

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

BOSE CORPORATION,

Plaintiff,

v.

SDI TECHNOLOGIES, INC.,

Defendant.

Civil Action No. 1:13-cv-10277-WGY

**JURY TRIAL DEMANDED**

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**BOSE CORPORATION'S PRELIMINARY INFRINGEMENT DISCLOSURE**

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Pursuant to Local Rule 16.6 and this Court's Scheduling Order, Dkt. No. 26, Plaintiff Bose Corporation ("Bose") submits its preliminary infringement disclosure, which is accompanied by attached Exhibits 1-8. The asserted patents are U.S. Patent Nos. 8,401,682 ("the '682 patent") and 8,364,295 ("the '295 patent").

Bose makes these disclosures based on currently available public information and on examination of certain accused products purchased by it. Bose notes that on June 11, 2013 it served its initial discovery requests on Defendant SDI Technologies, Inc. ("SDI") seeking information which is relevant to this preliminary infringement disclosure, but that SDI has not yet responded to these requests. Since this disclosure is provided at the outset of discovery, Bose reserves the right to amend its disclosure later in time, particularly after reviewing discovery that further describes the structure and operation of the accused devices. Further, Bose reserves the right to amend its disclosure in order to narrow the issues for trial, as the case proceeds, and after SDI provides its contentions regarding its defenses.

**I. PRELIMINARY DISCLOSURE OF CLAIMS INFRINGED**

Based on information presently known to Bose, Bose preliminarily asserts claims 1-21, 24-27, 29-47, 50-53, 55-62, and 73-76 of the '295 patent and claims 1-21, 24-28, 30-47, 50-61, and 73-75 of the '682 patent against SDI, as identified in the following section.

**II. PRELIMINARY DISCLOSURE OF ACCUSED PRODUCT(S) OR METHOD(S)**

Based on presently available information, Bose identifies the following accused products. For each accused product, Bose identifies the claims that are preliminarily asserted against it.

SDI manufactures and sells remote-controllable speaker systems designed to couple to a computer, such as an iPhone®, iPod® and/or iPad®, which are marketed under its iHome® brand. Such speaker systems include at least the below listed products. On information and belief, SDI, through its manufacture, use, offering for sale, sale, and/or importation of these speaker systems and other like models has directly infringed the asserted claims of the '295 patent and the '682 patent. For some products, Bose understands that the remote control is an optional accessory which may be acquired by the user for use with the speaker system, as noted below. For all other products Bose understands that the remote control is included with the speaker system.

	Brand	Accused Product	Remote Status <sup>1</sup>	Asserted Claims of the '295 Patent	Asserted Claims of the '682 Patent
1.	iHome	iA100 Bluetooth audio system for iPod, iPhone, and iPad	Included	1, 3, 4, 7, 8, 10, 18, 19, 24-27, 30, 31, 34, 36, 44, 45, 50, 51, 52, 53, 55, 56, 57, 58, 59, 60, 61, 62, 73-76	1, 3, 4, 6, 7, 8, 10, 18, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 45, 46, 51, 52, 53, 54, 55, 56, 57, 58, 60, 61, 73-75
2.	iHome	iA17 App-enhanced Color Changing Stereo FM Alarm Clock Radio for iPhone/ iPod®	Included	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	

<sup>1</sup> This is to the best of Bose's knowledge based on currently available public information. Bose reserves the right to amend its disclosure later in time after reviewing discovery that further describes whether remotes are included with the accused products or are optional accessories

	Brand	Accused Product	Remote Status <sup>1</sup>	Asserted Claims of the '295 Patent	Asserted Claims of the '682 Patent
3.	iHome	iA5 App-Enhanced Alarm Clock Speaker System for iPhone and iPod	Optional	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
4.	iHome	iA63 App-enhanced Alarm Clock FM Radio Stereo Speaker System with Motorized Rotating Dock for iPhone and iPod	Included	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	
5.	iHome	iA9 App Enhanced Stereo Dual Alarm Clock Radio for your iPhone/iPod® with AM/FM Presets	Included	1, 3, 4, 5, 6, 7, 8, 9, 10, 19, 20, 21, 24-27, 30, 31, 32, 33, 34, 35, 36, 45, 46, 47, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 5, 6, 7, 8, 9, 10, 19, 20, 21, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 46, 47, 48, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61
6.	iHome	iA90 App-enhanced Dual Alarm Stereo Clock Radio for your iPhone/iPod® with AM/FM Presets	Included	1, 3, 4, 5, 6, 7, 8, 9, 10, 19, 20, 21, 24-27, 30, 31, 32, 33, 34, 35, 36, 45, 46, 47, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 5, 6, 7, 8, 9, 10, 19, 20, 21, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 46, 47, 48, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61
7.	iHome	iA91 App-enhanced Dual Alarm Stereo Clock Radio for your iPhone/iPod® with AM/FM Presets	Included	1, 3, 4, 5, 6, 7, 8, 9, 10, 19, 20, 21, 24-27, 30, 31, 32, 33, 34, 35, 36, 45, 46, 47, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 5, 6, 7, 8, 9, 10, 19, 20, 21, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 46, 47, 48, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61
8.	iHome	iD28 App-enhanced, rechargeable portable speaker system with FM stereo clock radio, for iPad, iPhone and iPod	Optional	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
9.	iHome	iD3 Studio Series Audio System for your iPad/iPhone/iPod	Optional	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
10.	iHome	iD37 Dual Alarm Stereo Clock Radio for your iPad/iPhone/iPod with FM Preset Station Memory	Optional	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
11.	iHome	iD38 App Enhanced Stereo System with Dual Alarm FM Clock Radio for your iPad/iPhone/iPod®	Optional	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
12.	iHome	iD50 App-enhanced Bluetooth Dual Alarm Stereo Clock Radio Speakerphone for your iPad/iPhone/iPod® with AM/FM Presets	Optional	1, 3, 4, 5, 6, 7, 8, 9, 10, 18, 19, 20, 21, 24-27, 30, 31, 32, 33, 34, 35, 36, 44, 45, 46, 47, 50, 51, 52, 53, 55, 56, 57, 58, 59, 60, 61, 62, 73-76	1, 3, 4, 5, 6, 7, 8, 9, 10, 18, 19, 20, 21, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 45, 46, 47, 48, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 73-75
13.	iHome	iD83 App-enhanced Dual Alarm Stereo Clock Radio for your iPad/iPhone/iPod with	Included	1, 3, 4, 7, 8, 10, 11-17, 19, 24-27, 30, 31, 34, 36, 37-43, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 11-17, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 38-44, 46, 51, 52, 53, 54, 55, 56, 58,

	Brand	Accused Product	Remote Status <sup>1</sup>	Asserted Claims of the '295 Patent	Asserted Claims of the '682 Patent
		FM Presets			60, 61
14.	iHome	iD85 App-enhanced Dual Alarm Clock Radio for your iPad/iPhone/iPod with AM/FM presets	Included	1, 3, 4, 5, 6, 7, 8, 9, 10, 11-17, 19, 20, 21, 24-27, 30, 31, 32, 33, 34, 35, 36, 37-43, 45, 46, 47, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 5, 6, 7, 8, 9, 10, 11-17, 19, 20, 21, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 38-44, 46, 47, 48, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61
15.	iHome	iD9 Portable App-friendly Rechargeable Speaker System for iPad/iPhone/iPod	Optional	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
16.	iHome	iD91 App-enhanced Dual Alarm Stereo Clock Radio for your iPhone/iPod/iPad with FM Presets	Included	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
17.	iHome	iD92 App-enhanced Dual Alarm Stereo Clock Radio for your iPhone/iPod/iPad with FM Presets	Included	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
18.	iHome	iD95 App-enhanced Dual Alarm Stereo Clock Radio for your iPhone/iPod® with FM Presets	Included	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
19.	iHome	iD99 App-enhanced Triple Charge Dual Alarm Stereo FM Clock Radio for your iPad/iPhone/iPod	Included	1, 3, 4, 7, 8, 10, 11-17, 19, 24-27, 30, 31, 34, 36, 37-43, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 11-17, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 38-44, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
20.	iHome	iH11 Alarm Clock for iPod	Included	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
21.	iHome	iH69 5W Syncing/Charging iPod Computer Speakers	Optional	1, 3, 4, 7, 8, 10, 11-17, 19, 24-27, 30, 31, 34, 36, 37-43, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 11-17, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 38-44, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
22.	iHome	iH70 15W Syncing/Charging iPod Computer Speaker	Included	1, 3, 4, 7, 8, 10, 11-17, 19, 24-27, 30, 31, 34, 36, 37-43, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 11-17, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 38-44, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
23.	iHome	iH9 Clock Radio & Audio System for iPod	Included	1, 3, 4, 7, 8, 10, 11-17, 19, 24-27, 30, 31, 34, 36, 37-43, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 11-17, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 38-44, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61

	Brand	Accused Product	Remote Status <sup>1</sup>	Asserted Claims of the '295 Patent	Asserted Claims of the '682 Patent
24.	iHome	iP1 Studio Series 100 Watts Audio System for iPhone/iPod	Included	1, 3, 4, 7, 8, 10, 11-17, 19, 24-27, 30, 31, 34, 36, 37-43, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 11-17, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 38-44, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
25.	iHome	iP2 Speaker System for your iPhone/iPod	Included	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
26.	iHome	iP21 Spacesaver App-friendly Alarm Clock for iPhone and iPod	Optional	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
27.	iHome	iP27 Portable Speakers with Alarm Clock for iPhone	Included	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
28.	iHome	iP3 Studio Series Audio System for iPhone/iPod	Included	1, 3, 4, 7, 8, 10, 11-17, 19, 24-27, 30, 31, 34, 36, 37-43, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 11-17, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 38-44, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
29.	iHome	iP4 Portable FM Stereo Boombox for iPhone/iPod	Included	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
30.	iHome	iP41 Rotating Alarm Clock for iPhone & iPod with Remote	Optional	1, 3, 4, 7, 8, 10, 11-17, 19, 24-27, 30, 31, 34, 36, 37-43, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 11-17, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 38-44, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
31.	iHome	iP42 Dual Alarm FM Clock Radio for your iPhone/iPod	Optional	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
32.	iHome	iP43 Dual Alarm Clock Radio for your iPhone/iPod with Pillow Shaker	Included	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
33.	iHome	iP45 Portable Stereo Rechargeable Alarm Clock FM Radio for iPhone/iPod	Included	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
34.	iHome	iP46 Rechargeable Portable Stereo System for iPhone/iPod with Remote	Included	1, 3, 4, 7, 8, 10, 19, 24-27, 30, 31, 34, 36, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
35.	iHome	iP47 Bluetooth Alarm Clock Radio for	Included	1, 3, 4, 5, 6, 7, 8, 9, 10, 18, 19, 20, 21, 24-27, 30, 31,	

	Brand	Accused Product	Remote Status <sup>1</sup>	Asserted Claims of the '295 Patent	Asserted Claims of the '682 Patent
		iPhone/iPod		32, 33, 34, 35, 36, 44, 45, 46, 47, 50, 51, 52, 53, 55, 56, 57, 58, 59, 60, 61, 62, 73-76	
36.	iHome	iP71 Computer Speaker system for your iPhone/iPod	Included	1, 3, 4, 7, 8, 10, 11-17, 19, 24-27, 30, 31, 34, 36, 37-43, 45, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 6, 7, 8, 10, 11-17, 19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 38-44, 46, 51, 52, 53, 54, 55, 56, 58, 60, 61
37.	iHome	iP76 LED Color Changing Tower Stereo Speaker System with Bluetooth for iPhone and iPod®	Included	1, 3, 4, 7, 8, 10, 11-17, 18, 19, 24-26, 27, 30, 31, 34, 36, 37-43, 44-45, 50-52, 53, 55, 56-57, 58, 59, 60, 61-62, 73-76	1, 3, 4, 6, 7, 8, 10, 11-17, 18-19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 38-44, 45-46, 51, 52, 53, 54, 55, 56, 57-58, 60, 61, 73-75
38.	iHome	iP88 Dual Dock Clock Radio & Audio System for iPhone & iPod	Included	1, 3, 4, 5, 6, 7, 8, 9, 10, 11-17, 19, 20, 21, 24-27, 30, 31, 32, 33, 34, 35, 36, 37-43, 45, 46, 47, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 5, 6, 7, 8, 9, 10, 11-17, 19, 20, 21, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 38-44, 46, 47, 48, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61
39.	iHome	iP9 Clock Radio & Audio System for iPhone & iPod	Included	1, 3, 4, 5, 6, 7, 8, 9, 10, 11-17, 19, 20, 21, 24-27, 30, 31, 32, 33, 34, 35, 36, 37-43, 45, 46, 47, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 5, 6, 7, 8, 9, 10, 11-17, 19, 20, 21, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 38-44, 46, 47, 48, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61
40.	iHome	iP90 Dual Alarm Clock Radio for your iPhone/iPod with AM/FM presets	Included	1, 3, 4, 5, 6, 7, 8, 9, 10, 11-17, 19, 20, 21, 24-27, 30, 31, 32, 33, 34, 35, 36, 37-43, 45, 46, 47, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 5, 6, 7, 8, 9, 10, 11-17, 19, 20, 21, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 38-44, 46, 47, 48, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61
41.	iHome	iP92 Dual Alarm Clock Radio for your iPhone/iPod with AM/FM presets	Included	1, 3, 4, 5, 6, 7, 8, 9, 10, 19, 20, 21, 24-27, 30, 31, 32, 33, 34, 35, 36, 45, 46, 47, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 5, 6, 7, 8, 9, 10, 19, 20, 21, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 46, 47, 48, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61
42.	iHome	iP97 Dual Alarm Clock Radio for your iPhone or iPod	Included	1, 3, 4, 5, 6, 7, 8, 9, 10, 11-17, 19, 20, 21, 24-27, 30, 31, 32, 33, 34, 35, 36, 37-43, 45, 46, 47, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 5, 6, 7, 8, 9, 10, 11-17, 19, 20, 21, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 38-44, 46, 47, 48, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61
43.	iHome	iP98 Dual Alarm Clock Radio for your iPhone or iPod	Included	1, 3, 4, 5, 6, 7, 8, 9, 10, 11-17, 19, 20, 21, 24-27, 30, 31, 32, 33, 34, 35, 36, 37-43, 45, 46, 47, 50, 51, 52, 53, 55, 57, 58, 59, 60, 62	1, 3, 4, 5, 6, 7, 8, 9, 10, 11-17, 19, 20, 21, 24, 25, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 38-44, 46, 47, 48, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61
44.	iHome	iW1 Dual Alarm Clock Radio for your iPhone or iPod	Included	1, 2, 3, 4, 7, 8, 10, 18, 24-27, 29, 30, 31, 34, 36, 44, 50, 51, 52, 53, 55, 56, 58,	1, 2, 3, 4, 6, 7, 8, 10, 18, 24, 25, 26, 27, 28, 30, 31, 32, 35, 37, 44, 51, 52, 53,

	Brand	Accused Product	Remote Status <sup>1</sup>	Asserted Claims of the '295 Patent	Asserted Claims of the '682 Patent
				59, 60, 61, 73-76	54, 55, 56, 57, 61, 73-75
45.	iHome	iW2 AirPlay speaker system for iPad, iPhone, and iPod with Wi-Fi and Ethernet	Included	1, 2, 3, 4, 7, 8, 10, 18, 24-27, 29, 30, 31, 34, 36, 44, 50, 51, 52, 53, 55, 56, 58, 59, 60, 61, 73-76	1, 2, 3, 4, 6, 7, 8, 10, 18, 24, 25, 26, 27, 28, 30, 31, 32, 35, 37, 44, 51, 52, 53, 54, 55, 56, 57, 61, 73-75
46.	iHome	iW3 AirPlay Wireless Stereo Speaker System with Rechargeable Battery	Included	1, 2, 3, 4, 7, 8, 10, 18, 24-27, 29, 30, 31, 34, 36, 44, 50, 51, 52, 53, 55, 56, 58, 59, 60, 61, 73-76	1, 2, 3, 4, 6, 7, 8, 10, 18, 24, 25, 26, 27, 28, 30, 31, 32, 35, 37, 44, 51, 52, 53, 54, 55, 56, 57, 61, 73-75
47.	iHome	iW4 AirPlay Wireless Bedside Speaker System for iPad/iPhone/iPod	Optional	1, 3, 4, 7, 8, 10, 11-17, 18, 19, 24-26, 27, 30, 31, 34, 36, 37-43, 44-45, 50-52, 53, 55, 56-57, 58, 59, 60, 61-62, 73-76	1, 3, 4, 6, 7, 8, 10, 11-17, 18-19, 24, 25, 26, 27, 28, 31, 32, 34, 35, 37, 38-44, 45-46, 51, 52, 53, 54, 55, 56, 57-58, 60, 61, 73-75

### III. PRELIMINARY CLAIM CHARTS

Based on information presently known to Bose, Bose presently contends that the asserted claims are each literally infringed by the accused products, as set forth more specifically in the attached exemplary claim charts. To the extent, however, that any limitation is not literally met, Bose contends in the alternative that such limitation is met under the doctrine of equivalents and that any limitation not found to be literally met is equivalently met because any difference between the claim limitation and accused product is not a substantial difference. Accordingly, Bose contends that any asserted claim not found to be literally infringed is nevertheless infringed under the doctrine of equivalents, *e.g.*, using either the function-way-result test or the insubstantial differences test.

Bose provides the attached Exhibits as exemplary claim charts. As will be clear from a review of the charts, due to the structure and functionality of the accused products, the charts are quite repetitive and redundant. The relevant differences relate to the fact that:

1. for some products, the remote control is an optional accessory, in which case the accused product is the SDI model combined with the optional remote control;



2. some products are configured to work with remotes that have “menu,” “select”/“enter,” and navigation buttons (Exhibits 1-2 are exemplary of these products), while other products utilize remotes that do not have these features (Exhibits 3-8 are exemplary of these products);
3. some products do not include an AM/FM radio tuner, in which case they are not accused of infringing asserted claims 5, 6, 9, 20, 21, 32, 33, 35, 46, and 47 of the ’295 patent or asserted claims 5, 9, 20, 21, 33, 36, 47, 50, 59 of the ’682 patent (Exhibits 1-4 are exemplary of those products that do contain AM/FM radio tuners);
4. some products do not include an alarm clock, in which case they are not accused of infringing claims 6 and 33 of the ’295 patent (Exhibits 1-4 are exemplary of those products that do contain an alarm clock);
5. some products are “app enhanced,” such that they are configured to work with iHome applications on an iPhone/iPod/iPad that is connected (through a connector and/or wirelessly) to the base unit (Exhibits 3-8 are exemplary of these products); and
6. some products have a dock with a 30-pin connector (Exhibits 1-4 are exemplary of these products), some products are WiFi enabled and also have USB ports that connect to dedicated cables (Exhibits 5-6 are exemplary of these products), and some products are both WiFi/Bluetooth enabled and have a dock with a 30-pin connector (Exhibits 7-8 are exemplary of these products).

Exhibit 1 is an exemplary claim chart for the ’295 patent corresponding to the SDI Model iP97, The Home System for your iPhone® or iPod®. The chart provides a more detailed explanation of the basis for the infringement contention for each asserted claim for the iP97



product as well as other products that are accused of infringing the same claims, as described above and therein, due to the similarities between products.

Exhibit 2 is an exemplary claim chart for the '682 patent corresponding to the SDI Model iP97, The Home System for your iPhone® or iPod®. The chart provides a more detailed explanation of the basis for the infringement contention for each asserted claim for the iP97 product as well as other products that are accused of infringing the same claims, as described above and therein, due to the similarities between products.

Exhibit 3 is an exemplary claim chart for the '295 patent corresponding to the SDI Model iA91, The App-enhanced Home System for Your iPhone® or iPod®. The chart provides a more detailed explanation of the basis for the infringement contention for each asserted claim for the iA91 product as well as other products that are accused of infringing the same claims, as described above and therein, due to the similarities between products.

Exhibit 4 is an exemplary claim chart for the '682 patent corresponding to the SDI Model iA91, The App-enhanced Home System for Your iPhone® or iPod®. The chart provides a more detailed explanation of the basis for the infringement contention for each asserted claim for the iA91 product as well as other products that are accused of infringing the same claims, as described above and therein, due to the similarities between products.

Exhibit 5 is an exemplary claim chart for the '295 patent corresponding to the SDI Model iW1, AirPlay Wireless Speaker System with Rechargeable Battery. The chart provides a more detailed explanation of the basis for the infringement contention for each asserted claim for the iW1 product as well as other products that are accused of infringing the same claims, as described above and therein, due to the similarities between products.

Exhibit 6 is an exemplary claim chart for the '682 patent corresponding to the SDI Model iW1, AirPlay Wireless Speaker System with Rechargeable Battery. The chart provides a more detailed explanation of the basis for the infringement contention for each asserted claim for the iW1 product as well as other products that are accused of infringing the same claims, as described above and therein, due to the similarities between products.

Exhibit 7 is an exemplary claim chart for the '295 patent corresponding to the SDI Model iA100, Bluetooth Audio System for iPad/iPhone/iPod. The chart provides a more detailed explanation of the basis for the infringement contention for each asserted claim for the iA100 product as well as other products that are accused of infringing the same claims, as described above and therein, due to the similarities between products.

Exhibit 8 is an exemplary claim chart for the '682 patent corresponding to the SDI Model iA100, Bluetooth Audio System for iPad/iPhone/iPod. The chart provides a more detailed explanation of the basis for the infringement contention for each asserted claim for the iA100 product as well as other products that are accused of infringing the same claims, as described above and therein, due to the similarities between products.

#### **IV. ACCOMPANYING DOCUMENT PRODUCTION**

Based on information presently known to Bose, Bose has produced on CDs documents in support of its preliminary infringement disclosure. Bose will produce the accompanying documents today, June 28, 2013 (BoseCorp 00000001-00027529). In addition, Bose has purchased the following iHome products which are available for inspection, at a mutually agreeable time and upon reasonable advance notice:

- Model Number iP1
- Model Number iW1
- Model Number iP88
- Model Number iP9

- Model Number iP99
- Model Number iA91
- Model Number iA63
- Model Number iD83.

Dated: June 28, 2013

Respectfully Submitted,

FISH & RICHARDSON P.C.

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### **CERTIFICATE OF SERVICE**

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants today, June 28, 2013.

/s/Mark J. Hebert