

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IMMERSION CORPORATION,

Plaintiff,

v.

HTC CORPORATION, HTC AMERICA
INC.

Defendants.

Civil Action No. 12-259-RGA

MEMORANDUM ORDER

Before the Court is a discovery dispute between the parties. The matter has been fully briefed. (D.I. 94, 95). For the reasons below, the motion is **GRANTED IN PART AND DENIED IN PART**.

1. **Interrogatories 61 and 62:** The Court finds that responding to interrogatories 61 and 62 would be overly burdensome for the Defendants as it would require the Defendants' expert to review over four million source code files, which would take approximately 9,000 hours. (D.I. 95-1 at 3-5). Here HTC has provided the source code to the Plaintiff. The burden to go through the source code and determine what sections are potentially infringing is properly borne by the Plaintiff.
2. **Interrogatory 60:** The Court finds that the Defendants' response to interrogatory 60 is inadequate. The Court finds that as the Plaintiff is requesting information about HTC's own devices, interrogatory 60 is not unduly burdensome. Therefore, the Defendants are ordered to supplement their response to interrogatory 60 to include all accused devices.

3. **Request for documents:** The plaintiff contends that the Defendants have not produced all core technical documents as required. The Court finds that this dispute is not ripe as the parties are continuing to discuss this issue and have not followed the Court's scheduling order which requires parties to meet and confer prior to bringing a discovery dispute to the Court's attention.
4. The hearing scheduled for January 21, 2014 at 3pm, regarding this discovery dispute, is cancelled.

Entered this 21st day of January, 2014.


United States District Judge