

From: [Oliver, Justin J.](#)
To: [Nosson Knobloch](#); [Yam, Stephen K.](#)
Cc: [Xternal User - Sarah Spires](#); [Michael Valaik](#)
Subject: RE: IPR No. 2023-00978 -- Discovery
Date: Thursday, August 17, 2023 12:20:28 PM

Caution: External Message

Nosson,

Ericsson has neither provided any funding for the IPR nor had any control over the IPR. Nor will Ericsson be reimbursing Verizon for any costs associated with the IPR.

With respect to IPR2017-01889 (in which Sprint Spectrum was the petitioner), Verizon was not a party in (or involved with) that case. Thus, it is unclear why GAS would seek discovery from Verizon concerning the details of that matter.

For these reasons, Verizon does not believe that discovery request (i) is proper or (ii) has the possibility of uncovering useful information.

We are available for a call with the Board at any time next Thursday or Friday.

Regards,
Justin

From: Nosson Knobloch <nosson.knobloch@bartlitbeck.com>
Sent: Tuesday, August 15, 2023 2:13 PM
To: Oliver, Justin J. <JOliver@Venable.com>; Yam, Stephen K. <SYam@Venable.com>
Cc: Xternal User - Sarah Spires <sspires@skiermontderby.com>; Michael Valaik <michael.valaik@bartlitbeck.com>
Subject: Re: IPR No. 2023-00978 -- Discovery

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Justin,

Ericsson and Verizon have publicly disclosed that their agreements include indemnification obligations. *See, e.g., Uniloc 2017 LLC v. Verizon Commc'ns Inc.*, No. 2:18-CV-00513-JRG, 2019 WL 1773118, at *3 (E.D. Tex. Apr. 23, 2019) (“Ericsson is obligated to indemnify Verizon for any damages resulting from a finding that Ericsson’s base stations infringe...”). Ericsson’s 2022 annual report also includes a section related to “infringement claims brought against [Ericsson].” That section states as follows: “Ericsson could be required to pay damages and other compensation directly or to indemnify Ericsson’s customers for such

damages and other compensation...”

In the related district court matter, Verizon has served initial disclosures stating that “vendors of the accused instrumentalities may be required to indemnify Verizon.”

And, as you know, Ericsson has joined as an Intervenor-Defendant in the related district court litigation.

In short, there should be no dispute that relevant, discoverable information exists.

Thanks,

-Nosson

From: Oliver, Justin J. <JOliver@Venable.com>

Date: Tuesday, August 15, 2023 at 9:37 AM

To: Nosson Knobloch <nosson.knobloch@bartlitbeck.com>, Yam, Stephen K. <syam@venable.com>

Cc: Xternal User - Sarah Spires <sspires@skiermontderby.com>, Michael Valaik <michael.valaik@bartlitbeck.com>

Subject: RE: IPR No. 2023-00978 -- Discovery

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Nosson,

So that we may confer with our client on this request, please let us know your basis for believing that relevant discoverable information exists.

Regards,

Justin

From: Nosson Knobloch <nosson.knobloch@bartlitbeck.com>

Sent: Tuesday, August 15, 2023 9:44 AM

To: Oliver, Justin J. <JOliver@Venable.com>; Yam, Stephen K. <SYam@Venable.com>

Cc: Xternal User - Sarah Spires <sspires@skiermontderby.com>; Michael Valaik <michael.valaik@bartlitbeck.com>

Subject: IPR No. 2023-00978 -- Discovery

Caution: External Email

Justin and Stephen,

I am counsel for General Access in the above-mentioned IPR. General Access would like to seek discovery into (1) whether Ericsson, Inc. is an unidentified real party in interest in this IPR; (2) whether Ericsson was an unidentified real party in interest in IPR2017-01889, which challenged the same claims at issue in this IPR; and (3) whether the Petitioners here and in IPR2017-01889 are substantially related.

Patent Owner specifically intends to seek the following discovery:

1. Ericsson's indemnification of the Petitioners in this IPR and in IPR2017-01889.
2. Ericsson's role in this IPR and in IPR2017-01889, including the extent to which Ericsson has assumed financial and/or operational responsibility for these proceedings.
3. Any collaboration between the Petitioners here and in IPR2017-01889 regarding their respective Petitions, either directly or through any mutual indemnitors.

Please let us know if Verizon is willing to voluntarily provide this discovery. If not, please provide us with your availability next week for a call with the Board.

Best Regards,

-Nosson

BartlitBeck LLP

Nosson D. Knobloch | p: 303.592.3122 | c: 773.301.2851 | Nosson.Knobloch@BartlitBeck.com | 1801 Wewatta Street, 12th Floor, Denver, CO 80202

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