

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

OPTIMUM IMAGING TECHNOLOGIES
LLC,

Plaintiff,

v.

FUJIFILM CORPORATION,

Defendant.

Case No. 4:23-CV-00922-ALM

NIKON CORPORATION

Case No. 4:23-cv-00923-ALM

OLYMPUS CORPORATION ET AL.

Case No. 4:23-cv-00924-ALM

SAMSUNG ELECTRONICS CO., LTD.

Case No. 4:23-cv-00927-ALM

SONY CORPORATION

Case No. 4:23-cv-00928-ALM

Plaintiff's Patent Local Rule 3-1 and 3-2 Disclosures

Pursuant to Local Patent Rules 3-1 and 3-2, and the Parties' Exhibit 1 (Proposed Schedule) to the Joint Conference Report, Dkt. No. 31-1 in Lead Case No. 4:23-cv-00922-ALM, Plaintiff Optimum Imaging Technologies LLC ("OIT") provides the following Disclosure of Asserted Claims and Infringement Contentions ("Initial Infringement Contentions") to Defendants FUJIFILM Corporation ("FUJIFILM"), Nikon Corporation ("Nikon"), Olympus Corporation and OM Digital Solutions Corp. (collectively "Olympus"), Samsung Electronics Co., Ltd. ("Samsung"), and Sony Corporation ("Sony") (collectively "Defendants"). These Initial Infringement Contentions are made solely for the purpose of these actions.

I. Preliminary Statement

OIT provides its Initial Infringement Contentions pursuant to P.R. 3-1. The Initial Infringement Contentions contain the following information: a) an identification of the asserted claims that Defendants infringe and an identification of the nature of infringement under 35 U.S.C. § 271; b) an identification of each Accused Instrumentality (as defined below) that infringes each asserted claim; c) charts identifying where each element of each asserted claim is found in the Accused Instrumentalities, including for each limitation governed by 35 U.S.C. §112(6)/(f), the identity of the structure(s), act(s), or material(s) in the Accused Instrumentality that performs the claimed function, d) whether any such claim is infringed literally or under the doctrine of equivalents; e) the priority dates applicable to each asserted claim; and f) the identification of OIT's products that practice each asserted claim.

In making these Initial Infringement Contentions, OIT has not yet received any discovery from any Defendant. Thus, OIT's investigation regarding the potential grounds for Defendants' infringement of U.S. Patent Nos. 7,612,805 ("805 Patent"); 8,451,339 ("339 Patent"); 10,873,685 ("685 Patent"); and 10,877,266 ("266 Patent") (collectively the "Asserted Patents") is ongoing. These Initial Infringement Contentions are therefore, in good faith, based upon public information that OIT has obtained, together with OIT's current good faith beliefs regarding the Accused Instrumentalities.

Details regarding the hardware, firmware and software in the Accused Instrumentalities are confidential and proprietary to Defendants. Defendants do not make details available to the public regarding the specific arrangements of chips and processors used in the Accused Instrumentalities, or the software and firmware that the Accused Instrumentalities use to filter or correct images that are captured thereby. OIT's Initial Infringement Contentions are based on publicly available information from Defendants, OIT's inspection of certain Accused

Instrumentalities, and information available from third parties. In discovery, OIT expects to receive details regarding the hardware and operation of the Accused Instrumentalities that will permit it to amend its Initial Infringement Contentions in light of the detail that will be included in Defendants' documents that OIT could not obtain from any public sources. Further, for claim elements that are software limitations, OIT reserves the right to amend its Initial Infringement Contentions for a particular Defendants after that Defendant makes the relevant source code available for inspection.

OIT serves its Initial Infringement Contentions without prejudice to its right to amend, supplement, or otherwise revise its Initial Infringement Contentions after it begins to receive and review technical discovery from Defendant and further investigates infringement in view of such information. Further, the Initial Infringement Contentions are based on OIT's good faith present understanding of the meaning and scope of the Asserted Claims in the absence of any claim construction proceedings. OIT further reserves all its rights with respect to amendment after the Court issues its claim construction opinion in this litigation.

II. Disclosures Under Local Patent Rule 3-1(a)

Based upon the information currently available to OIT including its good faith present understanding of the meaning and scope of the Asserted Patents, and the available public information regarding the Accused Instrumentalities, pursuant to Local Patent Rules 3-1(a), OIT currently alleges that Defendants have infringed and is infringing the following claims (collectively the "Asserted Claims") under 35 U.S.C. § 271(a):

A. FUJIFILM

1. '805 Patent: claims 1-14 and 18-29.
2. '339 Patent: claims 1-18.
3. '685 Patent: claims 1-30.
4. '266 Patent: claims 1-10, 13-15, 17, 18, 20-25, 27-30.

B. Nikon

1. '805 Patent: claims 1-14, 18-29.
2. '339 Patent: claims 1-18.
3. '685 Patent: claims 1-21, 23, 24, 27, 28, and 30.
4. '266 Patent: claims 1-30.

C. Olympus

1. '805 Patent: claims 1-14, 18-29.
2. '339 Patent: claims 1-18.
3. '685 Patent: claims 1-16, 18, 19, 27, and 30.
4. '266 Patent: claims 1-12, 14-26, 29, and 30.

D. Samsung

1. '805 Patent: claims 1-14 and 18-29.
2. '339 Patent: claims 1-4, 6-16, 18.
3. '266 Patent: claims 1-27, 30.

E. Sony

1. '805 Patent: claims 1-14, 18-29.
2. '339 Patent: claims 1-18.
3. '685 Patent: claims 1-30.
4. '266 Patent: claims 1-30.

III. Disclosures Under Local Patent Rule 3-1(b)

Based upon the information currently available to OIT including its good faith present understanding of the meaning and scope of the Asserted Patents, and the available public information regarding Defendants' products and services, pursuant to Local Patent Rules 3-1(b), OIT currently identifies the products listed below that include digital still and digital video cameras, camera lenses, and smartphones as Accused Instrumentalities and any digital still and digital video cameras, camera lenses, or smartphones similar thereto. To the extent there is any discrepancy between the list of Accused Instrumentalities below and the lists of digital still and digital video cameras, camera lenses, or smartphones models identified in the infringement claim charts, OIT's identification of accused products should be interpreted broadly to encompass any of Defendants' products listed below or on any such infringement claim charts.

OIT's identification of Accused Instrumentalities pursuant to 3-1(b) is based on public information currently available to OIT. Defendants do not publish information regarding the relevant hardware, firmware and software that perform the processes relevant to the Asserted Claims. OIT reserves its rights to amend its list of Accused Instrumentalities once it receives a full identification from Defendants of their digital still and video cameras, camera lenses, and smartphones that include the processes relevant to the Asserted Claims.

A. FUJIFILM:

1. '805 Patent: Fujifilm GFX100 II, GFX100, GFX100S, GFX100S II, GFX 50S, GFX 50R, GFX50S II, X-H2, X-H2S, X-Pro3, X-T5, X-T4, X-T3, X-S20, X-S10, X-T50, X-T30 II, X-T200, and X-E4, X100VI, and X100V.
2. '339 Patent: Fujifilm GFX100 II, GFX100, GFX100S, GFX100S II, GFX 50S, GFX 50R, GFX50S II, X-H2, X-H2S, X-Pro3, X-T5, X-T4, X-T3, X-S20, X-S10, X-T50, X-T30 II, X-T200, and X-E4, X100VI, and X100V.
3. '685 Patent: claims Fujifilm GFX100 II, GFX100, GFX100S, GFX100S II, GFX 50S, GFX 50R, GFX50S II, X-H2, X-H2S, X-Pro3, X-T5, X-T4, X-T3, X-S20, X-S10, X-T50, X-T30 II, X-T200, and X-E4, X100VI, and X100V.
4. '266 Patent: Fujifilm GFX100 II, GFX100, GFX100S, GFX100S II, GFX 50S, GFX 50R, GFX50S II, X-H2, X-H2S, X-Pro3, X-T5, X-T4, X-T3, X-S20, X-S10, X-T50, X-T30 II, X-T200, and X-E4, X100VI, and X100V.
5. Upon information and belief, the following interchangeable lenses can be used with the Fujifilm Accused devices for all Asserted Patents: GF 23mmF4 R LM WR, GF 30mmF3.5 R WR, GF 45mmF2.8 R WR, GF 50mmF3.5 R LM WR, GF 63mmF2.8 R WR, GF 80mmF1.7 R WR, GF 110mmF2 R LM WR, GF 120mmF4 R LM OIS WR Macro, GF 250mmF4 R LM OIS WR, GF20-35mmF4 R WR, GF32-64mmF4 R LM WR, GF35-70mmF4.5-5.6 WR, GF45-100mm F4 R LM OIS WR, GF100-200mmF5.6 R LM OIS WR, GF 500mmF5.6 R LM OIS WR, GF30mmF5.6 T/S, GF110mmF5.6 T/S Macro, GF1.4X TC WR, XF8mmF3.5 R WR, XF14mmF2.8 R, XF16mmF1.4 R WR, XF16mmF2.8 R WR, XF18mmF1.4 R LM WR, XF18mmF2 R, XF23mmF1.4 R, XF23mmF1.4 R LM WR, XF23mmF2 R WR, XF27mmF2.8 R WR, XF30mmF2.8 R LM WR Macro, XF33mmF1.4 R LM WR, XF35mmF1.4 R, XF35mmF2 R WR, XF50mmF1,0 R WR, XF50mmF2 R WR, XF56mmF1.2 R WR, XF56mmF1.2 R APD, XF60mmF2.4 R Macro, XF80F2.8 R LM OIS WR Macro, XF90mmF2 R LM WR, XF200mmF2 R LM OIS WR, XC35mmF2, XF8-16F2.8 R LM WR, XF10-24mmF4 ROIS WR, XF16-50mmF2.8-4.8 R LM WR, XF16-55mmF2.8 R LM WR, XF16-80F4 ROIS WR, XF18-55F2.8-4 R LM OISXF18-120mmF4 LM PZ WR, XF18-135mmF3.5-5.6 R LM OIS WR, XF50-140mmF2.8 R LM OIS WR, XF55-200mmF3.5-4.8 F LM OIS, XF70-300mmF4-5.6 R LM OIS WR, XF100-400mmF4.5-5.6 LMOIS WR, XF150-600mmF5.6-8 R LM OIS WR, XC15-45mmF3.5-5.6 OIS PZ, XC50-230mmF4.5-6.7 OISII, XF1.4X TC WR, XF2X TC WR, MKX18-55mmT2.9, and MKX50-135mmT2.9.

B. Nikon

1. '805 Patent: Nikon Df, D4, D4s, D5, D6, D90, D500, D600, D610, D750, D780, D800/D800E, D810, D850, D3100, D3200, D3300, D3400, D3500, D5000, D5100, D5200, D5300, D5500, D5600, D7000, D7100, D7200, D7500, Zf, Zfc, Z5, Z6, Z6ii, Z7, Z7ii, Z8, Z9, Z30, and Z50.
2. '339 Patent: Nikon Df, D4, D4s, D5, D6, D90, D500, D600, D610, D750, D780, D800/D800E, D810, D850, D3100, D3200, D3300, D3400, D3500, D5000, D5100, D5200, D530 , D5500, D5600, D7000, D7100, D7200, D7500, Zf, Zfc, Z5, Z6, Z6ii, Z7, Z7ii, Z8, Z9, Z30, and Z50.
3. '685 Patent: Nikon D6, D780, Zf, Zfc, Z5, Z6, Z6ii, Z7, Z7ii, Z8, Z9, Z30, and Z50.
4. '266 Patent: Nikon Df, D4, D4s, D5, D6, D90, D500, D600, D610, D750, D780, D800/D800E, D810, D850, D3100, D3200, D3300, D3400, D3500, D5000, D5100, D5200, D5300, D5500, D5600, D7000, D7100, D7200, D7500, Zf, Zfc, Z5, Z6, Z6ii, Z7, Z7ii, Z8, Z9, Z30, and Z50.

5. Upon information and belief, the following interchangeable lenses can be used with the Nikon Accused devices: AF-P DX NIKKOR 10-20mm f/4.5-5.6G VR, AF-S NIKKOR 14-24mm f/2.8G ED, AF-S DX NIKKOR 18-140mm f/3.5-5.6G ED VR, AF-S DX NIKKOR 18-300mm f/3.5-6.3G ED VR, AF-S NIKKOR 24-70mm f/2.8E EDVR, AF-S NIKKOR 24-70mm f/2.8G ED, AF-S Zoom-Nikkor 24-85mm f/3.5-4.5G IF-ED (3.5x), AF-S NIKKOR 24-85mm f/3.5-4.5G ED VR, AF-S NIKKOR 24-120mm f/4G EDVR, AF-S NIKKOR 70-200mm f/2.8E FL ED VR, AF-P NIKKOR 70-300mm f/4.5-5.6E ED VR, AF-S NIKKOR 80-400mm f/4.5-5.6G ED VR, AF-S NIKKOR 180-400mm f/4E TC1.4 FL EDVR, AF-S NIKKOR 200-500mm f/5.6E ED VR, AF-S NIKKOR 20mm f/1.8G ED, AF-S NIKKOR 24mm f/1.4G ED, AF-S NIKKOR 24mm f/1.8G ED, AF-S NIKKOR 28mm f/1.4E ED, AF-S NIKKOR 28mm f/1.8G, AF-S NIKKOR 35mm f/1.4G, AF-S NIKKOR 35mm f/1.8G ED, AF-S DX NIKKOR 35mm f/1.8G, AF-S NIKKOR 50mm f/1.4G, AF-S NIKKOR 50mm f/1.5G, AF-S NIKKOR 58mm f/1.4G, AF-S NIKKOR 85mm f/1.4G, AF-S NIKKOR 85mm f/1.8G, AF-S NIKKOR 105mm f/1.4E ED, AF-S NIKKOR 300mm f/2.8G ED VR II, AF-S NIKKOR 300mm f/4E PF EDVR, AF-S NIKKOR 400mm f/2.8E FL EDVR, AF-S NIKKOR 500mm f/4E FL EDVR, AF-S NIKKOR 500mm f/5.6E PF ED VR, AF-S NIKKOR 600mm f/4E FL EDVR, AF-S NIKKOR 800mm f/5.6E FL ED VR AF-S TELECONVERTER TC800-1.25E ED, AF-S DX Micro NIKKOR 40mm f/2.8G, AF-S Micro NIKKOR 60mm f/2.8G ED, AF-S Fisheye NIKKOR 8-15mm f/3.5-4.8E ED, PC NIKKOR 19mm f/4E ED, PC-E Micro NIKKOR 45mm f/2.8D ED, AF-S TELECONVERTER TC-14E III, AF-S Teleconverter TC-20E III, NIKKOR Z 20mm f/1.8 S, NIKKOR Z 24mm f/1.8 S, NIKKOR Z 35mm f/1.8 S, NIKKOR Z 50mm f/1.2 S, NIKKOR Z 50mm f/1.8 S, NIKKOR Z 58mm f/0.95 S Noct, NIKKOR Z 85mm f/1.2 S, NIKKOR Z 85mm f/1.8 S, NIKKOR Z 135mm f/1.8 S Plena, NIKKOR Z 400mm f/2.8 TC VR S, NIKKOR Z 400mm f/4.5 VR S, NIKKOR Z 600mm f/4 TC VR S, NIKKOR Z 600mm f/6.3 VR S, NIKKOR Z 800mm f/6.3 VR S, NIKKOR Z 14-24mm f/2.8 S, NIKKOR Z 14-30mm f/4 S, NIKKOR Z 24-70mm f/2.8 S, NIKKOR Z 24-70mm f/4 S, NIKKOR Z 24-120mm f/4 S, NIKKOR Z 70-200mm f/2.8 VR S, NIKKOR Z 100-400mm f/4.5-5.6 VR S, NIKKORZ MC 105mm f/2.8 VR S, NIKKOR Z 26mm f/2.8, NIKKOR Z 28mm f/2.8, NIKKOR Z 28mm f/2.8 (SE), NIKKOR Z 35mm f/1.4, NIKKOR Z 40mm f/2, NIKKOR Z 40mm f/2 (SE), NIKKOR Z 50mm f/1.4, NIKKORZ DX 24mm f/1.7, NIKKOR Z 17-28mm f/2.8, NIKKOR Z 24-50mm f/4-6.3, NIKKOR Z 24-200mm f/4-6.3 VR, NIKKOR Z 28-75mm f/2.8, NIKKOR Z 28-400mm f/4-8 VR, NIKKOR Z 70-180mm f/2.8, NIKKOR Z 180-600mm f/5.6-6.3 VR, NIKKORZ DX 12-28mm f/3.5-5.6 PZ VR, NIKKORZ DX 16-50mm f/3.5-6.3 VR, NIKKOR Z DX 18-140mm f/3.5-6.3 VR, NIKKORZ DX 50-250mm f/4.5-6.3 VR, NIKKORZ MC

50mm f/2.8, Z TELECONVERTER TC-1.4x, and Z TELECONVERTER TC-2.0x.

C. Olympus

1. '805 Patent: OM-1, OM-5, OM-D E-M1, OM-D E-M1 Mark II, OM-D E-M1 Mark III, OM-D E-M10 Mark II, OM-D E-M1X, OM-D E-M5 Mark II, OM-D E-M5 Mark III, PEN E-PL7, PEN E-PL8, and PEN-F.
2. '339 Patent: OM-1, OM-5, OM-D E-M1, OM-D E-M1 Mark II, OM-D E-M1 Mark III, OM-D E-M10 Mark II, OM-D E-M1X, OM-D E-M5 Mark II, OM-D E-M5 Mark III, PEN E-PL7, PEN E-PL8, and PEN-F.
3. '685 Patent: OM-1, OM-5, OM-D E-M1, OM-D E-M1 Mark II, OM-D E-M1 Mark III, OM-D E-M10 Mark II, OM-D E-M1X, OM-D E-M5 Mark II, OM-D E-M5 Mark III, PEN E-PL7, PEN E-PL8, and PEN-F.
4. '266 Patent: OM-1, OM-5, OM-D E-M1, OM-D E-M1 Mark II, OM-D E-M1 Mark III, OM-D E-M10 Mark II, OM-D E-M1X, OM-D E-M5 Mark II, OM-D E-M5 Mark III, PEN E-PL7, PEN E-PL8, and PEN-F.
5. Upon information and belief, the following interchangeable lenses can be used with the Olympus Accused devices: M.Zuiko Digital ED lenses: 100-400mm F5.0-6.3 IS, 150-400mm F4.5 TC1.25X IS PRO OM, 300mm F4.0 IS PRO, 40-150mm F2.8 PRO OM, 8mm F1.8 Fisheye PRO OM, 90mm F3.5 Macro IS PRO, 60mm F2.8 Macro, 7-14mm F2.8 PRO Bottom of Form, 8-25mm F4.0 PRO, 40-150mm F4.0 PRO, 12-100mm F4.0 IS PRO OM, 25mm F1.2 PRO OM, 17mm F1.2 PRO, 45mm F1.2 PRO OM, and 20mm F1.4 PRO.

D. Samsung

1. '805 Patent: Galaxy S10, S10+, S10 5G, S10 Lite, S20, S20+, S20 Ultra 5G, S20 FE, S21, S21 Ultra, S21 FE, S22, S22+, S22 Ultra, S23, S23+, S23 Ultra, S24, S24+, Z Fold, Z Flip, Z Flip 5G, Z Fold 2, Z Fold 3, Z Flip 3, Z Fold 4, Z Flip 4, Z Fold 5, and Z Flip 5.
2. '339 Patent: Galaxy S10, S10+, S10 5G, S10 Lite, S20, S20+, S20 Ultra 5G, S20 FE, S21, S21 Ultra, S21 FE, S22, S22+, S22 Ultra, S23, S23+, S23 Ultra, S24, S24+, Z Fold, Z Flip, Z Flip 5G, Z Fold 2, Z Fold 3, Z Flip 3, Z Fold 4, Z Flip 4, Z Fold 5, and Z Flip 5.
3. '266 Patent: Galaxy S10, S10+, S10 5G, S10 Lite, S20, S20+, S20 Ultra 5G, S20 FE, S21, S21 Ultra, S21 FE, S22, S22+, S22 Ultra, S23, S23+, S23 Ultra, S24, S24+, Z Fold, Z Flip, Z Flip 5G, Z Fold 2, Z Fold 3, Z Flip 3, Z Fold 4, Z Flip 4, Z Fold 5, and Z Flip 5.

E. Sony

1. '805 Patent: Sony α 6400, α 6600, α 6700, α 6100, α 6000, α 1, α 7CR, α 7C, α 7CII, α 7II, α 7 III, α 7R II, α 7R III, α 7R IV, α 7R V, α 7S III, α 7R IIIA, α 7R IV, α 7R IVA, α 7R V, α 9, α 9 II, α 9 III, α ZV-E1, α ZV-E10, ILCA-60, ILCA-70, ILCA-90, SLT-A30, SLT-A50, ALT-A60, SLT-A70, SLT-A90, DSLR-A100, DSLR-A200, DSLR-A300, DSLR-A500, DSLR-A700, DSLR-A800, DSLR-A900, Venice, Venice 2, Burano, HDC Professional series, HDC Professional series, HXC Professional series, UHC Professional series, PXW camcorders, PXW series, ILME series.

2. '339 Patent: Sony α 6400, α 6600, α 6700, α 6100, α 6000, α 1, α 7CR, α 7C, α 7CII, α 7II, α 7 III, α 7R II, α 7R III, α 7R IV, α 7R V, α 7S III, α 7R IIIA, α 7R IV, α 7R IVA, α 7R V, α 9, α 9 II, α 9 III, α ZV-E1, α ZV-E10, ILCA-60, ILCA-70, ILCA-90, SLT-A30, SLT-A50, ALT-A60, SLT-A70, SLT-A90, DSLR-A100, DSLR-A200, DSLR-A300, DSLR-A500, DSLR-A700, DSLR-A800, DSLR-A900, Venice, Venice 2, Burano, HDC Professional series, HDC Professional series, HXC Professional series, UHC Professional series, PXW camcorders, PXW series, ILME series.

3. '685 Patent: Sony α 6400, α 6600, α 6700, α 6100, α 6000, α 1, α 7CR, α 7C, α 7CII, α 7II, α 7 III, α 7R II, α 7R III, α 7R IV, α 7R V, α 7S III, α 7R IIIA, α 7R IV, α 7R IVA, α 7R V, α 9, α 9 II, α 9 III, α ZV-E1, α ZV-E10, ILCA-60, ILCA-70, ILCA-90, SLT-A30, SLT-A50, ALT-A60, SLT-A70, SLT-A90, DSLR-A100, DSLR-A200, DSLR-A300, DSLR-A500, DSLR-A700, DSLR-A800, DSLR-A900, Venice, Venice 2, Burano, HDC Professional series, HDC Professional series, HXC Professional series, UHC Professional series, PXW camcorders, PXW series, ILME series.

4. '266 Patent: Sony α 6400, α 6600, α 6700, α 6100, α 6000, α 1, α 7CR, α 7C, α 7CII, α 7II, α 7 III, α 7R II, α 7R III, α 7R IV, α 7R V, α 7S III, α 7R IIIA, α 7R IV, α 7R IVA, α 7R V, α 9, α 9 II, α 9 III, α ZV-E1, α ZV-E10, ILCA-60, ILCA-70, ILCA-90, SLT-A30, SLT-A50, ALT-A60, SLT-A70, SLT-A90, DSLR-A100, DSLR-A200, DSLR-A300, DSLR-A500, DSLR-A700, DSLR-A800, DSLR-A900, Venice, Venice 2, Burano, HDC Professional series, HDC Professional series, HXC Professional series, UHC Professional series, PXW camcorders, PXW series, ILME series.

5. Upon information and belief, the following interchangeable lenses can be used with the Sony Accused devices: Sony 14mm f1.8 GM, Sony 20mm f1.8 G, Sony 24mm f1.4 GM, Sony 24mm f2.8 G, Sony 28mm f2.0, 16mm Conversion Lens For FE 28mm, 21mm Conversion Lens For FE 28mm, Sony 35mm f1.4 ZA Distagon, Sony 35mm f1.4 GM, Sony 35mm f1.8, Sony Sonnar 35mm f2.8 ZA, Sony 40mm f2.5 G, Sony 50mm f1.2 GM, Sony 50mm f1.4 GM, Sony 50mm f1.4 ZA Planar, Sony 50mm f1.8, Sony 50mm f2.8 Macro, Sony 50mm f2.5 G, Sony 55mm f1.8 ZA Sonnar, Sony 85mm f1.4 GM, Sony 85mm f1.8, Sony 90mm f2.8 Macro G OSS, Sony 100mm f2.8 STF GM OSS, Sony 135mm f1.8 GM, Sony 300mm f2.8 GM OSS, Sony 400mm f2.8 GM OSS, Sony 600mm f4 GM OSS, Sony 12-24mm f2.8 GM, Sony 12-24mm f4 G, Sony 16-25mm f2.8 G, Sony 16-35mm f2.8 GM, Sony 16-35mm f2.8 GM I, Sony 16-35mm f4 ZA Vario-Sonnar OSS, Sony 20-70mm f4 G, Sony 24-50mm f2.8 G, Sony 24-70mm f2.8 GM, Sony 24-70mm f2.8 GM II, Sony 24-70mm f4 ZA Vario-Tessar OSS, Sony 24-105mm f4 G OSS, Sony 24-240mm f3.5-f6.3 OSS, Sony 28-60mm f4-f5.6, Sony 28-70mm f3.5-5.6 OSS, Sony 28-135mm f4 G OSS, Sony 70-200mm f2.8 GM OSS, Sony 70-200mm f2.8 GM OSS II, Sony 70-200mm f4 G OSS, Sony 70-200mm f4 G OSS II, Sony 70-300mm f4.5-5.6 G OSS, Sony 100-400mm f4.5-5.6 GM OSS, Sony 200-600mm f5.6-6.3 G OSS, and Sony 16-35mm T/3.1 G.

IV. Infringement Claim Charts P.R. 3-1(c) and (d)

In Appendices A1 through E4¹ to this document, OIT provides infringement claim charts which identify specifically where each element of each Asserted Claim is found within the Accused Instrumentalities. OIT's infringement claim charts are based on OIT's current interpretation and understanding of the Asserted Patents, and public information published by Defendants, and information from various third parties. Notably, Defendants do not disclose details regarding the implementation hardware, firmware, and software that perform the processes relevant to the Asserted Claims. Although OIT has a good faith basis to assert infringement as identified herein and in the attached Appendices, OIT reserves its right to amend its Infringement Contentions based on Defendants' proprietary information that it receives in discovery.

¹ Each Defendant will be sent only their appendices (e.g., Fujifilm will only receive Appendices A1 through A4).

Based on OIT's current understanding of the Asserted Claims, 35 U.S.C. § 112(6) does not apply, but OIT's reserves the right to identify any elements of the asserted claims that are governed by § 112(6) and the identification of any corresponding structure thereto if the Court construes any claim element pursuant to § 112(6).

The Appendices also includes disclosures under Local Patent Rule 3-1(d), and further as to that rule, OIT notes that, based upon the information currently available to OIT including its good faith present understanding of the meaning and scope of the Asserted Patents, and the available public information regarding the Accused Instrumentalities, each of the Accused Instrumentalities literally includes every limitation of each Asserted Claim and therefore literally infringes, or in the alternative, infringes under the doctrine of equivalents as set forth in the claim charts provided in the Appendices.

OIT includes the following Appendixes hereto:

A. FUJIFILM

1. '805 Patent
2. '339 Patent
3. '685 Patent
4. '266 Patent

B. Nikon

1. '805 Patent
2. '339 Patent
3. '685 Patent
4. '266 Patent

C. Olympus

1. '805 Patent
2. '339 Patent
3. '685 Patent
4. '266 Patent

D. Samsung

1. '805 Patent
2. '339 Patent
3. '266 Patent

E. Sony

1. '805 Patent
2. '339 Patent
3. '685 Patent
4. '266 Patent

V. Disclosures Under Local Patent Rules 3-1(e)

Based upon the information currently available to OIT each of the Asserted Claims of the Asserted Patents have a priority date at least as early as July 11, 2006 based on the filing date of provisional application No. 60/807,065.

VI. Identification of OIT Products that Practice the Asserted Claims P.R. 3-1(f)

Pursuant to P.R. 3-1(f), OIT identifies that it has no products that practice the Asserted Claims at this time. OIT reserves the right to amend its identification in light of any subsequent claim construction or other applicable orders from the Court.

VII. OIT's Document Production Accompanying Disclosures under P.R. 3-2

Pursuant to P.R. 3-2, OIT identifies the following documents by Bates number that are being produced herewith: 3-2(a): n/a; 3-2(b): n/a; 3-2(c): OIT_000001 – OIT_003517. These documents will be provided via a link with this document.

Dated: September 27, 2024

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing on September 27, 2024, on all counsel of record
via email.

/s/ Robert Harkins