

Part 7  
of  
Exhibit D

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

16 UNITED STATES DISTRICT COURT  
17 NORTHERN DISTRICT OF CALIFORNIA  
18 SAN JOSE DIVISION  
19

20 ZORAN CORPORATION and OAK )  
TECHNOLOGY, INC., )  
21 )  
Plaintiffs, )  
22 )  
v. )  
23 )  
MEDIATEK, INC., MINTEK DIGITAL, INC., )  
24 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

ASUSTEK'S RESPONSE TO  
PLAINTIFFS' SECOND SET OF  
DOCUMENT REQUESTS TO  
DEFENDANT ASUSTEK  
COMPUTER, INC.  
  
**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. )

9 ZORAN CORPORATION and OAK )  
10 TECHNOLOGY, INC., )

11 Plaintiffs, )

12 v. )

13 MEDIATEK, INC., ASUSTEK COMPUTER, )  
14 INC., LITE-ON IT CORP., TEAC )  
15 CORPORATION, TEAC AMERICA, INC., )  
16 ATRONIX TECHNOLOGY, INC., ASUS )  
17 COMPUTER INTERNATIONAL, INC., EPO )  
18 SCIENCE AND TECHNOLOGY CO., INC., )  
19 MICRO-STAR INTERNATIONAL CO., LTD., )  
20 and MSI COMPUTER CORP., )

17 Defendants. )

18 \_\_\_\_\_ )  
19 AND RELATED CROSS-ACTION AND )  
20 COUNTERCLAIMS )

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

25 **RESPONSES TO DOCUMENT REQUESTS**

26 ASUSTek incorporates by reference the General Objections set forth in ASUSTek's  
27 Responses to Plaintiffs' First Set of Interrogatories to ASUSTek Computer Inc. and ASUSTek's  
28 Responses to Plaintiffs' First Set of Document Requests to ASUSTek Computer Inc.

1 **GENERAL OBJECTION NO. 1:**

2 ASUSTek objects to the Requests that documents be produced for inspection and copying  
3 at 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 ASUSTek,  
6 which are maintained at ASUSTek's offices in Taipei, Taiwan. Production of said documents  
7 for inspection and copying at a place other than those offices could seriously disrupt ASUSTek's  
8 business.

9 Without waiving the foregoing objections, ASUSTek 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 ASUSTek 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 ASUSTek'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 ASUSTek objects to each request as unduly burdensome and oppressive to the extent that  
21 it purports to require ASUSTek to search ASUSTek facilities and inquire of ASUSTek  
22 employees other than those facilities and employees that would reasonably be expected to have  
23 responsive information. ASUSTek's responses are based upon (1) a reasonable search, given the  
24 time allotted to ASUSTek to respond to the requests, of facilities and files that could reasonably  
25 be expected to contain responsive information, and (2) inquiries of ASUSTek employees and/or  
26 representatives who could reasonably be expected to possess responsive information. The  
27 subject matter of these requests is under continuing investigation. Further, Defendant ASUSTek  
28 is located in Taipei, Taiwan. Consequently, communication between counsel and defendant

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

9 **GENERAL OBJECTION NO. 4:**

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

17 **GENERAL OBJECTION NO. 5:**

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

25 **GENERAL OBJECTION NO. 6:**

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

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

3 **GENERAL OBJECTION NO. 7:**

4 ASUSTek objects to each and every request to the extent it seeks information relating to  
5 or 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 ASUSTek were it  
8 to be disclosed or available to competitors of ASUSTek. Such requests are therefore unduly  
9 burdensome and oppressive, and ASUSTek will not produce any such information.

10 **GENERAL OBJECTION NO. 8:**

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

14 **GENERAL OBJECTION NO. 9:**

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

21 **GENERAL OBJECTION NO. 10:**

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

28

1 **GENERAL OBJECTION NO. 12:**

2 ASUSTek 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. ASUSTek will construe the terms “Defendant” or “ASUSTek” to  
5 mean ASUSTek Computer Inc. ASUSTek will construe the term “MediaTek” to mean  
6 MediaTek, Inc.

7 **GENERAL OBJECTION NO. 13:**

8 ASUSTek 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 ASUSTek 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. ASUSTek 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 ASUSTek objects to Definition (12) on the grounds that it is vague, ambiguous,  
19 overbroad, unduly burdensome, oppressive and harassing. ASUSTek 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 ASUSTek objects to Definition (14) on the grounds that it is vague, ambiguous,  
24 overbroad, unduly burdensome, oppressive and harassing. ASUSTek 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 ASUSTek and another entity.

27

28

1 **RESPONSES TO DOCUMENT REQUESTS**

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

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

8 **REQUEST NO. 25:**

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

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

13 ASUSTek 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.  
15 ASUSTek also objects to this request to the extent that it is outside the limited scope of  
16 permissible discovery topics listed in the Court's December 8, 2004 Case Management Order.  
17 ASUSTek 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. 26:**

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

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

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



1 **REQUEST NO. 27:**

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

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

6 ASUSTek 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.

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

10 **REQUEST NO. 28:**

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

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

15 ASUSTek 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.

17 ASUSTek also 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 ASUSTek 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. 29:**

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

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

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

28

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

3 **REQUEST NO. 30:**

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

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

8 ASUSTek 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.

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

12 ASUSTek further objects to this request to the extent that it seeks information that is protected  
13 by the attorney-client privilege and/or the work product doctrine.

14 **REQUEST NO. 31:**

15 All internal ASUSTek Computer communications relating to any design changes or  
16 proposed design changes, including, but not limited to, the MT1888, to avoid or in light of the  
17 Patents-in-Suit.

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

19 ASUSTek 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.

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

23 ASUSTek further objects to this request to the extent that it seeks information that is protected  
24 by the attorney-client privilege and/or the work product doctrine.

25 **REQUEST NO. 32:**

26 All documents relating to communications between MediaTek and its foundries  
27 including, but not limited to UMC and Silterra, regarding any design, redesign, or modification  
28

1 of any existing or new product, including but not limited to, the MT1888, to avoid or in light of  
2 the claims of the Patents-in-Suit.

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

4 ASUSTek 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.

6 ASUSTek also 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 ASUSTek further objects to this request to the extent that it seeks information that is protected  
9 by the attorney-client privilege and/or the work product doctrine.

10 **REQUEST NO. 33:**

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

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

16 ASUSTek 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.

18 ASUSTek also 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 ASUSTek 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. 34:**

23 All documents relating to the actual or anticipated release and mass production of the  
24 MT1888.

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

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

28

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

3 **REQUEST NO. 35:**

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

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

7 ASUSTek 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.

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

11 ASUSTek also objects to this request on the grounds that it is vague and ambiguous.

12 **REQUEST NO. 36:**

13 All documents relating to MediaTek's communication with any customers or potential  
14 customers, including, but not limited to, ASUSTek Computer, regarding the MT1888.

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

16 ASUSTek 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.

18 ASUSTek also 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 ASUSTek 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. 37:**

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

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

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

28 ASUSTek also objects to this request on the grounds that it is vague and ambiguous. In addition,

1 ASUSTek 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. ASUSTek  
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. 38:**

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

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

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

16 **REQUEST NO. 39:**

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

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

21 ASUSTek objects to this request to the extent that it is overbroad, unduly burdensome,  
22 oppressive and not reasonably calculated to lead to the discovery of admissible evidence.  
23 ASUSTek also objects to this request on the grounds that it is vague and ambiguous. In addition,  
24 ASUSTek 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. ASUSTek  
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. 40:**

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

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

5 ASUSTek 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.  
7 ASUSTek also objects to this request on the grounds that it is vague and ambiguous. In addition,  
8 ASUSTek 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. ASUSTek  
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. 41:**

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

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

16 ASUSTek 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.  
18 ASUSTek also objects to this request on the grounds that it is vague and ambiguous. In addition,  
19 ASUSTek 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. ASUSTek  
21 further objects to this request to the extent that it seeks information that is protected by the  
22 attorney-client privilege and/or the work product doctrine.

23 **REQUEST NO. 42:**

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

27  
28

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

2 ASUSTek 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 ASUSTek also objects to this request on the grounds that it is vague and ambiguous. In addition,  
5 ASUSTek objects to this request on the grounds that it is outside the limited scope of permissible  
6 discovery topics listed in the Court's December 8, 2004 Case Management Order. ASUSTek  
7 further objects to this request to the extent that it seeks information that is protected by the  
8 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 "[a]lthough, MediaTek  
11 has scheduled the release of the MT1888 into mass production by second quarter of 2005, this  
12 release date, like many in the industry, is very aggressive considering the significant design  
13 changes which need to be made to the chip. Thus, the MT1888 will certainly not be available on  
14 the market until second quarter 2005 at the very earliest."

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

16 ASUSTek 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.  
18 ASUSTek also objects to this request on the grounds that it is vague and ambiguous. In addition,  
19 ASUSTek 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. ASUSTek  
21 further objects to this request to the extent that it seeks information that is protected by the  
22 attorney-client privilege and/or the work product doctrine.

23 **REQUEST NO. 44:**

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

28

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

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

9 **REQUEST NO. 45:**

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

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

12 ASUSTek 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.  
14 ASUSTek also objects to this request on the grounds that it is vague and ambiguous. In addition,  
15 ASUSTek objects to this request to the extent that it is outside the limited scope of permissible  
16 discovery topics listed in the Court's December 8, 2004 Case Management Order. ASUSTek  
17 further 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.

19 **REQUEST NO. 46:**

20 All documents relating to the amounts that ASUSTek Computer has budgeted or set-aside  
21 for payment of potential future damages or license payments to Plaintiffs with respect to the  
22 Patents-in-Suit.

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

24 ASUSTek 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.  
26 ASUSTek also objects to this request on the grounds that it is vague and ambiguous. In addition,  
27 ASUSTek 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. ASUSTek



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

3 **REQUEST NO. 47:**

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

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

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

20 **REQUEST NO. 48:**

21 All documents relating to agreements (whether formal or informal, oral or written) and  
22 communications between MediaTek and any other company that Plaintiffs have charged with  
23 infringement of any of the Patents-in-Suit or against which Plaintiffs have commenced any  
24 action for infringement of any of the Patents-in-Suit regarding the Patents-in-Suit, the offer or  
25 acceptance of any license under the Patents-in-Suit, or the defense or settlement of any action for  
26 infringement of the Patents-in-Suit, including the terms of any such agreements and MediaTek's  
27 and/or ASUSTek Computer's activities in connection with such agreements.

28

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

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

9 **REQUEST NO. 49:**

10 All documents relating to all joint defense or common interest agreements between  
11 ASUSTek Computer and any other respondent(s) in these proceedings that relate to these  
12 proceedings.

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

14 ASUSTek 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.  
16 ASUSTek also objects to this request on the grounds that it is vague and ambiguous with respect  
17 to the terms "these proceedings" and "respondent(s)." In addition, ASUSTek objects to this  
18 request on the grounds that it is outside the limited scope of permissible discovery topics listed in  
19 the Court's December 8, 2004 Case Management Order. ASUSTek further objects to this  
20 request to the extent that it seeks information that is protected by the attorney-client privilege  
21 and/or the work product doctrine.

22 **REQUEST NO. 50:**

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

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

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

28 ASUSTek also objects to this request on the grounds that it is outside the limited scope of

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

4 **REQUEST NO. 51:**

5 All documents relating to any established policy, guideline, procedure, or program within  
6 ASUSTek Computer relating to the licensing of patents or other intellectual property (either as  
7 the licensor or as the licensee).

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

9 ASUSTek 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.  
11 ASUSTek also 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 ASUSTek 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. 52:**

16 All documents relating to ASUSTek Computer's capital costs and other borrowing costs  
17 during the period April 8, 2003 to the present.

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

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

23 **REQUEST NO. 53:**

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

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

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

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

10 **REQUEST NO. 54:**

11 All documents relating ASUSTek Computer's rate of return on invested capital and  
12 ASUSTek Computer's net income or net profits during the period April 8, 2003 to the present.

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

14 ASUSTek 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.

16 ASUSTek also 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, ASUSTek 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 to the rate of return on invested capital and the net income or net  
23 profits typically earned by manufacturers and sellers of optical storage controller chips and  
24 chipsets during the period April 8, 2003 to the present.

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

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

28

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

3 **REQUEST NO. 56:**

4 All documents relating to ASUSTek Computer's net income and net profits for its optical  
5 storage controller chips and chipsets during the period April 8, 2003 to the present.

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

7 ASUSTek 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.

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

12 **REQUEST NO. 57:**

13 All documents relating to the identity of any optical storage controller chips and chipsets  
14 that have competed with MediaTek's optical storage controller chips and chipsets since April 8,  
15 2003.

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

2 ASUSTek 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 ASUSTek also objects to this request on the grounds that it is outside the limited scope of  
5 permissible 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 By: 

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

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

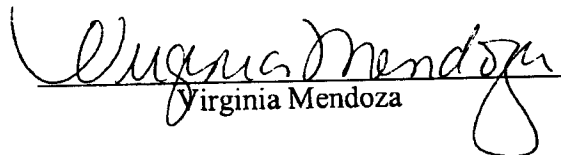
10 On this date, I caused to be personally served

- 11 1. **ASUSTEK'S RESPONSE TO PLAINTIFFS' SECOND SET OF**  
12 **DOCUMENT REQUESTS TO DEFENDANT ASUSTEK COMPUTER,**  
**INC.**

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   
24 Virginia Mendoza