

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

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.**

**Before The Honorable David P. Shaw
Administrative Law Judge**

In the Matter of

**CERTAIN PORTABLE GAMING
CONSOLE SYSTEMS WITH
ATTACHABLE HANDHELD
CONTROLLERS AND COMPONENTS
THEREOF II**

Investigation No. 337-TA-1197

**COMPLAINANT GAMEVICE, INC.'S SUPPLEMENTAL OBJECTIONS AND
RESPONSES TO RESPONDENT NINTENDO OF AMERICA INC.'S FIRST AND
THIRD SETS OF INTERROGATORIES
(NOS. 3-12, 14, 35-36, 39, 48-49, 51-82, 84-90, 96, 98-99)**

Pursuant to the United States International Trade Commission Rules of Practice and Procedure, 19 C.F.R. § 210 et seq. (“Commission Rules”), including Rules 210.27 and 210.29, and the Ground Rules issued in this Investigation on May 4, 2020 (“Ground Rules”), Complainant Gamevice, Inc. (“Gamevice”) provides the following Objections and Responses to Respondent Nintendo of America Inc.’s. (“Nintendo”) First, Second, and Third Sets of Interrogatories (Nos. 1-101) (collectively, “Interrogatories”).

GENERAL OBJECTIONS

Gamevice hereby incorporates by reference the General Objections set forth in Complainant Gamevice, Inc.’s Objections and Responses to Respondent Nintendo of America Inc.’s First, Second, and Third Sets of Interrogatories (Nos. 1-101).

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Gamevice further respond to this Interrogatory at the times and in the manner established in the Procedural Schedule for contention interrogatory responses on issues for which the responding party does not bear the burden of proof.

JUNE 5, 2020 SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 3:

Subject to and without waiving its General and Specific Objections from its previous response to this Interrogatory, Gamevice provides the following supplemental response:

The '393 patent's claims are entitled to effective filing dates at least as early as listed in the table below (independent claims in bold). Each claim is also entitled to the filing date of each application to which the '393 patent claims priority that was filed after the date listed below.

Claim	Effective Filing Date	Priority Application No.	Issued as U.S. Patent No.
1	February 2, 2015	14/611,804	9,126,119
2	February 2, 2015	14/611,804	9,126,119
3	February 2, 2015	14/611,804	9,126,119
4	February 2, 2015	14/611,804	9,126,119
6	February 2, 2015	14/611,804	9,126,119
7	February 2, 2015	14/611,804	9,126,119
8	August 31, 2015	14/840,184	9,592,453
9	August 31, 2015	14/840,184	9,592,453
10	August 31, 2015	14/840,184	9,592,453
11	August 31, 2015	14/840,184	9,592,453
12	August 31, 2015	14/840,184	9,592,453
13	August 31, 2015	14/840,184	9,592,453
14	August 31, 2015	14/840,184	9,592,453
15	August 31, 2015	14/840,184	9,592,453

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Subject to and without waiving its General and Specific Objections, Gamevice responds as follows:

Gamevice will respond to this Interrogatory at the times and in the manner established in the Procedural Schedule for contention interrogatory responses on issues for which the responding party does not bear the burden of proof.

JULY 2, 2020 SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 99:

Subject to and without waiving its General and Specific Objections, Gamevice responds as follows: Gamevice incorporates by reference its responses to Interrogatory No. 96.

Respectfully submitted,

Dated: July 2, 2020

/s/ Smith R. Brittingham IV
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CERTIFICATE OF SERVICE

I, Isabella P. Downey, hereby certify that on July 2, 2020, a copy of the foregoing was served upon the following as indicated:

Whitney Winston, Esq. The Office of Unfair Import Investigations U.S. INTERNATIONAL TRADE COMMISSION 500 E Street, S.W. Room 317 Washington, DC 20436 Email: Whitney.Winston@usitc.gov	☐ Via First Class Mail ☐ Via Courier (FedEx) ☐ Via Hand Delivery ☒ Via Email (PDF File) ☒ Via ITC Box
<i>Counsel for Respondents Nintendo Co., Ltd. and Nintendo of America Inc.</i> Grant Kinsel R. Tyler Kendrick Christopher Marth PERKINS COIE LLP 1201 Third Ave., Suite 4900 Seattle, WA 98101 Telephone: 206.359.3516 Facsimile: 206.359.9000 Email: Nintendo-GameviceITCService@perkinscoie.com James B. Coughlan PERKINS COIE LLP 700 Thirteenth Street, NW, Suite 600 Washington, DC 20005 Telephone: 202.434.1670 Facsimile: 202.654.9948 Email: Nintendo-GameviceITCService@perkinscoie.com Kevin J. Patariu Ryan B. Hawkins PERKINS COIE LLP 11988 El Camino Real #350 San Diego, CA 92130 Telephone: 858.720.5700 Facsimile: 858.720.5799	☐ Via First Class Mail ☐ Via Courier (FedEx) ☐ Via Hand Delivery ☒ Via Email (PDF File) ☐ Via First Class Mail ☐ Via Courier (FedEx) ☐ Via Hand Delivery ☒ Via Email (PDF File) ☐ Via First Class Mail ☐ Via Courier (FedEx) ☐ Via Hand Delivery ☒ Via Email (PDF File)

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/s/ Isabella P. Downey

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