

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No. 1:19-cv-00438-CMA-MEH

CELLECT, LLC, a Colorado Limited Liability Company,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD., a Korean corporation, and
SAMSUNG ELECTRONICS AMERICA, INC., a New York corporation,

Defendants.

**PLAINTIFF CELLECT, LLC'S FIRST AMENDED INITIAL INFRINGEMENT
CONTENTIONS**

Pursuant to Patent Local Rule 4 ("D.C.Colo.LPtR 4") and the Scheduling Order provided by the Court on June 10, 2019, Plaintiff Collect, LLC ("Collect"), here by submits its First Amended Initial Infringement Contentions. These Infringement Contentions are based on publicly available materials, such as marketing materials and internet websites, regarding the accused infringing products manufactured by Defendants Samsung Electronics Co., LTD and Samsung Electronics America, Inc. (collectively "Samsung") and the uses thereof, as well as preliminary information recently provided by Samsung. In view of the volume of technical information recently produced by Samsung, Collect expressly reserves the right to update and/or amend these First Amended Initial Infringement Contentions as Collect completes its review of Samsung's production. Fact discovery is ongoing, the parties have not yet finalized their document productions, the claim construction phase has not begun, expert discovery has not begun, and Collect is

still investigating Samsung's infringing activities. For these reasons as well, Collect expressly reserves the right to augment, supplement, and/or modify its statements, including its identification of asserted claims and infringing products, based on its review of documents produced by Samsung, its own investigation, additional information obtained through formal fact discovery or other means, expert discovery, the construction of claim terms by the Court, of for other reasons as permitted by applicable authorities. Moreover, no statements made herein are intended to be an admission regarding the meaning of any claim term. Collect reserves the right to offer constructions of disputed claim terms at the appropriate time. Contemporaneously herewith, Collect is serving the documents required by D.C.Colo.LPtR 5.

Based on information presently available to it, Collect asserts that Samsung, directly and/or indirectly, manufactures, markets, offers for sale, sells, and/or imports into the United States products and services that utilize reduced area imaging devices (e.g., complementary metal-oxide devices and related technology), including, but not limited to, Samsung smartphones and tablets, among others (Collectively the "Accused Products") which infringe U.S. Patent Nos. 6,043,839 ("the '839 Patent"), 6,275,255 ("the '255 Patent"), 6,424,369 ("the '369 Patent"), 6,452,626 ("the '626 Patent"), 6,862,036 ("the '036 Patent"), 6,982,740 ("the '740 Patent"), 6,982,742 ("the '742 Patent"), 7,002,621 ("the '621 Patent"), 9,186,052 ("the '052 Patent"), 9,198,565 ("the '565 Patent"), 9,667,896 ("the '896 Patent") (Collectively "the Collect Patents").

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Pursuant D.C.Colo.LPtR 4 (b)(2), limitations believed to be governed by 35 U.S.C. § 112(f), are specifically noted in the accompanying charts.

Pursuant D.C.Colo.LPtR 4 (b)(3), each limitation is literally infringed and/or infringed under the doctrine of equivalents as noted in the accompanying charts.

Attached as Appendix D is an errata sheet identifying corrections/changes made to the Initial Infringement Contentions.

Respectfully submitted this 11th day of December, 2019

Counsel for Collect

/s/ Jonathan S. Caplan

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Appendices have been removed