

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

DUKE W. ZINSER,

Plaintiff,

v.

VIVINT, LLC and
VIVINT, INC.,

Defendants.

§
§
§
§
§
§
§
§
§
§

Case No. 4:25-cv-1030-ALM

JURY TRIAL DEMANDED

**PLAINTIFF DUKE W. ZINSER'S DISCLOSURE OF ASSERTED CLAIMS AND
INFRINGEMENT CONTENTIONS**

In accordance with the Court's Scheduling Order (Dkt. 21) and P.R. 3-1 and 3-2, Plaintiff Duke W. Zinser ("Zinser" or "Plaintiff") hereby provides his Disclosure of Asserted Claims and Infringement Contentions, and accompanying document production to Defendants Vivint, LLC and Vivint, Inc. (collectively, "Vivint" or "Defendants").

PRELIMINARY STATEMENT

Zinser's investigation of Defendants' infringement is ongoing. As such, Zinser's Disclosure of Asserted Claims and Infringement Contentions is made to the best of his present knowledge, information, and belief. Zinser provides the following disclosures and contentions without prejudice to his right to amend based on any subsequently discovered facts, and expressly reserves the right to amend or supplement his contentions hereto, in accordance with applicable rules, and as fact and expert discovery progresses in accordance with the Scheduling Order and Fed. R. Civ. P. 26 and 33(d). Zinser further incorporates his Complaint, Dkt. 1, filed on September 18, 2025, and any later filed amended complaints, herein.

I. Disclosure of Asserted Claims and Infringement Contentions

Patent Rule 3-1(a): Asserted Claims

For the purposes of Patent Rule 3-1(a), Zinser contends that Vivint infringes at least the following claims under 35 U.S.C. § 271(a), either literally or under the Doctrine of Equivalents. Further, Zinser contends that Vivint has induced its customers and continues to induce its customers to infringe, either literally or under the doctrine of equivalents, in violation of 35 U.S.C. § 271(b) by providing instructions via its website, or other documents that induce its customers to directly infringe by making, using, offering for sale, selling, and/or importing the accused products and services in the United States, including within this judicial district, without the authority of Zinser. Additionally, Zinser contends that Vivint infringes one or more of the following claims as a joint infringer along with at least Space Monkey.

The asserted claims of U.S. Patent No. 7,583,191 (the “’191 Patent” or “Asserted Patent”) include the claims listed below.

At a minimum, Claims 2, 3, 4, 5, 6, 7, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, and 47 of the ’191 Patent are infringed (the “Asserted Claims”).¹

Patent Rule 3-1(b): Identification of Infringing Instrumentalities

For the purposes of Patent Rule 3-1(b), Vivint’s Doorbell and Security System has been infringing and continues to infringe the ’191 Patent’s claims identified in Section 3-1(a) above.

Vivint’s Doorbell and Security System includes, but is not limited to, its video doorbells, video doorbell accessories such as control panels and electronic locks, IP cameras, video recording

¹ As noted in the claim chart attached as Exhibit 1, Zinser does not allege that Claims 1, 14, and 19 are infringed. However, they are charted in the attached claim chart to show infringement of the underlying dependent claims that Zinser contends Vivint does infringe.