

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

REDMON JEANG LLC,

Plaintiff,

v.

TURN SIGNAL, INC. and
TURN SIGNAL FOUNDATION,

Defendants.

Court File No. 0:22-cv-02749-NEB-LIB

**REDMON JEANG LLC'S
RESPONSES AND OBJECTIONS TO
DEFENDANTS' FIRST SET OF
INTERROGATORIES (NOS. 1–15)**

Pursuant to Federal Rules of Civil Procedure 26 and 33, Plaintiff Redmon Jeang LLC (“Plaintiff” or “Redmon”), through its undersigned counsel, serves these responses and objections to Defendants TurnSignal, Inc. and TurnSignal Foundation (“Defendants” or “TurnSignal”) First Set of Interrogatories (Nos. 1–15) as follows:

GENERAL RESPONSES AND OBJECTIONS

The following objections and responses apply to each individually numbered interrogatory and shall have the same force and effect as if set forth in full in each of Redmon’s specific objections and responses:

1. Redmon objects to each and every Definition, Instruction, and Interrogatory to the extent that it purports to impose any requirement or discovery obligation upon Redmon greater than those imposed by the Federal Rules of Civil Procedure and any applicable Local Rules of this Court.

2. Redmon objects to each and every Definition, Instruction, and Interrogatory to the extent that they seek the disclosure of documents, communications, or things

protected by the attorney-client privilege, work product doctrine, or any other privilege or immunity from disclosure. Redmon objects to each and every Definition, Instruction, and Interrogatory to the extent that they seek the disclosure of confidential or proprietary documents or things, which Redmon will produce, if at all, only subject to a Protective Order entered in this case.

3. The following responses are based on information available as of the date of these responses. Discovery is not yet complete. It is anticipated that further discovery, investigation, and analysis may supply additional facts and add meaning to known facts, as well as establish entirely new factual conclusions and legal contentions, all of which may lead to substantial changes, additions, or variations to the information set forth herein. Redmon reserves the right to supplement and/or amend these responses as discovery is ongoing and as new information is uncovered relating to these interrogatories.

4. Redmon objects to each interrogatory because it seeks information that contains confidential, proprietary, or trade secret information of third parties. Redmon will provide such information in response to such interrogatories subject to a Protective Order entered in this case, and any provision of any such information will be subject to any consent required by third parties or the Court that issued any protective order covering the information of third parties.

5. Redmon objects generally to each interrogatory to the extent that it prematurely calls for discovery concerning, among other things, facts and contentions relating to infringement, validity and other claims and defenses before the parties are obligated to produce such information according to the Court's Pretrial Scheduling Order

(Dkt. 25).

6. Redmon objects generally to these interrogatories to the extent that they seek an expert opinion. To the extent an interrogatory seeks an expert opinion, it is premature. Redmon will address expert issues pursuant to the Court's Pretrial Scheduling Order (Dkt. 25).

7. Redmon objects to Defendants' definition of "prior art" as vague and ambiguous and to the extent that it seeks to expand the definition of "prior art" beyond the customary meaning, calls for a legal conclusion, or seeks the disclosure of privileged information.

SPECIFIC RESPONSES AND OBJECTIONS

INTERROGATORY NO. 1:

For each Asserted Claim, state the date, location, and circumstances in which the claimed subject matter was first conceived; first described in a document; first reduced to practice; first disclosed to a person other than the Named Inventors (or any of them); first disclosed to a person who, at the time of the disclosure, was not employed by an entity that, at the time of conception, employed one or more of the Named Inventors; first offered for sale; first sold; and first published in an electronic or printed publication. In responding to this interrogatory, identify all persons who were involved in, or who have relevant knowledge, including but not limited to, the Named Inventors of the Asserted Patents and all other persons who supervised, reported to, or worked with the Named Inventors; and identify any corroborating documents.

ANSWER:

Redmon objects to this Interrogatory on the grounds that it impermissibly contains multiple subparts that should be considered individual interrogatories and therefore counts as multiple interrogatories. *See* FED. R. CIV. P. 33(a)(1).

Redmon objects to this Interrogatory to the extent that it seeks to elicit information

subject to and protected by the attorney-client privilege, the attorney work product doctrine, joint defense or common interest privilege, or any other applicable privileges, protections, or immunities.

Redmon objects to this Interrogatory to the extent that it prematurely seeks patent-related information and/or expert opinions and is therefore inconsistent with the patent-related deadlines set forth in the Pretrial Scheduling Order (Dkt. 25) and/or the expert disclosure requirements under FED. R. CIV. P. 26(a)(2)(B).

Subject to and without waiving its general or specific objections, Redmon responds as follows:

The named inventors, Clayton K. Redmon and Wei Wei Jeang, conceived of the inventions claimed in the Asserted Patents. The inventions claimed in the Asserted Patents were reduced to practice constructively on July 19, 2016, the date that the provisional application (Application No. 62/364,300) was filed with the USPTO.

Further, pursuant to FED. R. CIV. P. 33(d), Redmon directs Defendants to its Second Amended Complaint (Dkt. 32), Infringement Contentions, and the file wrappers for the Asserted Patents.

INTERROGATORY NO. 2:

For each Asserted Claim, explain Your contentions with respect to the Priority Date to which that claim is entitled, including identifying the alleged Priority Date for each claim and identifying separately all documents relating to the facts underlying such contentions, including but not limited to the identification of any documents supporting the alleged Priority Dates.

ANSWER:

Redmon objects to this Interrogatory to the extent that it seeks to elicit information

subject to and protected by the attorney-client privilege, the attorney work product doctrine, joint defense or common interest privilege, or any other applicable privileges, protections, or immunities.

Redmon objects to this Interrogatory to the extent that it prematurely seeks patent-related information and/or expert opinions and is therefore inconsistent with the patent-related deadlines set forth in the Pretrial Scheduling Order (Dkt. 25) and/or the expert disclosure requirements under FED. R. CIV. P. 26(a)(2)(B).

Subject to and without waiving its general or specific objections, Redmon responds as follows:

The Priority Date for each of the Asserted Claims is no later than July 19, 2016, the date that the provisional application (Application No. 62/364,300) was filed with the USPTO.

Further, pursuant to FED. R. CIV. P. 33(d), Redmon directs Defendants to its Second Amended Complaint (Dkt. 32), Infringement Contentions, and the file wrappers for the Asserted Patents.

INTERROGATORY NO. 3:

For each element of each Asserted Claim that you contend is supported by the '300 Provisional Application, identify on an element-by-element basis the portion(s) of the '300 Provisional Application that you contend support that claim element.

ANSWER:

Redmon objects to this Interrogatory to the extent that it seeks to elicit information subject to and protected by the attorney-client privilege, the attorney work product

doctrine, joint defense or common interest privilege, or any other applicable privileges, protections, or immunities.

Redmon objects to this Interrogatory to the extent that it prematurely seeks patent-related information and/or expert opinions and is therefore inconsistent with the patent-related deadlines set forth in the Pretrial Scheduling Order (Dkt. 25) and/or the expert disclosure requirements under FED. R. CIV. P. 26(a)(2)(B).

Subject to and without waiving its general or specific objections, pursuant to FED. R. CIV. P. 33(d), Redmon directs Defendants to the provisional application (Application No. 62/364,300) and the Asserted Claims.

INTERROGATORY NO. 4:

For each Asserted Claim, identify the level of technical knowledge, experience, training, schooling, and/or other expertise of a person having ordinary skill in the art of the subject matter of the claim.

ANSWER:

Redmon objects to this Interrogatory to the extent that it seeks to elicit information subject to and protected by the attorney-client privilege, the attorney work product doctrine, joint defense or common interest privilege, or any other applicable privileges, protections, or immunities.

Redmon objects to this Interrogatory to the extent that it prematurely seeks patent-related information and/or expert opinions and is therefore inconsistent with the patent-related deadlines set forth in the Pretrial Scheduling Order (Dkt. 25) and/or the expert disclosure requirements under FED. R. CIV. P. 26(a)(2)(B).

Subject to and without waiving its general or specific objections, Redmon responds

as follows:

An ordinary person skilled in the art pertaining to the Asserted Patents would have a bachelor's degree in computer science or computer engineering and/or work experience in coding software; would have experience with or knowledge of confrontations with police officers during traffic stops or other encounters; and/or would have knowledge of basic legal concepts, including the concept of the attorney-client relationship, jurisdiction, and Constitutional rights.

INTERROGATORY NO. 5:

If you contend that any secondary consideration(s) is/are relevant to the obviousness/non-obviousness inquiry under 35 U.S.C. § 103, identify each secondary consideration You consider relevant (*e.g.*, long-felt need, failure of others, skepticism in the industry, commercial success, teaching away, unexpected results, and/or copying), the factual basis for each such consideration and its alleged relevance, all documents You intend to rely on in support of each such consideration, and any facts and/or documents that you are aware of that do not support each such consideration.

ANSWER:

Redmon objects to this Interrogatory to the extent that it seeks to elicit information subject to and protected by the attorney-client privilege, the attorney work product doctrine, joint defense or common interest privilege, or any other applicable privileges, protections, or immunities.

Redmon objects to this Interrogatory to the extent that it prematurely seeks patent-related information and/or expert opinions and is therefore inconsistent with the patent-related deadlines set forth in the Pretrial Scheduling Order (Dkt. 25) and/or the expert disclosure requirements under FED. R. CIV. P. 26(a)(2)(B).

Subject to and without waiving its general or specific objections, Redmon responds as follows:

Extensive media coverage and interviews of Defendants relating to the TurnSignl App, significant demand for attorney guidance in the wake of tragic police acts of violence, and Defendants' copying of Redmon's Asserted Patents are examples of indicia of non-obviousness.

INTERROGATORY NO. 6:

On an element-by-element basis for each element of each Asserted Claim for each Asserted Patent, identify the portion(s) of the specification you contend provide support for that element.

ANSWER:

Redmon objects to this Interrogatory to the extent that it seeks to elicit information subject to and protected by the attorney-client privilege, the attorney work product doctrine, joint defense or common interest privilege, or any other applicable privileges, protections, or immunities.

Redmon objects to this Interrogatory to the extent that it prematurely seeks patent-related information and/or expert opinions and is therefore inconsistent with the patent-related deadlines set forth in the Pretrial Scheduling Order (Dkt. 25) and/or the expert disclosure requirements under FED. R. CIV. P. 26(a)(2)(B).

Subject to and without waiving its general or specific objections, pursuant to FED. R. CIV. P. 33(d), Redmon directs Defendants to the Asserted Patents.

INTERROGATORY NO. 7:

For each Accused System and/or Method that You contend infringes one or

more claims of the Asserted Patents and/or that you contend would infringe one of more claims of the '277 Patent Application should such claims issue as a patent, identify each allegedly infringed claim, and for each such claim provided an element-by-element comparison of the claim to the allegedly infringing feature/method step of the Accused System and/or Method.

ANSWER:

Redmon objects to this Interrogatory to the extent that it seeks to elicit information subject to and protected by the attorney-client privilege, the attorney work product doctrine, joint defense or common interest privilege, or any other applicable privileges, protections, or immunities.

Redmon objects to this Interrogatory to the extent that it prematurely seeks patent-related information and/or expert opinions and is therefore inconsistent with the patent-related deadlines set forth in the Pretrial Scheduling Order (Dkt. 25) and/or the expert disclosure requirements under FED. R. CIV. P. 26(a)(2)(B).

Subject to and without waiving its general or specific objections, Redmon responds as follows:

The '277 Patent Application issued on April 11, 2023 as U.S. Patent No. 11,625,799.

Further, pursuant to FED. R. CIV. P. 33(d), Redmon directs Defendants to its Infringement Contentions and to U.S. Patent No. 11,625,799.

INTERROGATORY NO. 8:

Identify and describe all efforts made by You or on Your behalf to produce, develop, commercialize, build, design, market, advertise, and/or otherwise create a product that related/relates in any way to mobile legal counsel system(s) and method(s), including a description of such efforts, the dates of such efforts, the person(s) involved in such efforts, the amount of hours spent

on such efforts, any money or other consideration expended on such efforts, the results of such efforts, whether such efforts continue, and, if not continuing, the reason(s) why such efforts were discontinued; and identify any documentation corroborating such efforts.

ANSWER:

Redmon objects to this Interrogatory to the extent that it seeks to elicit information subject to and protected by the attorney-client privilege, the attorney work product doctrine, joint defense or common interest privilege, or any other applicable privileges, protections, or immunities.

Subject to and without waiving its general or specific objections, pursuant to FED. R. CIV. P. 33(d), Redmon will identify documents and information related to its efforts to produce, develop, commercialize, build, design, market, advertise, and/or otherwise create a product.

INTERROGATORY NO. 9:

Identify and describe any Licensees to the Asserted Patents and any efforts to License the Asserted Patents, including (A) for Licensees, the identity of all Licensees, the terms of the licenses, and the dates of such license, and (B) for efforts to License, the communications and dates of same, the parties involved in the communications, the substance of the communications including any license terms that were discussed, any prior art that You were made aware of and the date you were made aware of such prior art, and the reasons (if known) why a license was not taken.

ANSWER:

Redmon objects to this Interrogatory on the grounds that it impermissibly contains multiple subparts that should be considered individual interrogatories and therefore counts as multiple interrogatories. *See* FED. R. CIV. P. 33(a)(1).

Redmon objects to this Interrogatory to the extent that it seeks to elicit information

subject to and protected by the attorney-client privilege, the attorney work product doctrine, joint defense or common interest privilege, or any other applicable privileges, protections, or immunities.

Redmon objects to this Interrogatory to the extent that it prematurely seeks patent-related information and/or expert opinions and is therefore inconsistent with the patent-related deadlines set forth in the Pretrial Scheduling Order (Dkt. 25) and/or the expert disclosure requirements under FED. R. CIV. P. 26(a)(2)(B).

Subject to and without waiving its general and specific objections, Redmon responds as follows:

No licenses to the Asserted Patents exist. Redmon has been trying to license the Asserted Patents to Defendants to settle this litigation, but Defendants keep infringing the Asserted Patents and ignoring those requests. Redmon has also been searching for other licensees and will provide responsive, non-privileged, non-objectionable documents and information.

INTERROGATORY NO. 10:

Identify all Prior Art that You are aware of and for each piece of Prior Art the date and circumstances that led to Your awareness.

ANSWER:

Redmon objects to this Interrogatory to the extent that it seeks to elicit information subject to and protected by the attorney-client privilege, the attorney work product doctrine, joint defense or common interest privilege, or any other applicable privileges, protections, or immunities.

Redmon objects to this Interrogatory to the extent that it prematurely seeks patent-related information and/or expert opinions and is therefore inconsistent with the patent-related deadlines set forth in the Pretrial Scheduling Order (Dkt. 25) and/or the expert disclosure requirements under FED. R. CIV. P. 26(a)(2)(B).

Redmon objects to this Interrogatory as overly burdensome and not proportional to the needs of the case because it asks Redmon to describe “*all* Prior Art.”

Subject to and without waiving its general and specific objections, Redmon states that it is not aware of any Prior Art other than the references included or cited in the file wrappers for the Asserted Patents.

INTERROGATORY NO. 11:

Identify every person, including but not limited to the Named Inventors, who had any input or involvement in the prosecution of the Asserted Patents. In responding to this interrogatory, describe the input or involvement of each person identified, including but not limited to the Named Inventors, and identify any corroborating documents.

ANSWER:

Redmon objects to this Interrogatory to the extent that it seeks to elicit information subject to and protected by the attorney-client privilege, the attorney work product doctrine, joint defense or common interest privilege, or any other applicable privileges, protections, or immunities.

Redmon objects to this Interrogatory as overly burdensome and not proportional to the needs of the case because it asks Redmon to describe “*every* person.”

Subject to and without waiving its general and specific objections, Redmon responds as follows:

Wei Wei Jeang, Clayton K. Redmon, Wei Wu, and Denise Wilson were involved in the prosecution of the Asserted Patents. Wei Wei Jeang and Clayton K. Redmon are inventors. Wei Wei Jeang prosecuted the Asserted Patents. Wei Wu and Denise Wilson assisted in the prosecution.

Further, pursuant to FED. R. CIV. P. 33(d), Redmon directs Defendants to the file wrappers for the Asserted Patents.

INTERROGATORY NO. 12:

Identify all damages that You contend You should be awarded in this case and state all factual bases for Your contention(s). To the extent that You contend that Redmon Jeang should recover a reasonable royalty, state all bases for Your contention, including an identification of what You contend that reasonable royalty should be, how that reasonable royalty should be calculated (including an analysis of all factors included as part of a hypothetical negotiation for said reasonable royalty), and all facts and documents You rely upon in support of Your contention.

ANSWER:

Redmon objects to this Interrogatory on the grounds that it impermissibly contains multiple subparts that should be considered individual interrogatories and therefore counts as multiple interrogatories. *See* FED. R. CIV. P. 33(a)(1).

Redmon objects to this Interrogatory to the extent that it seeks to elicit information subject to and protected by the attorney-client privilege, the attorney work product doctrine, joint defense or common interest privilege, or any other applicable privileges, protections, or immunities.

Redmon objects to this Interrogatory to the extent that it prematurely seeks information subject to expert testimony and is therefore inconsistent with the expert

disclosure requirements under the Court's Pretrial Scheduling Order (Dkt. 25) and FED. R. CIV. P. 26(a)(2)(B).

Subject to and without waiving its general and specific objections, Redmon directs Defendants to its Statement of the Case (Dkt. 22) and its Second Amended Complaint (Dkt. 32).

INTERROGATORY NO. 13:

If You contend You are entitled to lost profits, identify all facts and documents demonstrating: (1) demand for the allegedly patented product; (2) any acceptable non-infringing alternative(s); (3) Your manufacturing and marketing capability; and (4) the amount of profit you allegedly would have made.

ANSWER:

Redmon objects to this Interrogatory to the extent that it seeks to elicit information subject to and protected by the attorney-client privilege, the attorney work product doctrine, joint defense or common interest privilege, or any other applicable privileges, protections, or immunities.

Redmon objects to this Interrogatory to the extent that it prematurely seeks information subject to expert testimony and is therefore inconsistent with the expert disclosure requirements under the Court's Pretrial Scheduling Order (Dkt. 25) and FED. R. CIV. P. 26(a)(2)(B).

Subject to and without waiving its general and specific objections, Redmon directs Defendants to its Statement of the Case (Dkt. 22) and its Second Amended Complaint (Dkt. 32).

INTERROGATORY NO. 14:

To the extent that You contend that This Litigation is an exceptional case for which Redmon Jeang should be awarded attorney fees pursuant to 35 U.S.C. § 285 or otherwise, state all bases for Your contention (including fees incurred and fees actually paid), identify all factors that You contend should be included in the determination that This Litigation is an exceptional case and in calculating the attorneys' fees that You have incurred and that You have actually paid, and identify all facts and documents You rely upon in support of Your contention.

ANSWER:

Redmon objects to this Interrogatory on the grounds that it impermissibly contains multiple subparts that should be considered individual interrogatories and therefore counts as multiple interrogatories. *See* FED. R. CIV. P. 33(a)(1).

Redmon objects to this Interrogatory to the extent that it seeks to elicit information subject to and protected by the attorney-client privilege, the attorney work product doctrine, joint defense or common interest privilege, or any other applicable privileges, protections, or immunities.

Redmon objects to this Interrogatory to the extent that it prematurely seeks information subject to expert testimony and is therefore inconsistent with the expert disclosure requirements under the Court's Pretrial Scheduling Order (Dkt. 25) and FED. R. CIV. P. 26(a)(2)(B).

Subject to and without waiving its general and specific objections, Redmon directs Defendants to its Statement of the Case (Dkt. 22), its Second Amended Complaint (Dkt. 32), and Infringement Contentions.

INTERROGATORY NO. 15:

Identify all persons who have an ownership interest in Redmon Jeang and/or the Asserted Patents, including the percentage of such interest, the date such interest was acquired, and any encumbrance(s) on such interest.

ANSWER:

Redmon objects to this Interrogatory to the extent that it seeks to elicit information subject to and protected by the attorney-client privilege, the attorney work product doctrine, joint defense or common interest privilege, or any other applicable privileges, protections, or immunities.

Subject to and without waiving its general and specific objections, Redmon states that Redmon Jeang LLC wholly owns the Asserted Patents.

Dated: May 10, 2023

/s/ Amy E. LaValle
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**ATTORNEYS FOR PLAINTIFF
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