

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

PEGASUS WIRELESS INNOVATION  
LLC,

*Plaintiff,*

v.

VERIZON COMMUNICATIONS INC. *et*  
*al.,*

*Defendants.*

Case No. 2:23-cv-00640-JRG  
(Lead Case)

PEGASUS WIRELESS INNOVATION  
LLC,

*Plaintiff,*

v.

AT&T INC. *et al.,*

*Defendants.*

Case No. 2:23-cv-00638-JRG  
(Member Case)

PEGASUS WIRELESS INNOVATION  
LLC,

*Plaintiff,*

v.

T-MOBILE US, INC. *et al.,*

*Defendants.*

Case No. 2:23-cv-00639-JRG  
(Member Case)

**PLAINTIFF PEGASUS WIRELESS INNOVATION LLC'S  
DISCLOSURES PURSUANT TO LOCAL PATENT RULES 3-1 AND 3-2**

Pursuant to Local Patent Rules 3-1 and 3-2, Plaintiff Pegasus Wireless Innovation LLC (“Pegasus”) provides its disclosure of asserted claims and preliminary infringement contentions and accompanying document production to Defendants Verizon Communications Inc., Cellco Partnership d/b/a Verizon Wireless, Verizon Business Network Services LLC, Verizon Corporate Services Group Inc., and TracFone Wireless, Inc. (collectively, “Verizon”), AT&T Inc., AT&T Corp., AT&T Services, Inc., AT&T Mobility LLC, AT&T Mobility II LLC, New Cingular Wireless PCS, LLC and Cricket Wireless LLC (collectively, “AT&T”), and T-Mobile US, Inc., T-Mobile USA, Inc., Sprint LLC, Sprint Solutions LLC, and Sprint Spectrum LLC (collectively, “T-Mobile”) (“Verizon,” “AT&T,” and “T-Mobile,” may be collectively referred to as “Defendants”). Pegasus’s disclosures are based on publicly available materials regarding the accused infringing products of Defendants that describe or discuss aspects of operation of these products. Fact discovery and claim construction proceedings have not yet commenced. Pegasus has not had access to any discovery of Defendants’ materials at this point, and certain information is not yet available to Pegasus that may be relevant to its infringement claims. Pegasus reserves the right to supplement or alter its disclosures based on the discovery it obtains, invalidity and prior art contentions, claim construction, allowance and issuance of substitute claims by the USPTO and/or any additional information provided by Defendants.

**I. Disclosure of Asserted Claims and Preliminary Infringement Contentions**

**A. Infringed Claims**

The following table identifies the patents-in-suit and each claim of those patents that is alleged to be infringed by each opposing party.

Patent	Infringed Claims
11,627,631	All Defendants: 1–18

<b>Patent</b>	<b>Infringed Claims</b>
10,181,931	All Defendants: 1–7
10,616,932	All Defendants: 1–2, 4, 8–9, 11
11,405,942	All Defendants: 1–3, 5–7, 9–11
10,594,460	All Defendants: 1–12
10,721,118	All Defendants: 1–3, 6–12, 15
11,219,000	All Defendants: 1–12
10,638,463	All Defendants: 1–9
11,540,272	All Defendants: 1–20
9,894,644	All Defendants: 1–3
10,009,161	All Defendants: 1–6

Pegasus reserves the right to augment and supplement its identification of asserted claims based upon additional information obtained through discovery.

**B. Infringing Instrumentalities**

Based upon information presently available to it, Pegasus asserts infringement by the instrumentalities set forth in the table below.

<b>Patent</b>	<b>Infringing Instrumentalities</b>
11,627,631	Each Defendant’s 5G/NR mobile network, including base station equipment and user equipment configured to communicate on said network.
10,181,931	Each Defendant’s 4G/LTE mobile network, including base station equipment and user equipment configured to communicate on said network.
10,616,932	Each Defendant’s 5G/NR mobile network, including base station equipment and user equipment configured to communicate on said network.
11,405,942	Each Defendant’s 5G/NR mobile network, including base station equipment and

Patent	Infringing Instrumentalities
	user equipment configured to communicate on said network.
10,594,460	Each Defendant's 5G/NR mobile network, including base station equipment and user equipment configured to communicate on said network.
10,721,118	Each Defendant's 5G/NR mobile network, including base station equipment and user equipment configured to communicate on said network.
11,219,000	Each Defendant's 5G/NR mobile network, including base station equipment and user equipment configured to communicate on said network.
10,638,463	Each Defendant's 5G/NR mobile network, including base station equipment and user equipment configured to communicate on said network.
11,540,272	Each Defendant's 5G/NR mobile network, including base station equipment and user equipment configured to communicate on said network.
9,894,644	Each Defendant's 4G/LTE mobile network, including base station equipment and user equipment configured to communicate on said network.
10,009,161	Each Defendant's 4G/LTE and 5G/NR mobile networks, including base station equipment and user equipment configured to communicate on said networks.

More complete information about the devices that Defendants have sold or that have been used on Defendants' 4G/LTE and 5G/NR mobile networks and base station equipment that is configured to communicate on Defendants' 4G/LTE and 5G/NR mobile networks is in the possession of Defendants and is expected to be obtained through discovery. Pegasus reserves the right to augment and supplement its preliminary identification of infringing products based upon additional information obtained through discovery.

### C. Claim Charts for Literal Infringement

Pegasus's preliminary infringement charts are provided as attached Exhibits A1–A12, V1–V12, and T1–T12, which map the applicable standards to the asserted claims. In each claim chart, the discussion for dependent claims should be read as incorporating by reference the discussion

corresponding to the claims on which they depend. In addition, the discussion for each row in the chart should be read within the context of the discussion for the entire claim to which that row pertains. Where the charts incorporate excerpts of particular versions of technical specification documents, the reference to those versions is exemplary and not to the exclusion of any prior or subsequent versions of the document or any versions of related documents.

Pegasus reserves the right to augment and supplement its preliminary claim charts based upon additional information obtained through discovery.

**D. Doctrine of Equivalents**

Unless otherwise noted in the claim charts, Pegasus alleges that Defendants infringe literally all claims identified above. To the extent any differences are alleged to exist between the above-identified claims and Defendants' infringing conduct, such differences are insubstantial and Defendants' products and processes perform substantially the same function, in substantially the same way, to yield substantially the same result, and therefore defendants infringe under the doctrine of equivalents.

Pegasus reserves the right to augment and supplement its disclosure concerning the doctrine of equivalents based upon additional information obtained through discovery or based upon the Court's claim construction.

**E. Priority Claim to an Earlier Application**

The table below shows, for patents that claim priority to an earlier application, the priority date to which each asserted claim is entitled based on such earlier application.

Patent	Claims	Priority Date from Earlier Application
11,627,631	1–18	November 3, 2016, as well as the dates of any subsequent applications
10,181,931	1–7	September 27, 2013, as well as the dates of any subsequent applications

<b>Patent</b>	<b>Claims</b>	<b>Priority Date from Earlier Application</b>
10,616,932	1–2, 4, 8–9, 11	July 14, 2015, as well as the dates of any subsequent applications
11,405,942	1–3, 5–7, 9–11	November 16, 2016, as well as the dates of any subsequent applications
10,594,460	1–12	July 28, 2017, as well as the dates of any subsequent applications
10,721,118	1–3, 6–12, 15	May 12, 2016, as well as the dates of any subsequent applications
11,219,000	1–12	September 29, 2017, as well as the dates of any subsequent applications
10,638,463	1–9	September 29, 2017, as well as the dates of any subsequent applications
11,540,272	1–20	October 31, 2016, as well as the dates of any subsequent applications
9,894,644	1–3	September 26, 2013, as well as the dates of any subsequent applications
10,009,161	1–6	March 21, 2014, as well as the dates of any subsequent applications

Pegasus reserves the right to augment and supplement its disclosure concerning the priority date based upon the Court’s claim construction, additional information obtained through discovery, or other information.

**F. Practice of the Claimed Invention**

Pegasus is not relying on an assertion that its own apparatus, product, device, process, method, act, or other instrumentality practices the asserted claims of the patents-in-suit.

**II. Document Production Accompanying Disclosure**

**A. Local Patent Rule 3-2(a)**

Pegasus is not aware of any documents potentially responsive to P.R. 3-2(a) within its possession, custody, or control at this time. Pegasus reserves the right to augment and supplement its disclosure under P.R. 3-2(a) based upon additional information obtained through discovery or

other information.

**B. Local Patent Rule 3-2(b)**

Pegasus identifies the following documents as potentially responsive to P.R. 3-2(b):  
PEGASUS\_00000001 – PEGASUS\_00000042. Pegasus reserves the right to augment and supplement its disclosure under P.R. 3-2(b) based upon additional information obtained through discovery or other information.

**C. Local Patent Rule 3-2(c)**

Pegasus identifies the following documents as potentially responsive to P.R. 3-2(c):  
PEGASUS\_00000043 – PEGASUS\_00007843. Pegasus reserves the right to augment and supplement its disclosure under P.R. 3-2(c) based upon additional information obtained through discovery or other information.

DATED: March 18, 2024

Respectfully submitted,

By: /s/ Max L. Tribble

Max L. Tribble – Lead Counsel  
Texas State Bar No. 20213950  
mtribble@susmangodfrey.com  
Joseph S. Grinstein  
Texas State Bar No. 24002188  
jgrinstein@susmangodfrey.com  
Bryce T. Barcelo  
Texas State Bar No. 24092081  
bbarcelo@susmangodfrey.com  
Corey M. Lipschutz  
Texas State Bar No. 24099303  
clipschutz@susmangodfrey.com  
**SUSMAN GODFREY L.L.P.**  
1000 Louisiana Street, Suite 5100  
Houston, TX 77002  
Telephone: (713) 651-9366  
Facsimile: (713) 654-6666

Kalpana Srinivasan  
California State Bar No. 237460  
ksrinivasan@susmangodfrey.com

Jordan Rux  
Texas State Bar No. 24106380  
jrux@susmangodfrey.com

**SUSMAN GODFREY L.L.P.**  
1900 Avenue of the Stars, Suite 1400  
Los Angeles, CA 90067  
Telephone: (310) 789-3100  
Facsimile: (310) 789-3150

Andrea L. Fair  
Texas State Bar No. 24078488  
andrea@wsfirm.com

**WARD, SMITH & HILL, PLLC**  
1507 Bill Owens Parkway  
Longview, TX 75604  
Telephone: (903) 757-6400  
Facsimile: (903) 757-2323

**ATTORNEYS FOR PLAINTIFF**  
**PEGASUS WIRELESS INNOVATION LLC**



**CERTIFICATE OF SERVICE**

I hereby certify that on March 18, 2024, a true and correct copy of the foregoing was served upon all counsel of record by email.

/s/ Jordan Rux  
Jordan Rux