

1 COVINGTON & BURLING LLP  
 Robert D. Fram (rfram@cov.com) (CA Bar No. 126750)  
 2 Thomas E. Garten (tgarten@cov.com) (CA Bar No. 247122)  
 One Front Street  
 3 San Francisco, CA 94111-5356  
 Telephone: (415) 591-6000  
 4 Facsimile: (415) 591-6091

5 COVINGTON & BURLING LLP  
 Philip A. Irwin (pirwin@cov.com) (admitted pro hac vice)  
 The New York Times Building  
 6 620 Eighth Avenue  
 New York, NY 10018-1405  
 7 Telephone: (212) 841-1000  
 8 Facsimile: (212) 841-1010

9 COVINGTON & BURLING LLP  
 Gary M. Rubman (grubman@cov.com) (admitted pro hac vice)  
 R. Jason Fowler (jfowler@cov.com) (admitted pro hac vice)  
 10 1201 Pennsylvania Avenue, NW  
 Washington, DC 20004-2401  
 11 Telephone: (202) 662-6000  
 Facsimile: (202) 662-6291

12 Attorneys for Plaintiff and Counterclaim Defendant Fujitsu Limited

13  
14 [COUNSEL FOR DEFENDANTS LISTED ON SIGNATURE PAGES]

15  
16 **UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

17  
18 FUJITSU LIMITED,  
 Plaintiff,

19 v.

20 BELKIN INTERNATIONAL, INC., BELKIN,  
 INC., D-LINK CORPORATION, D-LINK  
 21 SYSTEMS, INC., NETGEAR, INC., ZYXEL  
 COMMUNICATIONS CORPORATION, and  
 22 ZYXEL COMMUNICATIONS, INC.,

23 Defendant.

Case No. 10-cv-03972-LHK (PSG)

24 **JOINT STIPULATION AND ~~PROPOSED~~**  
**ORDER CLARIFYING THE SCOPE OF**  
**DISCOVERY UNDER THE AUGUST 3,**  
**2011 MINUTE ORDER AND CASE**  
**MANAGEMENT ORDER**

Before: The Honorable Lucy H. Koh

Discovery Matters Assigned to:  
Magistrate Judge Paul S. Grewal

25 **AND RELATED COUNTERCLAIMS**

1 Plaintiff Fujitsu Limited and Defendants Belkin International Inc., Belkin, Inc., D-  
2 Link Systems, Inc., ZyXEL Communications, Inc., and NETGEAR, Inc., by and through their  
3 counsel of record, hereby jointly submit this stipulation to clarify the August 3, 2011  
4 Minute Order and Case Management Order (Dkt. 162) (“Order”) so that it will more  
5 accurately reflect the parties’ understanding of the Court’s rulings during the July 27, 2011  
6 Case Management Conference regarding the parties’ discovery obligations. Accordingly,  
7 the parties respectfully request that the Order should be modified as follows:

- 8 1. Within 30 days of the July 27, 2011 CMC, Defendants shall produce the source code  
9 for the accused card interface device products. At the CMC hearing the Court did  
10 not order Defendants to produce “technical documents” for the accused card  
11 interface device products within 30 days of the July 27, 2011 CMC. *See* July 27,  
12 2011 Transcript at 23:3-18.
- 13 2. Within 45 days of the July 27, 2011 CMC, Defendants shall produce any schematics  
14 and block diagrams for the accused card interface device products.
- 15 3. Within 30 days of the July 27, 2011 CMC, Plaintiff shall produce the source code for  
16 its card interface device products sold in the United States. At the CMC hearing the  
17 Court did not order Plaintiff to produce source code for the Fujitsu laptops with  
18 slots. *See* July 27, 2011 Transcript at 70:23-71:5; *see also id.* at 34:6-12; 56:9-10;  
19 63:7-10.
- 20 4. The parties agree to defer source code discovery for all non-card interface device  
21 products. If any party later determines that source code is needed for Defendants’  
22 external devices, Fujitsu’s external devices, or Fujitsu’s laptops with slots, that  
23 party shall make a written request for such code and the parties shall meet and  
24 confer within seven days. If the parties are unable to agree on the scope or timing  
25 of any such production, they shall present the issue to the Court within fourteen  
26 days of the written demand for source code.
- 27 5. Within 45 days of the July 27, 2011 CMC, Plaintiff shall produce technical  
28 documents for its card interface device products, routers, modems, hubs, access

1 points, network adapters, switches, bridges, gateways, range extenders, antennas,  
2 and firewalls sold in the United States. At the CMC hearing the Court did not order  
3 Plaintiff to produce technical documents for the Fujitsu laptops with slots.

4 6. In connection with discovery regarding the Fujitsu laptops with slots, within 30  
5 days of the July 27, 2011 CMC, Plaintiff shall (1) identify which of its laptops sold  
6 within the past six years in the United States have "PCMCIA," "CardBus" or  
7 "ExpressCard" slots; (2) produce sales information for any such laptops sold within  
8 the past six years in the United States that have "PCMCIA," "CardBus" or  
9 "ExpressCard" slots; (3) produce information as to the market share, as of 2000, for  
10 such laptops sold in the United States that have "PCMCIA," "CardBus" or  
11 "ExpressCard" slots; and (4) produce user's manuals/guides for any such laptops  
12 sold within the past six years in the United States that have "PCMCIA," "CardBus" or  
13 "ExpressCard" slots.

14 7. If any Defendant later determines that additional documents are needed to show  
15 the design or configuration of the Fujitsu laptops with slots and/or the manner in  
16 which cards or adapters of different sizes and configurations are used by the  
17 Fujitsu laptops with slots, that Defendant shall make a written request for such  
18 information and the parties shall meet and confer within seven days. If the parties  
19 are unable to agree on the scope or timing of any such production, they shall  
20 present the issue to the Court within fourteen days of the written demand for such  
21 information.

22 Respectfully submitted,

23 DATE: August 15, 2011

24 COVINGTON & BURLING LLP

25 By: /s/ Thomas E. Garten<sup>1</sup>

26 \_\_\_\_\_  
27 <sup>1</sup> In compliance with General Order 45.X.B, I hereby attest that concurrence in the filing of  
28 this document has been obtained from each of the other signatories hereto.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Robert D. Fram (rfram@cov.com)  
Thomas E. Garten (tgarten@cov.com)  
COVINGTON & BURLING LLP  
One Front Street  
San Francisco, CA 94111-5356  
Telephone: 415.591.6000  
Facsimile: 415.591.6091

Philip A. Irwin (pirwin@cov.com)  
COVINGTON & BURLING LLP  
The New York Times Building  
620 Eighth Avenue  
New York, NY 10018-1405  
Telephone: 212.841.1000  
Facsimile: 212.841.1010

Gary M. Rubman (grubman@cov.com)  
R. Jason Fowler (jfowler@cov.com)  
COVINGTON & BURLING LLP  
1201 Pennsylvania Avenue, NW  
Washington, DC 20004-2401  
Telephone: 202.662.6000  
Facsimile: 202.662.6291

Attorneys for Plaintiff and Counterclaim  
Defendant FUJITSU LIMITED

DATE: August 15, 2011

By: /s/ Duncan Palmatier

Duncan Palmatier (CA Bar No. 116692)  
E-mail: dpalm@dpalmlaw.com  
S.J. Christine Yang (CA Bar No. 102048)  
E-mail: cyang@sjclawpc.com  
Victoria Der-Lung Hao (admitted pro hac vice)  
E-mail: vhao@sjclawpc.com  
The Law Office of S.J. Christine Yang  
17220 Newhope Street, Suites 101 & 102  
Fountain Valley, California 92708  
Telephone: (714) 641-4022  
Facsimile: (714) 641-2082

Attorneys for Defendants D-LINK SYSTEMS, INC.  
and ZYXEL COMMUNICATIONS, INC.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATE: August 15, 2011

WINSTON & STRAWN LLP

By: /s/ David Enzminger

David Enzminger (CA Bar No. 137065)  
E-mail: denzminger@winston.com  
WINSTON & STRAWN LLP  
333 S. Grand Avenue  
Los Angeles, CA 90071  
Telephone: (213) 615-1780  
Facsimile: (213) 615-1750

Attorneys for Defendants BELKIN  
INTERNATIONAL INC. and BELKIN, INC.

DATE: August 15, 2011

REED SMITH LLP

By: /s/ William R. Overend

William R. Overend (CA Bar No. 180209)  
E-mail: woverend@reedsmith.com  
John P. Bovich (CA Bar No. 150688)  
E-mail: jbovich@reedsmith.com  
REED SMITH LLP  
101 Second Street, Suite 1800  
San Francisco, CA 94105-3659  
Telephone: (415) 543-8700  
Facsimile: (415) 391-8269

Attorneys for Defendant NETGEAR, INC.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

DATE: August 29, 2011

By: Lucy H. Koh

The Honorable Lucy H. Koh  
United States District Court Judge