

accordance with any Orders of record in this matter, Patent R. 3-6, and Federal Rule of Civil Procedure 26(e), as additional documents and information become available and as discovery and investigation proceed. Plaintiff reserves the right to supplement, modify or amend this Disclosure to include additional products or services made, used, sold, or offered for sale in or imported into the United States by Defendants.

This Disclosure is made without prejudice to any position Plaintiff may take with respect to claim construction. Plaintiff reserves its right to supplement this Disclosure and exhibits based on decisions by the Court regarding claim construction. Plaintiff further reserves the right to introduce and use such supplemental materials at trial.

The information in this Disclosure is not an admission regarding the scope of any claims or the proper construction of those claims or any terms contained therein. The production of documents accompanying this Disclosure is not an admission that such documents are admissible, and Plaintiff does not waive any objections regarding admissibility. Plaintiff reserves the right to supplement its production of documents accompanying this disclosure upon identification or receipt of additional documents, including documents from third parties.

I. DOCUMENT PRODUCTION ACCOMPANYING DISCLOSURE – PATENT RULE 3-2

Pursuant to Patent R. 3-2, Plaintiff identifies documents corresponding to the following categories by production number below:

Category	Production Bates Numbers
Documents (e.g., contracts, purchase orders, invoices, advertisements, marketing materials, offer letters, beta site testing agreements, and third party of joint development agreements) sufficient to evidence each discussion with, disclosure to, or other manner of providing to a third party, or sale of or offer to sell, the	RW00001403-RW00001660 Plaintiff’s investigation is ongoing, and it reserves the right to produce documents as discovery in this case continues.

claimed invention prior to the date of application for the patent in suit. Plaintiff's production of any documents as required herein shall not constitute an admission that such document evidences or is prior art under 35 U.S.C. § 102. Patent R. 3-2(a).	
All documents evidencing the conception, reduction to practice, design, and development of each claimed invention, which were created on or before the date of application for the patent in suit or the priority date identified pursuant to P.R. 3-1(e), whichever is earlier.	Documents of this type will be produced insofar as Plaintiff has them. Plaintiff's investigation is ongoing, and it reserves the right to produce documents as discovery in this case continues.
A copy of the file history for each patent in suit.	RW00000001 – RW00000365, RW00000381 – RW00001383.

II. ASSERTED CLAIMS – PATENT LOCAL RULE 3-1(A)

Patent	Asserted Claims
'823 Patent	1-3, 5-8, 10
'402 Patent	1-6, 8-15, 17-19

Plaintiff specifically reserves the right to amend, revise, and/or supplement its asserted claims and statutory bases as it acquires additional information about Defendants activities, the Accused Instrumentalities (referenced below), and any other additional Accused Instrumentalities that are identified.

III. ACCUSED INSTRUMENTALITIES – PATENT LOCAL RULE 3-1(B)

Plaintiff accuses Home Depot's Retail Media + platform, the Home Depot website, Home Depot Mobile Applications, the associated software and data, associated hardware, and processes and methods related thereto, such as edge servers, data centers, and/or hosted software (the "Accused Instrumentalities") of infringement of the Patents-in-Suit. Plaintiff identifies below Home Depot Accused Instrumentalities of which it is presently aware. Plaintiff has identified Accused Instrumentalities below by the name and model as described by Home Depot on Home

Depot’s publicly available website, [www.homedepot.comhttps://www.samsung.com/us/support/downloads/](https://www.samsung.com/us/support/downloads/). Plaintiff’s list of devices below is also based on its current investigation of publicly available model numbers listed on third party websites. Plaintiff reserves the right to add additional products and model numbers as they are identified during discovery. To the extent that Home Depot has renamed its products, the list of Accused Instrumentalities below should be read to include both prior naming and any renaming Home Depot may adopt in the future.

'823 Patent Accused Instrumentalities: Home Depot Platform		
Patent	Asserted Claims	Accused Instrumentalities
'823 Patent	1-3, 5-8, 10	Home Depot Retail Media + platform
'823 Patent	1-3, 5-8, 10	Home Depot website
'823 Patent	1-3, 5-8, 10	Home Depot Mobile Applications

'402 Patent Accused Instrumentalities: Home Depot Platform		
Patent	Asserted Claims	Accused Instrumentalities
'402 Patent	1-6, 8-15, 17-19	Home Depot Retail Media + platform
'402 Patent	1-6, 8-15, 17-19	Home Depot website
'402 Patent	1-6, 8-15, 17-19	Home Depot Mobile Applications

Plaintiff’s identification of Accused Instrumentalities is based on its current knowledge, understanding, and belief as to the facts and information available as of the date of this Disclosure. Plaintiff specifically reserves the right to amend, revise, or supplement its identification of Accused Instrumentalities as it acquires additional information about the Accused Instrumentalities, including but not limited to discovery received from Home Depot.

///

IV. CLAIM CHARTS – PATENT LOCAL RULE 3-1(C)

Patent	Claim Chart
'823 Patent	Exhibit 1
'402 Patent	Exhibit 2

V. LITERAL INFRINGEMENT OR INFRINGEMENT UNDER DOCTRINE OF EQUIVALENTS – PATENT LOCAL RULE 3-1(D)

Each element of each of the asserted claims is literally present for all Accused Instrumentalities. The attached claim charts include, on an element-by-element basis, a statement explaining that the claim elements are present literally.

This disclosure is based upon information that Plaintiff has been able to obtain publicly as Home Depot has not yet made any production of documents relating to the Accused Instrumentalities in this matter. Plaintiff reserves the right to supplement or amend as additional facts are ascertained in discovery, and Plaintiff expressly reserves its right to amend its contentions regarding infringement under the doctrine of equivalents after it obtains and has been able to analyze the necessary discovery from Home Depot, as well as any relevant third parties. Plaintiff further reserves its right to amend its infringement contentions after receiving this court’s claim construction order.

Patent	Claim Chart
'823 Patent	Exhibit 1
'402 Patent	Exhibit 2

VI. PRIORITY DATES – PATENT LOCAL RULE 3-1(E)

The asserted claims are entitled to the priority dates identified below.

Patent	Asserted Claims	Priority Date
'823 Patent	Exhibit 1	The asserted claims are entitled to a priority date at least as early as October 31, 2006, and possibly earlier than this date.

'402 Patent	Exhibit 2	The asserted claims are entitled to a priority date at least as early as November 21, 2011, and possibly earlier than this date.
-------------	-----------	--

VII. RAVENWHITE’S PRODUCTS – PATENT LOCAL RULE 3-1(F)

RavenWhite is not currently relying on its own products or methods as practicing the asserted claims of the Patents-in-Suit.¹

December 4, 2023

/s/ Robert F. Kramer

Robert F. Kramer
CA Bar No. 181706 (Admitted E.D. Texas)
rkramer@krameralberti.com
David Alberti
CA Bar No. 220265 (Admitted E.D. Texas)
dalberti@krameralberti.com
Sal Lim
CA Bar No. 211836 (Admitted E.D. Texas)
slim@krameralberti.com
Russell S. Tonkovich
CA Bar No. 233280 (Admitted E.D. Texas)
rtonkovich@krameralberti.com
Robert C. Mattson (*pro hac vice*)
VA Bar No. 43586
rmattson@krameralberti.com
**KRAMER ALBERTI LIM
& TONKOVICH & LLP**
577 Airport Blvd., Ste 250
Burlingame, CA 94010
Telephone: 650 825-4300
Facsimile: 650 460-8443

Deron R. Dacus
Texas Bar No. 00790553
ddacus@dacusfirm.com
THE DACUS FIRM, P.C
821 ESE Loop 323, Suite 430
Tyler, TX. 75701

¹ P.R. 3-1(f) requires disclosure of a party’s own apparatus, product, device, process, method, act, or other instrumentality that incorporates or reflects any asserted claim that it intends to rely on, not those of any third party.

Telephone: (903) 705-7233
Facsimile: (903) 581-2543

Attorneys for Plaintiff
RavenWhite Licensing, LLC

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing document was served on counsel of record for Defendants via electronic mail on December 4, 2023.

/s/ Robert F. Kramer
Robert F. Kramer