

Part 6
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

TEAC'S RESPONSE TO PLAINTIFFS'
 SECOND SET OF DOCUMENT
 REQUESTS TO DEFENDANT TEAC
 CORPORATION

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

1 _____)
2 AND RELATED CROSS-ACTION AND)
3 COUNTERCLAIMS)

4 Attorneys for Defendants and Counterclaimants)
5 [continued])
6 ASUSTEK COMPUTER, INC., LITE-ON IT)
7 CORP., TEAC CORPORATION, TEAC)
8 AMERICA, INC., ATRONIX TECHNOLOGY,)
9 INC., ASUS COMPUTER INTERNATIONAL,)
10 INC., EPO SCIENCE AND TECHNOLOGY CO.,)
11 INC., MICRO-STAR INTERNATIONAL CO.,)
12 LTD., and MSI COMPUTER CORP.)

13 _____)
14 ZORAN CORPORATION and OAK)
15 TECHNOLOGY, INC.,)

16 Plaintiffs,)

17 v.)

18 MEDiatek, INC., ASUSTEK COMPUTER,)
19 INC., LITE-ON IT CORP., TEAC)
20 CORPORATION, TEAC AMERICA, INC.,)
21 ATRONIX TECHNOLOGY, INC., ASUS)
22 COMPUTER INTERNATIONAL, INC., EPO)
23 SCIENCE AND TECHNOLOGY CO., INC.,)
24 MICRO-STAR INTERNATIONAL CO., LTD.,)
25 and MSI COMPUTER CORP.,)

26 Defendants.)

27 _____)
28 AND RELATED CROSS-ACTION AND)
COUNTERCLAIMS)

29 Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Defendant and Counter-
30 Claimant TEAC Corporation (“TEAC”) objects and responds to Plaintiffs and Counter-
31 Defendants Zoran Corporation’s and Oak Technology, Inc.’s (collectively “Plaintiffs”) Second
32 Set of Document Requests.

33 **RESPONSES TO DOCUMENT REQUESTS**

34 TEAC incorporates by reference the General Objections set forth in TEAC’s Responses
35 to Plaintiffs’ First Set of Interrogatories to TEAC Corporation and TEAC’s Responses to
36 Plaintiffs’ First Set of Document Requests to TEAC Corporation.

1 **GENERAL OBJECTION NO. 1:**

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

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

11 **GENERAL OBJECTION NO. 2:**

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

18 **GENERAL OBJECTION NO. 3:**

19 TEAC objects to each request as unduly burdensome and oppressive to the extent that it
20 purports to require TEAC to search TEAC facilities and inquire of TEAC employees other than
21 those facilities and employees that would reasonably be expected to have responsive
22 information. TEAC's responses are based upon (1) a reasonable search, given the time allotted
23 to TEAC to respond to the requests, of facilities and files that could reasonably be expected to
24 contain responsive information, and (2) inquiries of TEAC employees and/or representatives
25 who could reasonably be expected to possess responsive information. The subject matter of
26 these requests is under continuing investigation. Further, Defendant TEAC is located in Tokyo,
27 Japan. Consequently, communication between counsel and defendant TEAC is hampered, as a
28 practical matter. 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 expressly reserves the right to use, rely upon and to offer into
3 evidence any and all documents and other information responsive to these requests, whether or
4 not presently identified or produced, if the documents or other information have not been
5 obtained by counsel and deemed responsive by counsel as of the date of this response, or if the
6 responsiveness of the documents or other information has been overlooked in good faith, or if an
7 objection is interposed to producing a document or other information.

8 **GENERAL OBJECTION NO. 4:**

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

16 **GENERAL OBJECTION NO. 5:**

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

24 **GENERAL OBJECTION NO. 6:**

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

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

3 **GENERAL OBJECTION NO. 7:**

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

10 **GENERAL OBJECTION NO. 8:**

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

14 **GENERAL OBJECTION NO. 9:**

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

21 **GENERAL OBJECTION NO. 10:**

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

25 **GENERAL OBJECTION NO. 11:**

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

28

1 **GENERAL OBJECTION NO. 12:**

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

6 **GENERAL OBJECTION NO. 13:**

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

10 **GENERAL OBJECTION NO. 14:**

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

16 **GENERAL OBJECTION NO. 15:**

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

21 **GENERAL OBJECTION NO. 16:**

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

26 **RESPONSES TO DOCUMENT REQUESTS**

27 TEAC expressly incorporates the above General Objections as though set forth fully in
28 response to each of the following requests, and, to the extent that they are not raised in any

1 particular response, TEAC does not waive those objections. An answer to a request shall not be
2 deemed a waiver of any applicable specific or general objection to a request.

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

5 **REQUEST NO. 26:**

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

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

10 TEAC 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. TEAC
12 also objects to this request to the extent that it is outside the limited scope of permissible
13 discovery topics listed in the Court's December 8, 2004 Case Management Order. TEAC further
14 objects to this request to the extent that it seeks information that is protected by the attorney-
15 client privilege and/or the work product doctrine.

16 **REQUEST NO. 27:**

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

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

20 TEAC 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. TEAC
22 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. TEAC further
24 objects to this request on the grounds that it is vague and ambiguous.

25 **REQUEST NO. 28:**

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

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

2 TEAC 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. TEAC
4 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. 29:**

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

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

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

17 **REQUEST NO. 30:**

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

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

22 TEAC 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. TEAC
24 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.

1 **REQUEST NO. 31:**

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

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

6 TEAC 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. TEAC
8 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. TEAC further
10 objects to this request to the extent that it seeks information that is protected by the attorney-
11 client privilege and/or the work product doctrine.

12 **REQUEST NO. 32:**

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

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

16 TEAC 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. TEAC
18 also objects to this request on the grounds that it is outside the limited scope of permissible
19 discovery topics listed in the Court's December 8, 2004 Case Management Order. TEAC further
20 objects to this request to the extent that it seeks information that is protected by the attorney-
21 client privilege and/or the work product doctrine.

22 **REQUEST NO. 33:**

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

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28

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

2 TEAC 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. TEAC
4 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. TEAC further
6 objects to this request to the extent that it seeks information that is protected by the attorney-
7 client privilege and/or the work product doctrine.

8 **REQUEST NO. 34:**

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

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

14 TEAC 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. TEAC
16 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. TEAC further
18 objects to this request to the extent that it seeks information that is protected by the attorney-
19 client privilege and/or the work product doctrine.

20 **REQUEST NO. 35:**

21 All documents relating to the actual or anticipated release and mass production of the
22 MT1888.

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

24 TEAC 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. TEAC
26 also objects to this request on the grounds that it is outside the limited scope of permissible
27 discovery topics listed in the Court's December 8, 2004 Case Management Order.

28

1 **REQUEST NO. 36:**

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

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

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

10 **REQUEST NO. 37:**

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

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

14 TEAC 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. TEAC
16 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. TEAC further
18 objects to this request to the extent that it seeks information that is protected by the attorney-
19 client privilege and/or the work product doctrine.

20 **REQUEST NO. 38:**

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

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

24 TEAC 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. TEAC
26 also objects to this request on the grounds that it is vague and ambiguous. In addition, TEAC
27 objects to this request on the grounds that it is outside the limited scope of permissible discovery
28 topics listed in the Court's December 8, 2004 Case Management Order. TEAC further objects to

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

3 **REQUEST NO. 39:**

4 All documents relating to the “continual design modification” of the MT1888 referenced
5 in the Ladra Letter.

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

7 TEAC 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. TEAC
9 also objects to this request on the grounds that it is vague and ambiguous. In addition, TEAC
10 objects to this request on the grounds that it is outside the limited scope of permissible discovery
11 topics listed in the Court’s December 8, 2004 Case Management Order. TEAC further objects to
12 this request to the extent that it seeks information that is protected by the attorney-client privilege
13 and/or the work product doctrine.

14 **REQUEST NO. 40:**

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

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

19 TEAC 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. TEAC
21 also objects to this request on the grounds that it is vague and ambiguous. In addition, TEAC
22 objects to this request on the grounds that it is outside the limited scope of permissible discovery
23 topics listed in the Court’s December 8, 2004 Case Management Order. TEAC further objects to
24 this request to the extent that it seeks information that is protected by the attorney-client privilege
25 and/or the work product doctrine.

26 **REQUEST NO. 41:**

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

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

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

9 **REQUEST NO. 42:**

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

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

13 TEAC 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. TEAC
15 also objects to this request on the grounds that it is vague and ambiguous. In addition, TEAC
16 objects to this request on the grounds that it is outside the limited scope of permissible discovery
17 topics listed in the Court's December 8, 2004 Case Management Order. TEAC further objects to
18 this request to the extent that it seeks information that is protected by the attorney-client privilege
19 and/or the work product doctrine.

20 **REQUEST NO. 43:**

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

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

25 TEAC 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. TEAC
27 also objects to this request on the grounds that it is vague and ambiguous. In addition, TEAC
28 objects to this request on the grounds that it is outside the limited scope of permissible discovery

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

4 **REQUEST NO. 44:**

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

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

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

18 **REQUEST NO. 45:**

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

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

24 TEAC 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. TEAC
26 also objects to this request on the grounds that it is vague and ambiguous. In addition, TEAC
27 objects to this request on the grounds that it is outside the limited scope of permissible discovery
28 topics listed in the Court's December 8, 2004 Case Management Order. TEAC further objects to

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

3 **REQUEST NO. 46:**

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

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

6 TEAC 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. TEAC
8 also objects to this request on the grounds that it is vague and ambiguous. In addition, TEAC
9 objects to this request to the extent that it is outside the limited scope of permissible discovery
10 topics listed in the Court's December 8, 2004 Case Management Order. TEAC further objects to
11 this request to the extent that it seeks information that is protected by the attorney-client privilege
12 and/or the work product doctrine.

13 **REQUEST NO. 47:**

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

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

17 TEAC 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. TEAC
19 also objects to this request on the grounds that it is vague and ambiguous. In addition, TEAC
20 objects to this request on the grounds that it is outside the limited scope of permissible discovery
21 topics listed in the Court's December 8, 2004 Case Management Order. TEAC further objects to
22 this request to the extent that it seeks information that is protected by the attorney-client privilege
23 and/or the work product doctrine.

24 **REQUEST NO. 48:**

25 All documents relating to any agreements (whether formal or informal, oral or written)
26 between MediaTek and any of its customers, including, but not limited to, TEAC, regarding the
27 Patents-in-Suit, Plaintiffs' action against TEAC for infringement of the Patents-in-Suit, the
28 defense of this action, the settlement of this action, or any potential license by Plaintiffs to

1 MediaTek or its customers under any of the Patents-in-Suit, including any agreement or contract
2 to share the costs of MediaTek's and/or TEAC's defense or to indemnify or pay to MediaTek
3 and/or TEAC all or any part of any damages that might be awarded to Plaintiffs in any such
4 action, and any communications between MediaTek and any of its customers regarding such
5 agreements.

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

7 TEAC 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. TEAC
9 also objects to this request on the grounds that it is outside the limited scope of permissible
10 discovery topics listed in the Court's December 8, 2004 Case Management Order. TEAC further
11 objects to this request to the extent that it seeks information that is protected by the attorney-
12 client privilege and/or the work product doctrine.

13 **REQUEST NO. 49:**

14 All documents relating to agreements (whether formal or informal, oral or written) and
15 communications between MediaTek and any other company that Plaintiffs have charged with
16 infringement of any of the Patents-in-Suit or against which Plaintiffs have commenced any
17 action for infringement of any of the Patents-in-Suit regarding the Patents-in-Suit, the offer or
18 acceptance of any license under the Patents-in-Suit, or the defense or settlement of any action for
19 infringement of the Patents-in-Suit, including the terms of any such agreements and MediaTek's
20 and/or TEAC's activities in connection with such agreements.

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

22 TEAC 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. TEAC
24 also objects to this request on the grounds that it is vague and ambiguous. In addition, TEAC
25 objects to this request on the grounds that it is outside the limited scope of permissible discovery
26 topics listed in the Court's December 8, 2004 Case Management Order. TEAC further objects to
27 this request to the extent that it seeks information that is protected by the attorney-client privilege
28 and/or the work product doctrine.

1 **REQUEST NO. 50:**

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

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

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

13 **REQUEST NO. 51:**

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

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

17 TEAC 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. TEAC
19 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. TEAC further
21 objects to this request to the extent that it seeks information that is protected by the attorney-
22 client privilege and/or the work product doctrine.

23 **REQUEST NO. 52:**

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

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

2 TEAC 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. TEAC
4 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. TEAC further
6 objects to this request to the extent that it seeks information that is protected by the attorney-
7 client privilege and/or the work product doctrine.

8 **REQUEST NO. 53:**

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

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

12 TEAC 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. TEAC
14 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. 54:**

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

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

23 TEAC 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. TEAC
25 also objects to this request on the grounds that it is vague and ambiguous. In addition, TEAC
26 objects to this request on the grounds that it is outside the limited scope of permissible discovery
27 topics listed in the Court's December 8, 2004 Case Management Order.

28

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

4 **REQUEST NO. 55:**

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

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

8 TEAC 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. TEAC
10 also objects to this request on the grounds that it is outside the limited scope of permissible
11 discovery topics listed in the Court's December 8, 2004 Case Management Order.

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

15 **REQUEST NO. 56:**

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

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

20 TEAC 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. TEAC
22 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.

24 **REQUEST NO. 57:**

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

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

2 TEAC 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.

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

7 **REQUEST NO. 58:**

8 All documents relating to the identity of any optical storage controller chips and chipsets
9 that have competed with MediaTek's optical storage controller chips and chipsets since April 8,
10 2003.

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

2 TEAC 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. TEAC
4 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.

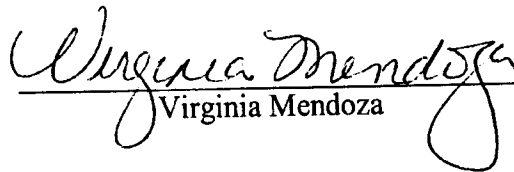
10 On this date, I caused to be personally served

11 1. **TEAC'S RESPONSE TO PLAINTIFFS' SECOND SET OF DOCUMENT**
12 **REQUESTS TO DEFENDANT TEAC CORPORATION**

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
2000 University Avenue
East Palo Alto, CA 94304

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

21 
22 _____
23 Virginia Mendoza