

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

Technology Properties Limited, Inc.,
Plaintiff,

v.

Fujitsu Limited, Fujitsu General America, Inc.,
Fujitsu Computer Products of America, Inc.,
Fujitsu Computer Systems Corp., Fujitsu
Microelectronics America, Inc., Fujitsu Ten
Corporation of America, Matsushita Electrical
Industrial Co., Ltd., Panasonic Corporation of
North America, JVC Americas Corporation,
NEC Corporation, NEC Electronics America,
Inc., NEC America, Inc., NEC Display
Solutions of America, Inc., NEC Solutions
America, Inc., NEC Unified Solutions, Inc.,
Toshiba Corporation, Toshiba America, Inc.,
Toshiba America Electronic Components, Inc.,
Toshiba America Information Systems, Inc. and
Toshiba America Consumer Products, LLC,
Defendants.

§

Case No. 2:05CV494
(WARD)(JURY)

**TECHNOLOGY PROPERTIES, LIMITED, INC.'S DISCLOSURE OF ASSERTED
CLAIMS AND PRELIMINARY INFRINGEMENT CONTENTIONS**



Pursuant to Patent Rule 3-1, Plaintiff Technology Properties Limited, Inc. (“TPL”) hereby provides its Disclosure of Asserted Claims and Preliminary Infringement Contentions. TPL’s statements are based on publicly available materials regarding the accused infringing devices of Defendants that describe or discuss aspects of operation of the accused devices.

I. INFRINGEMENT OF U.S. PATENT NO. 5,809,336

A. Infringed Claims

Based on the information presently available to it, TPL asserts that Defendants NEC Corporation, NEC Electronics America, Inc., NEC America, Inc., NEC Display Solutions of America, Inc., NEC Solutions America, Inc., NEC Unified Solutions, Inc. (“NEC”) infringe directly or indirectly, claims 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of United States Patent No. 5,809,336 (the “’336 Patent”). Each of NEC’s products identified below as “NEC Accused Chips” infringes claims of the ‘336 Patent identified in the claim charts attached as Exhibit A; and each of NEC’s End-User Products identified in the list attached as Exhibit D infringes a claim of the ‘336 Patent, as set forth in the claim charts attached as Exhibit A, B, C and G, if discovery establishes that it embodies an NEC Accused Chip, Toshiba Accused Chip, MEI Accused Chip or Covered Fujitsu Chip which infringes or is covered by such claim.

Based on the information presently available to it, TPL asserts that Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Electronic Components, Inc., Toshiba America Information Systems, Inc. and Toshiba America Consumer Products, LLC (“Toshiba”) infringe directly or indirectly, claims 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10 of the ‘336 Patent. Each of Toshiba’s products identified below as “Toshiba Accused Chips” infringes claims of the ‘336 Patent identified in the claim charts attached as Exhibit B; and each of Toshiba’s End-User Products identified in the list attached as Exhibit E infringes a claim of the ‘336 Patent, as set forth in the claim charts attached as Exhibit A, B, C and G, if discovery establishes that it embodies an NEC Accused Chip, Toshiba Accused Chip, MEI Accused Chip or Covered Fujitsu Chip which infringes or is covered by such claim.

Based on the information presently available to it, TPL asserts that Defendants Matsushita Electrical Industrial Co., Ltd., Panasonic Corporation of North America, JVC

Americas Corporation (“MEI”) infringe directly or indirectly, claims 1, 2, 3,4, 5, 6, 7, 8, 9, and 10 of the ‘336 Patent. Each of MEI’s products identified below as “MEI Accused Chips” infringes claims of the ‘336 Patent identified in the claim charts attached as Exhibit C; and each of MEI’s End-User Products identified in the list attached as Exhibit F infringes a claim of the ‘336 Patent, as set forth in the claim charts attached as Exhibit A, B, C and G, if discovery establishes that it embodies an NEC Accused Chip, Toshiba Accused Chip, MEI Accused Chip or Covered Fujitsu Chip which infringes or is covered by such claim.

Discovery only recently commenced, and TPL’s preliminary infringement contentions, including all claim charts and figures, are based on information reasonably available to TPL at this time. The accused devices and instrumentalities listed herein include only those of which TPL is presently aware. Accordingly, TPL reserves the right to supplement these Preliminary Infringement Contentions based on information developed in the course of this lawsuit through discovery or additional factual investigation, in view of the Court’s claim construction ruling respecting the ‘336 Patent or as other circumstances may require.

B. Infringement Claim Charts

Attached hereto as Exhibit A are infringement claim charts showing how each NEC Accused Chip infringes asserted claims of the ‘336 Patent.

Attached hereto as Exhibit B are infringement claim charts showing how each Toshiba Accused Chip infringes asserted claims of the ‘336 Patent.

Attached hereto as Exhibit C are infringement claim charts showing how each MEI Accused Chip infringes asserted claims of the ‘336 Patent.

Attached hereto as Exhibit G are coverage claim charts showing how each Fujitsu Covered Chip is covered by asserted claims of the 336 Patent.

C. Infringing And Covered Chips

The NEC, Toshiba, and MEI Accused Chips, and Fujitsu Covered Chips, listed herein below infringe the asserted claims of the ‘336 Patent as explained in the claims charts attached hereto as Exhibits A, B, C and G respectively.

NEC's Accused Chips [Exhibit A]

Microcomputer uPD17717	4-Bit 17K Series (DTS)
Microcomputer uPD178078	8-Bit 178K(DTS)
Microcomputer uPD780058	8-Bit 78K/0 Series
Microcomputer uPD78F9328 8-	Bit 179K Series
Microcontroller uPD789478	8- Bit 78K/OS Series
Microcomputer uPD703212	8-32 Bit KX1 Series
Microcomputer ASSP uPD7715	ASSP
USB Interface uPD720130	USB
uPD750008(75XL)	4-Bit 75XL Series
Automotive Microcontroller uPD789850A	Microcontrollers
Microcontroller uPD78F0531	8-Bit
Microcontroller uPD784218AY	16-Bit
Microcontroller uPD703003A	32-Bit
V850 Family Series uPD70F3116	Microcontroller
Embedded Processor uPD30671F2-400	High Performance Embedded Processors
Microcontroller uPD30181A	Ultra Power Efficient Processors
Melody LSI uPD9993	Melody LSI

Mpeg2 Encoder uPD61151	MPEG2 Encoders
Network Controller uPD98501	Network Controller
Structured ASIC ISSP90	ASIC

Toshiba's Accused Chips [Exhibit B]

ASIC TC220	ASIC
ASIC TC260	ASIC
ASIC TC280	ASIC
ASIC TC300	ASIC
Bluetooth Baseband IC TC35651	Automotive Microcontroller
Microcontroller TMP88CK49	Microcontroller
Microcontroller TMP87CH48CU	Microcontroller
Microcontroller TMP86CH06	Microcontroller
Automotive Microcontroller TMP86C407_807	Automotive
Microcontroller TMP96C031Z	Microcontroller
Microcontroller TMP95CU54AF	Microcontroller
Microcontroller TMP93CS44_45F	Microcontroller
Microcontroller TMP92C820F	Microcontroller
Microcontroller TMP91C016F	Microcontroller
TMP92CZ26	Microcontroller
Microprocessor TMPR3916	Microprocessor
Microprocessor TMP1941AF	Microprocessor
Microcontroller TMP94C241CF	Microcontroller

Microcontroller TLCS-900_H2	Microcontroller
Microcontroller TLCS-900_H1	Microcontroller
Automotive Microcontroller TMP92CD54IF	Automotive
Microprocessor TMPR4937	Microprocessor
MPEG-4 Decoder TC35274	MPEG-4
MPEG-4 CODEC TC35273	MPEG-4

MEI's Accused Chips [Exhibit C]

Microcomputer MN101CF91D	Microcomputer
Microcomputer MN102xx19	Microcomputer
Microcomputer MN1A7T0200	Microcomputer
Microcomputer MN103SC2A	Microcomputer
Microcomputer MN103E040H	Microcomputer
Microcomputer MN1872423	Microcomputer

Fujitsu's Covered Chips [Exhibit G]

Accel Array Mega Platform	ASIC
ASIC Bluetooth IPWare & Cores MB86C00-MBG011	ASIC
CMOS Standard Cell CS91 Series	ASIC
Embedded Array CE81 Series	ASIC
VOIP Codec Raptor	ASIC
Graphics Display Controller MB86296S	Graphics Display Controller
16-bit Microcontroller MB90650A	Microcontroller
16-bit Microcontroller MB90860A	Microcontroller

32-bit Microcontroller MB91133	Microcontroller
32-bit Microcontroller MB91191	Microcontroller
32-bit Microcontroller MB91270/280	Microcontroller
32-bit Microcontroller MB91301	Microcontroller
32-bit Microcontroller MB91360	Microcontroller
8-bit Microcontroller MB89497	Microcontroller
8-bit Microcontroller MB95FV100	Microcontroller
Mobile Media Processor MB86V00/01	Mobile Media Processor

D. Doctrine of Equivalents

TPL contends that each element of the asserted claims is literally present in the accused products listed above. In the alternative, TPL contends that any element not found to be literally present in an accused product is present under the doctrine of equivalents.

II. INFRINGEMENT OF U.S. PATENT NO. 5,784,584

A. Infringed Claims

Based on the information presently available to it, TPL asserts that Defendants NEC infringe directly or indirectly, at least claim 29 of United States Patent No. 5,784,584 (the “’584 Patent”). All of NEC’s products identified below as “NEC Accused Chips” infringe claim 29 of the ’584 Patent as indicated in the claim charts attached as Exhibit A; and each of NEC’s End-User Products identified in the list attached as Exhibit D infringes a claim of the ’584 Patent, as set forth in the claim charts attached as Exhibit A, B, C and G, if discovery establishes that it embodies an NEC Accused Chip, Toshiba Accused Chip, MEI Accused Chip or Covered Fujitsu Chip which infringes or is covered by such claim.

Based on the information presently available to it, TPL asserts that Defendants Toshiba infringe directly or indirectly, at least claim 29 of the ’584 Patent. All of Toshiba’s products

identified below as "Toshiba Accused Chips" infringe claim 29 of the '584 Patent as indicated in the claim charts attached as Exhibit B; and each of Toshiba's End-User Products identified in the list attached as Exhibit D infringes a claim of the '584 Patent, as set forth in the claim charts attached as Exhibit A, B, C and G, if discovery establishes that it embodies an NEC Accused Chip, Toshiba Accused Chip, MEI Accused Chip or Covered Fujitsu Chip which infringes or is covered by such claim.

Based on the information presently available to it, TPL asserts that Defendants MEI infringe directly or indirectly, at least claim 29 of the '584 Patent. All of MEI's products identified below as "MEI Accused Chips" infringe claim 29 of the '584 Patent as indicated in the claim charts attached as Exhibit C; and each of MEI's End-User Products identified in the list attached as Exhibit D infringes a claim of the '584 Patent, as set forth in the claim charts attached as Exhibit A, B, C and G, if discovery establishes that it embodies an NEC Accused Chip, Toshiba Accused Chip, MEI Accused Chip or Covered Fujitsu Chip which infringes or is covered by such claim.

Discovery only recently commenced, and TPL's preliminary infringement contentions, including all claim charts and figures, are based on information reasonably available to TPL at this time. The accused devices and instrumentalities listed herein include only those of which TPL is presently aware. Accordingly, TPL reserves the right to supplement these Preliminary Infringement Contentions based on information developed in the course of this lawsuit through discovery or additional factual investigation, in view of the Court's claim construction ruling respecting the '584 Patent or as other circumstances may require.

B. Infringement Claim Charts

Attached hereto as Exhibit A are infringement claim charts showing how each NEC Accused Chip infringes asserted claims of the '584 Patent.

Attached hereto as Exhibit B are infringement claim charts showing how each Toshiba Accused Chip infringes asserted claims of the '584 Patent.

Attached hereto as Exhibit C are infringement claim charts showing how each MEI Accused Chip infringes asserted claims of the '584 Patent.

Attached hereto as Exhibit G are infringement claim charts showing how each Fujitsu Covered Chip is covered by the asserted claims of the '584 Patent.

C. Infringing Products

The NEC, Toshiba, MEI and Fujitsu products listed below infringe or are covered by the asserted claims of the '584 Patent as explained in the claims charts attached hereto as Exhibits A, B, C and G, respectively.

NEC's Accused Chips [Exhibit A]

V850E2	32-Bit V850 Series
Gate Array SoC Lite uPD65977	Gate Array

Toshiba's Accused Chips [Exhibit B]

ASIC TC240 ARM7TDMI Core	ASIC
ASIC TC260, ARM926EJ-S	ASIC
ASIC TC280, ARM946ES	ASIC
ASIC TC300, ARM1026EJ-S	ASIC
Bluetooth Baseband IC TC35651	Automotive Microcontroller
Microcontroller TLCS-900_H2	Microcontroller
Microcontroller TLCS-900_H1	Microcontroller
Automotive Microcontroller TMP92CD54IF	Automotive

MEI's Accused Chips [Exhibit C]

Microcomputer MN101CF91D	Microcomputer
MN2DS0003	Video Audio
MN101C78A	Microcomputer

Microcomputer MN102xx19	Microcomputer
MPEG-4 Codec MN1A92070R	Information Communication
Microcomputer MN1872423	Microcomputer

Fujitsu's Covered Chips [Exhibit G]

Accel Array Mega Platform	ASIC
ASIC Bluetooth IPWare & Cores MB86C00-MBG011	ASIC
CMOS Standard Cell CS91 Series	ASIC

D. Doctrine of Equivalents

TPL contends that each element of the asserted claims is literally present in the accused products listed above. In the alternative, TPL contends that any element not found to be literally present in an accused product is present under the doctrine of equivalents.

III. INFRINGEMENT OF U.S. PATENT NO. 6,598,148

A. Infringed Claims

Based on the information presently available to it, TPL asserts that Defendants NEC and MEI infringe directly or indirectly, at least claims 1, 4, 8, and 11 of United States Patent No. 6,598,148 (the "'148 Patent"). All of the NEC and MEI products identified below as "NEC Accused Chips" and "MEI Accused Chips" infringe claims 1, 4, 8, and 11 of the '148 Patent as indicated in the claim charts attached as Exhibits A and C.

Discovery only recently commenced, and TPL's preliminary infringement contentions, including all claim charts and figures, are based on information reasonably available to TPL at this time. The accused devices and instrumentalities listed herein include only those of which TPL is presently aware. Accordingly, TPL reserves the right to supplement these Preliminary Infringement Contentions based on information developed in the course of this lawsuit through discovery or additional factual investigation, in view of the Court's claim construction ruling

respecting the '148 Patent or as other circumstances may require. TPL believes that discovery will reveal that many additional NEC, Toshiba and MEI Accused Chips and Fujitsu Covered Chips infringe, or are covered by, the '148 Patent.

B. Infringement Claim Charts

Attached hereto as Exhibits A and C are infringement claim charts showing how each of the NEC and MEI Accused Chips infringes asserted claims of the '148 Patent.

C. Infringing Products

The NEC and MEI products listed below infringes the asserted claims of the '148 Patent as explained in the claims charts attached hereto as Exhibits A and C.

NEC's Accused Chips [Exhibit A]

uPD70F3017A	32-Bit V850 Series
uPD70F3032BY	32-Bit V850 Series

MEI's Accused Chips [Exhibit C]

Microcomputer MN101EF01MAF	Microcomputer
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Exhibits D, E and F contain lists of NEC, Toshiba, and Matsushita end user products which are likely to infringe if further discovery proves that they contain the accused chips listed herein.

D. Doctrine of Equivalents

TPL contends that each element of the asserted claims is literally present in the accused products listed above. In the alternative, TPL contends that any element not found to be literally present in an accused product is present under the doctrine of equivalents.

DATED: July 17, 2006

Respectfully submitted,

By: 

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing:

**1) TECHNOLOGY PROPERTIES, LIMITED, INC.'S DISCLOSURE OF
ASSERTED CLAIMS AND PRELIMINARY INFRINGEMENT
CONTENTIONS**

was served as indicated below on July 17, 2006, on the following attorneys of record:

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