

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

PERCEPTIVE AUTOMATA, LLC,

*Plaintiff,*

v.

TESLA, INC.,

*Defendant.*

Case No. 2:25-cv-00742-JRG

**JURY TRIAL DEMANDED**

**TESLA, INC.’S INITIAL AND ADDITIONAL DISCLOSURES**

Pursuant to the Parties’ Discovery Order (Dkt. No. 35) and the Local Rules of the United States District Court for the Eastern District of Texas, Defendant Tesla, Inc. (“Defendant” or “Tesla”), by and through the undersigned counsel, hereby provides the following Initial and Additional Disclosures.

These disclosures are based upon information reasonably and presently available to Tesla, without the benefit of formal discovery, production of documents, or any meaningful disclosure from Plaintiff Perceptive Automata, LLC (“Plaintiff” or “Perceptive”). Continuing investigation and discovery into the claims and defenses in this case remains on-going and may alter this disclosure. Tesla therefore reserves the right to supplement these disclosures as discovery in this case progresses and does not waive any defenses or evidentiary objections hereby. Tesla also reserves the right to call any witness or present any document at trial that is identified through further investigation or discovery. Tesla submits this disclosure with the understanding that it is not intended to limit in any way the discovery of the disclosing party or its rights to supplement or amend this disclosure in the future.

Tesla does not waive its right to object to the production of any particular document or tangible thing disclosed herein on the basis of any privilege, the work product immunity doctrine, relevance, materiality, competency, undue burden, or any other valid objection to discoverability or use as evidence. The disclosures set for below are made subject to these objections and qualifications.

**I. Initial Disclosures Required by Paragraph 1 of the Discovery Order**

**a. the correct names of the parties to the lawsuit;**

Tesla, Inc. is the correct name of the company.

**b. the name, address, and telephone number of any potential parties;**

Tesla is not currently aware of any additional parties to this case.

**c. the legal theories and, in general, the factual bases of the disclosing part's claims or defenses (the disclosing party need not marshal all evidence that may be offered at trial);**

Tesla denies infringement of the asserted patent claims because Tesla products and services with the accused FSD technology do not meet all claim limitations of any asserted claim. Tesla further alleges that all claims of the asserted patents are invalid under 35 U.S.C. §§ 101, 102, 103, and/or 112. Tesla also asserts that, even if there is liability in this case, there are limitations on any potential damages that would reduce any liability for Tesla. Additionally, Tesla asserts that all asserted patent claims are unenforceable due to Perceptive's inequitable conduct. Specifically, Perceptive failed to disclose a material prior art reference—International Publication No. WO2014/210334 to Cox, which shares a common inventor (Samuel Anthony) with the asserted patents—to the United States Patent and Trademark Office during prosecution of the asserted patents.

- d. the name, address, and telephone number of persons having knowledge of relevant facts, a brief statement of each identified person’s connection with the case, and a brief, fair summary of the substance of the information known by such person;**

Based on the information currently available, Tesla identifies the following individuals that may have knowledge of relevant facts. All references to corporate entities should be read to include current or former employees, agents, representatives of, and/or others associated with those entities, whose identities are presently unknown to Tesla. Tesla reserves the right to supplement or amend this list based on further investigation and discovery. By indicating the general subject matter of information that the individuals or entities may possess, Tesla does not make any concession, agreement, admission, or waiver of any ultimate determination of relevance or admissibility of particular information for any purpose, nor does Tesla waive attorney-client privilege or work-product immunity or any other privilege or immunity. Tesla is in no way limiting its rights to obtain discovery from or to call as a witness any individual or entities listed concerning the listed subjects or other subjects, or to obtain discovery from or call as a witness individuals or entities which are not listed.

The following individuals affiliated with Tesla may have knowledge of relevant facts. Tesla does not authorize Perceptive or its agents to communicate directly with any current or former employees of Tesla or related entities.

<b>Name</b>	<b>Contact Information</b>	<b>Connection to Case &amp; Information Known</b>
Tony Duan	Contact through counsel for Tesla	Technical knowledge regarding object recognition and path prediction related to the accused Tesla FSD technology

<b>Name</b>	<b>Contact Information</b>	<b>Connection to Case &amp; Information Known</b>
Lane McIntosh	Contact through counsel for Tesla	Technical knowledge regarding object recognition and path prediction related to the accused Tesla FSD technology
Dan Wohl	Contact through counsel for Tesla	Knowledge of financial information regarding the accused Tesla instrumentalities.
Jeremy Goldman	Contact through counsel for Tesla	Technical knowledge regarding data collection and labelling related to the accused Tesla FSD technology

In addition, the following individuals who are not affiliated with Tesla may have knowledge of relevant facts.

<b>Name</b>	<b>Contact Information</b>	<b>Connection to Case &amp; Information Known</b>
Samuel Anthony	Currently Unknown	Inventor with knowledge of the Asserted Patents
Kshitij (Sid) Misra	Currently Unknown	Inventor with knowledge of the Asserted Patents
Avery Faller	Currently Unknown	Inventor with knowledge of the Asserted Patents
James Gowers	Currently Unknown	Knowledge of valuation of Perceptive's technology and the Asserted Patents
Perceptive's patent prosecution counsel	Fenwick & West LLP Silicon Valley Center 801 California Street Mountain View, CA 94041	Knowledge regarding prosecution of the Asserted Patents

<b>Name</b>	<b>Contact Information</b>	<b>Connection to Case &amp; Information Known</b>
NVIDIA Corporation	2788 San Tomas Expressway Santa Clara, CA 95051	Technical knowledge regarding graphics processing units used to train models used for the accused FSD technology.
Advanced Micro Devices, Inc.	2485 Augustine Drive Santa Clara, CA 95054	Technical knowledge regarding graphics processing units used to train models used for the accused FSD technology.

Individuals who are authors of or otherwise knowledgeable of any prior art or of the state of the art that may be relevant to the Asserted Patents including, but not limited to the following:

<b>Name</b>	<b>Contact Information</b>	<b>Connection to Case &amp; Information Known</b>
All inventors and implementers of all identified prior art.	To be determined – subject to continued discovery	Prior art to the Asserted Patents
Waymo LLC	1600 Amphitheatre Pkwy Mountain View, CA 94043	Knowledge regarding prior art autonomous vehicle systems related to the Asserted Patents

In addition to the individuals and entities listed above, Tesla has produced or will produce prior art that may identify additional inventors, authors or other individuals who may have knowledge or relevant facts, including, for example, persons with knowledge as to the invalidity of the patents-in-suit under 35 U.S.C. §§ 101, 102, 103, and/or 112. Tesla may seek information from such persons to support its claims. Tesla hereby incorporates by reference the prior art that will be or has been identified or produced and any authors, inventors or individuals identified therein.

In addition to the foregoing, Tesla expects that various other employees, representatives, or agents of Perceptive (and its predecessors in interest) will have discoverable information. Because the identities of these individuals are not yet known to Tesla, they have not been listed herein. Tesla incorporates herein by reference all individuals listed on Perceptive's Initial Disclosures. If Tesla learns of additional employees, representatives, or agents of Perceptive that have discoverable information that Tesla may use to support its defenses in this action, Tesla will supplement these disclosures consistent with its obligations under the Federal Rules of Civil Procedure.

The individuals identified above may have knowledge about issues in the case other than those specifically identified. Such knowledge may be uncovered during discovery, and Tesla reserves the right to present the identified individuals at trial to testify regarding areas other than those specifically listed. Tesla further reserves the right to present individuals at trial other than those identified if discovery reveals that such other individuals may be in possession of information relevant to this case. Tesla also reserves the right to rely upon any witness identified by Perceptive or by any third-party providing discovery in this case, including, specifically, all individuals deposed in connection with the lawsuit.

- e. any indemnity and insuring agreements under which any person or entity carrying on an insurance business may be liable to satisfy part or all of a judgment entered in this action or to indemnify or reimburse for payments made to satisfy the judgment;**

Tesla is not currently aware of any indemnity or insurance agreement under which any person carrying on in an insurance business may be liable to satisfy part or all of a judgment which may be entered in this action or to indemnify or reimburse for payments made to satisfy the judgment.

- f. any settlement agreements relevant to the subject matter of this action; and**

Tesla is not currently aware of any settlement agreements relevant to the subject matter of this action.

**g. any statement of any party to the litigation.**

Tesla is not currently aware of any statements of any parties to this litigation other than those filed with the Court.

**II. Additional Disclosures Required by Paragraph 3 of the Discovery Order**

**a. provide the disclosures required by the Patent Rules for the Eastern District of Texas with the following modifications to P.R. 3-1 and P.R. 3-3**

Pursuant to Paragraph 3(a), Tesla will provide the disclosures required by the Patent Rule for the Eastern District of Texas as amended or modified by any order of the Court, including the Court's Docket Control and Discovery Orders.

**b. produce or permit the inspection of all documents, electronically stored information, and tangible things in the possession, custody, or control of the party that are relevant to the pleaded claims or defenses involved in this action, except to the extent these disclosures are affected by the time limits set forth in the Patent Rules for the Eastern District of Texas**

Pursuant and subject to Paragraph 3(b) of the Discovery Order, Tesla will produce responsive, non-objectionable, and non-privileged documents in its possession, custody, or control, to the extent such documents exist, following a reasonable and diligent search and subject to any agreement reached by the parties.

**c. provide a complete computation of any category of damages claimed by any party to the action, and produce or permit the inspection of documents or other evidentiary material on which such computation is based, including materials bearing on the nature and extent of injuries suffered, except that the disclosure of the computation of damages may be deferred until the time for Expert Disclosures if a party will rely on a damages expert**

Pursuant to Paragraph 3(c) of the Discovery Order, Tesla states that it has not completed a computation of any category of damages and states that it will rely on a damages expert for any computation of damages. Tesla reserves the right to supplement this disclosure at a later date up

to and including the date by which Expert Disclosures are due as provided by the Docket Control Order. Tesla will supplement this disclosure with damages computations and will produce or make available for inspection and copying, documents or other evidentiary material, on which such computations are based, provided that they are not privileged or otherwise protected from disclosure.

Dated: October 21, 2025

Respectfully submitted,

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*Counsel for Tesla, Inc.*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic services are being served with a copy of this document on this 21st day of October 2025.

/s/ Roger Fulghum  
Roger Fulghum