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

K.MIZRA LLC

Plaintiff,

v.

NOKIA CORPORATION, NOKIA
SOLUTIONS AND NETWORKS OY, AND
NOKIA OF AMERICA CORPORATION,

Defendants.

CASE NO. 2:24-cv-00974-JRG

JURY TRIAL DEMANDED

DEFENDANT NOKIA'S PRELIMINARY INVALIDITY CONTENTIONS

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Pursuant to P.R. 3-3, P.R. 3-4, and the Docket Control Order (Dkt. No. 27) in the above-captioned case, Defendants Nokia Corporation, Nokia Solutions and Networks Oy, and Nokia of America Corporation (collectively, “Nokia” or “Defendants”) hereby provide their Preliminary Invalidity Contentions with respect to the claims identified by Plaintiff K.Mizra LLC (“K.Mizra”) in its Disclosure of Asserted Claims and Infringement Contentions for Nokia (March 12, 2025) (“Infringement Contentions”).

I. PRELIMINARY STATEMENT AND RESERVATION OF RIGHTS

A. The Asserted Claims

According to the Infringement Contentions, K.Mizra asserts the following patents, claims, and priority dates in its Infringement Contentions.

Asserted Patent	Asserted Claims	Asserted Priority Date
U.S. Patent No. 9,485,176 (“the ’176 Patent”)	1-7, 9-11, 13-16, and 18-20	August 4, 2006
U.S. Patent No. 10,735,320 (“the ’320 Patent”)	1-5, 7-12, and 14-20	October 7, 2005
U.S. Patent No. 9,264,354 (“the ’354 Patent”)	1-3, 5-6, 9-10, 12-13, 16-18, and 20	January 25, 2007
U.S. Patent No. 9,749,249 (“the ’249 Patent”)	1-3, 5, 7-9, and 11-13	February 14, 2005
U.S. Patent No. 8,018,880 (“the ’880 Patent”)	1, 14, 26, and 39	March 26, 2007

The patents identified in the foregoing table are collectively referred to as the “Asserted Patents,” and the claims identified in the foregoing table are collectively referred to as the “Asserted Claims.” Any reference to an “asserted priority date” in these Preliminary Invalidity Contentions refers to the “Asserted Priority Dates” identified in the foregoing table, and further defined in section I.B, *infra*.

Defendants contend that each of the Asserted Claims is invalid under at least one or more of 35 U.S.C. §§ 101, 102, 103, or 112. Pursuant to the Local Patent Rules, Defendants do not

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provide any contentions regarding any claims not asserted by K.Mizra. To the extent that the Court permits K.Mizra to assert additional claims against Defendants in the future, Defendants reserve all rights to amend or supplement these Preliminary Invalidity Contentions or to otherwise disclose new or supplemental invalidity contentions regarding such claims. Furthermore, because discovery is ongoing,¹ Defendants reserve the right to revise, amend, and/or supplement the information provided herein, including identifying, charting, and relying on additional references, should discovery yield additional information or references.

Defendants further reserve the right to amend these contentions in response to any claim construction rulings, as permitted by the Local Patent Rules or with permission of the Court.

The Infringement Contentions are deficient in multiple respects and do not provide Defendants with sufficient information to understand the specific accused features and components and the alleged factual and evidentiary bases for K.Mizra's infringement allegations. Among other things, the Infringement Contentions lack the specificity required by P.R. 3-1, fail to properly identify accused instrumentalities, and fail to explain adequately K.Mizra's infringement theories for numerous limitations. K.Mizra has prejudiced Defendants' ability to understand, for purposes of preparing these Preliminary Invalidity Contentions, what K.Mizra alleges to be the scope of the Asserted Claims. If K.Mizra modifies any assertion or contention in its Infringement Contentions, or presents any new assertion or contention relevant to these Preliminary Invalidity Contentions to

¹ Defendants' ongoing efforts include but are not limited to: serving subpoenas on prior artists and inventors regarding prior art, seeking additional information related to the references and systems disclosed in these Preliminary Invalidity Contentions, and seeking additional information related to available prior art systems, as well as K.Mizra's Infringement Contentions and the products accused of infringing therein. No depositions have been taken as of this time, including, without limitation, depositions of any inventors, authors, or entities listed on any references or systems identified in these Preliminary Invalidity Contentions. Further, Defendants reserve the right to review and supplement these Preliminary Invalidity Contentions with respect to any additional prior art that becomes apparent as discovery proceeds.

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**Exhibit B-6: Invalidity of U.S. Patent No. 10,735,320 in view of
U.S. Patent No. 7,477,657 (“Murphy”) ¹**

U.S. Patent No. 7,477,657 (“Murphy”), was filed May 8, 2002, issued on January 13, 2009. Murphy is therefore prior art to U.S. Patent No. 10,735,320 (the “’320 Patent”), under at least 35 U.S.C. §§ 102 (a), (e), and/or (g) (pre-AIA). The inventors did not abandon, suppress or conceal the invention as evidenced by the filing and publication of Murphy. As described in the following claim chart, the asserted claims of the ’320 Patent, are invalid as expressly and/or inherently anticipated by Murphy

To the extent that Murphy is found not to anticipate, expressly or inherently, one or more of the asserted claims of the ’320 Patent, these claims are invalid as obvious in view of Murphy alone, in view of the background knowledge and ordinary creativity of a person having ordinary skill in the art at the time of the alleged invention, or in combination with other prior art identified in the cover pleading, herein, or as disclosed in Defendants’ Invalidity Contentions and accompanying charts and appendices. A person of ordinary skill would have been motivated to combine Murphy and any other prior art references, including but not limited to the other prior art identified in the cover pleading or herein, with a reasonable expectation of success because each of these references contains familiar elements within the same field of endeavor to address the same known problems, according to known methods which would yield predictable results.

Defendants reserve the right to amend or supplement this invalidity chart at a later date.

No.	U.S. Patent No. 10,735,320	U.S. Patent No. 7,477,657 – (“Murphy”)
1[pre]	A method, comprising:	At least under Plaintiff’s apparent infringement theory, and if the preamble is limiting Murphy expressly and/or inherently discloses performing a method comprising the steps of Claim 1, based on at least the following exemplary citations: Defendants incorporate by reference the discussion for claims 8[pre] and 15[pre] as if fully set forth herein.

¹ Based upon the Plaintiff’s allegations of infringement, the Complaint, and Plaintiff’s apparent claim constructions and/or interpretations, as best as they can be understood, this reference anticipates and/or renders obvious the asserted claims. Defendants do not necessarily agree with the interpretations set forth in Plaintiff’s contentions and thus these invalidity contentions are not an admission that the Accused Products meet any particular claim element or infringe these claims. Moreover, nothing in these contentions should be interpreted as an acquiescence to or assertion of any particular claim construction, including whether the preamble is limiting. The portions of the prior art reference cited below are not exhaustive but are exemplary in nature. Further, by submitting these invalidity contentions, Defendants do not waive and hereby expressly reserve their right to raise other invalidity defenses, including but not limited to defenses under 35 U.S.C. §§ 101 and 112.