

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

COBBLESTONE WIRELESS, LLC,

Plaintiff,

v.

APPLE INC.;

Defendant.

Case No. 7:24-cv-00232

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

Pursuant to OGP § I, Plaintiff Cobblestone Wireless, LLC submits the following Preliminary Disclosure of Asserted Claims and Infringement Contentions. This disclosure is based on the information available to Cobblestone as of the date of this disclosure, and Cobblestone reserves the right to amend this disclosure to the full extent permitted, consistent with the Court’s Rules and Orders.

A. Asserted Claims

Cobblestone asserts that Defendant Apple Inc. infringes the following claims (collectively, “Asserted Claims”):

- (1) U.S. Patent No. 7,924,802 (the “’802 patent”), claims 1-4, 6-10, 13, 17, 21, 23; and
- (2) U.S. Patent No. 8,891,347 (the “’347 patent”), claims 19-23.

B. Accused Instrumentalities of which Plaintiff is aware

Plaintiff asserts that the Asserted Claims are infringed by the various instrumentalities used, made, sold, offered for sale, or imported into the United States by Apple, including certain cellular user equipment supporting 3GPP carrier aggregation and/or dual connectivity (e.g. EN-

DC and NR-DC) ('802 patent) and/or 3GPP 5G NR beamforming ('347 patent) (“Accused Instrumentalities”). A partial list of Accused Instrumentalities, based on Plaintiff’s knowledge and investigation to date, follows: iPhone 12, iPhone 12 mini, iPhone 13, iPhone 13 mini, iPhone 13 Pro, iPhone 13 Pro Max, iPhone 14, iPhone 14 Plus, iPhone 14 Pro, iPhone 14 Pro Max, iPhone 15, iPhone 15 Plus, iPhone 15 Pro, iPhone 15 Pro Max, iPhone 16, iPhone 16 Plus, iPhone 16 Pro, iPhone 16 Pro Max, iPhone SE (3rd Gen.), iPad, iPad Air, iPad Mini, and iPad Pro.

Plaintiff reserves the right to accuse additional products from Defendant to the extent Plaintiff becomes aware of additional products during the discovery process. Unless otherwise stated, Plaintiff’s assertions of infringement apply to all variations, versions, and applications of each of the Accused Instrumentalities, on information and belief, that different variations, versions, and applications of each of the Accused Instrumentalities are substantially the same for purposes of infringement of the Asserted Claims.

C. Claim Charts

Plaintiff’s analysis of Defendant’s products is based upon limited information that is publicly available, and based on Plaintiff’s own investigation prior to any discovery in these actions. Specifically, Plaintiff’s analysis is based on certain limited resources that evidence certain products made, sold, used, or imported into the United States by Defendant.

Plaintiff reserves the right to amend or supplement these disclosures for any of the following reasons:

- (1) Defendant and/or third parties provide evidence relating to the Accused Instrumentalities;
- (2) Plaintiff’s position on infringement of specific claims may depend on the claim constructions adopted by the Court, which has not yet occurred; and

(3) Plaintiff's investigation and analysis of Defendant's Accused Instrumentalities is based upon public information and Plaintiff's own investigations. Plaintiff reserves the right to amend these contentions based upon discovery of non-public information that Plaintiff anticipates receiving during discovery.

Attached and incorporated herein in their entirety, are charts identifying where each element of the Asserted Claims is found in the Accused Instrumentalities.

Unless otherwise indicated, the information provided that corresponds to each claim element is considered to indicate that each claim element is found within each of the different variations, versions, and applications of each of the respective Accused Instrumentalities described above.

D. Literal Infringement / Doctrine of Equivalents

With respect to the patents at issue, each element of each Asserted Claim is considered to be literally present. Plaintiff also contends that each Asserted Claim is infringed or has been infringed under the doctrine of equivalents in Defendant's Accused Instrumentalities. Plaintiff also contends that Defendant both directly and indirectly infringes the Asserted Claims. For example, the Accused Instrumentalities are provided by the Defendant to customers, who are actively encouraged and instructed (for example, through Defendant's online instructions on its website and instructions, manual, or user guides that are provided with the Accused Instrumentalities) by Defendant to use the Accused Instrumentalities in ways that directly infringe the Asserted Claims. Defendant therefore specifically intends for and induces its customers to infringe the Asserted Claims under Section 271(b) through the customers' normal and customary use of the Accused Instrumentalities. In addition, Defendant is contributorily infringing the Asserted Claims under Section 271(c) and/or Section 271(f) by selling, offering for sale, or importing the Accused Instrumentalities into the United States, which constitute a material part of

the inventions claimed in the Asserted Claims, are especially made or adapted to infringe the Asserted Claims, and are otherwise not staple articles or commodities of commerce suitable for non-infringing use.

E. Priority Dates

The Asserted Claims of the '802 patent are entitled to a priority date at least as early as January 23, 2008, the filing date of Application No. 12/018,370.

The Asserted Claims of the '347 patent are entitled to a priority date at least as early as July 28, 2011, the filing date of International Application No. PCT/CN2011/077718.

A diligent search continues for additional responsive information and Cobblestone reserves the right to supplement this response.

F. Identification of Instrumentalities Practicing the Claimed Invention

At this time, Plaintiff does not identify any of its instrumentalities as practicing the Asserted Claims. A diligent search continues for additional responsive information and Plaintiff reserves the right to supplement this response.

Dated: January 27, 2025

Respectfully submitted,

/s/ Reza Mirzaie

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**ATTORNEYS FOR PLAINTIFF,
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CERTIFICATE OF SERVICE

I certify that this document is being served upon counsel of record for Defendants
on January 27, 2025 via e-mail.

/s/ Christian W. Conkle
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