

Exhibit B



DLA Piper Rudnick Gray Cary US LLP
2000 University Avenue
East Palo Alto, California 94303-2248
T 650.833.2442
F 650.833.2001
W www.dlapiper.com

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Susan Callender, Esq.
Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304-1050

Re: Zoran Corporation, et al. v. MediaTek, et al.
USDC Case Nos. C-04-02619 RMW (PVT) and C-04-04609

Dear Susan:

This letter is in response to Defendants MediaTek, Inc. ("MediaTek"), Mintek Digital, Inc. ("Mintek"), Asustek Computer, Inc. ("ASUSTek"), Lite-On Information Technology Corp. ("Lite-On"), TEAC Corporation ("TEAC"), TEAC America, Inc. ("TEAC America"), Terapin Technology PTE., Ltd. Corporation ("Terapin"), and Teroptix L.P. d/b/a Terapin Technology's ("Terapin Tech") (collectively, "Defendants") responses to Plaintiffs Zoran Corporation and Oak Technology, Inc.'s First Set of Interrogatories and First Set of Document Requests. As set forth below, Defendants' discovery responses are deficient. Plaintiffs would like to meet and confer about Defendants' responses next week. Please let me know your availability.

General Issues: Interrogatory Responses.

1. Interrogatory Nos. 1-2: These interrogatories seek facts supporting each Defendant's contention that it does not willfully infringe the patents-in-suit, and requires each Defendant to state when and how it first learned of the patents-in-suit. All Defendants objected to these interrogatories and failed to provide any response. Moreover, only MediaTek indicated that it is even willing to meet and confer regarding the scope of this discovery. Please confirm whether Defendants deny that they willfully infringe the patents-in-suit, and, if so, supplement accordingly. On the other hand, if Defendants have no non-privileged information responsive to this request, please confirm immediately.

2. Interrogatory No. 3 (to all Defendants except MediaTek): Interrogatory No. 3 to all Defendants (except MediaTek) seeks the identification of persons who have engaged in communications regarding the continued use of MediaTek's chips (or any other manufacturer's chips) in accused products as a result of this litigation. Every Defendant (except MediaTek) failed to respond, or object, to this interrogatory. In this regard, it appears that Defendants inadvertently copied Interrogatory No. 3 propounded on MediaTek. That interrogatory related to product design changes. Accordingly, please supplement immediately to provide a full and complete response to Interrogatory No. 3.

3. Interrogatory Nos. 4-5: Defendants respond to Interrogatory Nos. 4-5 (which seek identification of accused products and the identification of customers to whom such products were sold) by referring to Interrogatory responses provided in the related ITC Investigation (337-TA-506). However, responses to those interrogatories were served nearly 6 months ago. Accordingly, the information contained therein is not current. Please supplement accordingly by providing full and complete responses for the entire time frame requested.

4. Interrogatory No. 6 (No. 7 to Terapin and TEAC): This interrogatory seeks financial information pertinent to the damages inquiry in this litigation. Specifically, this interrogatory generally requires each Defendant to state: (a) the total number of accused units made, used or sold by each Defendant (on a per customer basis); (b) quantity of returns; (c) gross and net revenues, by product; and (d) gross profits or margin, by product. Defendants respond that responsive information has been provided in the 506 ITC Investigation and refer Plaintiffs to more than 200,000 pages of documents produced in that action. The cited documents, however, simply do not provide the specific information requested in the interrogatory. Moreover, contrary to the requirement of Rule 33(d), answers to the interrogatory cannot be determined or ascertained from the documents identified by Defendants.

MediaTek, for example, identifies more than 120,000 pages of documents, many of which are completely unrelated to the sale of its accused products, let alone responsive to the specific financial information sought.¹ Examples of indiscriminate "document dumping" include: MTK-ITC-182937-183844; MIN-ITC-000543- 000577; TTPL-ITC-000507 - 000515; and LOT-ITC-000001 - 000174. Many other documents consist of purchase orders and invoices, from which revenue, profits and margin cannot be ascertained.

In any event, it is highly unlikely that the burden on Plaintiffs of deriving or ascertaining any answers from these documents is "substantially the same" as for MediaTek. Fed. R. Civ. P. 33(d). If the only business records available in Defendants' possession are those referenced in response to this interrogatory, then Defendants should provide a full and complete **narrative** response, rather than improperly invoking Rule 33(d) concerning documents that are not responsive.

Specific Issues: Interrogatory Responses.

MediaTek:

1. Interrogatory No. 3: This interrogatory requires MediaTek to describe in detail any design changes to its accused products, including any efforts to design around the patents-in-suit. MediaTek fails to provide **any** responsive information, indicating only that it is "willing to meet and confer with Plaintiffs in an effort to understand the intended scope of this request and to provide information relevant to this action." Plaintiffs do not feel there is anything vague or ambiguous about the request and would like to meet and confer with MediaTek to resolve this dispute.

¹ Plaintiffs also note that the documents referenced by Defendants are not current in any event as they were produced months before the current discovery was served.

TEAC Corporation:

1. Interrogatory No. 6: TEAC Corporation did not respond to Interrogatory No. 6. Rather, TEAC's "Interrogatory No. 6" is actually Interrogatory No. 7. Please supplement immediately.

General Issues: Document Requests.

1. With respect to all requests for which Defendants refer to specific documents previously produced in the 506 Investigation, Plaintiffs note that such documents were produced several months ago and therefore do not satisfy Defendants' obligation to produce responsive documents "through the present." In addition, for many requests, Defendants "agree to produce" responsive documents "to the extent that they exist and have not already been produced." Please confirm that Defendants will produce all responsive documents for the appropriate timeframe.

2. Request No. 4: This request seeks documents sufficient to show various financial information (on a monthly basis) from each Defendant's sale of accused products (including gross and net revenues, discounts, cost of goods, profits, expenses and other information). All Defendants refuse to agree to produce responsive documents, stating only that they are "willing to meet and confer with Plaintiffs in an effort to understand the intended scope of this request and to provide information relevant to this action." Plaintiffs do not feel there is anything vague or ambiguous about the request and would like to meet and confer with Defendants to resolve this dispute.

3. Request No. 5: This request seeks documents sufficient to show the same information requested in Interrogatory No. 6, discussed above. Defendants refer to various documents produced in the 506 Investigation (most of which were identified in response to Interrogatory No. 6). As stated above, however, many of these documents do not show the information requested and is out of date. At a minimum, current information is required. Please confirm whether any other responsive documents exist. In addition, given that many of the documents identified by Defendants in response to this discovery are irrelevant, please confirm that all documents referred to by Defendants that were produced in a foreign language actually are responsive. Please also confirm whether any English translations of these documents exist and whether Defendants will produce such translations.

4. Request No. 6: This request seeks specific information regarding Defendants' customers. Once again, Defendants refer to discovery provided in the 506 Investigation—specifically, *interrogatory* responses. The request, however, seeks production of *documents*. In any event, the interrogatory responses referenced by Defendant are not current and do not identify, among other things, the full name and address of the customer, and key customer and employee contact persons. Please supplement the written response to these requests and agree to produce all responsive documents.

5. Request Nos. 9, 10, 13, 14, 18: Defendants responded to these request by agreeing to meet and confer with Plaintiffs to understand the scope of the requests. Plaintiffs do not feel there is anything vague or ambiguous about the requests and would like to meet and confer with Defendants to resolve this dispute.

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6. Request No. 16: This request seeks documents sufficient to show any serial numbers for Defendants' accused products and the location or disposition of such products. Defendants uniformly objected to the request on the ground that the term "serial number" is vague and ambiguous. Plaintiffs do not feel there is anything vague or ambiguous about the request and would like to meet and confer with Defendants to resolve this dispute.

7. Request No. 17: This request seeks price lists or schedules for the accused products. Defendants identify documents produced in the 506 Investigation, many of which are either irrelevant (as discussed above) or consist of purchase orders and invoices. While certain of these documents reflect specific prices for specific transactions, please confirm whether Defendants will produce actual lists or schedules as the request seeks.

8. Request Nos. 19-20, 22 and 24: This request seeks all licenses for patents or technology relating to DVD players and recorders. Defendants agree only to produce "one copy of licenses....that relate to the specific features and functionality of the asserted patents." Plaintiffs would like to meet and confer with Defendants regarding this limitation.

Specific Issues: Document Requests

MediaTek

1. Request No. 26: This request seeks documents referring or relating to any design changes to MediaTek's accused products, or any efforts to design around the patents-in-suit. The request is relevant to the inquiry surrounding MediaTek's willful infringement of the patents-in-suit. MediaTek objects to this request, asserting attorney-client privilege. Plaintiffs, however, are not seeking merely communications between MediaTek and its attorneys, but rather all documents related to any actual design changes or design arounds. To the extent there are privileged communications responsive to this request, they should be identified on an appropriate privilege log.

Very truly yours,

DLA Piper Rudnick Gray Cary US LLP



Aaron Wainscoat
aaron.wainscoat@dlapiper.com

Cc: William H. Wright, Esq.