

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

BLITZSAFE TEXAS, LLC,	§	
	§	
	§	
Plaintiff,	§	
	§	
v.	§	Case No. 2:15-cv-1274-JRG-RSP
	§	LEAD CASE
	§	
HYUNDAI MOTOR COMPANY;	§	<u>JURY TRIAL DEMANDED</u>
HYUNDAI MOTOR AMERICA;	§	
HYUNDAI MOTOR	§	
MANUFACTURING ALABAMA, LLC;	§	
KIA MOTORS CORPORATION; KIA	§	
MOTORS AMERICA, INC.; and KIA	§	
MOTORS MANUFACTURING	§	
GEORGIA, INC.,	§	
	§	
Defendants.	§	
	§	

**PLAINTIFF’S DISCLOSURE OF ASSERTED CLAIMS
AND INFRINGEMENT CONTENTIONS**

Plaintiff Blitzsafe Texas, LLC (“Blitzsafe”) hereby makes the following infringement disclosures under the Patent Local Rules with respect to United States Patent Nos. 7,489,786 (“the ’786 patent”) and 8,155,342 (“the ’342 patent”), (collectively, “Blitzsafe Patents”). Blitzsafe’s investigation is ongoing and discovery is in its preliminary stages. Accordingly, these disclosures are based on information available to Blitzsafe at this time. Blitzsafe reserves the right to supplement this disclosure after further discovery from the defendants and non-parties, particularly documents and other discovery regarding the defendants’ accused devices. Blitzsafe also reserves the right to assert additional claims of the Blitzsafe Patents, accuse different products, or find alternative literal and/or equivalent infringing elements in the defendant’s products.

**I. DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS
PURSUANT TO PATENT LOCAL RULE 3-1**

A. ASSERTED CLAIMS

1. Hyundai Accused Products

Defendants Hyundai Motor Company, Hyundai Motor America, and Hyundai Motor Manufacturing Alabama, LLC (collectively, “Hyundai”) have infringed and continue to infringe at least the following claims of the Blitzsafe patents in connection with the Hyundai Accused Products set forth below:

- Claim 1, 2, 4-8, 10, 13, 14, 23, 24, 44, 47, 57, 58, 60-65, 86, 88-92, 94, 97, and 98 of the ’786 patent; and
- Claims 49-57, 62-64, 71, 73-80, 95, 97, 99-103, 106, 109-111, and 120 of the ’342 patent.

2. Kia Accused Products

Defendants Kia Motors Corporation, Kia Motors America, Inc., and Kia Motors Manufacturing Georgia, Inc. (collectively, “Kia”) have infringed and continue to infringe at least the following claims of the Blitzsafe patents in connection with the Kia Accused Products set forth below:

- Claim 1, 2, 4-8, 10, 13, 14, 23, 24, 44, 47, 57, 58, 60-65, 86, 88-92, 94, 97, and 98 of the ’786 patent; and
- Claims 49-57, 62-64, 71, 73-80, 95, 97, 99-103, 106, 109-111, and 120 of the ’342 patent.

Blitzsafe reserves the right to seek leave of court to add, delete, substitute, or otherwise amend this list of asserted claims should further discovery, the Court’s claim construction, or other circumstances so merit.

B. ACCUSED INSTRUMENTALITIES

1. Hyundai Accused Products

a. '786 Patent

Blitzsafe is currently aware that the infotainment systems of the following accused Hyundai automobiles infringe the '786 Patent:

2010-2016 Hyundai Accent

2010-2016 Hyundai Azera

2010-2016 Hyundai Elantra

2013-2016 Hyundai Elantra GT

2010-2016 Hyundai Equus

2010-2016 Hyundai Genesis

2010-2015 Hyundai Genesis Coupe

2010-2016 Hyundai Santa Fe

2010-2016 Hyundai Sonata

2011-2016 Hyundai Sonata Hybrid

2010-2016 Hyundai Tucson

2015 Hyundai Tucson Fuel Cell

2010-2012 Hyundai Veracruz

2012-2016 Hyundai Veloster

b. '342 Patent:

Blitzsafe is currently aware that the infotainment systems of the following accused Hyundai automobiles infringe the '342 Patent:

2015 Hyundai Azera

2014-2016 Hyundai Equus

2015-2016 Hyundai Genesis

2016 Hyundai Santa Fe

2014-2016 Hyundai Sonata

2016 Hyundai Sonata Hybrid

2014-2016 Hyundai Tucson

2016 Hyundai Veloster

2. Kia Accused Products

a. '786 Patent:

Blitzsafe is currently aware that the infotainment systems of the following accused Kia automobiles infringe the '786 Patent:

2014-2015 Kia Cadenza

2010-2016 Kia Forte

2014-2016 Kia Forte 5

2015-2016 Kia K900

2010-2016 Kia Optima

2011-2016 Kia Optima Hybrid

2010-2016 Kia Rio

2010-2016 Kia Rio 5-door

2010-2016 Kia Sedona

2011-2016 Kia Sorento

2010-2016 Kia Soul

2015-2016 Kia Soul EV

2010-2016 Kia Sportage

b. '342 Patent:

Blitzsafe is currently aware that the infotainment systems of the following accused Kia automobiles infringe the '342 Patent:

2014-2015 Kia Cadenza

2014-2016 Kia Forte

2016 Kia Forte 5

2015-2016 Kia K900

2012-2016 Kia Optima

2011-2016 Kia Optima Hybrid

2011-2016 Kia Rio

2012-2016 Kia Rio 5-door

2015-2016 Kia Sedona

2011-2016 Kia Sorento

2011-2016 Kia Soul

2015-2016 Kia Soul EV

2011-2016 Kia Sportage

Blitzsafe reserves the right to amend this list of accused instrumentalities, as well as other information contained in this document and the exhibits hereto, to incorporate new information learned during the course of discovery, including, but not limited to, the inclusion of newly released products or any other equivalent devices ascertained through discovery.

C. CLAIM CHARTS

Claim charts identifying a location of every element of every asserted claim of the Blitzsafe Patents within accused products are attached hereto as Appendices A–D. Blitzsafe believes that the Hyundai Accused Products and Kia Accused Products cited in the claim charts are representative of the Hyundai Accused Products and Kia Accused Products. Blitzsafe

PLAINTIFF'S DISCLOSURE OF ASSERTED CLAIMS
AND INFRINGEMENT CONTENTIONS

reserves the right to amend these claim charts as well as other information contained in this document and the appendices hereto, to incorporate new information learned during the course of discovery, including, but not limited to, information that is not publically available or readily discernible without discovery. Blitzsafe further reserves the right to amend these claim charts, as well as other information contained in this document and the exhibits attached hereto, pursuant to Patent Local Rules 3-1(g) and 3-6.

D. LITERAL INFRINGEMENT AND DOCTRINE OF EQUIVALENTS

Blitzsafe asserts that, under the proper construction of the asserted claims and their claim terms, the limitations of the asserted claims of the Blitzsafe Patents are literally present in the Hyundai Accused Products and Kia Accused Products as set forth in the claim charts attached hereto as Appendices A–D. Blitzsafe contends that any and all elements found not to be literally infringed are infringed under the doctrine of equivalents because the differences between the claimed inventions and the accused instrumentalities, if any, are insubstantial.

Blitzsafe also contends that Hyundai and Kia directly infringe the asserted claims by making, using, offering for sale, selling, and importing in to the United States the accused instrumentalities as well as indirectly infringe by contributing to and/or inducing others (*e.g.*, Hyundai’s and Kia’s customers or its customers’ customers) to directly infringe those claims by making, using, offering for sale or selling Named Defendant’s accused products.

Pursuant to Patent Local Rule 3-6(a)(1), Blitzsafe reserves the right to amend its Infringement Contentions as to literal infringement or infringement under the doctrine of equivalents in light of the Court’s claim construction.

E. PRIORITY DATES

Each of the asserted claims of the ’786 patent is entitled to the priority date of U.S. Patent Application No. 10/316,961, filed December 11, 2002, under P.R. 3-1(e). Blitzsafe reserves the

right to establish an earlier date of invention based upon actions related to conception and reduction to practice of the claimed inventions.

Each of the asserted claims of the '342 patent is entitled to the priority date of U.S. Patent Application No. 11/475/847, filed June 27, 2006, under P.R. 3-1(e). Blitzsafe reserves the right to establish an earlier date of invention based upon actions related to conception and reduction to practice of the claimed inventions.

F. BLITZSAFE'S OWN PRODUCTS

Blitzsafe is continuing to investigate what products and/or historical products may practice the claimed inventions. At the present time Blitzsafe's investigation is focused on the products in the list attached hereto. Blitzsafe's investigation is ongoing, and Blitzsafe will supplement these contentions following its investigation (and claim construction as necessary).

II. PRODUCTION OF DOCUMENTS PURSUANT TO PATENT LOCAL RULE 3-2

Blitzsafe is producing or making available for inspection documents that are in Blitzsafe's possession, custody or control as set forth in Patent Local Rule 3-2. A Blitzsafe 3-2 Production Index identifying these documents is attached hereto.

This preliminary identification of documents is for convenience and is not an admission that each document falls within any exemplary categories in the Patent Local Rules, or that any document qualifies as prior art. Blitzsafe is continuing with its investigation, particularly with respect to ESI. Thus, Blitzsafe reserves its right to add to, delete from, or otherwise modify its disclosures in this section as its investigation proceeds.

Production of these documents is governed by Patent Local Rule 2-2, and, with the exception of documents produced pursuant to P.R. 3.2(c) and public documents listed in the infringement charts, are considered "Confidential – Outside Attorneys Eyes Only" and disclosure

of the confidential document or information shall be limited to each party's outside attorney(s) of record and the employees of such outside attorney(s).

Dated: November 24, 2015

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on November 24, 2015, a true and correct copy of the above and foregoing document has been served by email on:

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Peter Lambrianakos

BLITZSAFE 3-2 PRODUCTION INDEX

3-2(a)

Bates Start	Bates End
BLITZSAFE-0000001	BLITZSAFE-0000009

3-2(b)

Bates Start	Bates End
BLITZSAFE-0000010	BLITZSAFE-0009940

3-2(c)

Bates Start	Bates End
BLITZSAFE-0009941	BLITZSAFE-0012281

Public Documents Listed in Infringement Charts

Bates Start	Bates End
BS-HK-0000001	BS-HK-0001379

BLITZSAFE'S OWN PRODUCTS

AUDI / M-LINK1 V.1
AUDI / M-LINK1 V.1B
AUDI / M-LINK1 V.1B SAT
BMW / M-LINK1 V.1
BMW / M-LINK1 V.1 DSP
CHY / M-LINK1 V.1A
CHY / M-LINK1 V.1AL
FLROV / M-LINK1 V.1
FORD / CAN M-Link2
FORD / M-LINK1 V.1B
FORD / M-LINK1 V.1C
FORD / M-LINK1 V.1TS
FORD / M-LINK1 V.3
HON / M-LINK1 DMX V.1
HON / M-LINK1 V.1
HON / M-LINK1 V.2X
HON / M-LINK1 V.2XT
HON / M-LINK1 V.3X
LEX / M-LINK1 V.1
LROV / M-LINK1 V.1
MB / M-LINK1 V.1B
MB / M-LINK1 V.1
MINI / M-LINK1 V.1
TOY / M-LINK1 V.1
TOY / M-LINK1 V.2
TOY / M-LINK1 V.2T
VOL / M-LINK1 V.1
VOL / M-LINK1 V.2
VW / M-LINK1 V.1
VW / M-LINK1 V.1 SAT
VW / M-LINK1 V.3
VW / M-LINK1 V.3A
VW / M-LINK1 V.5
AUDI / AUX DMX V.1
AUDI / AUX DMX V.1B
AUDI / AUX DMX V.1B SAT
BMW / AUX DMX V.1
BMW / AUX DMX V.1 DSP
CHY / AUX DMX V.1A
CHY / AUX DMX V.1AL
FLROV / AUX DMX V.1
FORD / AUX DMX V.1C
FORD / AUX DMX V.1TS
FORD / AUX DMX V.3
FORD / CAN AUX
FORD / CAN AUX DUAL

HON / AUX DMX V.1
HON / AUX DMX V.2X
HON / AUX V.1
LEX / AUX DMX V.1
LROV / AUX DMX V.1
MB / AUX DMX V.1
MB / AUX DMX V.1B
MINI / AUX DMX V.1
TOY / AUX DMX V.1
TOY / AUX DMX V.2
TP / AUX DMX V.1
VOL / AUX DMX V.1
VOL / AUX DMX V.2
VW / AUX DMX V.1
VW / AUX DMX V.1 SAT
VW / AUX DMX V.3
VW / AUX DMX V.3A
VW / AUX DMX V.5
BMW/XM SLD 00
BMW/XM SLD 01
BMW/XM SLD 03
AUDI / XM DMX CMD V.1
AUDI / XM DMX CMD V.1B
BMW / XM DMX CMD V.1
BMW / XM DMX CMD V.1
DSP
CHY / XM DMX CMD V.1A
CHY / XM DMX CMD V.1AL
FLROV / XM DMX CMD V.1
FORD / XM DMX CMD V.1B
FORD / XM DMX CMD V.1C
FORD / XM DMX CMD V.1TS
FORD / XM DMX CMD V.3
HON / XM CMD V.1
HON / XM DMX CMD V.1
LROV / XM DMX CMD V.1
MB / XM DMX CMD V.1
MB / XM DMX CMD V.1B
MINI / XM DMX CMD V.1
TOY / XM DMX CMD V.1
TOY / XM DMX CMD V.2
VOL / XM DMX CMD V.1
VOL / XM DMX CMD V.2
VW / XM DMX CMD V.3
VW / XM DMX CMD V.3A
VW / XM DMX CMD V.5

AUDI / XM DMX PIO V.1
AUDI / XM DMX PIO V.1B
BMW / XM DMX PIO V.1
BMW / XM DMX PIO V.1 DSP
FLROV / XM DMX PIO V.1
FORD / XM DMX PIO V.1B
FORD / XM DMX PIO V.1C
FORD / XM DMX PIO V.1TS
FORD / XM DMX PIO V.3
HON / XM DMX PIO V.1
HON / XM PIO V.1
LROV / XM DMX PIO V.1
MB / XM DMX PIO V.1
MB / XM DMX PIO V.1B
TOY / XM DMX PIO V.1
TOY / XM DMX PIO V.2
VOL / XM DMX PIO V.1
VOL / XM DMX PIO V.2
VW / XM DMX PIO V.3
VW / XM DMX PIO V.3A
VW / XM DMX PIO V.5
HON/NAV ITI V.1
HON/NAV ITI V.2
TOY/NAV ITI V.1
AUDI / BLUETOOTH V.1
AUDI / BLUETOOTH V.1B
AUDI / BLUETOOTH V.1B
SAT
BMW / BLUETOOTH V.1
BMW / BLUETOOTH V.1 DSP
CHY / BLUETOOTH V.1A
CHY / BLUETOOTH V.1AL
FLROV /BLUETOOTH V.1
FORD / BLUETOOTH 2 DUAL
FORD / BLUETOOTH 2
FORD / BLUETOOTH V.1B
FORD /BLUETOOTH V.1C
FORD / BLUETOOTH V.1TS
FORD /BLUETOOTH V.3
HON / BLUETOOTH DMX V.1
HON / BLUETOOTH V.1
HON / BLUETOOTH V.3X
HON /BLUETOOTH V.2X
HON / BLUETOOTH V.2XT
LEX / BLUETOOTH V.1
LROV /BLUETOOTH V.1

MB / BLUETOOTH V.1B
MB / BLUETOOTH V.1
MB / BLUETTOTH V.2
MINI / BLUETOOTH V.1
TOY / BLUETOOTH V.1
TOY / BLUETOOTH V.2
TOY / BLUETOOTH V.2T
VOL / BLUETOOTH V.1
VOL / BLUETOOTH V.2
VW / BLUETOOTH V.1
VW / BLUETOOTH V.1 SAT
VW / BLUETOOTH V.3
VW / BLUETOOTH V.3A
VW / BLUETOOTH V.5