

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

SMART MOBILE TECHNOLOGIES LLC,

Plaintiff,

v.

APPLE INC.,

Defendant.

Civil Action No. 6:21-cv-00603

JURY TRIAL DEMANDED

PLAINTIFF'S PRELIMINARY DISCLOSURE OF INFRINGEMENT

CONTENTIONS AND PRIORITY DATES

Pursuant to the Court's Standing Order Governing Proceedings – Patent Cases ("OGP") filed on October 8, 2021 (Dkt. No. 18), Plaintiff Smart Mobile Technologies LLC ("Plaintiff") hereby serves on Apple Inc. ("Defendant") charts setting forth where in the accused products each element of the asserted claims are found, and the earliest priority date for each asserted claim.

Exhibit	Chart for Patent	Patent Priority Date
A	8,442,501	November 1995
B	8,472,936	November 1995
C	8,472,937	November 1995
D	8,761,739	November 1995
E	8,824,434	November 1995
F	8,842,653	June 1999
G	8,982,863	June 1999
H	9,019,946	June 1999

Exhibit	Chart for Patent	Patent Priority Date
I	9,049,119	November 1995
J	9,191,083	June 1999
K	9,319,075	June 1999
L	9,614,943	June 1999
M	9,756,168	June 1999

Plaintiff's disclosure of Preliminary Infringement Contentions is based on Plaintiff's knowledge as of the date of this disclosure. In addition, these Contentions and disclosures are based in part on reasonable inferences concerning the present and past functionality of the accused devices based on the information presently reasonably available to Plaintiff. Most if not all of the relevant information and documentation regarding the structure and functionality of the accused devices is in Defendant's possession, custody or control. Accordingly, Plaintiff reserves the right to amend or supplement these disclosures as additional relevant information becomes available to Plaintiff. In addition, Plaintiff reserves the right to amend or supplement these disclosures in light of the Court's claim construction and subsequent legal developments in this action. Moreover, the identification of specific examples of infringing structure or functionality in Plaintiff's Preliminary Infringement Contentions should not be deemed or understood to limit the scope of Plaintiff's Contentions to only the exemplary structure or functionality.

Plaintiff's obligation to produce information and documents is limited to materials in its possession, custody or control. Additional information, documents and other materials may be produced in discovery in this matter that are probative of infringement, and of the priority date and conception and reduction to practice, of the patents in suit. Plaintiff, therefore, reserves its right to

amend or supplement this Preliminary Disclosure of Infringement Contentions and Priority Dates, and production of documents, in light of such later-produced information and materials.

DATED: January 12, 2022

Respectfully submitted,

By /s/ Philip Graves
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CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of January 2022, I caused to be served counsel of record via electronic mail at the following addresses.

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