

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

GINKO, LLC,

Plaintiff,

v.

APPLE, INC.,

Defendant.

Civil No. 1-24-cv-01279

JURY TRIAL DEMANDED

PRELIMINARY INFRINGEMENT CONTENTIONS

Plaintiff Ginko, LLC (“Ginko”), by and through its attorneys, hereby serves its Preliminary Infringement Contentions against Apple, Inc., and states as follows:

ASSERTED CLAIMS

1. Ginko asserts that claims 10, 11, and 14 of the ‘573 Patent are infringed by Apple, Inc.

ACCUSED INSTRUMENTALITIES

2. Each of claims 10, 11, and 14 of the ‘573 Patent is infringed by any Apple devices that incorporate the NameDrop feature (including all the hardware and/or software that provide the NameDrop functionality under any name), including the following products: Apple iPhone 16 Pro, iPhone 16, iPhone 15 Pro Max, iPhone 15 Pro, iPhone 15 Plus, iPhone 15, iPhone 14 Pro Max, iPhone 14 Pro, iPhone 14 Plus, iPhone 14, iPhone SE (2nd & 3rd Generation), iPhone 13 Pro Max, iPhone 13 Pro, iPhone 13 Mini, iPhone 13, iPhone 12 Pro Max, iPhone 12 Pro, iPhone 12 Mini, iPhone 12, iPhone 11 Pro Max, iPhone 11 Pro, iPhone 11, iPhone XS Max, iPhone XS, iPhone XR (collectively, the “Infringing iPhones”), and Apple Watch Series 7, Apple Watch Series 8, Apple Series 9, Apple Watch Series 10, Apple Watch SE (2nd Generation), Apple Watch Ultra, and Apple Watch Ultra 2 (collectively, the “Infringing Watches”). The Infringing iPhones

and the Infringing Watches are collectively referenced in the claim chart as the “Infringing Devices.”

CLAIM CHART

Claim Element	Corresponding Structure in Accused Instrumentality	Literal / Doctrine of Equivalents
10. A system for sharing data between devices in a network, comprising:	The preamble is not limiting. Nevertheless, the Infringing Devices include a system for sharing data between devices in a network.	This claim element is literally present.
a processor;	The Infringing iPhones comprise A-series processors.¹ The Infringing Watches comprise S-series processors.² iPhone 16 Pro A18 PRO A18 Pro chip 6-core CPU 6-core GPU 16-core Neural Engine Apple Watch Series 10 S10 S10 SiP Double tap gesture Fast on-device Siri with health data access Precision Finding for iPhone²⁴	This claim element is literally present.

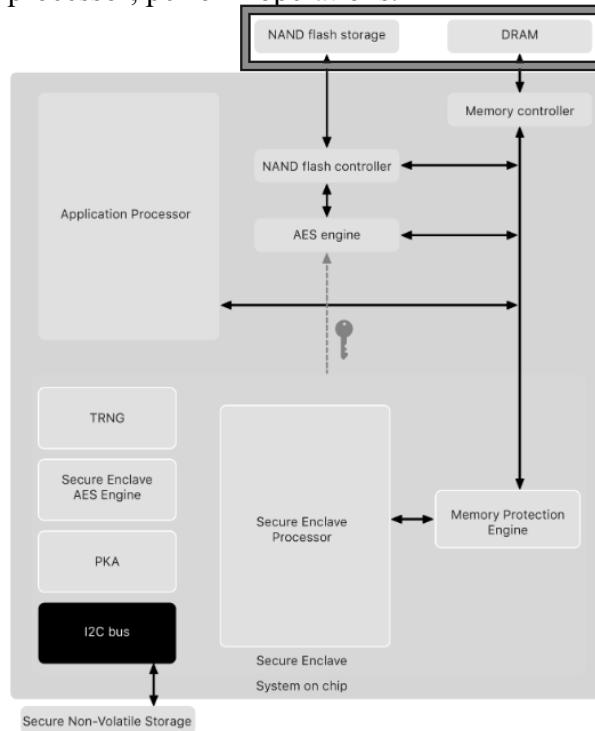
¹ Compare iPhone Models, <https://www.apple.com/iphone/compare/> (last visited on Jul. 25, 2025).

² Compare Apple Watch Models, <https://www.apple.com/watch/compare/> (last visited on Jul. 25, 2025).

and a memory, the memory comprising computer-executable instructions that, when executed by the processor, perform operations comprising:

The Infringing Devices comprise memory (RAM and flash storage), the memory comprising computer-executable instructions that, when executed by the processor, perform operations.³

This claim element is literally present.



The Secure Enclave is a hardware feature of most versions of iPhone, iPad, Mac, Apple TV, Apple Watch, Apple Vision Pro and HomePod — namely:

- All iPhone models starting from iPhone 5s or later
- All iPad models starting from iPad Air or later
- All Mac computers with Apple silicon
- MacBook Pro computers with Touch Bar (2016 and 2017) that contain the Apple T1 Chip
- All Intel-based Mac computers that contain the Apple T2 Security Chip
- All Apple TV models starting from Apple TV HD or later
- All Apple Watch models starting from Apple Watch Series 1 or later

³ *Secure Enclave*, <https://support.apple.com/en-sg/guide/security/sec59b0b31ff/1/web/1> (Dec. 19, 2024) (last visited Jul. 25, 2025).

identifying, for a user associated with a user device, a potential contact, the user being associated with user data, and the potential contact being associated with contact data;	The computer-executable instructions, when executed by the processor, perform operations comprising identifying, for a user associated with a user device, a potential contact.⁴ The user is associated with user data. The potential contact is associated with contact data. Share your contact info × You can share your contact info with another person. 1. Do one of the following: • <i>Share from iPhone or iPad:</i> Hold your iPhone a few centimetres above the other person's iPhone or Apple Watch. • <i>Share from Apple Watch to Apple Watch:</i> Open the Contacts app  on your Apple Watch, tap your picture in the top-right corner, tap Share, then bring your watch to the other person's Apple Watch. • <u>A glow emerges from both devices, and Apple Watch vibrates to indicate that a connection is being made.</u> 2. Continue holding your devices near each other until NameDrop appears on both screens. 3. <u>Choose to share your contact card (or a specific phone number or email address) and receive the other person's, or choose to receive only the other person's.</u> If you're sharing your contact card, tap , select the fields you want to include, then tap Save. The same fields are selected by default the next time you use NameDrop. To cancel, move the two devices away from each other or lock your iPhone before the NameDrop transfer is complete.	This claim element is literally present.
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⁴ *Secure NameDrop*, <https://support.apple.com/en-sg/guide/personal-safety/ips97e16d3b1/1.0/web/1.0> (Oct. 28, 2024) (last visited Jul. 25, 2025).

receiving, from the user device of the user, a request for the user to become a contact with the potential contact,

The computer-executable instruction, when executed by the processor, perform operations comprising receiving, from the user device of the user, a request for the user to become a contact with the potential contact.⁵

This claim element is literally present.



⁵ Apple Support, *How to use NameDrop on iPhone* | *Apple Support*, YouTube (Sept. 21, 2023), <https://www.youtube.com/watch?v=aZL5D1k-4aI> (last visited Jul. 25, 2025).

the request comprising a first permission setting, and the first permission setting being at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user;

The request comprises a first permission setting.⁶

This claim element is literally present.



The first permission setting is at least a first value indicating that a subset of user data of a permitting user is to be shared with a permitted user.⁷

Share your contact info

×

You can share your contact info with another person.

1. Do one of the following:

- *Share from iPhone or iPad:* Hold your iPhone a few centimetres above the other person's iPhone or Apple Watch.
- *Share from Apple Watch to Apple Watch:* Open the Contacts app  on your Apple Watch, tap your picture in the top-right corner, tap Share, then bring your watch to the other person's Apple Watch.
- A glow emerges from both devices, and Apple Watch vibrates to indicate that a connection is being made.

2. Continue holding your devices near each other until NameDrop appears on both screens.

3. Choose to share your contact card (or a specific phone number or email address) and receive the other person's, or choose to receive only the other person's.

If you're sharing your contact card, tap , select the fields you want to include, then tap Save. The same fields are selected by default the next time you use NameDrop.

To cancel, move the two devices away from each other or lock your iPhone before the NameDrop transfer is complete.

⁶ *Id.*

⁷ *Secure NameDrop*, <https://support.apple.com/en-sg/guide/personal-safety/ips97e16d3b1/1.0/web/1.0> (Oct. 28, 2024) (last visited Jul. 25, 2025).

sending, based on the request, a communication to the potential contact to initiate a data exchange;

The computer-executable instructions, when executed by the processor, perform operations comprising sending, based on the request, a communication to the potential contact to initiate a data exchange.⁸



This claim element is present in each Infringing Device, either literally or under the doctrine of equivalents.

⁸ Apple Support, *How to use NameDrop on iPhone* | *Apple Support*, YouTube (Sept. 21, 2023), <https://www.youtube.com/watch?v=aZL5D1k-4aI> (last visited Jul. 25, 2025).

and in response to receiving an acceptance of the communication: setting the user as a contact of the potential contact, the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value; and setting the potential contact as a contact of the user.

The computer-executable instructions, when executed by the processor and in response to receiving an acceptance of the communication, perform operations comprising setting the user as a contact of the potential contact, the subset of the user data being viewable to the potential contact in a case that the first permission setting being the first value, and set the potential contact as a contact of the user.⁹

This claim element is present in each Infringing Device, either literally or under the doctrine of equivalents.



⁹ *Id.*

11. The system of claim 10, wherein identifying the potential contact comprises: receiving, from the potential contact, a first location; and identifying the potential contact in a case that a second location of the user device matches the first location.

Identifying the potential contact comprises receiving, from the potential contact, a first location; and identifying the potential contact in a case that a second location of the user device matches the first location.¹⁰
¹¹



Share your contact info with NameDrop ×

You can share your contact info with another person.

1. Do one of the following:

- Share from iPhone or iPad: Hold your iPhone a few centimetres above the other person's iPhone or Apple Watch.
- Share from Apple Watch to Apple Watch: Open the Contacts app ⓘ on your Apple Watch, tap your picture in the top-right corner, tap Share, then bring your watch to the other person's Apple Watch.
- A glow emerges from both devices, and Apple Watch vibrates to indicate that a connection is being made.

2. Continue holding your devices near each other until NameDrop appears on both screens.

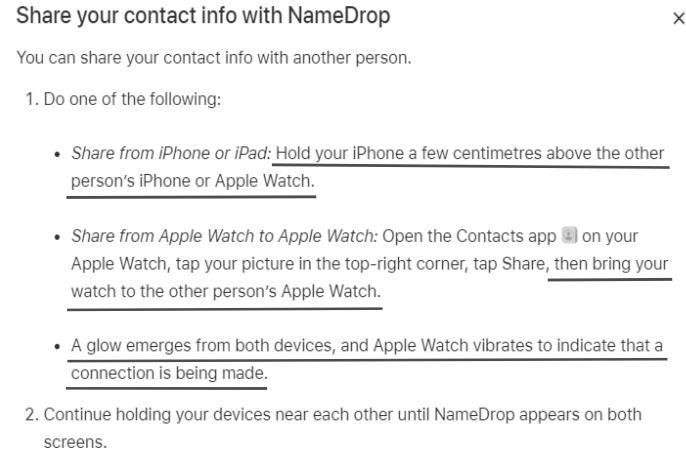
See also:

<https://www.apple.com/newsroom/2023/06/ios-17-makes-iphone-more-personal-and-intuitive/>

This claim element is present in each Infringing Device, either literally or under the doctrine of equivalents.

¹⁰ *Id.*

¹¹ *Secure NameDrop*, <https://support.apple.com/en-sg/guide/personal-safety/ips97e16d3b1/1.0/web/1.0> (Oct. 28, 2024) (last visited Jul. 25, 2025).

14. The system of claim 10, wherein receiving, from the user device of the user, the request for the user to become a contact with the potential contact comprises: receiving a first location that is associated with the request;	In the Infringing Devices, receiving, from the user device of the user, the request for the user to become a contact with the potential contact comprises receiving a first location that is associated with the request.¹² 	This claim element is present in each Infringing Device, either literally or under the doctrine of equivalents.
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¹² *Id.*

and wherein sending, based on the request, the communication to the potential contact to initiate the data exchange comprises: subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matching a second location with the potential contact.

Sending, based on the request, the communication to the potential contact to initiate the data exchange comprises: subsequent to receiving the request from the user, sending the communication to the potential contact on a condition that the first location matches a second location with the potential contact.¹³

This claim element is present in each Infringing Device, either literally or under the doctrine of equivalents.



PRIORITY DATE

3. The priority date for each asserted claim is July 22, 2015.

DOCUMENT PRODUCTION

4. Documents evidencing the conception and reduction to practice for the claimed invention were maintained using private-access, third-party digital services. As of the date of this disclosure, the underlying records remain unavailable. Ginko will produce those records should they become available.

¹³ Apple Support, *How to use NameDrop on iPhone* | Apple Support, YouTube (Sept. 21, 2023), <https://www.youtube.com/watch?v=aZL5D1k-4aI> (last visited Jul. 25, 2025).

5. A true and accurate copy of the file history for the '573 Patent is attached hereto as Exhibit 1.

Dated: July 25, 2025

Respectfully Submitted,

/s/ Anthony G. Simon

THE SIMON LAW FIRM, P.C.
Anthony G. Simon (pro hac vice)
1001 Highlands Plaza Drive, Suite 300
St. Louis, Missouri 63110
Phone: (314) 241-2929
Fax: (314) 241-2029
asimon@simonlawpc.com

SCHEEF & STONE LLP
Michael C. Smith
State Bar No.: 18650410
Michael.Smith@solidcounsel.com
113 East Austin St.
Marshall, TX 75670
Phone: 903.938.8900

HUSCH BLACKWELL LLP
Rudolph A. Telscher, Jr. (pro hac vice)
rudytelscher@huschblackwell.com
8001 Forsyth Blvd, Suite 1500
St. Louis, MO 63105
314-380-1500 Telephone

Jeffer Ali (pro hac vice)
Jeffer.Ali@huschblackwell.com
80 South Eighth Street, Suite 4800
Minneapolis, MN 55402
612-852-3610 Telephone

Attorneys for Plaintiff Ginko, LLC

CERTIFICATE OF SERVICE

Pursuant to Federal Rules of Civil Procedure and Local Rule CV-5, I hereby certify that on July 25, 2025, all counsel of record who have appeared in this case are being served with a copy of the foregoing that the Court's CM/ECF system.

/s/ Anthony G. Simon