

Part 4  
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

20 ZORAN CORPORATION and OAK )  
 TECHNOLOGY, INC., )  
 21 )  
 Plaintiffs, )  
 22 )  
 v. )  
 23 )  
 24 MEDiatek, INC., MINTEK DIGITAL, INC., )  
 TERAPIN TECHNOLOGY PTE., LTD. )  
 CORPORATION, TERAOPTIX L.P. d/b/a )  
 25 TERAPIN TECHNOLOGY, AUDIOVOX )  
 CORPORATION, INITIAL TECHNOLOGY, )  
 26 CHANGZHOU SHINCO DIGITAL )  
 TECHNOLOGY CO., LTD., SHINCO )  
 27 INTERNATIONAL AV CO., AND ULTIMA )  
 ELECTRONICS CORP., )  
 28 )  
 Defendants.

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

MICRO-STAR'S RESPONSE TO  
 PLAINTIFFS' FIRST SET OF  
 DOCUMENT REQUESTS TO  
 DEFENDANT MICRO-STAR  
 INTERNATIONAL CO., LTD.  
 CONFIDENTIAL BUSINESS  
 INFORMATION - SUBJECT TO  
 PROTECTIVE ORDER

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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 Micro-Star International Co., Ltd. ("Micro-Star") objects and responds to Plaintiffs and  
Counter-Defendants Zoran Corporation's and Oak Technology, Inc.'s (collectively "Plaintiffs")  
First Set of Document Requests.

**RESPONSES TO DOCUMENT REQUESTS**

Micro-Star incorporates by reference the General Objections set forth in Micro-Star's  
Responses to Plaintiffs' First Set of Interrogatories to Micro-Star International Co., Ltd.

1 **GENERAL OBJECTION NO. 1:**

2 Micro-Star 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 Micro-  
6 Star, which are maintained at Micro-Star's offices in Jung-He City, Taiwan. Production of said  
7 documents for inspection and copying at a place other than those offices could seriously disrupt  
8 Micro-Star's business.

9 Without waiving the foregoing objections, Micro-Star 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 Micro-Star objects to the Requests, and to each and every individual request contained  
14 therein, to the extent that they seek documents or information protected by the attorney-client  
15 privilege, or for the work product of Micro-Star's attorneys, or for otherwise privileged material.  
16 Any inadvertent disclosure of such information shall not be deemed a waiver of the attorney-  
17 client privilege, the work product doctrine, or any other applicable privilege or immunity  
18 recognized by statute or case law.

19 **GENERAL OBJECTION NO. 3:**

20 Micro-Star objects to each request as unduly burdensome and oppressive to the extent  
21 that it purports to require Micro-Star to search Micro-Star facilities and inquire of Micro-Star  
22 employees other than those facilities and employees that would reasonably be expected to have  
23 responsive information. Micro-Star's responses are based upon (1) a reasonable search, given  
24 the time allotted to Micro-Star to respond to the requests, of facilities and files that could  
25 reasonably be expected to contain responsive information, and (2) inquiries of Micro-Star  
26 employees and/or representatives who could reasonably be expected to possess responsive  
27 information. The subject matter of these requests is under continuing investigation. Further,  
28 Defendant Micro-Star is located in Jung-He City, Taiwan. Consequently, communication

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

10 **GENERAL OBJECTION NO. 4:**

11 Micro-Star objects to the Requests, and to each and every individual request contained  
12 therein, to the extent they require Micro-Star to search for and reveal privileged information  
13 from its, and its attorneys' litigation files pertaining to the litigation. Micro-Star will not  
14 schedule on its privilege log any attorney-client privileged materials or materials protected by the  
15 attorney work product doctrine created on or after March 15, 2004 when Plaintiffs filed the  
16 Complaint in the Central District of California alleging infringement of United States Patent Nos.  
17 6,446,736 ("the '736 patent"), 6,584,527 ("the '527 patent") and 6,546,440 ("the '440 patent").

18 **GENERAL OBJECTION NO. 5:**

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

26 **GENERAL OBJECTION NO. 6:**

27 Micro-Star objects to each and every request to the extent that it calls for information that  
28 is confidential or proprietary to, or the trade secrets of, a third party. Each such request is

1 overbroad, unduly burdensome, oppressive and seeks to impose obligations beyond those  
2 permitted by the Federal Rules of Civil Procedure and Civil Local Rules. Micro-Star will only  
3 produce such material subject to the terms of the Protective Order.

4 **GENERAL OBJECTION NO. 7:**

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

11 **GENERAL OBJECTION NO. 8:**

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

15 **GENERAL OBJECTION NO. 9:**

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

22 **GENERAL OBJECTION NO. 10:**

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

26 **GENERAL OBJECTION NO. 11:**

27 Micro-Star 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 Micro-Star 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. Micro-Star will construe the terms “Defendant” or “Micro-Star” to  
5 mean Micro-Star International Co., Ltd. Micro-Star will construe the term “MediaTek” to mean  
6 MediaTek, Inc.

7 **GENERAL OBJECTION NO. 13:**

8 Micro-Star objects to Definition (5) on the grounds that the term “accused product” is  
9 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 Micro-Star 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. Micro-Star also objects to the extent  
15 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 Micro-Star objects to Definition (12) on the grounds that it is vague, ambiguous,  
19 overbroad, unduly burdensome, oppressive and harassing. Micro-Star will construe the phrase  
20 “relate” or “refer” wherever used in the requests to call for documents or other information that  
21 directly discuss or concern a particular topic.

22 **GENERAL OBJECTION NO. 16:**

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

27 **RESPONSES TO DOCUMENT REQUESTS**

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

5           Micro-Star further notes that to the extent that Micro-Star intends to limit any response  
6 based on a specific objection, Micro-Star will clearly set forth such limitation in its response.

7           **REQUEST NO. 1:**

8           All documents relating to any analyses, studies, or opinions regarding the validity or  
9 invalidity of the Patent-in-Suit, whether or not tending to support or undermine the validity  
10 thereof.

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

12           Micro-Star objects to this Request to the extent that it is overbroad, unduly burdensome,  
13 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
14 Star also objects to this request on the grounds that it is outside the limited scope of permissible  
15 discovery topics listed in the Court's December 8, 2004 Case Management Order. Micro-Star  
16 further objects to this Request to the extent that it seeks information that is protected by the  
17 attorney-client privilege and/or the work product doctrine. Micro-Star emphasizes that its  
18 investigation into the facts sought by this request is ongoing, and Micro-Star reserves the right to  
19 supplement or modify its response as it discovers additional information.

20           Subject to and without waiving these objections, Micro-Star responds that it has already  
21 provided the responsive information in the current ITC investigation. *See* Micro-Star's  
22 Supplemental Response to Complainants' First Set of Interrogatories No. 11, Respondents'  
23 Amended Identification of Prior Art and Respondents' invalidity expert reports served in ITC  
24 Investigation No. 337-TA-506.

25           **REQUEST NO. 2:**

26           All documents relating to any analyses, studies, or opinions regarding infringement or  
27 non-infringement of the Patent-in-Suit, whether or not tending to support or undermine Micro-  
28 Star's infringement thereof.



1 **RESPONSE TO REQUEST NO. 2:**

2 Micro-Star objects to this Request to the extent that it is overbroad, unduly burdensome,  
3 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
4 Star also objects to this request on the grounds that it is outside the limited scope of permissible  
5 discovery topics listed in the Court's December 8, 2004 Case Management Order. Micro-Star  
6 further objects to this Request to the extent that it seeks information that is protected by the  
7 attorney-client privilege and/or the work product doctrine. Micro-Star emphasizes that its  
8 investigation into the facts sought by this request is ongoing, and Micro-Star reserves the right to  
9 supplement or modify its response as it discovers additional information.

10 Subject to and without waiving these objections, Micro-Star responds that it has already  
11 provided the responsive information in the current ITC investigation. *See* Respondents' non-  
12 infringement expert reports served in ITC Investigation No. 337-TA-506.

13 **REQUEST NO. 3:**

14 All documents relating to any analyses, studies, or opinions regarding the enforceability  
15 or unenforceability of the Patent-in-Suit, whether or not tending to support or undermine the  
16 enforceability thereof.

17 **RESPONSE TO REQUEST NO. 3:**

18 Micro-Star objects to this Request to the extent that it is overbroad, unduly burdensome,  
19 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
20 Star also objects to this request on the grounds that it is outside the limited scope of permissible  
21 discovery topics listed in the Court's December 8, 2004 Case Management Order. Micro-Star  
22 further objects to this Request to the extent that it seeks information that is protected by the  
23 attorney-client privilege and/or the work product doctrine. Micro-Star emphasizes that its  
24 investigation into the facts sought by this request is ongoing, and Micro-Star reserves the right to  
25 supplement or modify its response as it discovers additional information.

26 Subject to and without waiving these objections, Micro-Star responds that it has already  
27 provided the responsive information in the current ITC investigation. *See* Micro-Star's  
28 Supplemental Response to Complainants' First Set of Interrogatories No. 11, Respondents'

1 Amended Identification of Prior Art and Respondents' invalidity expert reports served in ITC  
2 Investigation No. 337-TA-506.

3 **REQUEST NO. 4:**

4 Annual, quarterly, and monthly Documents for April 8, 2003 to the present from which  
5 the following may be determined for Micro-Star's sales of accused products in the United States:

- 6 a. Gross revenues
- 7 b. Discounts
- 8 c. Net revenues
- 9 d. Cost of goods sold
- 10 e. Gross profit
- 11 f. Operating expenses
- 12 g. Operating profit
- 13 h. Net profit
- 14 i. Contribution margin
- 15 j. Allocated overhead expenses and/or other allocated expenses
- 16 k. Other sales, general, and administrative expenses

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

18 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
19 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
20 Star also objects to this request on the grounds that it is duplicative and unnecessary. Micro-Star  
21 further objects to this request as vague and ambiguous, particularly with respect to the following  
22 undefined terms "gross revenues," "discounts," "net revenues," "cost of goods sold," "gross  
23 profits," "operating expenses," "net profit," "contribution margin," "allocated overhead expenses  
24 and/or other allocated expenses."

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

1 **REQUEST NO. 5:**

2 For the period between April 8, 2003 and the present, documents sufficient to show gross  
3 and net sales revenues and number of units sold: (1) by customer account; (2) by month, quarter,  
4 and year; and (3) by product/part number for sales of accused products.

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

6 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
7 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
8 Star also objects to this request on the grounds that it is duplicative and unnecessary. Micro-Star  
9 emphasizes that its investigation into the facts sought by this request is ongoing, and Micro-Star  
10 reserves the right to supplement or modify its response as it discovers additional information.

11 Subject to and without waiving these objections, Micro-Star responds that it has provided  
12 the responsive information in the current ITC investigation. *See* Micro-Star 's ITC production  
13 with Bates ranges: MICROSTAR-ITC-000137 to MICROSTAR-ITC-000240.

14 **REQUEST NO. 6:**

15 Documents that list all customers that received accused products for sale or other  
16 distribution in the United States from April 8, 2003 to the present, including customer account  
17 number, name, full address, customer key contact person, and any Micro-Star entity or employee  
18 servicing the account.

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

20 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
21 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
22 Star also objects to this request as duplicative. Micro-Star emphasizes that its investigation into  
23 the facts sought by this request is ongoing, and Micro-Star reserves the right to supplement or  
24 modify its response as it discovers additional information.

25 Subject to and without waiving the foregoing objections, Micro-Star responds that it has  
26 already provided the information sought by this request in the current ITC investigation. *See*  
27 Micro-Star 's Response to Complainants' First Set of Interrogatories No. 4 as well as its ITC  
28 production with Bates ranges: MICROSTAR-ITC-000137 to Micro-Star-ITC-000240.

1 **REQUEST NO. 7:**

2 For April 8, 2003 to the present, all quarterly and annual income statements, balance  
3 sheets, and cash flow statements prepared in the normal course of business for all Micro-Star  
4 divisions, business units, affiliates, subsidiaries, and/ or product lines responsible for the design,  
5 procurement, and sale of accused products.

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

7 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
8 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
9 Star also objects to this request on the grounds that it is duplicative and unnecessary. Micro-Star  
10 emphasizes that its investigation into the facts sought by this request is ongoing, and Micro-Star  
11 reserves the right to supplement or modify its response as it discovers additional information.

12 Subject to and without waiving these objections, Micro-Star responds that it has already  
13 provided the information sought by this request in the current ITC investigation. *See*  
14 MICROSTAR-ITC-000002 to MICROSTAR-ITC-000105.

15 **REQUEST NO. 8:**

16 Documents referring or relating to the fixed versus variable nature of the following costs  
17 and/or expenses associated with the accused products:

- 18 a. Cost of goods sold (including, but not limited to, standard material, standard  
19 labor, standard overhead, and variances thereof);
- 20 b. Product procurement costs not included in cost of goods sold as recorded by  
21 Micro-Star;
- 22 c. Operating Expenses (including, but not limited to, selling, general, and  
23 administrative expenses and all direct and/or allocated costs).

24 **RESPONSE TO REQUEST NO. 8:**

25 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
26 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
27 Star also objects to this request on the grounds that it is duplicative and unnecessary. Micro-Star  
28 further objects to this request as vague and ambiguous. Micro-Star emphasizes that its

1 investigation into the facts sought by this request is ongoing, and Micro-Star reserves the right to  
2 supplement or modify its response as it discovers additional information.

3 Subject to and without waiving these objections, Micro-Star responds that it is willing to  
4 meet and confer with Plaintiffs in an effort to understand the intended scope of this request and  
5 to provide documents relevant to this action.

6 **REQUEST NO. 9:**

7 All documents referring or relating to Micro-Star's annual research and development  
8 expenditures incurred in connection with the accused products from initial conception to date.

9 **RESPONSE TO REQUEST NO. 9:**

10 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
11 oppressive, vague and not reasonably calculated to lead to the discovery of admissible evidence.  
12 Micro-Star further objects to this request as vague and ambiguous with respect to the term  
13 "initial conception."

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

17 **REQUEST NO. 10:**

18 All documents referring or relating to anticipated sales units and/or revenues and/or  
19 profits for the accused products and all Micro-Star products typically sold in conjunction  
20 therewith, generated by Micro-Star or other parties on behalf of Micro-Star from April 8, 2003 to  
21 the present including, but not limited to: pro-forma estimates, projections, forecasts, budgets,  
22 marketing plans, strategic plans, and capital expenditure plans or requests.

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

24 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
25 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
26 Star further objects to this request on the grounds that it is vague and ambiguous, particularly  
27 with respect to the undefined terms "anticipated sales units and/or revenues and/or profits" and  
28 "products typically sold."

1 Subject to and without waiving these objections, Micro-Star responds that it is willing to  
2 meet and confer with Plaintiffs in an effort to understand the intended scope of this request and  
3 to provide documents relevant to this action.

4 **REQUEST NO. 11:**

5 All documents generated by Micro-Star or third parties referring or relating to the  
6 market(s) for the accused products, including, but not limited to, documents describing the size,  
7 structure, and composition of the market(s) for the accused products, and Micro-Star's actual and  
8 anticipated market share in said market(s).

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

10 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
11 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
12 Star further objects to this request on the grounds that it is vague and ambiguous.

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

16 **REQUEST NO. 12:**

17 All documents generated by Micro-Star or third parties referring or relating to  
18 competitors in the market(s) for PC optical storage devices, including, but not limited to,  
19 competitor sales data, distribution networks, customer relationships, strengths and weaknesses,  
20 and other competitor information.

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

22 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
23 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
24 Star further objects to this request on the grounds that it is vague and ambiguous.

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

28

1 **REQUEST NO. 13:**

2 All Documents generated by Micro-Star or third parties referring or relating to any  
3 relationships that do or may exist between sales of the accused products and sales of other  
4 Micro-Star products.

5 **RESPONSE TO REQUEST NO. 13:**

6 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
7 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
8 Star further objects to this request on the grounds that it is vague and ambiguous.

9 Subject to and without waiving these objections, Micro-Star responds that it is willing to  
10 meet and confer with Plaintiffs in an effort to understand the relevance of this request as well as  
11 the intended scope of this request.

12 **REQUEST NO. 14:**

13 All Micro-Star product catalogs, brochures, correspondence, training guides, user or  
14 operator manuals, advertisements, and promotional materials that discuss, mention, refer to,  
15 feature, or describe the accused products.

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

17 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
18 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
19 Star also objects to this request on the grounds that it is outside the limited scope of permissible  
20 discovery topics listed in the Court's December 8, 2004 Case Management Order. Micro-Star  
21 further objects to this request on the grounds that it is vague and ambiguous.

22 **REQUEST NO. 15:**

23 All documents referring or relating to interactions between Micro-Star and actual or  
24 potential customers for the Accused products, including but not limited to: quotations,  
25 acknowledgements, correspondence, bids, proposals, demonstrations, sales calls reports, meeting  
26 notes, invoices, purchase orders, bills of lading and agreements.

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

2 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
3 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
4 Star also objects to this request on the grounds that it is duplicative and unnecessary. Micro-Star  
5 further objects to this request on the grounds that it is vague and ambiguous with respect to the  
6 term "interactions."

7 Subject to and without waiving these objections, Micro-Star responds that it is willing to  
8 meet and confer with Plaintiffs in an effort to understand the relevance of this request as well as  
9 the intended scope of this request.

10 **REQUEST NO. 16:**

11 All documents sufficient to show any serial numbers for any of the accused products and  
12 the present location or disposition of any such serial numbered accused products.

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

14 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
15 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
16 Star also objects to this request on the grounds that it is outside the limited scope of permissible  
17 discovery topics listed in the Court's December 8, 2004 Case Management Order. Micro-Star  
18 further objects to this request on the grounds that it is vague and ambiguous particularly with  
19 respect to the term "serial number."

20 **REQUEST NO. 17:**

21 All price lists or pricing schedules issued or developed by Micro-Star and its distributors  
22 for the Accused products from October 15, 2002 to the present.

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

24 Micro-Star objects to this request on the grounds that it seeks information that is not  
25 relevant to any of the claims or defenses that have been asserted in this lawsuit and that cannot  
26 reasonably be calculated to lead to the discovery of admissible evidence. Micro-Star objects to  
27 this request to the extent that it is overbroad, unduly burdensome and oppressive.  
28



1 Subject to and without waiving these objections Micro-Star responds that it has produced  
2 related pricing information responsive to this request. See Micro-Star's ITC production with  
3 Bates ranges: MICROSTAR-ITC-000137 to MICROSTAR-ITC-000240.

4 **REQUEST NO. 18:**

5 All documents referring or relating to Micro-Star's determination of prices for accused  
6 products in competitive situations where Zoran or other third parties were bidding or otherwise  
7 competing for the same customer business.

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

9 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
10 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
11 Star also objects to this request as vague and ambiguous.

12 Subject to and without waiving these objections, Micro-Star responds that it is willing to  
13 meet and confer with Plaintiffs in an effort to understand the intended scope of this request.

14 **REQUEST NO. 19:**

15 All licenses entered into by Micro-Star for patents or technology relating to PC optical  
16 storage devices as well as all documents including, correspondence, memoranda, and work  
17 papers, generated by Micro-Star or others referring or relating to the negotiation of the above  
18 licensing agreements.

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

20 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
21 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
22 Star also objects to this request to the extent that it seeks information that is protected by the  
23 attorney-client privilege and/or the work product doctrine.

24 Subject to and without waiving these objections, Micro-Star responds that it is willing to  
25 produce one copy of the license agreements entered into by Micro-Star that relate to the specific  
26 features and functionality of the asserted patents to the extent that they exist and have not already  
27 been produced.

28

1 **REQUEST NO. 20:**

2 All documents, including correspondence, memoranda, and work papers, generated by  
3 Micro-Star or others referring or relating to the negotiation of unconsummated licenses for  
4 patents or technology relating to PC optical storage devices.

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

6 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
7 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
8 Star also objects to this request to the extent that it seeks information that is protected by the  
9 attorney-client privilege and/or the work product doctrine.

10 **REQUEST NO. 21:**

11 All documents referring or relating to Micro-Star policies, procedures, or guidelines in  
12 instances where Micro-Star has sought (or will seek) intellectual property licenses either as the  
13 licensor or the licensee.

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

15 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
16 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
17 Star also objects to this request to the extent that it seeks information that is protected by the  
18 attorney-client privilege and/or the work product doctrine. Micro-Star emphasizes that its  
19 investigation into the facts sought by this request is ongoing, and Micro-Star reserves the right to  
20 supplement or modify its response as it discovers additional information.

21 Subject to and without waiving these objections, Micro-Star responds that it will produce  
22 non-privileged documents responsive to this Request to the extent that they exist.

23 **REQUEST NO. 22:**

24 All documents in Micro-Star's possession that refer or relate to specific intellectual  
25 property licenses in the PC optical storage device industry and/or to customary licensing  
26 practices or norms in said industries.

27

28

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

2 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
3 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
4 Star also objects to this request to the extent that it seeks information that is protected by the  
5 attorney-client privilege and/or the work product doctrine. Micro-Star further objects to this  
6 request as vague and ambiguous.

7 **REQUEST NO. 23:**

8 All shipping records, bills of lading, purchase orders and invoices which show the first  
9 date on which Micro-Star or a third party (whether or not controlled by Micro-Star): (1) first  
10 commenced and completed the design of each accused product; (2) first commenced and  
11 completed the development of each accused product; (3) manufactured each accused product; (4)  
12 offered for sale each accused product; (5) sold each accused product and (6) distributed each  
13 accused product.

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

15 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
16 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
17 Star also objects to this request on the grounds that it is outside the limited scope of permissible  
18 discovery topics listed in the Court's December 8, 2004 Case Management Order. Micro-Star  
19 further objects to this request on the grounds that it is compound, duplicative and unnecessary.  
20 Micro-Star emphasizes that its investigation into the facts sought by this request is ongoing, and  
21 Micro-Star reserves the right to supplement or modify its response as it discovers additional  
22 information.

23 Subject to and without waiving these objections, Micro-Star responds that it has provided  
24 the responsive information in the current ITC investigation. See Micro-Star's Response to  
25 Complainants' First Set of Interrogatories No. 6.

26 **REQUEST NO. 24:**

27 All documents concerning any communications within Micro-Star, or between Micro-  
28 Star and any other entity, concerning: (a) Micro-Star's continued use of MediaTek chips in any

1 accused product, or (b) Micro-Star's use of any controller chips other than those manufactured  
2 by MediaTek in any accused products, as a result of this litigation.

3 **RESPONSE TO REQUEST NO. 24:**

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

11 **REQUEST NO. 25:**

12 All documents referring or relating to Micro-Star's receipt and/or purchase of accused  
13 products in the United States from any supplier, reseller, importer and/or distributor for the  
14 period between April 8, 2003 and the present.

15 **RESPONSE TO REQUEST NO. 25:**

16 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
17 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
18 Star also objects to this request on the grounds that it is vague and ambiguous.

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

22 **REQUEST NO. 26:**

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

26 **RESPONSE TO REQUEST NO. 26:**

27 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
28 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-

1 Star also objects to this request to the extent that it is outside the limited scope of permissible  
2 discovery topics listed in the Court's December 8, 2004 Case Management Order. Micro-Star  
3 further objects to this request to the extent that it seeks information that is protected by the  
4 attorney-client privilege and/or the work product doctrine.

5 **REQUEST NO. 27:**

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

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

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

14 **REQUEST NO. 28:**

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

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

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

23 **REQUEST NO. 29:**

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

27

28

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

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

8 **REQUEST NO. 30:**

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

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

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

17 **REQUEST NO. 31:**

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

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

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

28

1 **REQUEST NO. 32:**

2 All internal Micro-Star communications relating to any design changes or proposed  
3 design changes, including, but not limited to, the MT1888, to avoid or in light of the Patents-in-  
4 Suit.

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

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

12 **REQUEST NO. 33:**

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

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

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

24 **REQUEST NO. 34:**

25 All documents relating to MediaTek's communication with any customers or potential  
26 customers, including, but not limited to, Micro-Star, regarding any design, redesign, or  
27 modification of any design of any existing or new product, including but not limited to, the  
28 MT1888, to avoid or in light of any claims of the Patents-in-Suit.

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

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

8 **REQUEST NO. 35:**

9 All documents relating to the actual or anticipated release and mass production of the  
10 MT1888.

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

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

16 **REQUEST NO. 36:**

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

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

20 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
21 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
22 Star also 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. Micro-Star  
24 also objects to this request on the grounds that it is vague and ambiguous.

25 **REQUEST NO. 37:**

26 All documents relating to MediaTek's communication with any customers or potential  
27 customers, including, but not limited to, Micro-Star, regarding the MT1888.

28



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

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

8 **REQUEST NO. 38:**

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

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

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

19 **REQUEST NO. 39:**

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

22 **RESPONSE TO REQUEST NO. 39:**

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

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

3 **REQUEST NO. 40:**

4 All documents relating to the statement in the Ho Declaration that “my engineers are still  
5 in the design process and have, to date, identified between 90-100 problems with the chip, which  
6 will need to be corrected before the MT1888 can be released into mass production.”

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

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

15 **REQUEST NO. 41:**

16 All documents relating to the statement in the Ho Declaration that “some of the known  
17 problems involve the host interface function of the chip.”

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

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

26 **REQUEST NO. 42:**

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

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

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

9 **REQUEST NO. 43:**

10 All documents relating to the statement in the Ho Declaration that "[m]any of these  
11 problems can only be corrected by making changes to the RTL code, which can be a tedious and  
12 time consuming process."

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

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

21 **REQUEST NO. 44:**

22 All documents relating to the statement in the Ho Declaration that "[a]lthough, MediaTek  
23 has scheduled the release of the MT1888 into mass production by second quarter of 2005, this  
24 release date, like many in the industry, is very aggressive considering the significant design  
25 changes which need to be made to the chip. Thus, the MT1888 will certainly not be available on  
26 the market until second quarter 2005 at the very earliest."  
27  
28

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

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

9 **REQUEST NO. 45:**

10 All documents, including, but not limited to the actual design documents, relating to the  
11 statement in the Ho Declaration that "[a]ny design documents dated before first quarter of 2004  
12 reflect a design for the MT1888 that was abandoned and changed significantly during the  
13 ongoing development process of the MT1888."

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

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

22 **REQUEST NO. 46:**

23 All documents sufficient to show Respondents' first knowledge of the Patents-in-Suit.

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

25 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
26 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
27 Star also objects to this request on the grounds that it is vague and ambiguous. In addition,  
28 Micro-Star objects to this request to the extent that it is outside the limited scope of permissible

1 discovery topics listed in the Court's December 8, 2004 Case Management Order. Micro-Star  
2 further objects to this request to the extent that it seeks information that is protected by the  
3 attorney-client privilege and/or the work product doctrine.

4 **REQUEST NO. 47:**

5 All documents relating to the amounts that Micro-Star has budgeted or set-aside for  
6 payment of potential future damages or license payments to Plaintiffs with respect to the Patents-  
7 in-Suit.

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

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

16 **REQUEST NO. 48:**

17 All documents relating to any agreements (whether formal or informal, oral or written)  
18 between MediaTek and any of its customers, including, but not limited to, Micro-Star, regarding  
19 the Patents-in-Suit, Plaintiffs' action against Micro-Star for infringement of the Patents-in-Suit,  
20 the defense of this action, the settlement of this action, or any potential license by Plaintiffs to  
21 MediaTek or its customers under any of the Patents-in-Suit, including any agreement or contract  
22 to share the costs of MediaTek's and/or Micro-Star's defense or to indemnify or pay to  
23 MediaTek and/or Micro-Star all or any part of any damages that might be awarded to Plaintiffs  
24 in any such action, and any communications between MediaTek and any of its customers  
25 regarding such agreements.

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

27 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
28 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-

1 Star also objects to this request on the grounds that it is outside the limited scope of permissible  
2 discovery topics listed in the Court's December 8, 2004 Case Management Order. Micro-Star  
3 further objects to this request to the extent that it seeks information that is protected by the  
4 attorney-client privilege and/or the work product doctrine.

5 **REQUEST NO. 49:**

6 All documents relating to agreements (whether formal or informal, oral or written) and  
7 communications between MediaTek and any other company that Plaintiffs have charged with  
8 infringement of any of the Patents-in-Suit or against which Plaintiffs have commenced any  
9 action for infringement of any of the Patents-in-Suit regarding the Patents-in-Suit, the offer or  
10 acceptance of any license under the Patents-in-Suit, or the defense or settlement of any action for  
11 infringement of the Patents-in-Suit, including the terms of any such agreements and MediaTek's  
12 and/or Micro-Star's activities in connection with such agreements.

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

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

21 **REQUEST NO. 50:**

22 All documents relating to all joint defense or common interest agreements between  
23 Micro-Star and any other respondent(s) in these proceedings that relate to these proceedings.

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

25 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
26 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
27 Star also objects to this request on the grounds that it is vague and ambiguous with respect to the  
28 terms "these proceedings" and "respondent(s)." In addition, Micro-Star objects to this request on

1 the grounds that it is outside the limited scope of permissible discovery topics listed in the  
2 Court's December 8, 2004 Case Management Order. Micro-Star further objects to this request to  
3 the extent that it seeks information that is protected by the attorney-client privilege and/or the  
4 work product doctrine.

5 **REQUEST NO. 51:**

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

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

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

15 **REQUEST NO. 52:**

16 All documents relating to any established policy, guideline, procedure, or program within  
17 Micro-Star relating to the licensing of patents or other intellectual property (either as the licensor  
18 or as the licensee).

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

20 Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
21 oppressive and not reasonably calculated to lead to the discovery of admissible evidence. Micro-  
22 Star also 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. Micro-Star  
24 further objects to this request to the extent that it seeks information that is protected by the  
25 attorney-client privilege and/or the work product doctrine.

26 **REQUEST NO. 53:**

27 All documents relating to Micro-Star's capital costs and other borrowing costs during the  
28 period April 8, 2003 to the present.

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

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

6 **REQUEST NO. 54:**

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

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

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

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

21 **REQUEST NO. 55:**

22 All documents relating Micro-Star's rate of return on invested capital and Micro-Star's  
23 net income or net profits during the period April 8, 2003 to the present.

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

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



1           Subject to and without waiving these objections, Micro-Star responds that it is willing to  
2 meet and confer with Plaintiffs in an effort to understand the intended scope of this request and  
3 to provide documents relevant to this action.

4           **REQUEST NO. 56:**

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

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

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

13           **REQUEST NO. 57:**

14           All documents relating to Micro-Star's net income and net profits for its optical storage  
15 controller chips and chipsets during the period April 8, 2003 to the present.

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

17           Micro-Star objects to this request to the extent that it is overbroad, unduly burdensome,  
18 oppressive and not reasonably calculated to lead to the discovery of admissible evidence.

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

22           **REQUEST NO. 58:**

23           All documents relating to the identity of any optical storage controller chips and chipsets  
24 that have competed with MediaTek's optical storage controller chips and chipsets since April 8,  
25 2003.

26  
27  
28

1 **RESPONSE TO REQUEST NO. 58:**

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

6  
7 Dated: May 23, 2005

Respectfully submitted,

8 WILSON SONSINI GOODRICH & ROSATI  
9 Professional Corporation

10  
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.  
20 CORPORATION, TERAOPTIX L.P. d/b/a  
21 TERAPIN 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.

1 CERTIFICATE OF SERVICE

2  
3 I, Virginia Mendoza, declare:

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

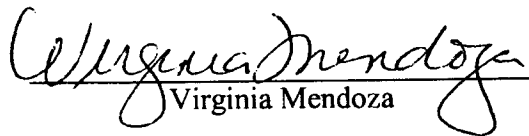
10 On this date, I caused to be personally served

- 11 1. **MICRO-STAR'S RESPONSE TO PLAINTIFFS' FIRST SET OF**  
12 **DOCUMENT REQUESTS TO DEFENDANT MICRO-STAR**  
**INTERNATIONAL CO., LTD.**

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

17 Mark Fowler, Esq.  
18 Dla Piper Rudnick Gray Cary US LLP  
19 2000 University Avenue  
20 East Palo Alto, CA 94304

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

23   
Virginia Mendoza