

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

GRANITE VEHICLE VENTURES LLC,

Plaintiff,

v.

TESLA, INC.

Defendant.

Civil Action No. 2:24-cv-01007

JURY TRIAL DEMAND

**GRANITE'S P.R. 3-1 DISCLOSURE OF ASSERTED CLAIMS AND
INFRINGEMENT CONTENTIONS AND P.R. 3-2 DOCUMENT PRODUCTION**

Pursuant to Patent Rules 3-1 and 3-2, Plaintiff Granite Vehicle Ventures LLC (“Granite”) hereby provides its Disclosure of Asserted Claims and Infringement Contentions and its Document Production Accompanying Disclosure against Defendant Tesla, Inc. (“Tesla”).

Granite presents these Infringement Contentions based on its analysis of the facts currently known based on its review of certain publicly available information. Granite reserves the right to amend or further supplement these disclosures—including to supplement its infringement contentions pursuant to P.R. 3-6—with additional information learned in the course of discovery or further investigation concerning Tesla’s products or services.

I. Granite’s P.R. 3-1 Disclosures

A. P.R. 3-1(a): Infringed Claims

Subject to ongoing discovery and investigation, and based on present information and belief, Granite asserts that Tesla infringes the following claims (collectively, “the Asserted Claims”):

- Claims 4, 6, 8, 9-11, and 13 of U.S. Patent No. 11,597,402 (“the ’402 Patent”);
- Claims 1, 3-8, and 10-20 of U.S. Patent No. 11,738,765 (“the ’765 Patent”); and
- Claims 1-24 and 27, 29-39 of U.S. Patent No. 12,037,004 (“the ’004 Patent”).

Granite reserves the right to supplement the Asserted Claims following further discovery and/or claim construction.

B. P.R. 3-1(b): Accused Instrumentalities

Subject to ongoing discovery and investigation, and based on present information and belief, for claims 4, 6, and 8 of the ’402 Patent, claim 6 of the ’765 Patent, and claims 10-24 and 27 of the ’004 Patent, the Accused Instrumentalities are vehicles that are capable of implementing Tesla’s Full Self-Driving (Supervised) (“FSD”) feature. This includes without limitation Tesla Models S, 3, X, Y, and the Cybertruck.

For claims 9-11 and 13 of the '402 Patent, claims 1, 3-6, 7-8, and 10-20 of the '765 Patent, and claims 1-9 and 29-39 of the '004 Patent, the Accused Instrumentalities are vehicles that are capable of implementing Tesla's FSD feature. This includes without limitation Tesla Models S, 3, X, Y, and the Cybertruck. For these claims, the Accused Products also include any computer readable storage medium made, used, sold, offered for sale, or imported into the United States by Tesla that contains Tesla's FSD software. Tesla directly infringes the asserted claims by making, using, selling, offering to sell, and/or importing the Accused Instrumentalities in the United States without a license.

Tesla also indirectly infringes the asserted method claims by inducing third parties—including Tesla's customers—to use the Accused Instrumentalities in the United States in an infringing manner, as directed and instructed by Tesla.

Granite reserves the right to supplement its infringement contentions to identify additional products and/or services, if necessary, when it is provided with non-public documents and/or source code from third parties and/or Tesla via the discovery process.

C. P.R. 3-1(c): Preliminary Infringement Charts

Subject to ongoing discovery and investigation, and based on present information and belief, Granite contends that each element of each Asserted Claim is found within each Accused Instrumentality as shown in the infringement charts attached as Exhibits A to C. Granite's identification in the claim charts is exemplary and based upon public information currently available to Granite.

Granite reserves the right to amend its asserted claims and infringement contentions pursuant to P.R. 3-6 as discovery progresses and additional information is gathered.

D. P.R. 3-1(d): Literal Infringement and Infringement Under the Doctrine of Equivalents

Subject to ongoing discovery and investigation, and based on available information obtained to date, Granite contends that each element of each Asserted Claim is literally present in each of the Accused Instrumentalities as specifically shown in Exhibits A to C unless otherwise stated in that exhibit. As indicated above, discovery is necessary to further develop Granite's infringement positions—either literal or under the Doctrine of Equivalents—and the Court has yet to issue a claim construction order. Pursuant to P.R. 3-6, Granite expressly reserves the right to amend and supplement its position on whether there is infringement under the Doctrine of Equivalents of any element of any asserted claim after further discovery from Tesla (and/or third parties) and/or pending this Court's claim construction order.

E. P.R. 3-1(e): Priority Dates

Each asserted patent claims priority to U.S. App. No. 14/865,393, and each is therefore entitled to a priority date of at least September 25, 2015.

These initial disclosures are based on the present state of Granite's knowledge. Granite's investigation is ongoing, and Granite reserves all rights to modify the positions taken in these initial disclosures.

F. P.R. 3-1(f): Right to Rely on Plaintiff's Own Instrumentality

Granite does not contend that it practices the Asserted Claims.

II. Granite's P.R. 3-2 Document Production Accompanying Disclosure

A. Documents Responsive to P.R. 3-2(a): Disclosure Prior to Application Date

Granite does not presently possess any relevant, non-privileged documents responsive to P.R. 3-2(a). Granite will supplement this response should any relevant, non-privileged documents be identified in the future.

B. Documents Responsive to P.R. 3-2(b): Conception and Reduction to Practice

Granite does not presently possess any relevant, non-privileged documents responsive to P.R. 3-2(b). Granite will supplement this response should any relevant, non-privileged documents be identified in the future.

C. Documents Responsive to P.R. 3-2(c): File Histories for the Patents-in-Suit

Pursuant to P.R. 3-2(c), a copy of the file histories of the asserted patents has been produced at GVV_0000001-GVV_0010452.

Dated: March 12, 2025

Respectfully submitted,

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**ATTORNEYS FOR PLAINTIFF
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LLC.**

CERTIFICATE OF SERVICE

Pursuant to the Federal Rules of Civil Procedure and Local Rule CV-5, I hereby certify that, on March 12, 2025, a copy of the foregoing was served via email on all counsel of record.

/s/ Alden G. Harris
Alden G. Harris