5G (2019).

5. Galaxy Ax1 Series (aka 2020 Galaxy A Series), including without limitation the following: Galaxy A01 Core (2020), Galaxy A01 (2020), Galaxy A11 (2020), Galaxy A21 (2020), Galaxy A21s (2020), Galaxy A31 (2020), Galaxy A41 (2020), Galaxy A51 (2020), Galaxy A51 5G (2020), Galaxy A51 5G UW (2020), Galaxy A71 (2020), Galaxy A71 5G (2020), Galaxy A71 5G UW (2020).
6. Galaxy Ax2 Series (aka 2021 Galaxy A Series), including without limitation the following: Galaxy A02 (2021), Galaxy A02s (2021), Galaxy A12 (2021), Galaxy A22 (2021), Galaxy A22 5G (2021), Galaxy A32 (2021), Galaxy 32 5G (2021), Galaxy A42 5G (2021), Galaxy A52 (2021), Galaxy A52 5G (2021), Galaxy A52s 5G (2021), Galaxy A72 (2021).
7. Galaxy Ax3 Series (aka 2022 Galaxy A Series), including without limitation the following: Galaxy A03 Core (2022), Galaxy A03 (2022), Galaxy A03s (2022), Galaxy A13 (2022), Galaxy A13 5G (2022), Galaxy A23 (2022), Galaxy A23 5G (2022), Galaxy A33 5G (2022), Galaxy A53 5G (2022), Galaxy A73 5G (2022).
8. Galaxy Ax4 Series (aka 2023 Galaxy A Series), including without limitation the following: Galaxy A04e (2023), Galaxy A04 (2023), Galaxy A04s (2023), Galaxy A14 (2023), Galaxy A14 5G (2023), Galaxy A24 (2023), Galaxy A34 5G (2023), Galaxy A54 (2023).

9. Galaxy Ax5 Series (aka 2024 Galaxy A Series), including without limitation the following: Galaxy A05 (2024), Galaxy A05s (2024), Galaxy A15 (2024), Galaxy A15 5G (2024), A25 5G (2024), A35 5G (2024), A55 5G (2024).
10. Galaxy Ax6 Series (aka 2025 Galaxy A Series), including without limitation the following: Galaxy A06 (2025).

(d) Galaxy M Series, including without limitation the following:

1. 2019 lineup (1st generation), including without limitation Galaxy M10 (2019), Galaxy M10 (2019), Galaxy M10s (2019), Galaxy M20 (2019), Galaxy M30 (2019), Galaxy M30s (2019), Galaxy M40 (2019).
2. 2020 lineup (2nd generation), including without limitation Galaxy M01, Galaxy M01s, Galaxy M11, Galaxy M21, Galaxy M21s, Galaxy M31, Galaxy M31s, Galaxy M51.
3. 2021 lineup (3rd generation), including without limitation Galaxy M02, Galaxy M02s, Galaxy M12, Galaxy M22, Galaxy M32, Galaxy M32 5G, Galaxy M42 5G, Galaxy M52 5G, Galaxy M62.
4. 2022 lineup (4th generation), including without limitation Galaxy M13, Galaxy M13 5G, Galaxy M23, Galaxy M33 5G, Galaxy M53 5G.
5. 2023 lineup (5th generation), including without limitation Galaxy M04, Galaxy M14 5G, Galaxy M34 5G, Galaxy M54 5G.
6. 2024 lineup (6th generation), including without limitation Galaxy M15 5G, Galaxy M35 5G, Galaxy M55 5G.

(e) Galaxy XCover Series, including without limitation the following:

1. Galaxy XCover smartphones including without limitation Galaxy XCover 4, Galaxy XCover 4s, Galaxy XCover 5, Galaxy XCover Pro, Galaxy XCover 6 Pro, Galaxy XCover 7.

(f) Galaxy Note Series, including without limitation the following:

1. Galaxy Note smartphones including without limitation Galaxy Note 7, Galaxy Note Fan Edition, Galaxy Note 8, Galaxy Note 9, Galaxy Note 10, Galaxy Note 10+, Galaxy Note 10 Lite, Galaxy Note 20, Galaxy Note 20 Ultra.

(g) Galaxy J Series, including without limitation the following:

1. Galaxy J2 smartphones including without limitation Galaxy J2, Galaxy J2 Duos, Galaxy J2 (2016), Galaxy J2 Pro (2016), Galaxy J2 Prime, Galaxy J2 (2018), Galaxy Grand Prime Pro, Galaxy J2 Pro (2018), Galaxy J2 Core, Galaxy J2 Pure, Galaxy J2 Core (2020).
2. Galaxy J3 smartphones including without limitation Galaxy J3 (2016), Galaxy J3 Pro, Galaxy J3 V, Galaxy Amp Prime, Galaxy J3 Prime, Galaxy J3 Emerge, Galaxy J3 Eclipse, Galaxy Express Prime 2, Galaxy Amp Prime 2, Galaxy J3 (2017), Galaxy J3 Pro (2017), Galaxy J3 (2017) Duos, Galaxy J3 (2018), Galaxy J3 Star, Galaxy Amp Prime 3, Galaxy J3 V 2018, Galaxy J3 Aura, Galaxy J3 Orbit.
3. Galaxy J4 smartphones including without limitation Galaxy J4, Galaxy J4+, Galaxy J4 Core.
4. Galaxy J5 smartphones including without limitation Galaxy J5, Galaxy J5 (2016), Galaxy J5 Metal, Galaxy J5 Prime, Galaxy J5 (2017), Galaxy J5 Pro (2017), Galaxy J5 (2017) Duos.

5. Galaxy J6 smartphones including without limitation Galaxy J6, Galaxy J6+.
6. Galaxy J7 smartphones including without limitation Galaxy J7 (2016), J7 Duos (2016), Galaxy J7 Prime, Galaxy On Nxt, Galaxy J7 V, Galaxy J7 Sky Pro, Galaxy J7 Max, Galaxy On Max. Galaxy J7 Nxt, Galaxy J7 Duos, Galaxy J7 Neo, Galaxy J7 Core, Galaxy J7 (2017), Galaxy J7 Pro, Galaxy J7+, Galaxy J7 Prime, Galaxy J7 On7 Prime (2018).
7. Galaxy J8 smartphones including without limitation Galaxy J8.

Each of referenced Accused Samsung Smartphones has been made, used, tested, designed, distributed, offered for sale, or sold in the United States or imported into the United States by SEA and SEC and each Accused Samsung Smartphone is accused in this lawsuit. The attached infringement charts show infringement by each of the Accused Samsung Smartphones.

Subject to ongoing discovery and investigation, MDT provides the attached infringement charts (Exs. 1-4) pertaining setting forth where in the Accused Instrumentalities each element of the asserted claim(s) are found. These infringement contentions serve a notice function and are not required to—and therefore do not—present every possible permutation or theory of Plaintiff's case.

With respect to system claims, if certain of the system claims are interpreted as requiring 'use' of elements by more than one actor, to be held a direct infringer, "a party must put the invention into service, i.e., control the system as a whole and obtain benefit from it." *Centillion Data Sys., LLC v. Qwest Commc'ns Int'l, Inc.,* 631 F.3d 1279, 1284 (Fed. Cir. 2011).
With respect to method claims, in *Akamai Technologies Inc. v. Limelight Networks, Inc*., 797 F.3d 1020 (Fed. Cir. 2015), the Federal Circuit held that the acts of multiple parties can be combined for the purposes of direct infringement, and the requisite direction and control, when

the first party: (1) "conditions participation in an activity or receipt of a benefit upon performance of a step," and (2) "establishes the manner or timing of that performance." *Akamai*, 797 F.3d at 1023. Applying these principles set forth by the Federal Circuit, Samsung is directly infringing each of the asserted claims of the Patents-in-Suit. Samsung is, *inter* alia, placing the Accused Instrumentalities into service, exercising control over the systems, and obtaining beneficial use of the infringing systems and methods, and is thus liable for direct infringement under 35 U.S.C. § 271(a) based on making, having made and using systems and methods covered by the Patents-in-Suit.

To the extent that any component or step of an asserted claim is determined to have been supplied or practiced by an end-user of the Accused Instrumentalities, Samsung is nevertheless liable as a direct infringer under *Akamai*. To the extent that end-users are determined to have independently directly infringed the claims of the Patents-in-Suit, Samsung has induced such acts of direct infringement by the end-users pursuant to 35 U.S.C. § 271(b).

(c) A chart identifying specifically where each element of each asserted claim is found within each Accused Instrumentality, including for each element that such party contends is governed by 35 U.S.C. § 112 (¶ 6), the identity of the structure(s), act(s), or material(s) in the Accused Instrumentality that performs the claimed function.

Plaintiff does not content that any element of any asserted claim of any of the Patents-in-Suit are governed by 35 U.S.C. § 112 (¶ 6).

(d) Whether each element of each asserted claim is claimed to be literally present or present under the doctrine of equivalents in the Accused Instrumentality.

MDT presently contends that the Accused Instrumentalities literally infringe the asserted claims of Patents-in-Suit as more specifically explained in the attached infringement charts. MDT asserts that to the extent the Court determines that any element of the asserted claims of the Patents-in-Suit are literally infringed, each such element is infringed under the doctrine of equivalents because the difference between any component of any product or system and any step of any service or method and any claim element is insubstantial.

(e) For any patent that claims priority to an earlier application, the priority date to which each asserted claim allegedly is entitled.

MDT asserts that the asserted claims of each of the Patents-in-Suit have the following priority dates:

Asserted Patent	Priority Date
US8825801	June 18, 2022
US9032039	June 18, 2022
US9619578	June 18, 2022
US9922348	June 18, 2022
US8,793,336	June 18, 2022

(f) If a party claiming patent infringement wishes to preserve the right to rely, for any purpose, on the assertion that its own apparatus, product, device, process, method, act, or other instrumentality practices the claimed invention, the party must identify, separately for each asserted claim, each such apparatus, product, device, process, method, act, or other instrumentality that incorporates or reflects that particular claim.

MDT does not assert that its own apparatus, product, device, process, method, act, or other instrumentality practices the claimed invention.

PATENT INITIAL DISCLOSURES 3-2. Document Production Accompanying Disclosure.

(a) Documents (e.g., contracts, purchase orders, invoices, advertisements, marketing materials, offer letters, beta site testing agreements, and third party or joint development agreements) sufficient to evidence each discussion with, disclosure to, or other manner of providing to a third party, or sale of or offer to sell, the claimed invention prior to the date of application for the patent in suit. A party's production of a document as required herein shall not constitute an admission that such document evidences or is prior art under 35 U.S.C. §102.

MDT represents that it has no such documents.

(b) All documents evidencing the conception, reduction to practice, design, and development of each claimed invention, which were created on or before the date of application for the patent in suit or the priority date identified pursuant to P. R. 3-1(e), whichever is earlier.

MDT represents that it has no such documents.

(c) A copy of the file history for each patent in suit.

The file histories of the Patents-in-Suit are available as MDT-SAM00000001-00001519 at the following link: https://bochneriplaw.com/MDT-SAM00000001-00001968

Dated: October 6, 2024

Respectfully submitted,

By: ***/s/ Erick S. Robinson***

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served via email to counsel for Defendants on the 6th day of October 2024.

/s/ Erick S. Robinson
Erick S. Robinson