

Part 9
of
Exhibit D

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8 DIGITAL, INC., TERAPIN TECHNOLOGY PTE.,
LTD. CORPORATION, TERAOPTIX L.P. d/b/a
9 TERAPIN TECHNOLOGY, AUDIOVOX
CORPORATION, INITIAL TECHNOLOGY,
10 CHANGZHOU SHINCO DIGITAL
TECHNOLOGY CO., LTD., SHINCO
11 INTERNATIONAL AV CO., ULTIMA
ELECTRONICS CORP., ASUSTEK COMPUTER,
12 INC., LITE-ON IT CORP., TEAC
CORPORATION, TEAC AMERICA, INC.,
13 ATRONIX TECHNOLOGY, INC., ASUS
COMPUTER INTERNATIONAL, INC., EPO
14 SCIENCE AND TECHNOLOGY CO., INC.,
MICRO-STAR INTERNATIONAL CO., LTD.,
15 and MSI COMPUTER CORP.

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN JOSE DIVISION

19
20 ZORAN CORPORATION and OAK
TECHNOLOGY, INC.,)

CASE NO.: C-04-02619 RMW
C-04-04609 RMW

21)
22 Plaintiffs,)

23 v.)

24 MEDIATEK, INC., MINTEK DIGITAL, INC.,)
25 TERAPIN TECHNOLOGY PTE., LTD.)
CORPORATION, TERAOPTIX L.P. d/b/a)
26 TERAPIN TECHNOLOGY, AUDIOVOX)
CORPORATION, INITIAL TECHNOLOGY,)
27 CHANGZHOU SHINCO DIGITAL)
TECHNOLOGY CO., LTD., SHINCO)
INTERNATIONAL AV CO., AND ULTIMA)
28 ELECTRONICS CORP.,)

TEAC AMERICA'S RESPONSE TO
PLAINTIFFS' SECOND SET OF
DOCUMENT REQUESTS TO
DEFENDANT TEAC AMERICA, INC.

**CONFIDENTIAL BUSINESS
INFORMATION – SUBJECT TO
PROTECTIVE ORDER**

Defendants.)

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AND RELATED CROSS-ACTION AND
COUNTERCLAIMS

Attorneys for Defendants and Counterclaimants
[continued]

ASUSTEK COMPUTER, INC., LITE-ON IT
CORP., TEAC CORPORATION, TEAC
AMERICA, INC., ATRONIX TECHNOLOGY,
INC., ASUS COMPUTER INTERNATIONAL,
INC., EPO SCIENCE AND TECHNOLOGY CO.,
INC., MICRO-STAR INTERNATIONAL CO.,
LTD., and MSI COMPUTER CORP.

ZORAN CORPORATION and OAK
TECHNOLOGY, INC.,

Plaintiffs,

v.

MEDIATEK, INC., ASUSTEK COMPUTER,
INC., LITE-ON IT CORP., TEAC
CORPORATION, TEAC AMERICA, INC.,
ATRONIX TECHNOLOGY, INC., ASUS
COMPUTER INTERNATIONAL, INC., EPO
SCIENCE AND TECHNOLOGY CO., INC.,
MICRO-STAR INTERNATIONAL CO., LTD.,
and MSI COMPUTER CORP.,

Defendants.

AND RELATED CROSS-ACTION AND
COUNTERCLAIMS

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Defendant and Counter-
Claimant TEAC America, Inc. ("TEAC America") objects and responds to Plaintiffs and
Counter-Defendants Zoran Corporation's and Oak Technology, Inc.'s (collectively "Plaintiffs")
Second Set of Document Requests.

RESPONSES TO DOCUMENT REQUESTS

TEAC America incorporates by reference the General Objections set forth in TEAC
America's Responses to Plaintiffs' First Set of Interrogatories to TEAC America, Inc. and TEAC
America's Responses to Plaintiffs' First Set of Document Requests to TEAC America, Inc.

1 **GENERAL OBJECTION NO. 1:**

2 TEAC America objects to the Requests that documents be produced for inspection and
3 copying at the offices of counsel for Plaintiffs at 2000 University Avenue, East Palo Alto, CA on
4 the grounds that said location for inspection and copying is unduly burdensome and oppressive,
5 and is not reasonable. Many of the documents requested consist of business records of TEAC
6 America, which are maintained at TEAC America's offices in Los Angeles, California.
7 Production of said documents for inspection and copying at a place other than those offices could
8 seriously disrupt TEAC America's business.

9 Without waiving the foregoing objections, TEAC America responds that it will produce
10 responsive documents by mailing copies of such documents to the parties on a mutually
11 agreeable date or dates.

12 **GENERAL OBJECTION NO. 2:**

13 TEAC America objects to the Requests, and to each and every individual request
14 contained therein, to the extent that they seek documents or information protected by the
15 attorney-client privilege, or for the work product of TEAC America's attorneys, or for otherwise
16 privileged material. Any inadvertent disclosure of such information shall not be deemed a
17 waiver of the attorney-client privilege, the work product doctrine, or any other applicable
18 privilege or immunity recognized by statute or case law.

19 **GENERAL OBJECTION NO. 3:**

20 TEAC America objects to each request as unduly burdensome and oppressive to the
21 extent that it purports to require TEAC America to search TEAC America facilities and inquire
22 of TEAC America employees other than those facilities and employees that would reasonably be
23 expected to have responsive information. TEAC America's responses are based upon (1) a
24 reasonable search, given the time allotted to TEAC America to respond to the requests, of
25 facilities and files that could reasonably be expected to contain responsive information, and
26 (2) inquiries of TEAC America employees and/or representatives who could reasonably be
27 expected to possess responsive information. The subject matter of these requests is under
28 continuing investigation. Accordingly, these responses are limited to and are applicable only to

1 documents and other information which Defendant's counsel has been able to ascertain and
2 locate as of the date hereof. TEAC America expressly reserves the right to use, rely upon and to
3 offer into evidence any and all documents and other information responsive to these requests,
4 whether or not presently identified or produced, if the documents or other information have not
5 been obtained by counsel and deemed responsive by counsel as of the date of this response, or if
6 the responsiveness of the documents or other information has been overlooked in good faith, or if
7 an objection is interposed to producing a document or other information.

8 **GENERAL OBJECTION NO. 4:**

9 TEAC America objects to the Requests, and to each and every individual request
10 contained therein, to the extent they require TEAC America to search for and reveal privileged
11 information from its, and its attorneys' litigation files pertaining to the litigation. TEAC
12 America will not schedule on its privilege log any attorney-client privileged materials or
13 materials protected by the attorney work product doctrine created on or after March 15, 2004
14 when Plaintiffs filed the Complaint in the Central District of California alleging infringement of
15 United States Patent Nos. 6,446,736 ("the '736 patent"), 6,584,527 ("the '527 patent") and
16 6,546,440 ("the '440 patent").

17 **GENERAL OBJECTION NO. 5:**

18 To the extent that Plaintiffs' Requests seek confidential or proprietary information
19 pertaining to TEAC America's business, trade secrets and/or economic relationships, or to the
20 extent they seek confidential information which would impinge on the constitutionally protected
21 right to privacy of individuals, TEAC America will only produce such information subject to the
22 terms of Order No. 2: Protective Order, issued on April 13, 2004 by Administrative Law Judge
23 Luckern (the "Protective Order") in the ITC Investigation No. 506 ("the current ITC
24 investigation") as well as the terms of any protective order issued in this action.

25 **GENERAL OBJECTION NO. 6:**

26 TEAC America objects to each and every request to the extent that it calls for
27 information that is confidential or proprietary to, or the trade secrets of, a third party. Each such
28 request is overbroad, unduly burdensome, oppressive and seeks to impose obligations beyond

1 those permitted by the Federal Rules of Civil Procedure and Civil Local Rules. TEAC America
2 will only produce such material subject to the terms of the Protective Order.

3 **GENERAL OBJECTION NO. 7:**

4 TEAC America objects to each and every request to the extent it seeks information
5 relating to or revealing its proprietary development activities for products not yet on sale or
6 otherwise available to the public. The slight relevance, if any, of such highly confidential, trade
7 secret information is vastly outweighed by the severe prejudice that would result to TEAC
8 America were it to be disclosed or available to competitors of TEAC America. Such requests are
9 therefore unduly burdensome and oppressive, and TEAC America will not produce any such
10 information.

11 **GENERAL OBJECTION NO. 8:**

12 TEAC America objects to the requests as overbroad, burdensome, and oppressive in that
13 they seek information from more than two years ago. Unless otherwise noted, TEAC America
14 will answer all requests based on activities and events occurring on or after April 1, 2003.

15 **GENERAL OBJECTION NO. 9:**

16 TEAC America objects to the requests to the extent that they seek to impose an
17 obligation to poll or question purchasers or customers of parts manufactured by TEAC America
18 to ascertain the specific down-stream products, which may incorporate such parts. Such requests
19 are overly broad, unduly burdensome and oppressive and seek information that is neither
20 relevant nor reasonably calculated to lead to the discovery of admissible evidence, and TEAC
21 America will not produce any such information.

22 **GENERAL OBJECTION NO. 10:**

23 TEAC America objects to the interrogatories to the extent that they seek discovery on
24 subjects outside the limited scope of permissible discovery as outlined in the Court's December
25 8, 2004 Case Management Order.

26 **GENERAL OBJECTION NO. 11:**

27 TEAC America objects to the requests to the extent that they rely on quotations from
28 confidential sources in a public document.

1 **GENERAL OBJECTION NO. 12:**

2 TEAC America objects to Definition (3)~(4) on the grounds that the terms “subsidiary,”
3 “division,” “affiliate,” “predecessor,” “successor,” “parent,” or “related company thereof” are vague,
4 ambiguous, and overbroad. TEAC America will construe the terms “Defendant” or “TEAC
5 America” to mean TEAC America Inc. TEAC America will construe the term “MediaTek” to
6 mean MediaTek, Inc.

7 **GENERAL OBJECTION NO. 13:**

8 TEAC America objects to Definition (5) on the grounds that the term “accused product”
9 is vague and ambiguous to the extent that it intends to implicate products that do not practice
10 functions relevant to the patents at issue.

11 **GENERAL OBJECTION NO. 14:**

12 TEAC America objects to Definition (11) on the grounds that it is overbroad, unduly
13 burdensome, oppressive, harassing and seeks to impose obligations beyond those permitted by
14 the Federal Rules of Civil Procedure and Civil Local Rules. TEAC America also objects to the
15 extent that this Definition calls for the production of information or documents protected by the
16 attorney-client privilege and/or work product doctrine.

17 **GENERAL OBJECTION NO. 15:**

18 TEAC America objects to Definition (12) on the grounds that it is vague, ambiguous,
19 overbroad, unduly burdensome, oppressive and harassing. TEAC America will construe the
20 phrase “relate” or “refer” wherever used in the requests to call for documents or other
21 information that directly discuss or concern a particular topic.

22 **GENERAL OBJECTION NO. 16:**

23 TEAC America objects to Definition (14) on the grounds that it is vague, ambiguous,
24 overbroad, unduly burdensome, oppressive and harassing. TEAC America will construe the
25 terms “sold,” “sale,” “sales,” or “selling” wherever used in the Requests to refer to the exchange
26 for consideration of any of the accused products between TEAC America and another entity.
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RESPONSES TO DOCUMENT REQUESTS

TEAC America expressly incorporates the above General Objections as though set forth fully in response to each of the following requests, and, to the extent that they are not raised in any particular response, TEAC America does not waive those objections. An answer to a request shall not be deemed a waiver of any applicable specific or general objection to a request.

TEAC America further notes that to the extent that TEAC America intends to limit any response based on a specific objection, TEAC America will clearly set forth such limitation in its response.

REQUEST NO. 25:

All documents relating to any analyses, studies or opinions, including, but not limited to, opinions of counsel, regarding the infringement or noninfringement by the MT1888 of the Patents-in-Suit.

RESPONSE TO REQUEST NO. 25:

TEAC America objects to this request to the extent that it is overbroad, unduly burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible evidence. TEAC America also objects to this request to the extent that it is outside the limited scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management Order. TEAC America further objects to this request to the extent that it seeks information that is protected by the attorney-client privilege and/or the work product doctrine.

REQUEST NO. 26:

All business plans, strategic plans, marketing plans, product plans and meeting minutes relating to the MT1888.

RESPONSE TO REQUEST NO. 26:

TEAC America objects to this request to the extent that it is overbroad, unduly burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible evidence. TEAC America also objects to this request on the grounds that it is outside the limited scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management

1 Order. TEAC America further objects to this request on the grounds that it is vague and
2 ambiguous.

3 **REQUEST NO. 27:**

4 All documents relating to the design, testing and development of the MT1888, including,
5 but not limited to, specifications, schematics, block diagrams, data sheets, layouts, databases,
6 depictions, photographs, simulations, test results, manuals, journals, notes and notebooks.

7 **RESPONSE TO REQUEST NO. 27:**

8 TEAC America objects to this request to the extent that it is overbroad, unduly
9 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
10 evidence. TEAC America also objects to this request on the grounds that it is outside the limited
11 scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management
12 Order.

13 **REQUEST NO. 28:**

14 All documents relating to any analysis, discussion or consideration of design, redesign, or
15 modification of any existing product or new product, including, but not limited to, the MT1888,
16 to avoid or in light of the claims of the Patents-in-Suit.

17 **RESPONSE TO REQUEST NO. 28:**

18 TEAC America objects to this request to the extent that it is overbroad, unduly
19 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
20 evidence. TEAC America also objects to this request on the grounds that it is outside the limited
21 scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management
22 Order. TEAC America further objects to this request to the extent that it seeks information that
23 is protected by the attorney-client privilege and/or the work product doctrine.

24 **REQUEST NO. 29:**

25 All documents relating to design reviews and design review meetings, including but not
26 limited to, all notes, minutes, reports, action item lists and management summaries, relating to
27 the MT1888.

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1 **RESPONSE TO REQUEST NO. 29:**

2 TEAC America objects to this request to the extent that it is overbroad, unduly
3 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
4 evidence. TEAC America also objects to this request on the grounds that it is outside the limited
5 scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management
6 Order.

7 **REQUEST NO. 30:**

8 All business plans, strategic plans, marketing plans, product plans, and meeting minutes
9 relating to any design changes or proposed design changes, including, but not limited to, the
10 MT1888, to avoid or in light of the Patents-in-Suit.

11 **RESPONSE TO REQUEST NO. 30:**

12 TEAC America objects to this request to the extent that it is overbroad, unduly
13 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
14 evidence. TEAC America also objects to this request on the grounds that it is outside the limited
15 scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management
16 Order. TEAC America further objects to this request to the extent that it seeks information that
17 is protected by the attorney-client privilege and/or the work product doctrine.

18 **REQUEST NO. 31:**

19 All internal TEAC America communications relating to any design changes or proposed
20 design changes, including, but not limited to, the MT1888, to avoid or in light of the Patents-in-
21 Suit.

22 **RESPONSE TO REQUEST NO. 31:**

23 TEAC America objects to this request to the extent that it is overbroad, unduly
24 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
25 evidence. TEAC America also objects to this request on the grounds that it is outside the limited
26 scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management
27 Order. TEAC America further objects to this request to the extent that it seeks information that
28 is protected by the attorney-client privilege and/or the work product doctrine.

1 **REQUEST NO. 32:**

2 All documents relating to communications between MediaTek and its foundries
3 including, but not limited to UMC and Silterra, regarding any design, redesign, or modification
4 of any existing or new product, including but not limited to, the MT1888, to avoid or in light of
5 the claims of the Patents-in-Suit.

6 **RESPONSE TO REQUEST NO. 32:**

7 TEAC America objects to this request to the extent that it is overbroad, unduly
8 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
9 evidence. TEAC America also objects to this request on the grounds that it is outside the limited
10 scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management
11 Order. TEAC America further objects to this request to the extent that it seeks information that
12 is protected by the attorney-client privilege and/or the work product doctrine.

13 **REQUEST NO. 33:**

14 All documents relating to MediaTek's communication with any customers or potential
15 customers, including, but not limited to, TEAC America, regarding any design, redesign, or
16 modification of any design of any existing or new product, including but not limited to, the
17 MT1888, to avoid or in light of any claims of the Patents-in-Suit.

18 **RESPONSE TO REQUEST NO. 33:**

19 TEAC America objects to this request to the extent that it is overbroad, unduly
20 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
21 evidence. TEAC America also objects to this request on the grounds that it is outside the limited
22 scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management
23 Order. TEAC America further objects to this request to the extent that it seeks information that
24 is protected by the attorney-client privilege and/or the work product doctrine.

25 **REQUEST NO. 34:**

26 All documents relating to the actual or anticipated release and mass production of the
27 MT1888.

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1 **RESPONSE TO REQUEST NO. 34:**

2 TEAC America objects to this request to the extent that it is overbroad, unduly
3 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
4 evidence. TEAC America also objects to this request on the grounds that it is outside the limited
5 scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management
6 Order.

7 **REQUEST NO. 35:**

8 All documents relating to communications between MediaTek and its foundries,
9 including, but not limited to, UMC and Silterra, regarding the MT1888.

10 **RESPONSE TO REQUEST NO. 35:**

11 TEAC America objects to this request to the extent that it is overbroad, unduly
12 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
13 evidence. TEAC America also objects to this request on the grounds that it is outside the limited
14 scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management
15 Order. TEAC America also objects to this request on the grounds that it is vague and
16 ambiguous.

17 **REQUEST NO. 36:**

18 All documents relating to MediaTek's communication with any customers or potential
19 customers, including, but not limited to, TEAC America, regarding the MT1888.

20 **RESPONSE TO REQUEST NO. 36:**

21 TEAC America objects to this request to the extent that it is overbroad, unduly
22 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
23 evidence. TEAC America also objects to this request on the grounds that it is outside the limited
24 scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management
25 Order. TEAC America further objects to this request to the extent that it seeks information that
26 is protected by the attorney-client privilege and/or the work product doctrine.
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1 **REQUEST NO. 37:**

2 All documents relating to the February 17, 2005, "substantial design change" to the
3 MT1888 referenced in the Ladra Letter.

4 **RESPONSE TO REQUEST NO. 37:**

5 TEAC America objects to this request to the extent that it is overbroad, unduly
6 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
7 evidence. TEAC America also objects to this request on the grounds that it is vague and
8 ambiguous. In addition, TEAC America objects to this request on the grounds that it is outside
9 the limited scope of permissible discovery topics listed in the Court's December 8, 2004 Case
10 Management Order. TEAC America further objects to this request to the extent that it seeks
11 information that is protected by the attorney-client privilege and/or the work product doctrine.

12 **REQUEST NO. 38:**

13 All documents relating to the "continual design modification" of the MT1888 referenced
14 in the Ladra Letter.

15 **RESPONSE TO REQUEST NO. 38:**

16 TEAC America objects to this request to the extent that it is overbroad, unduly
17 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
18 evidence. TEAC America also objects to this request on the grounds that it is vague and
19 ambiguous. In addition, TEAC America objects to this request on the grounds that it is outside
20 the limited scope of permissible discovery topics listed in the Court's December 8, 2004 Case
21 Management Order. TEAC America further objects to this request to the extent that it seeks
22 information that is protected by the attorney-client privilege and/or the work product doctrine.

23 **REQUEST NO. 39:**

24 All documents relating to the statement in the Ho Declaration that "my engineers are still
25 in the design process and have, to date, identified between 90-100 problems with the chip, which
26 will need to be corrected before the MT1888 can be released into mass production."
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1 **RESPONSE TO REQUEST NO. 39:**

2 TEAC America objects to this request to the extent that it is overbroad, unduly
3 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
4 evidence. TEAC America also objects to this request on the grounds that it is vague and
5 ambiguous. In addition, TEAC America objects to this request on the grounds that it is outside
6 the limited scope of permissible discovery topics listed in the Court's December 8, 2004 Case
7 Management Order. TEAC America further objects to this request to the extent that it seeks
8 information that is protected by the attorney-client privilege and/or the work product doctrine.

9 **REQUEST NO. 40:**

10 All documents relating to the statement in the Ho Declaration that "some of the known
11 problems involve the host interface function of the chip."

12 **RESPONSE TO REQUEST NO. 40:**

13 TEAC America objects to this request to the extent that it is overbroad, unduly
14 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
15 evidence. TEAC America also objects to this request on the grounds that it is vague and
16 ambiguous. In addition, TEAC America objects to this request on the grounds that it is outside
17 the limited scope of permissible discovery topics listed in the Court's December 8, 2004 Case
18 Management Order. TEAC America further objects to this request to the extent that it seeks
19 information that is protected by the attorney-client privilege and/or the work product doctrine.

20 **REQUEST NO. 41:**

21 All documents relating to the statement in the Ho Declaration that "[s]ignificant design
22 changes will have to be made before the chip can be released into mass production."

23 **RESPONSE TO REQUEST NO. 41:**

24 TEAC America objects to this request to the extent that it is overbroad, unduly
25 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
26 evidence. TEAC America also objects to this request on the grounds that it is vague and
27 ambiguous. In addition, TEAC America objects to this request on the grounds that it is outside
28 the limited scope of permissible discovery topics listed in the Court's December 8, 2004 Case

1 Management Order. TEAC America further objects to this request to the extent that it seeks
2 information that is protected by the attorney-client privilege and/or the work product doctrine.

3 **REQUEST NO. 42:**

4 All documents relating to the statement in the Ho Declaration that “[m]any of these
5 problems can only be corrected by making changes to the RTL code, which can be a tedious and
6 time consuming process.”

7 **RESPONSE TO REQUEST NO. 42:**

8 TEAC America objects to this request to the extent that it is overbroad, unduly
9 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
10 evidence. TEAC America also objects to this request on the grounds that it is vague and
11 ambiguous. In addition, TEAC America objects to this request on the grounds that it is outside
12 the limited scope of permissible discovery topics listed in the Court’s December 8, 2004 Case
13 Management Order. TEAC America further objects to this request to the extent that it seeks
14 information that is protected by the attorney-client privilege and/or the work product doctrine.

15 **REQUEST NO. 43:**

16 All documents relating to the statement in the Ho Declaration that “[a]lthough, MediaTek
17 has scheduled the release of the MT1888 into mass production by second quarter of 2005, this
18 release date, like many in the industry, is very aggressive considering the significant design
19 changes which need to be made to the chip. Thus, the MT1888 will certainly not be available on
20 the market until second quarter 2005 at the very earliest.”

21 **RESPONSE TO REQUEST NO. 43:**

22 TEAC America objects to this request to the extent that it is overbroad, unduly
23 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
24 evidence. TEAC America also objects to this request on the grounds that it is vague and
25 ambiguous. In addition, TEAC America objects to this request on the grounds that it is outside
26 the limited scope of permissible discovery topics listed in the Court’s December 8, 2004 Case
27 Management Order. TEAC America further objects to this request to the extent that it seeks
28 information that is protected by the attorney-client privilege and/or the work product doctrine.

1 **REQUEST NO. 44:**

2 All documents, including, but not limited to the actual design documents, relating to the
3 statement in the Ho Declaration that “[a]ny design documents dated before first quarter of 2004
4 reflect a design for the MT1888 that was abandoned and changed significantly during the
5 ongoing development process of the MT1888.”

6 **RESPONSE TO REQUEST NO. 44:**

7 TEAC America objects to this request to the extent that it is overbroad, unduly
8 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
9 evidence. TEAC America also objects to this request on the grounds that it is vague and
10 ambiguous. In addition, TEAC America objects to this request on the grounds that it is outside
11 the limited scope of permissible discovery topics listed in the Court’s December 8, 2004 Case
12 Management Order. TEAC America further objects to this request to the extent that it seeks
13 information that is protected by the attorney-client privilege and/or the work product doctrine.

14 **REQUEST NO. 45:**

15 All documents sufficient to show Respondents’ first knowledge of the Patents-in-Suit.

16 **RESPONSE TO REQUEST NO. 45:**

17 TEAC America objects to this request to the extent that it is overbroad, unduly
18 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
19 evidence. TEAC America also objects to this request on the grounds that it is vague and
20 ambiguous. In addition, TEAC America objects to this request to the extent that it is outside the
21 limited scope of permissible discovery topics listed in the Court’s December 8, 2004 Case
22 Management Order. TEAC America further objects to this request to the extent that it seeks
23 information that is protected by the attorney-client privilege and/or the work product doctrine.

24 **REQUEST NO. 46:**

25 All documents relating to the amounts that TEAC America has budgeted or set-aside for
26 payment of potential future damages or license payments to Plaintiffs with respect to the Patents-
27 in-Suit.

28

1 **RESPONSE TO REQUEST NO. 46:**

2 TEAC America objects to this request to the extent that it is overbroad, unduly
3 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
4 evidence. TEAC America also objects to this request on the grounds that it is vague and
5 ambiguous. In addition, TEAC America objects to this request on the grounds that it is outside
6 the limited scope of permissible discovery topics listed in the Court's December 8, 2004 Case
7 Management Order. TEAC America further objects to this request to the extent that it seeks
8 information that is protected by the attorney-client privilege and/or the work product doctrine.

9 **REQUEST NO. 47:**

10 All documents relating to any agreements (whether formal or informal, oral or written)
11 between MediaTek and any of its customers, including, but not limited to, TEAC America,
12 regarding the Patents-in-Suit, Plaintiffs' action against TEAC America for infringement of the
13 Patents-in-Suit, the defense of this action, the settlement of this action, or any potential license
14 by Plaintiffs to MediaTek or its customers under any of the Patents-in-Suit, including any
15 agreement or contract to share the costs of MediaTek's and/or TEAC America's defense or to
16 indemnify or pay to MediaTek and/or TEAC America all or any part of any damages that might
17 be awarded to Plaintiffs in any such action, and any communications between MediaTek and any
18 of its customers regarding such agreements.

19 **RESPONSE TO REQUEST NO. 47:**

20 TEAC America objects to this request to the extent that it is overbroad, unduly
21 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
22 evidence. TEAC America also objects to this request on the grounds that it is outside the limited
23 scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management
24 Order. TEAC America further objects to this request to the extent that it seeks information that
25 is protected by the attorney-client privilege and/or the work product doctrine.

26 **REQUEST NO. 48:**

27 All documents relating to agreements (whether formal or informal, oral or written) and
28 communications between MediaTek and any other company that Plaintiffs have charged with

1 infringement of any of the Patents-in-Suit or against which Plaintiffs have commenced any
2 action for infringement of any of the Patents-in-Suit regarding the Patents-in-Suit, the offer or
3 acceptance of any license under the Patents-in-Suit, or the defense or settlement of any action for
4 infringement of the Patents-in-Suit, including the terms of any such agreements and MediaTek's
5 and/or TEAC America's activities in connection with such agreements.

6 **RESPONSE TO REQUEST NO. 48:**

7 TEAC America objects to this request to the extent that it is overbroad, unduly
8 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
9 evidence. TEAC America also objects to this request on the grounds that it is vague and
10 ambiguous. In addition, TEAC America objects to this request on the grounds that it is outside
11 the limited scope of permissible discovery topics listed in the Court's December 8, 2004 Case
12 Management Order. TEAC America further objects to this request to the extent that it seeks
13 information that is protected by the attorney-client privilege and/or the work product doctrine.

14 **REQUEST NO. 49:**

15 All documents relating to all joint defense or common interest agreements between
16 TEAC America and any other respondent(s) in these proceedings that relate to these proceedings.

17 **RESPONSE TO REQUEST NO. 49:**

18 TEAC America objects to this request to the extent that it is overbroad, unduly
19 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
20 evidence. TEAC America also objects to this request on the grounds that it is vague and
21 ambiguous with respect to the term "these proceedings" and "respondent(s)." In addition, TEAC
22 America objects to this request on the grounds that it is outside the limited scope of permissible
23 discovery topics listed in the Court's December 8, 2004 Case Management Order. TEAC
24 America further objects to this request to the extent that it seeks information that is protected by
25 the attorney-client privilege and/or the work product doctrine.

26 **REQUEST NO. 50:**

27 All documents relating to MediaTek's efforts to purchase or acquire some of all of Oak
28 Technology, Inc.'s patent portfolio, including, but not limited to, the Patents-in-Suit.

1 **RESPONSE TO REQUEST NO. 50:**

2 TEAC America objects to this request to the extent that it is overbroad, unduly
3 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
4 evidence. TEAC America also objects to this request on the grounds that it is outside the limited
5 scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management
6 Order. TEAC America further objects to this request to the extent that it seeks information that
7 is protected by the attorney-client privilege and/or the work product doctrine.

8 **REQUEST NO. 51:**

9 All documents relating to any established policy, guideline, procedure, or program within
10 TEAC America relating to the licensing of patents or other intellectual property (either as the
11 licensor or as the licensee).

12 **RESPONSE TO REQUEST NO. 51:**

13 TEAC America objects to this request to the extent that it is overbroad, unduly
14 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
15 evidence. TEAC America also objects to this request on the grounds that it is outside the limited
16 scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management
17 Order. TEAC America further objects to this request to the extent that it seeks information that
18 is protected by the attorney-client privilege and/or the work product doctrine.

19 **REQUEST NO. 52:**

20 All documents relating to TEAC America's capital costs and other borrowing costs
21 during the period April 8, 2003 to the present.

22 **RESPONSE TO REQUEST NO. 52:**

23 TEAC America objects to this request to the extent that it is overbroad, unduly
24 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
25 evidence. TEAC America also objects to this request on the grounds that it is outside the limited
26 scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management
27 Order.

28

1 **REQUEST NO. 53:**

2 Documents sufficient to show TEAC America's accounting and other business methods,
3 forms, reports and terminology for compiling, maintaining, recording and analyzing financial
4 data from April 8, 2003 to the present, including those relating to plans, budgets, forecasts,
5 standard costs, actual results, and financial reports on a company-wide basis for specific products
6 or product lines, and for specific accounts, contracts or customers.

7 **RESPONSE TO REQUEST NO. 53:**

8 TEAC America objects to this request to the extent that it is overbroad, unduly
9 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
10 evidence. TEAC America also objects to this request on the grounds that it is vague and
11 ambiguous. In addition, TEAC America objects to this request on the grounds that it is outside
12 the limited scope of permissible discovery topics listed in the Court's December 8, 2004 Case
13 Management Order.

14 Subject to and without waiving these objections, TEAC America responds that it is
15 willing to meet and confer with Plaintiffs in an effort to understand the intended scope of this
16 request and to provide documents relevant to this action.

17 **REQUEST NO. 54:**

18 All documents relating TEAC America's rate of return on invested capital and TEAC
19 America's net income or net profits during the period April 8, 2003 to the present.

20 **RESPONSE TO REQUEST NO. 54:**

21 TEAC America objects to this request to the extent that it is overbroad, unduly
22 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
23 evidence. TEAC America also objects to this request on the grounds that it is outside the limited
24 scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management
25 Order.

26 Subject to and without waiving these objections, TEAC America responds that it is
27 willing to meet and confer with Plaintiffs in an effort to understand the intended scope of this
28 request and to provide documents relevant to this action.

1 **REQUEST NO. 55:**

2 All documents relating to the rate of return on invested capital and the net income or net
3 profits typically earned by manufacturers and sellers of optical storage controller chips and
4 chipsets during the period April 8, 2003 to the present.

5 **RESPONSE TO REQUEST NO. 55:**

6 TEAC America objects to this request to the extent that it is overbroad, unduly
7 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
8 evidence. TEAC America also objects to this request on the grounds that it is outside the limited
9 scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management
10 Order.

11 **REQUEST NO. 56:**

12 All documents relating to TEAC America's net income and net profits for its optical
13 storage controller chips and chipsets during the period April 8, 2003 to the present.

14 **RESPONSE TO REQUEST NO. 56:**

15 TEAC America objects to this request to the extent that it is overbroad, unduly
16 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
17 evidence.

18 Subject to and without waiving these objections, TEAC America responds that it is
19 willing to meet and confer with Plaintiffs in an effort to understand the intended scope of this
20 request and to provide documents relevant to this action.

21 **REQUEST NO. 57:**

22 All documents relating to the identity of any optical storage controller chips and chipsets
23 that have competed with MediaTek's optical storage controller chips and chipsets since April 8,
24 2003.

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1 **RESPONSE TO REQUEST NO. 57:**

2 TEAC America objects to this request to the extent that it is overbroad, unduly
3 burdensome, oppressive and not reasonably calculated to lead to the discovery of admissible
4 evidence. TEAC America also objects to this request on the grounds that it is outside the limited
5 scope of permissible discovery topics listed in the Court's December 8, 2004 Case Management
6 Order.

7
8 Dated: May 23, 2005

Respectfully submitted,

9 WILSON SONSINI GOODRICH & ROSATI
10 Professional Corporation

11 By: 

12 Michael A. Ladra, Esq.
13 James C. Otteson, Esq.
14 Susan A. Callender, Esq.
15 Jerry Chen, Esq.

16 Attorneys for Defendants
17 MEDIATEK, INC., MEDIATEK, INC.,
18 MINTEK DIGITAL, INC., TERAPIN
19 TECHNOLOGY PTE., LTD. CORPORATION,
20 TERAOPTIX L.P. d/b/a TERAPIN
21 TECHNOLOGY, AUDIOVOX
22 CORPORATION, INITIAL TECHNOLOGY,
23 CHANGZHOU SHINCO DIGITAL
24 TECHNOLOGY CO., LTD., SHINCO
25 INTERNATIONAL AV CO., ULTIMA
26 ELECTRONICS CORP., ASUSTEK
27 COMPUTER, INC., LITE-ON IT CORP.,
28 TEAC CORPORATION, TEAC AMERICA,
INC., ATRONIX TECHNOLOGY, INC.,
ASUS COMPUTER INTERNATIONAL, INC.,
EPO SCIENCE AND TECHNOLOGY CO.,
INC., MICRO-STAR INTERNATIONAL CO.,
LTD., and MSI COMPUTER CORP.

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Of Counsel for Defendants
TEAC CORP., TEAC AMERICA, INC.

CERTIFICATE OF SERVICE

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I, Virginia Mendoza, declare:

I am employed in Santa Clara County. I am over the age of 18 years and not a party to the within action. My business address is Wilson Sonsini Goodrich & Rosati, 650 Page Mill Road, Palo Alto, California 94304-1050. I am readily familiar with Wilson Sonsini Goodrich & Rosati's practice for collection and processing of correspondence for same-day delivery by messenger. In the ordinary course of business, correspondence would be consigned to a messenger service on this date.

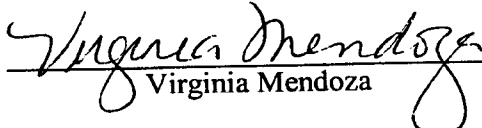
On this date, I caused to be personally served

1. **TEAC AMERICA'S RESPONSE TO PLAINTIFFS' SECOND SET OF DOCUMENT REQUESTS TO DEFENDANT TEAC AMERICA, INC.**

on the person(s) listed below by placing the document(s) described above in an envelope addressed as indicated below, which I sealed. I consigned the envelope(s) to a messenger for hand delivery by placing it/them for collection and processing on this day, following ordinary business practices at Wilson Sonsini Goodrich & Rosati.

Mark Fowler, Esq.
DLA Piper Rudnick Gray Cary US LLP
2000 University Avenue
East Palo Alto, CA 94304

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Palo Alto, California on May 23, 2005.


Virginia Mendoza