

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINE
WESTERN DIVISION**

TELEFONAKTIEBOLAGET LM ERICSSON,

Plaintiff,

v.

C.A. No. 5:23-cv-569

LENOVO (UNITED STATES), INC.,
LENOVO (SHANGHAI) ELECTRONICS
TECHNOLOGY CO., LTD., LENOVO
BEIJING, LTD., LENOVO GROUP, LTD.,
MOTOROLA (WUHAN) MOBILITY
TECHNOLOGIES COMMUNICATION CO.,
LTD., AND MOTOROLA MOBILITY LLC,

Defendants.

NOTICE OF ADDITIONAL RELATED LITIGATIONS

Defendants Lenovo (United States), Inc. and Motorola Mobility LLC (collectively, “Lenovo”) submit this notice of additional related litigations. In addition to the proceedings referenced in the briefing on Lenovo’s motion for an ASI (Dkt. Nos. 36, 44, 50), Lenovo identifies the following additional proceedings:

- On January 30, 2024, Lenovo filed two infringement claim against Ericsson in the Unified Patent Court (“UPC”) in Europe, alleging Ericsson infringes EP 3 780 758 and EP 3 342 086, which Lenovo contends are 5G standard-essential patents (“SEPs”).
- On February 2, 2024, Lenovo filed an infringement claim against Ericsson in the United Kingdom, alleging Ericsson infringes EP (UK) 3,646,649, which Lenovo contends is a 5G SEP. Because Ericsson continues to enforce injunctions against Lenovo and its customers in Colombia and Brazil, Lenovo included a request for a preliminary injunction in this U.K. action. Lenovo, however, made clear in its filing that the first-order relief it sought was Ericsson’s consent to a FRAND cross-license determination and the withdrawal of its injunctions, and that only if that relief was not awarded did Lenovo seek a preliminary injunction. Consistent with Lenovo’s representations to this Court that it would withdraw its offensive

ITC action against Ericsson if Ericsson would withdraw its actions against Lenovo, Dkt. No. 50 at 8, Lenovo will withdraw its request for a preliminary injunction in the U.K., provided Ericsson also withdraws its injunctions (pending and issued) against Lenovo and its customers and agrees to not seek further injunctions while the FRAND cross-license determination is adjudicated. Lenovo likewise made this representation to the U.K. court in its filing.

To be clear, Lenovo has only filed proceedings against Ericsson as a protective measure against the global litigation campaign Ericsson instigated and to avoid a scenario in which Lenovo's products are enjoined while Ericsson continues to infringe Lenovo's SEPs with impunity. Lenovo's position remains that there should be no injunctive relief against either party pending the resolution of this contractual dispute between the parties, especially given Lenovo's willingness to have that dispute resolved in Ericsson's choice of forum (this Court, the U.K., or arbitration), to take steps to protect Ericsson's interests, and to withdraw its own injunction requests if Ericsson does the same.

Dated: February 12, 2024

Respectfully Submitted,

/s/ Raymond M. Bennett

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