

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

INTELLECTUAL VENTURES I LLC and	)	
INTELLECTUAL VENTURES II LLC,	)	
	)	
<i>Plaintiffs,</i>	)	<b>C.A. No. 4:24-cv-00980-ALM</b>
	)	
v.	)	
	)	<b>JURY TRIAL DEMANDED</b>
AMERICAN AIRLINES, INC.	)	
	)	
	)	
<i>Defendant.</i>	)	

**PLAINTIFFS' DISCLOSURE OF AMENDED  
INITIAL INFRINGEMENT CONTENTIONS**

Pursuant to the Court's Local Patent Rules and the Scheduling Order (Dkt. 44), Plaintiffs Intellectual Ventures I LLC and Intellectual Ventures II LLC (collectively, "Intellectual Ventures," "IV," or "Plaintiffs"), hereby provides its Amended Initial Infringement Contentions to Defendant American Airlines, Inc. ("American" or "Defendant") for United States Patent No. 8,332,844 ("the '844 Patent"), United States Patent No. 8,407,722 ("the '722 Patent"), United States Patent No. 7,949,785 ("the '785 Patent"), United States Patent No. 8,027,326 ("the '326 Patent"), United States Patent No. 7,324,469 ("the '469 Patent"), United States Patent No. 7,257,582 ("the '582 Patent"), United States Patent No. 7,712,080 ("the '080 Patent"), United States Patent No. 7,721,282 ("the '282 Patent"), United States Patent No. 7,822,841 ("the '841 Patent"), United States Patent No. 8,352,584 ("the '584 Patent"), United States Patent No. 10,103,845 ("the '845 Patent"), and United States Patent No. 11,032,000 ("the '000 Patent") (collectively, the "Asserted Patents" or "Patents-in-Suit").

IV makes this disclosure based on the information presently available to it. While discovery in this case has started, American has not produced any documents, nor has it produced any source

code for any of the Asserted Patents. IV reserves its right to amend or supplement these disclosures as permitted by the Federal Rules of Civil Procedure, by the local rules of the Eastern District of Texas, and by order of the Court.

These infringement contentions are based upon publicly available information and Plaintiffs' diligent investigation to date, and without the benefit of any substantial discovery from the Defendant and without the benefit of the Court's claim construction. Plaintiffs anticipate that discovery may provide additional evidence of Defendant's infringement, may lead to the discovery of additional instances of infringement, and may also enable identification of additional claims that are infringed by Defendant.

Based upon currently available information, IV asserts that American has infringed and/or continues to infringe the patents and claims identified in the attached claim charts (the "Asserted Claims" of the Patents-in-Suit). Infringement claim charts evidencing the correspondence between (i) the elements of the Asserted Claims, and (ii) the corresponding items of the Accused Instrumentalities are attached hereto. Further, Exhibits 1-13, which are attached hereto and incorporated by reference, are exemplary infringement claim charts identifying specifically where each limitation of each Asserted Claim is found within each Accused Instrumentality or practiced by each Accused Instrumentality.

Plaintiffs assert that Defendant has directly infringed and continues to directly infringe the Asserted Claims literally through the Accused Instrumentalities by making, using, offering for sale, selling, and/or importing into the United States the Accused Instrumentalities. To the extent that Defendant alleges that one or more limitations of the Asserted Claims are not literally found in the Accused Instrumentalities, Plaintiffs allege that such limitations are found in or practiced by the Accused Instrumentalities under the doctrine of equivalents. Any differences alleged to exist

[REDACTED]

between any of the Asserted Claims and any of the Accused Instrumentalities are insubstantial and that each Accused Instrumentality also meets each limitation under the doctrine of equivalents as the identified features of the Accused Instrumentality performs substantially the same function in substantially the same way to achieve substantially the same result as the corresponding claim limitation. IV reserves the right to assert infringement solely under the doctrine of equivalents with respect to any particular claim element(s), if warranted by discovery, further analysis, and/or claim constructions in this case.

These assertions are based upon Plaintiffs' diligent investigation to date, and without the benefit of any substantial discovery from the Defendant and without the benefit of the Court's claim construction. Indeed, Defendant has yet to produce any documents and any source code. Plaintiffs reserve the right to add, delete, substitute or otherwise amend these infringement allegations based on discovery, the Court's claim construction, or other circumstances, in a manner consistent with the Federal Rules of Civil Procedure and the Court's rules, including the local Patent Rules.

Plaintiffs further assert that Defendant has indirectly infringed and continues to indirectly infringe by actively inducing infringement by third parties of one or more of the claims of the Asserted Patents through the Accused Instrumentalities. *See* Exhibits 1-13.

Plaintiffs also assert that these third parties directly infringe at least one or more of the claims of the Asserted Patents through the manufacture, use, sale, offer to sell, or importation of the Accused Instrumentalities. *See* Exhibits 1-13.

For example, Defendant has actively induced infringement by encouraging the use of the Accused Instrumentalities in ways that infringe each Asserted Claim. Defendant knew or should have known that such encouragement would induce infringement. Defendant has taken active steps





[REDACTED]

based on discovery or other circumstances, in a manner consistent with the Federal Rules of Civil Procedures, local rules, and standing order.

The Accused Instrumentalities include, without limitation, the following:

- The '844 Patent. The Accused Instrumentalities include, without limitation, American systems that utilize Docker, and all past, current and future American products that operate in the same or substantially similar manner as the specifically identified products and components, and all past, current and future American products that have the same or substantially similar features as the specifically identified products and components provided in Exhibit 1.<sup>1</sup>
- The '722 Patent. The Accused Instrumentalities include, without limitation, American systems that utilize Kafka, and all past, current and future American products that operate in the same or substantially similar manner as the specifically identified products and components, and all past, current, and future American products that have the same or substantially similar features as the specifically identified products and components provided in Exhibit 2.<sup>2</sup>
- The '785 Patent. The Accused Instrumentalities include, without limitation, American systems that utilize Kubernetes, and all past, current and future American products that operate in the same or substantially similar manner as the specifically identified products and components, and all past, current and future American products that have the same or substantially similar features as the specifically identified products and components provided in Exhibit 3.<sup>3</sup>
- The '326 Patent. The Accused Instrumentalities include, without limitation, American systems that provide Wi-Fi Access Points that support at least IEEE 802.11n and/or 802.11ac, and all past, current, and future American products that operate in the same or substantially similar manner as the specifically identified products and components, and all past,

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<sup>1</sup> As described in Exhibit 1, Plaintiffs do not accuse the public clouds of Defendant, to the extent those services are provided by a cloud provider with a license to Plaintiffs' patents that covers Defendant's activities. As a specific example, Plaintiffs do not accuse [REDACTED]

[REDACTED] Plaintiffs will produce relevant license agreements in this litigation. Plaintiffs accuse Defendant private clouds that implement the Accused Functionalities and non-licensed public clouds that Defendant uses to support the Accused Functionalities for its systems and services. Plaintiffs will provide relevant license agreements for cloud providers in discovery, to the extent any such license agreements have not already been produced. To the extent any of these licenses are relevant to Defendant's activities, Plaintiffs will meet and confer with Defendant about the impact of such license(s).

<sup>2</sup> See *supra*, fn. 1.

<sup>3</sup> See *supra*, fn. 1.

[REDACTED]

current and future American products that have the same or substantially similar features as the specifically identified products and components. Exhibit 4.<sup>4 5</sup>

- The '469 Patent. The Accused Instrumentalities include, without limitation, American systems that provide satellite-based onboard WiFi, and all past, current and future American products that operate in the same or substantially similar manner as the specifically identified products and components, and all past, current and future American products that have the same or substantially similar features as the specifically identified products and components. Exhibit 5.<sup>6</sup>

- The '582 Patent. The Accused Instrumentalities include, without limitation, American systems that utilize Hadoop and/or Spark, and all past, current and future American products that operate in the same or substantially similar manner as the specifically identified products and components, and all past, current and future American products that have the same or substantially similar features as the specifically identified products and components provided in Exhibits 6 and 7.<sup>7</sup>

- The '080 Patent. The Accused Instrumentalities include, without limitation, American systems that utilize Spark and all past, current and future American products that operate in the same or substantially similar manner as the specifically identified products and components, and all past, current and future American products that have the same or substantially similar features as the specifically identified products and components. Exhibit 8.<sup>8</sup>

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<sup>4</sup> As described in Exhibit 4, Plaintiffs do not accuse the following American Systems and Services:

[REDACTED]

<sup>5</sup> The description of non-accused American Systems and Services reflects language in license agreement(s). The language of those agreement(s) controls, to the extent there are any inconsistencies between the language in this chart and such agreement(s).

<sup>6</sup> See *supra*, fns. 4, 5.

<sup>7</sup> See *supra*, fn. 1.

<sup>8</sup> As described in Exhibit 8, Plaintiffs do not accuse the public clouds of Defendant, to the extent those services are provided by a cloud provider with a license to Plaintiffs' patents that covers Defendant's activities. As a specific example, Plaintiffs do not accuse [REDACTED]

[REDACTED]

[REDACTED]

- The '282 Patent. The Accused Instrumentalities include, without limitation, American systems that utilize Docker and all past, current and future American products that operate in the same or substantially similar manner as the specifically identified products and components, and all past, current and future American products that have the same or substantially similar features as the specifically identified products and components. Exhibit 9.<sup>9</sup>

- The '841 Patent. The Accused Instrumentalities include, without limitation, American systems that utilize Kubernetes and all past, current and future American products that operate in the same or substantially similar manner as the specifically identified products and components, and all past, current and future American products that have the same or substantially similar features as the specifically identified products and components. Exhibit 10.<sup>10</sup>

- The '584 Patent. The Accused Instrumentalities include, without limitation, American systems that utilize Kubernetes and all past, current and future American products that

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[REDACTED] Plaintiffs also does not accuse [REDACTED] Plaintiffs do not accuse the public clouds of Defendants if those services are provided by a cloud provider with a license to Plaintiffs' patents that covers Defendants' activities. Plaintiffs accuse Defendant private clouds that implement Spark and non-licensed public clouds that Defendant uses to support Spark for its systems and services. Plaintiffs will provide relevant license agreements for cloud providers in discovery, to the extent any such license agreements have not already been produced. To the extent any of these licenses are relevant to Defendant's activities, Plaintiffs will meet and confer with Defendant about the impact of such license(s).

<sup>9</sup> As described in Exhibit 9, Plaintiffs do not accuse the public clouds of Defendant, to the extent those services are provided by a cloud provider with a license to Plaintiffs' patents that covers Defendant's activities. As a specific example, Plaintiffs do not accuse [REDACTED]

[REDACTED] Plaintiffs also does not accuse [REDACTED] Plaintiffs do not accuse the public clouds of Defendants if those services are provided by a cloud provider with a license to Plaintiffs' patents that covers Defendants' activities. Plaintiffs accuse Defendant private clouds that implement Docker and non-licensed public clouds that Defendant uses to support Docker for its systems and services. Plaintiffs will provide relevant license agreements for cloud providers in discovery, to the extent any such license agreements have not already been produced. To the extent any of these licenses are relevant to Defendant's activities, Plaintiffs will meet and confer with Defendant about the impact of such license(s).

<sup>10</sup> As described in Exhibit 10, Plaintiffs do not accuse the public clouds of Defendant, to the extent those services are provided by a cloud provider with a license to Plaintiffs' patents that covers Defendant's activities. As a specific example, Plaintiffs do not accuse [REDACTED]

[REDACTED] Plaintiffs also does not accuse [REDACTED] Plaintiffs do not accuse the public clouds of Defendants if those services are provided by a cloud provider with a license to Plaintiffs' patents that covers Defendants' activities. Plaintiffs accuse Defendant private clouds that implement Kubernetes and non-licensed public clouds that Defendant uses to support Kubernetes for its systems and services. Plaintiffs will provide relevant license agreements for cloud providers in discovery, to the extent any such license agreements have not already been produced. To the extent any of these licenses are relevant to Defendant's activities, Plaintiffs will meet and confer with Defendant about the impact of such license(s).

[REDACTED]

operate in the same or substantially similar manner as the specifically identified products and components, and all past, current and future American products that have the same or substantially similar features as the specifically identified products and components. Exhibit 11.<sup>11</sup>

- The '845 Patent. The Accused Instrumentalities include, without limitation, American systems that support 802.11n and 802.11ac and all past, current and future American products that operate in the same or substantially similar manner as the specifically identified products and components, and all past, current and future American products that have the same or substantially similar features as the specifically identified products and components. Exhibit 12.<sup>12</sup>

- The '000 Patent. The Accused Instrumentalities include, without limitation, American systems that support LTE and all past, current and future American products that operate in the same or substantially similar manner as the specifically identified products and components,

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<sup>11</sup> As described in Exhibit 11, Plaintiffs do not accuse the public clouds of Defendant, to the extent those services are provided by a cloud provider with a license to Plaintiffs' patents that covers Defendant's activities. As a specific example, Plaintiffs do not accuse [REDACTED]

[REDACTED] Plaintiffs also does not accuse [REDACTED] Plaintiffs do not accuse the public clouds of Defendants if those services are provided by a cloud provider with a license to Plaintiffs' patents that covers Defendants' activities. Plaintiffs accuse Defendant private clouds that implement Kubernetes and non-licensed public clouds that Defendant uses to support Kubernetes for its systems and services. Plaintiffs will provide relevant license agreements for cloud providers in discovery, to the extent any such license agreements have not already been produced. To the extent any of these licenses are relevant to Defendant's activities, Plaintiffs will meet and confer with Defendant about the impact of such license(s).

<sup>12</sup> As described in Exhibit 12, Plaintiffs do not accuse the following American Systems and Services: [REDACTED]

[REDACTED]

[REDACTED]

and all past, current and future American products that have the same or substantially similar features as the specifically identified products and components. Exhibit 13.<sup>13</sup>

- All past, current and future American products and services that operate in the same or substantially similar manner as the specifically identified products and services above and described in Exhibits 1-13 (claim charts identifying specifically where each element of each asserted claim is found within each Accused Instrumentality).

- All past, current and future American products and services that have the same or substantially similar features as the specifically identified products and services above and described in Exhibits 1-13, (claim charts identifying specifically where each element of each asserted claim is found within each Accused Instrumentality).

Plaintiffs' infringement contentions apply to the Accused Instrumentalities as well as all other past, current and future hardware and software products and services developed, made, used, offered for sale, sold, imported, and provided by American that contain or make use of the Patented Technology.<sup>14</sup> This identification of Accused Instrumentalities is based upon Plaintiffs' diligent investigation to date, and without the benefit of any discovery from the Defendant and without the benefit of the Court's claim construction. Plaintiffs expressly reserve the right to add, delete, substitute or otherwise amend this list of Accused Instrumentalities based on discovery, the Court's claim construction, or other circumstances, in a manner consistent with the Federal Rules of Civil Procedure and the Court's rules, including the local Patent Rules.

**P.R. 3-1(c).**

Pursuant to P.R. 3-1(c), Plaintiffs provide with these contentions a claim chart identifying specifically where each claim limitation of each asserted claim is found for each Accused Instrumentality. These claim charts include Exhibits 1-13. Plaintiffs' identification of evidence

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<sup>13</sup> As described in Exhibit 13, Plaintiffs do not accuse American Systems and Services, [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] Plaintiffs will meet and confer with Defendant about the impact of such license(s)

<sup>14</sup> "Patented Technology" means all technologies described in the claims of the Patents-in-Suit.







**P.R. 3-6.**

Plaintiffs expressly reserve the right to amend or supplement this Disclosure of Asserted Claims and Infringement Contentions and the exhibits attached hereto if further discovery, the Court's claim construction, or other circumstances so require, and as specified in P.R. 3-6.

Dated: May 23, 2025

RESPECTFULLY SUBMITTED,

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*Attorneys for Plaintiffs*  
**INTELLECTUAL VENTURES I LLC and**  
**INTELLECTUAL VENTURES II LLC**

**CERTIFICATE OF SERVICE**

A true and correct copy of the foregoing instrument was served or delivered electronically via email to all counsel of record on this 23rd day of May, 2025.

*/s/ Jonathan K. Waldrop*  
Jonathan K. Waldrop (CA Bar No. 297903)