

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MULTIMEDIA TECHNOLOGIES PTE.
LTD.,

Plaintiff,

v.

VIZIO, INC.,

Defendant.

Civil Action No. 2:23-CV-00124-JRG

**MULTIMEDIA TECHNOLOGIES PTE LTD.’S OBJECTIONS AND RESPONSES TO
DEFENDANT VIZIO, INC.’S FIRST SET OF INTERROGATORIES TO PLAINTIFF
MULTIMEDIA TECHNOLOGIES PTE. LTD. (NOS. 1-11)**

Pursuant to Federal Rules of Civil Procedure 26 and 33, Plaintiff Multimedia Technologies PTE, Ltd., (“Plaintiff” or “Multimedia”) hereby submits these objections and responses to the First Set of Interrogatories (Nos. 1-11) served upon them by VIZIO, Inc. (“Defendant” or “VIZIO”) in the above-captioned case.

GENERAL OBJECTIONS TO INTERROGATORIES

The following General Objections apply to each of the Interrogatories propounded by Defendant and, unless otherwise stated, shall have the same force and effect as if set forth in full in response to each of the separately numbered Interrogatories. Although certain of these General Objections may be specifically referred to in response to certain specific Interrogatories, failure to mention those General Objections in response to other Interrogatories shall not be construed as a waiver of those General Objections as to those other Interrogatories. An assertion of the same, similar or additional objections in response to specific Interrogatories does not waive any of these General Objections as to any other Interrogatories:

1. Multimedia's objections and responses are based on its present knowledge, information and belief, and are subject to any additional or different information which discovery or investigation may uncover. Accordingly, Multimedia reserves the right to supplement or modify these objections and responses. Further, because all information and documents that are possibly within the scope of the Interrogatories may not have yet been located and identified, Multimedia reserves the right to assert additional objections to these Interrogatories and to modify and supplement or amend its responses without prejudice, as necessary or appropriate. Multimedia may continue to develop information that may be responsive to the Interrogatories. Multimedia reserves the right to amend and/or supplement its responses should such amendment and/or supplementation appear appropriate or necessary. Furthermore, these responses are given without prejudice to Multimedia's right to use or rely on at any time, including at the trial in this matter, subsequently discovered information or information omitted as a result of mistake, error, oversight, or inadvertence.

2. Multimedia objects to the Interrogatories, together with the accompanying Definitions and Instructions, to the extent that they are inconsistent with or purport to impose obligations broader in scope than those imposed by the Federal Rules of Civil Procedure, the Local Rules or any Standing Order(s) of the United States District Court for the Eastern District of Texas, and/or any other applicable rule or law. Multimedia expressly disclaims any obligations to provide any response beyond that required by such rules and authorities.

3. Multimedia objects to the Interrogatories to the extent that they seek information that is not within Multimedia's possession, custody or control, and/or seek to require Multimedia to provide information that is in the possession of other persons or entities.

4. Multimedia objects to the Interrogatories to the extent that they seek disclosure of information which Multimedia is restricted from disclosing by law, contract, or order.

5. Multimedia objects to the Interrogatories to the extent that they seek information protected from discovery by the attorney-client privilege, the attorney work product doctrine, common interest privilege, or any other applicable privilege or doctrine, immunity, statute, regulation, rule or restriction, and Multimedia will not provide such privileged and/or protected information. Inadvertent production of any such protected information shall not constitute a waiver of any applicable privilege or other ground for objection to discovery with respect to such information, or with respect to any other information.

6. These Responses and Objections are made without waiving:

a. Any objections as to the competency, relevancy, materiality, privilege and/or admissibility of the information provided in these Responses and Objections;

b. The right to object to any use of the information provided in these Responses and Objections in the trial of this, or any other, action;

c. The right to object to any future requests or demands for information or discovery that relate to the same subject matter as these Interrogatories; or

d. The right to revise, supplement, clarify or amend these objections and responses, at any time, if further factual developments or analyses warrant such modification, or if additional relevant information is obtained.

7. Multimedia objects to each and every Interrogatory to the extent that it contains an inaccurate, incomplete or misleading description of the facts underlying this action. Multimedia's production of information in response these Interrogatories shall not constitute or reflect any agreement with VIZIO's descriptions of the underlying facts.

8. Multimedia objects to the Interrogatories to the extent that they are vague, ambiguous or incomprehensible. Multimedia will answer the Interrogatories based on its understanding of them, subject to, and without waiving, Multimedia's objections.

9. Multimedia objects to the Interrogatories to the extent that they are overly broad, unduly burdensome, oppressive, harassing, cumulative, redundant and/or duplicative. Multimedia further objects to the Interrogatories to the extent that they seek information beyond the reasonable or permitted scope of discovery, or to the extent that the information requested is available through more convenient, less burdensome, or less expensive means.

10. Multimedia objects to the Interrogatories to the extent that they seek information that is not relevant to a claim or defense in this case, or seek information that is not proportional to the needs of this case.

11. Multimedia objects to the Interrogatories to the extent that they seek information that is already known to, or equally available to, Defendant.

12. Multimedia objects to the Interrogatories to the extent that they are not limited to any particular time period, and request information outside the relevant time period for this case.

13. No objection or limitation, or lack thereof, in these objections and responses shall be deemed an admission by Multimedia as to the existence or nonexistence of information.

14. Multimedia objects to the Interrogatories to the extent that they purport to require Multimedia to reach legal conclusion(s). Nothing herein is intended as, or shall be deemed to be, an admission or acceptance of, or agreement to, any factual or legal allegations or conclusions set forth in the Interrogatories, or in any other document filed or served by VIZIO.

15. Multimedia objects to these Interrogatories to the extent they call for information for which a request for production or deposition would be a more practical method of obtaining said information.

16. Multimedia objects to the Interrogatories to the extent the Interrogatories call for confidential and/or proprietary information of any individual or entity other than Multimedia.

17. Multimedia objects to the Interrogatories to the extent the Interrogatories are compound, and/or contain multiple discrete subparts within the meaning of Rule 33(a) of the Federal Rules of Civil Procedure, and to the extent the Interrogatories exceed the permissible number of Interrogatories by being compound and/or containing multiple discrete subparts.

18. Multimedia objects to VIZIO's definitions of "You" and "Your" as overly broad, especially insofar as it differs from and is broader than the definitions provided in the Federal Rules of Civil Procedure or the Local Rules of this Court. Multimedia is responding to these Interrogatories on behalf of Multimedia only.

19. Multimedia objects to VIZIO's definitions of "Related Patents" and/or "Related Applications" as overly broad and calls for information that is not relevant by encompassing patents, patent applications, and/or patent publications that are not asserted in, at issue in, or relevant to any claim or defense in this case.

20. Multimedia objects to VIZIO's definitions of "Relate to," "Related to," and "Relating to" as vague and ambiguous, especially to the extent that such terms require subjective judgment and speculation on the part of Multimedia.

21. Multimedia objects to VIZIO's definitions of "Document" and/or "Thing" to the extent they impose on Multimedia any burdens or obligations inconsistent with or beyond those

imposed by the Local Rules of this Court and the Joint Discovery Plan (*e.g.*, the parties' agreement to not conduct email discovery), or any other relevant rule or authority.

22. Multimedia objects to VIZIO's definition of "Identify" as applicable to a Document, a natural Person, and/or an entity other than a natural Person, as unduly burdensome and not proportional to the needs of the case, especially insofar as it imposes on Multimedia obligations that differ from or exceed those required by the Federal Rules of Civil Procedure or the Local Rules of this Court.

OBJECTIONS AND RESPONSES TO INDIVIDUAL INTERROGATORIES

INTERROGATORY NO. 1:

Describe, in complete detail, any and all attempts by you, any predecessor-in-interest, any licensee, and/or any prior assignee to the Patents-in-Suit, Related Patents, and/or Related Applications to commercialize, market, license, assign, monetize, enforce, and/or sell one or more of the Patents-in-Suit, Related Patents, and/or Related Applications or technology, including, without limitation, describing the terms of each settlement, license, sublicense, or sale, and identifying the following: each potential or actual licensee, sublicensee, or buyer; whether the agreement was executed; each communication between you and each potential or actual licensee, sublicensee, or buyer; the date(s) of each settlement, license, sublicense, or sale; all royalties, licensing revenues, or other compensation offered to and/or received by you in connection therewith; the number of units manufactured and sold by each licensee, sublicensee, or buyer; and the person(s) with knowledge of such factual bases.

RESPONSE TO INTERROGATORY NO. 1:

Multimedia incorporates its General Objections as if fully set forth herein.

Multimedia further objects to this Interrogatory as overly broad, unduly burdensome, irrelevant, and not proportional to the needs of this case to the extent it seeks information regarding patents, patent applications, or patent publications that are not asserted in, at issue in, or relevant to any claim or defense in this case, to the extent that it seeks information from or relating to third-parties not named in this case, to the extent it seeks "communications," and to

the extent it seeks information about any agreements or potential agreements that have not been executed.

Multimedia further objects to this Interrogatory to the extent that it is vague and ambiguous, and calls for information that is not relevant, at least in that the phrases “Related Patents,” “Related Applications,” “each potential or actual licensee, sublicensee, or buyer,” “the date(s) of each settlement, license, sublicense, or sale,” “each communication between you and each potential or actual licensee, sublicensee, or buyer,” “all royalties, licensing revenues, or other compensation offered to and/or received by you in connection therewith,” “the number of units manufactured and sold by each licensee, sublicensee, or buyer” are not sufficiently particular.

Multimedia further objects to this Interrogatory to the extent that it seeks information that is protected from disclosure by the attorney-client privilege, the attorney work product doctrine or any other applicable privilege, doctrine, or discovery immunity. The inadvertent production by Multimedia of information protected from disclosure by any such privilege, doctrine, or immunity shall not be deemed a waiver by Multimedia of any such privileges or protections.

Multimedia further objects to this Interrogatory to the extent that it seeks information regarding any settlement discussions, including to the extent it seeks material subject to Federal Rule of Evidence 408.

Multimedia further objects to this Interrogatory to the extent it seeks information that is subject to third-party confidentiality obligations.

Multimedia further objects to this Interrogatory as compound, and/or containing multiple discrete subparts within the meaning of Rule 33(a) of the Federal Rules of Civil

Procedure, at least to the extent it asks Multimedia to “describ[e] the terms of each settlement, license, sublicense, or sale,” and to identify “each potential or actual licensee, sublicensee, or buyer”; “whether the agreement was executed”; “each communication between you and each potential or actual licensee, sublicensee, or buyer”; “the date(s) of each settlement, license, sublicense, or sale”; “all royalties, licensing revenues, or other compensation offered to and/or received by you in connection therewith”; “the number of units manufactured and sold by each licensee, sublicensee, or buyer”; and “the person(s) with knowledge of such factual bases.”

Subject to the foregoing objections, Multimedia responds to this Interrogatory as follows:

Pursuant to Federal Rule of Civil Procedure 33(d), Multimedia refers VIZIO to the following documents from which information responsive to this Interrogatory may be ascertained, including to the extent this Interrogatory seeks information regarding patents related to the Patents-in-Suit: MULTIMEDIA-V-047721 - MULTIMEDIA-V-047754, MULTIMEDIA-V-047773 - MULTIMEDIA-V-047896. Multimedia reserves the right to identify further non-privileged documents, to the extent such documents exist and are within or come within Multimedia’s possession, custody, or control, from which information responsive to this Interrogatory may be ascertained to the extent possible.

Discovery is ongoing and Multimedia reserves the right to amend or supplement its response to this Interrogatory in accordance with the Federal Rules of Civil Procedure and any applicable order of the Court. Multimedia also reserves the right to rely on the testimony of witnesses that are deposed and provide information relevant to this Interrogatory.

INTERROGATORY NO. 2:

Identify all Persons with a financial interest in the Patents-in-Suit or the outcome of Plaintiff’s claims in this Action or the LG Action, or any other proceeding involving the Asserted

Patents, and describe the nature and extent of any such interest. To be complete, your response should include, but not be limited to, identification of any and all investors, co-owners, lenders, licensees, counsel, and other agents that have provided funding or other financial support for this lawsuit (including payment of legal fees and/or costs), that stand to potentially receive, or have received, any financial benefit from an award of damages or monetary settlement in this lawsuit, and/or a sale or licensing of the Patents-in-Suit, and all documents relating to each such financial interest.

RESPONSE TO INTERROGATORY NO. 2:

Multimedia incorporates its General Objections as if fully set forth herein.

Multimedia further objects to this Interrogatory to the extent that it is overly broad, unduly burdensome, irrelevant, and not proportional to the needs of this case, at least to the extent it asks Multimedia to “[i]dentify all Persons with a financial interest in the Patents-in-Suit or the outcome of Plaintiff’s claims in this Action or the LG Action, or any other proceeding involving the Asserted Patents, and describe the nature and extent of any such interest.” The identity of any such persons/entities is not relevant to any claim or defense at issue in this action, especially to the extent VIZIO seeks information related to litigation funding. *See, e.g., Fleet Connect Solutions LLC v. Waste Connections US, Inc.*, Civ. No. 21-cv-00365-JRG, Dkt. #59 (E.D. Tex. June 29, 2022).

Multimedia further objects to this Interrogatory to the extent that it is vague and ambiguous, and calls for information that is not relevant, at least in that the phrases “other financial support,” and “any financial benefit,” are not sufficiently particular.

Multimedia further objects to this Interrogatory as compound, and/or containing multiple discrete subparts within the meaning of Rule 33(a) of the Federal Rules of Civil Procedure, at least to the extent it calls for information regarding (1) “any and all investors, co-owners, lenders, licensees, counsel, and other agents that” (a) “have provided funding or other financial support for this lawsuit (including payment of legal fees and/or costs),” (b) “stand

to potentially receive, or have received, any financial benefit from an award of damages or monetary settlement in this lawsuit and/or a sale or licensing of the Patents-in-Suit,” and (2) “all documents relating to each such financial interest.”

Multimedia further objects to this Interrogatory to the extent that it seeks information that is protected from disclosure by the attorney-client privilege, the attorney work product doctrine or any other applicable privilege, doctrine, or discovery immunity. The inadvertent production by Multimedia of information protected from disclosure by any such privilege, doctrine, or immunity shall not be deemed a waiver by Multimedia of any such privileges or protections.

Multimedia further objects to this Interrogatory to the extent it seeks information that is subject to third-party confidentiality obligations.

Subject to, and without waiving, the foregoing objections, Multimedia responds to this Interrogatory as follows:

Plaintiff is the sole current owner, by assignment, of the Patents-in-Suit. Plaintiff incorporates herein by reference assignments of the Patents-in-Suit and related documents that have been or will be produced in this action and cited pursuant to Federal Rule of Civil Procedure 33(d).

Further, pursuant to Federal Rule of Civil Procedure 33(d), Multimedia refers VIZIO to the following documents from which information responsive to this Interrogatory may be ascertained: MULTIMEDIA-V-047755, MULTIMEDIA-V-047846. Multimedia reserves the right to identify further non-privileged documents, to the extent such documents exist and are within or come within Multimedia’s possession, custody, or control, from which information responsive to this Interrogatory may be ascertained to the extent possible.

Discovery is ongoing and Multimedia reserves the right to amend or supplement its response to this Interrogatory in accordance with the Federal Rules of Civil Procedure and any applicable order of the Court. Multimedia also reserves the right to rely on the testimony of witnesses that are deposed and provide information relevant to this Interrogatory.

INTERROGATORY NO. 3:

For each Asserted Claim of the Patents-in-Suit that you contend are valid over grounds raised in VIZIO's Invalidity Contentions served on September 28, 2023 (including any supplements or amendments thereto), provide the basis for your contention and identify the specific evidence which you contend rebuts VIZIO's showing of invalidity.

RESPONSE TO INTERROGATORY NO. 3:

Multimedia incorporates its General Objections as if fully set forth herein.

Multimedia further objects to this Interrogatory to the extent that it is overly broad, unduly burdensome, and not proportional to the needs of this case, to the extent that it asks Multimedia to describe "the basis for your contention" and to "identify the specific evidence which you contend rebuts VIZIO's showing of invalidity." It would be unduly burdensome for Multimedia to attempt to identify, and explain why, each Asserted Claim for the Patents-in-Suit is not disclosed in each of the prior art references identified in VIZIO's invalidity contentions served on September 28, 2023, at least because VIZIO itself has not adequately identified any contention that establishes that any Asserted Claim is invalid under 35 U.S.C. §§ 102, 103 or 112 in its Invalidity Contentions.

Multimedia further objects to this Interrogatory to the extent that it is vague and ambiguous, and calls for information that is not relevant, at least in that the phrases "the basis for your contention" and "identify the specific evidence which you contend rebuts VIZIO's showing of invalidity" are not sufficiently particular.

Multimedia further objects to this Interrogatory as premature and/or improperly requesting expert discovery and legal conclusions to the extent it calls for Multimedia's

response to any assertions by VIZIO that the Patents-in-Suit are invalid at this stage of this proceeding prior to the date for expert reports set forth in the Court's Scheduling Order.

Multimedia objects to this Interrogatory as premature to the extent the Court has not yet construed the claims of the Patents-in-Suit.

Multimedia further objects to this Interrogatory as overly broad, unduly burdensome, and not proportional to the needs of this case to the extent it requires Multimedia to perform a legal analysis regarding 35 U.S.C. §§ 102 and 103 while VIZIO—which bears the burden of proof as to patent invalidity—has failed to provide the reasons why any claim limitations are allegedly invalid under 35 U.S.C. §§ 102, 103 or 112 in its Invalidity Contentions. Multimedia further objects to this Interrogatory to the extent that it calls for to respond to combinations of alleged prior art references under 35 U.S.C. § 103, because VIZIO has not identified with specificity how a person having ordinary skill in the art at the time of filing of the Asserted Patents would have understood the references listed above, alone or in combination, to contain explicit and/or implicit teaching, suggestion, and/or rationales to combine them, and accordingly has not shown how any alleged prior art references are allegedly combined to invalidate the Patents-in-Suit. Instead, among other deficiencies, VIZIO has (1) only copied and pasted sections of certain alleged prior art into claim charts without narrative or an explanation as to why or where in these sections the alleged prior art meets the claim limitations, (2) failed to identify combinations of alleged prior art that allegedly render a claim obvious, (3) failed to adequately identify a motivation to combine any combination of alleged prior art, and (4) listed additional alleged prior art—including alleged systems—without any explanation whatsoever. Multimedia further objects that VIZIO has not articulated any cognizable contention that any Asserted Claim is invalid under 35 U.S.C. § 112. Instead, VIZIO merely lists claim elements without explanation as to how any such element lacks written

description, which does not meet VIZIO's burden to provide contentions regarding invalidity, let alone establish invalidity of the asserted claims.

Multimedia further objects to this Interrogatory to the extent it attempts to improperly shift the burden regarding patent validity to Multimedia, when each Asserted Claim of the Patents-in-Suit is presumed valid and it is VIZIO's burden to prove invalidity by clear and convincing evidence of any Asserted Claim. 35 U.S.C. § 282; *Microsoft Corp. v. I4I Ltd. P'ship*, 564 U.S. 91, 95, 131 S. Ct. 2238, 2242, 180 L. Ed. 2d 131 (2011). For example, VIZIO's claim charts almost entirely consist of copied and pasted language from the alleged prior art references with virtually no explanation of how VIZIO interprets the language to meet Multimedia's asserted claim limitations. Multimedia further objects to this Interrogatory as premature and/or improperly requesting expert discovery and legal conclusions to the extent it calls for Plaintiff's response to any assertions by VIZIO that the Patents-in-Suit are invalid at this stage of this proceeding before the date for expert reports set forth in the Court's Scheduling Order.

Multimedia further objects to this Interrogatory as compound, and/or containing multiple discrete subparts within the meaning of Rule 33(a) of the Federal Rules of Civil Procedure, at least to the extent it calls for Multimedia to "provide the basis for your contention" and "identify the specific evidence which you contend rebuts VIZIO's showing of invalidity" for "each Asserted Claim of the Patents-in-Suit."

Subject to, and without waiving, the foregoing objections, Multimedia responds to this Interrogatory as follows:

The Asserted Patents are presumed valid and, to the extent VIZIO's Invalidity Contentions can be understood, VIZIO has failed to demonstrate that any claim of any Asserted Patent is invalid under 35 U.S.C. §§ 102 or 103. Moreover, VIZIO has not identified any combinations of alleged

prior art that allegedly render the claims of any Asserted Patent obvious nor explained which limitations are allegedly met by each of these references in forming any alleged combinations. It is therefore at least premature, prejudicial, improper and a shift in burden for Plaintiff to identify which limitations are missing from each of these references and/or any combination. With respect to the specific references charted in VIZIO's Invalidity Contentions—to the extent they can be understood—VIZIO has failed to demonstrate that any reference discloses each and every limitation of any asserted claim. claim chart for this reference does not articulate an invalidity theory. There is no explanation provided for how any claim limitation is allegedly met by any reference and therefore VIZIO has not met its obligation or its burden for any limitation. Instead, VIZIO copies and pastes sections, and often long sections, of the reference into a claim chart without meaningful emphasis, commentary, explanation, etc. Further, VIZIO also incorporates by reference its inexplicit cut and paste explanations from one or several claim elements, or even entire claims, to teach other claim elements without elaboration. For at least these reasons, it is premature, prejudicial, improper and a shift in burden for Multimedia to identify which limitations are missing from the reference. And for at least these reasons, VIZIO has thus failed to show how any reference meets the limitations of any asserted claim and how it discloses the invention of the Asserted Patents. Moreover, VIZIO has not presently identified any basis for alleging that the Asserted Claims lack written description support or are not enabled. Multimedia incorporates herein by reference the Patents-in-Suit and their file histories which have been or will be produced in this action and cited pursuant to Fed. R. Civ. P. 33(d).

Discovery is ongoing and Multimedia reserves the right to amend or supplement its response to this Interrogatory in accordance with the Federal Rules of Civil Procedure and

any applicable order of the Court. Multimedia also reserves the right to rely on the testimony of witnesses that are deposed and provide information relevant to this Interrogatory.

Multimedia is willing to meet and confer with VIZIO to discuss a schedule under which the parties agree to respond to interrogatories seeking non-infringement and/or validity positions, particularly in light of VIZIO's failure to respond to Multimedia's interrogatory seeking VIZIO's non-infringement position, served September 6, 2023.

INTERROGATORY NO. 4:

If you contend that any Asserted Claim of the Patents-in-Suit is not directed to patent ineligible subject matter, provide all facts supporting your contention(s), including, but not limited to, the following: identifying each claim you contend is not directed to an abstract idea as set forth in VIZIO's Invalidity and Subject-Matter Eligibility Contentions served on September 28, 2023 (including any supplements or amendments thereto) and the reason you contend this claim is not directed to an abstract idea; identifying the industry at the relevant time; identifying each claim element you contend was not well understood, routine, nor conventional in the relevant industry and the relevant time, both individually and in combination with other elements of its claim, and the reasons therefor; identifying all Persons with knowledge of your response and all other facts supporting your response.

RESPONSE TO INTERROGATORY NO. 4:

Multimedia incorporates its General Objections as if fully set forth herein.

Multimedia further objects to this Interrogatory to the extent that it is overly broad, unduly burdensome, and not proportional to the needs of this case, as well as compound, at least to the extent it asks Multimedia to identify "each claim you contend is not directed to an abstract idea . . . and the reason you contend this claim is not directed to an abstract idea"; "the industry at the relevant time"; "each claim element you contend was not well understood, routine, nor conventional in the relevant industry and the relevant time, both individually and in combination with other elements of its claim, and the reasons therefor"; "all Persons with knowledge of your response and all other facts supporting your response." It would be unduly burdensome for

Multimedia to attempt to identify the requested information on a claim-by-claim or element-by-element basis, especially since VIZIO bears the burden of proving that the Patents-in-Suit are directed at patent ineligible subject matter under 35 U.S.C. § 101 and has not done so.

Multimedia further objects to this Interrogatory to the extent that it is vague and ambiguous, and calls for information that is not relevant, at least in that the phrases “identifying each claim you contend is not directed to an abstract idea . . . and the reason you contend this claim is not directed to an abstract idea”; “identifying the industry at the relevant time”; “identifying each claim element you contend was not well understood, routine, nor conventional in the relevant industry and the relevant time” are not sufficiently particular in the context of VIZIO’s Subject Matter Ineligibility Contentions.

Multimedia further objects to this Interrogatory as compound, and/or containing multiple discrete subparts within the meaning of Rule 33(a) of the Federal Rules of Civil Procedure, at least to the extent it calls for information regarding support for subject matter eligibility.

Multimedia objects to this Interrogatory as premature to the extent the Court has not yet construed the claims of the Patents-in-Suit.

Multimedia objects to this Interrogatory to the extent it calls for legal conclusions and contentions.

Multimedia further objects to this Interrogatory to the extent that it relies on VIZIO’s Subject Matter Ineligibility Contentions served on September 28, 2023 as those contentions are deficient and do not provide a cognizable theory of ineligibility under 35 U.S.C. § 101. VIZIO’s Subject Matter Ineligibility Contentions purport to demonstrate that each Asserted Claim of the Asserted Patents is ineligible, but fail to meet VIZIO’s burden to do so at least because the

Subject Matter Ineligibility Contentions merely recite case law without meaningful explanation as to how the law applies to relevant limitations. Accordingly, the Subject Matter Ineligibility Contentions fail to demonstrate how the Asserted Claims are well understood, routine, and conventional, or provide the factual and legal basis therefore. The Subject Matter Ineligibility Contentions further fail to provide a description of how each element of each Asserted Claim, both individually and in combination with the other elements of that claim, was well understood, routine, and conventional, in the relevant industry at the relevant time, and the legal and factual basis therefore.

Multimedia also objects to this Interrogatory to the extent it attempts to improperly shift the burden regarding patent validity, on which VIZIO bears the burden of proof.

Multimedia further objects to this Interrogatory to the extent that it seeks information that is protected from disclosure by the attorney-client privilege, the attorney work product doctrine or any other applicable privilege, doctrine, or discovery immunity. The inadvertent production by Multimedia of information protected from disclosure by any such privilege, doctrine, or immunity shall not be deemed a waiver by Multimedia of any such privileges or protections.

Multimedia objects to this Interrogatory as premature and/or improperly requesting expert discovery to the extent it calls for Multimedia's validity contentions before the date for expert reports set forth in the Court's Scheduling Order.

Subject to the foregoing objections, Multimedia responds as follows:

The Asserted Patents are presumed valid and, to the extent VIZIO's Invalidity Contentions can be understood, VIZIO has failed to demonstrate that any claim of any Asserted Patent is ineligible under 35 U.S.C. § 101. In particular, VIZIO has fail to demonstrate how the Asserted Claims are well understood, routine, and conventional, or provide the factual and legal basis

therefore. The Subject Matter Ineligibility Contentions further fail to provide a description of how each element of each Asserted Claim, both individually and in combination with the other elements of that claim, was well understood, routine, and conventional, in the relevant industry at the relevant time, and the legal and factual basis therefore. There is no explanation provided for how any claim limitation is allegedly ineligible and therefore VIZIO has not met its obligation or its burden for any limitation. Instead, VIZIO cites case law and portions of the patent specifications without elaboration. For at least these reasons, it is premature, prejudicial, improper and a shift in burden for Multimedia to prove patent eligibility. And for at least these reasons, VIZIO has thus failed to show how any Asserted Claim is directed to ineligible subject matter.

Discovery is ongoing and Multimedia reserves the right to amend or supplement its response to this Interrogatory in accordance with the Federal Rules of Civil Procedure and any applicable order of the Court. Multimedia also reserves the right to rely on the testimony of witnesses that are deposed and provide information relevant to this Interrogatory.

Multimedia is willing to meet and confer with VIZIO to discuss a schedule under which the parties agree to respond to interrogatories seeking non-infringement and/or validity positions, particularly in light of VIZIO's failure to respond to Multimedia's interrogatory seeking VIZIO's non-infringement position, served September 6, 2023.

INTERROGATORY NO. 5:

State whether you contend that any objective indicia or secondary considerations (such as commercial success, long-felt need, failed attempts of others to solve a problem, initial skepticism, industry recognition and praise for patented products, unexpected results or properties, licenses, and copying and imitation by others) are relevant in determining the issue of obviousness of the subject matter claimed in the Patents-in-Suit under 35 U.S.C. § 103, and, if so, identify each such objective indicia or secondary consideration that you will rely on to rebut a claim of obviousness and describe in detail why each secondary consideration demonstrates nonobviousness, including their alleged nexus to the Patents-In-Suit, and each Person having knowledge of the facts underlying such response.

RESPONSE TO INTERROGATORY NO. 5:

Multimedia incorporates its General Objections as if fully set forth herein.

Multimedia further objects to this Interrogatory as overly broad, unduly burdensome, and not proportional to the needs of the case because, to the extent that Multimedia contends that “any objective indicia or secondary considerations . . . are relevant in determining the issue of obviousness of the subject matter claims in the Patents-in-Suit,” it asks Multimedia to “identify each such objective indicia or secondary consideration that [it] will rely on to rebut a claim of obviousness,” to “describe in detail why each secondary consideration demonstrates nonobviousness,” and to identify “each Person having knowledge of the facts underlying such response.” It would be unduly burdensome for Plaintiff to attempt to identify every detail related to each indicia or secondary consideration on which it will rely to demonstrate nonobviousness.

Multimedia further objects to this Interrogatory as premature and/or improperly requesting expert discovery before the date for expert reports set forth in the Court’s Scheduling Order.

Multimedia objects to this Interrogatory as premature to the extent the Court has not yet construed the claims of the Patents-in-Suit.

Multimedia further objects to this Interrogatory as compound, and/or containing multiple discrete subparts within the meaning of Rule 33(a) of the Federal Rules of Civil Procedure, at least to the extent it calls for Multimedia to “identify each such objective indicia or secondary consideration that [it] will rely on to rebut a claim of obviousness,” to “describe in detail why each secondary consideration demonstrates nonobviousness,” and to identify “each Person having knowledge of the facts underlying such response.”

Subject to, and without waiving, the foregoing objections, Multimedia responds to this Interrogatory as follows:

The Asserted Claims of the Asserted Patents are directed, among other things, to improvements in televisions and the user interfaces thereof. These improvements and the manners in which they improved on the prior art are explained in detail in the specifications of the Asserted Patents, the prosecution histories of same, and in Multimedia's Complaint, which are all incorporated herein by reference. These demonstrate that the validity of the Asserted Claims is supported by several secondary indicia of non-obviousness. For example, each of the Asserted Claims is valid as further evidenced by the commercial success of instrumentalities practicing the patented inventions (*e.g.*, the instrumentalities identified in Multimedia's Infringement Contentions, served July 20, 2023) and the long-felt but unsatisfied need for the inventions. There is a clear nexus between these secondary considerations and the novel elements of the inventions of the Asserted Claims.

Discovery is ongoing and Multimedia reserves the right to amend or supplement its response to this Interrogatory in accordance with the Federal Rules of Civil Procedure and any applicable order of the Court. Multimedia also reserves the right to rely on the testimony of witnesses that are deposed and provide information relevant to this Interrogatory.

INTERROGATORY NO. 6:

Describe in detail any determination of the value, incremental or otherwise, of the Patents-in-Suit including, without limitation, the value estimated or assigned; the basis for that determination; any experts consulted; any economic, statistical, accounting, or other market analyses undertaken, whether by you or an independent person; any prior value or consideration paid or given for the patent; the costs, expenses or investments made or incurred in the development; how that value was determined; all Persons having knowledge of the facts regarding your answer to this Interrogatory; and the nature and scope of each such Person's knowledge.

RESPONSE TO INTERROGATORY NO. 6:

Multimedia incorporates its General Objections as if fully set forth herein.

Multimedia objects to this Interrogatory as overly broad, unduly burdensome, and not proportional to the needs of the case to the extent it seeks information regarding “the value estimated or assigned”; “the basis for that determination”; “any experts consulted”; “any economic, statistical, accounting, or other market analyses undertaken, whether by you or an independent person”; “any prior value or consideration paid or given for the patent”; “the costs, expenses or investments made or incurred in the development”; “how that value was determined”; “all Persons having knowledge of the facts regarding your answer to this Interrogatory”; and “the nature and scope of each such Person’s knowledge.” It would be unduly burdensome for Plaintiff to attempt to identify every detail related to any determination of the value of the Patents-in-Suit, particularly where the Scheduling Order provides for expert reports related to damages.

Multimedia further objects to this Interrogatory as vague and ambiguous, at least because “the value . . . of the Patents-in-Suit” and “the development” are not sufficiently particular.

Multimedia further objects to this Interrogatory to the extent that it seeks information that is protected from disclosure by the attorney-client privilege, the attorney work product doctrine or any other applicable privilege, doctrine, or discovery immunity. The inadvertent production by Multimedia of information protected from disclosure by any such privilege, doctrine, or immunity shall not be deemed a waiver by Multimedia of any such privileges or protections.

Multimedia further objects to this Interrogatory as premature and/or improperly requesting expert discovery to the extent it calls for Multimedia’s damages calculations prior to the date for expert reports set forth in the Court’s Scheduling Order and because VIZIO’s document production thus far is deficient and information relevant to such damages calculations is in VIZIO’s possession.

Multimedia objects to this Interrogatory as premature to the extent the Court has not yet construed the claims of the Patents-in-Suit.

Multimedia further objects to this Interrogatory as compound, and/or containing multiple discrete subparts within the meaning of Rule 33(a) of the Federal Rules of Civil Procedure, at least to the extent it calls for Multimedia to describe “the value estimated or assigned”; “the basis for that determination”; “any experts consulted”; “any economic, statistical, accounting, or other market analyses undertaken, whether by you or an independent person”; “any prior value or consideration paid or given for the patent”; “the costs, expenses or investments made or incurred in the development”; “how that value was determined”; “all Persons having knowledge of the facts regarding your answer to this Interrogatory”; and “the nature and scope of each such Person’s knowledge.”

Multimedia further objects to this Interrogatory to the extent it calls for a legal conclusion.

Subject to, and without waiving, the foregoing objections, Multimedia responds to this Interrogatory as follows:

Information responsive to this Interrogatory will be provided in the forthcoming expert reports of Multimedia’s damages expert under the schedule set forth in the Court’s Scheduling Order, any supplemental expert reports by such expert on damages issues, and any testimony (by declaration, in deposition, or at trial) to be provided in this case by Multimedia’s expert(s), all of which Multimedia incorporates by reference herein.

Discovery is ongoing and Multimedia reserves the right to amend or supplement its response to this Interrogatory in accordance with the Federal Rules of Civil Procedure and any

applicable order of the Court. Multimedia also reserves the right to rely on the testimony of witnesses that are deposed and provide information relevant to this Interrogatory.

INTERROGATORY NO. 7:

For each accused product, explain the basis for your contention regarding induced infringement under 35 U.S.C. § 271(b), including the identification of all facts that you will rely upon to support that claim. This includes how VIZIO allegedly (1) actively encouraged infringement, (2) knew that the induced acts constituted patent infringement, and (3) caused direct patent infringement by those encouraging acts.

RESPONSE TO INTERROGATORY NO. 7:

Multimedia incorporates its General Objections as if fully set forth herein.

Multimedia objects to this Interrogatory as overly broad, unduly burdensome, and not proportional to the needs of the case to the extent it seeks information regarding Multimedia's Infringement Contentions beyond that required by P.R. 3-1.

Multimedia further objects to this Interrogatory as premature and/or improperly requesting expert discovery before the date for expert reports set forth in the Court's Scheduling Order, and because VIZIO's document production thus far is deficient and information supporting Multimedia's claim is in VIZIO's possession.

Multimedia objects to this Interrogatory as premature to the extent the Court has not yet construed the claims of the Patents-in-Suit.

Multimedia further objects to this Interrogatory to the extent it calls for a legal conclusion or contention.

Multimedia further objects to this Interrogatory to the extent that it seeks information that is protected from disclosure by the attorney-client privilege, the attorney work product doctrine or any other applicable privilege, doctrine, or discovery immunity. The inadvertent production by Multimedia of information protected from disclosure by any such privilege,

doctrine, or immunity shall not be deemed a waiver by Multimedia of any such privileges or protections.

Subject to these objections and the foregoing General Objections, Multimedia responds to this Interrogatory as follows:

Multimedia incorporates by reference its Complaint, its Infringement Contentions, and all documents cited therein. As indicated in Multimedia's September 21, 2023 correspondence to VIZIO counsel, Multimedia will supplement its Infringement Contentions to provide further information responsive to this Interrogatory upon receipt of relevant discovery from VIZIO, which, to-date, has not been provided.

Discovery is ongoing and Multimedia reserves the right to amend or supplement its response to this Interrogatory in accordance with the Federal Rules of Civil Procedure and any applicable order of the Court. Multimedia also reserves the right to rely on the testimony of witnesses that are deposed and provide information relevant to this Interrogatory.

INTERROGATORY NO. 8:

For each accused product, explain the basis for your contention regarding contributory infringement under 35 U.S.C. § 271(c), including the identification of all facts that you will rely upon to support of that claim. This includes facts relating to how VIZIO allegedly has had (a) knowledge of each patent-in-suit, (b) knowledge that any component was designed for use in an infringement of the patent (including an identification of each such component of each Accused VIZIO Product you contend was so designed), (c) how each such Accused Product and component(s) thereof constitute a material part of a patented product, and (d) how each such Accused Product and/or component(s) thereof are not staple articles of commerce.

RESPONSE TO INTERROGATORY NO. 8:

Multimedia incorporates its General Objections as if fully set forth herein.

Multimedia objects to this Interrogatory as overly broad, unduly burdensome, and not proportional to the needs of the case to the extent it seeks information regarding Multimedia's Infringement Contentions beyond that required by P.R. 3-1.

Multimedia further objects to this Interrogatory as premature and/or improperly requesting expert discovery prior to the date for expert reports set forth in the Court's Scheduling Order and because VIZIO's document production thus far is deficient and the information supporting Multimedia's claim is in VIZIO's possession.

Multimedia objects to this Interrogatory as premature to the extent the Court has not yet construed the claims of the Patents-in-Suit.

Multimedia further objects to this Interrogatory as compound, and/or containing multiple discrete subparts within the meaning of Rule 33(a) of the Federal Rules of Civil Procedure, at least to the extent it calls for Multimedia to describe "(a) knowledge of each patent-in-suit," "(b) knowledge that any component was designed for use in an infringement of the patent (including an identification of each such component of each Accused VIZIO Product you contend was so designed)," "(c) how each such Accused Product and component(s) thereof constitute a material part of a patented product," and "(d) how each such Accused Product and/or component(s) thereof are not staple articles of commerce."

Multimedia further objects to this Interrogatory to the extent it calls for a legal conclusion or contention.

Multimedia further objects to this Interrogatory to the extent that it seeks information that is protected from disclosure by the attorney-client privilege, the attorney work product doctrine or any other applicable privilege, doctrine, or discovery immunity. The inadvertent production by Multimedia of information protected from disclosure by any such privilege, doctrine, or immunity shall not be deemed a waiver by Multimedia of any such privileges or protections.

Subject to these objections and the foregoing General Objections, Multimedia responds to this Interrogatory as follows:

Multimedia incorporates by reference its Complaint, including any amendments thereto, its Infringement Contentions, and all documents cited therein. As indicated in Multimedia's September 21, 2023 correspondence to VIZIO counsel, Multimedia will supplement its Infringement Contentions to provide further information responsive to this Interrogatory upon receipt of relevant discovery from VIZIO, which, to-date, has not been provided.

Discovery is ongoing and Multimedia reserves the right to amend or supplement its response to this Interrogatory in accordance with the Federal Rules of Civil Procedure and any applicable order of the Court. Multimedia also reserves the right to rely on the testimony of witnesses that are deposed and provide information relevant to this Interrogatory.

INTERROGATORY NO. 9:

For any Asserted Claim of the Patents-in-Suit that you contend is not invalid under 35 U.S.C. § 112, provide a chart identifying where each claim element is supported by the written description of its corresponding patent disclosure including, but not limited to, the terms and phrases identified by VIZIO as being invalid under 35 U.S.C. § 112 in VIZIO's Invalidity Contentions pursuant to P.R. 3-3(d), including any supplements or amendments thereto, and describe the basis for any contention that such claims are enabled by the disclosure of the patent, including without limitation, the column, line number, drawing, and drawing reference number, if any, that purportedly describe how to make and use the claimed invention(s), and all facts related to the state of the prior art, the level of predictability in the art, existence of working examples of the claimed invention made by the named inventors at the time of filing, and the quantity of experimentation needed to make or use the purported invention based on the disclosures in the Patents-in-Suit.

RESPONSE TO INTERROGATORY NO. 9:

Multimedia incorporates its General Objections as if fully set forth herein.

Multimedia further objects to this Interrogatory to the extent that it is overly broad, unduly burdensome, and not proportional to the needs of this case, to the extent that it asks Multimedia to

“provide a chart identifying where each claim element is supported by the written description of its corresponding patent disclosure,” “describe the basis for any contention that such claims are enabled by the disclosure of the patent,” and “all facts related to the state of the prior art, the level of predictability in the art, existence of working examples of the claimed invention made by the named inventors at the time of filing, and the quantity of experimentation needed to make or use the purported invention based on the disclosures in the Patents-in-Suit.” It would be unduly burdensome for Multimedia to attempt to identify and describe the basis and facts for contending that each Asserted Claim for the Patents-in-Suit is not invalid under 35 U.S.C. § 112 as asserted in VIZIO’s invalidity contentions served on September 28, 2023, particularly when VIZIO has not itself identified a contention that any Asserted Claim invalid under 35 U.S.C. § 112. Additionally, VIZIO’s definition of “chart” in this Interrogatory is overly broad, unduly burdensome, and not proportional to the needs of this case.

Multimedia further objects to this Interrogatory to the extent that it is vague and ambiguous, and calls for information that is not relevant, at least in that the phrases “the basis for your contention,” “identify[] where each claim element is supported by the written description of its corresponding patent disclosure,” and “all facts related to . . . ” are not sufficiently particular.

Multimedia further objects to this Interrogatory as premature and/or improperly requesting expert discovery and legal conclusions to the extent it calls for Multimedia’s response to any assertions by VIZIO that the Patents-in-Suit are invalid at this stage of this proceeding prior to the date for expert reports set forth in the Court’s Scheduling Order.

Multimedia objects to this Interrogatory as premature to the extent the Court has not yet construed the claims of the Patents-in-Suit.

Multimedia further objects to this Interrogatory to the extent that it relies on VIZIO's invalidity contentions served on September 28, 2023 as those contentions do not identify a cognizable theory of invalidity under 35 U.S.C. § 112. Instead, VIZIO merely lists claim elements without explanation as to how any such element lacks written description, which does not meet VIZIO's burden to provide contentions regarding invalidity, let alone establish invalidity of the asserted claims.

Multimedia further objects to this Interrogatory to the extent it attempts to improperly shift the burden regarding patent validity, on which VIZIO bears the burden of proof.

Multimedia further objects to this Interrogatory as compound, and/or containing multiple discrete subparts within the meaning of Rule 33(a) of the Federal Rules of Civil Procedure, at least to the extent it calls for Multimedia to "provide a chart identifying where each claim element is supported by the written description of its corresponding patent disclosure," "describe the basis for any contention that such claims are enabled by the disclosure of the patent," and "all facts related to the state of the prior art, the level of predictability in the art, existence of working examples of the claimed invention made by the named inventors at the time of filing, and the quantity of experimentation needed to make or use the purported invention based on the disclosures in the Patents-in-Suit" for "each Asserted Claim of the Patents-in-Suit."

Subject to, and without waiving, the foregoing objections, Multimedia responds to this Interrogatory as follows:

Each Asserted Claim of the Patents-in-Suit is presumed valid and it is VIZIO's burden to prove invalidity of any Asserted Claim. 35 U.S.C. § 282. VIZIO has not presently identified any basis for alleging that the Asserted Claims lack written description support or are not enabled.

Multimedia incorporates herein by reference the Patents-in-Suit and their file histories which have been or will be produced in this action and cited pursuant to Fed. R. Civ. P. 33(d).

Discovery is ongoing and Multimedia reserves the right to amend or supplement its response to this Interrogatory in accordance with the Federal Rules of Civil Procedure and any applicable order of the Court. Multimedia also reserves the right to rely on the testimony of witnesses that are deposed and provide information relevant to this Interrogatory.

INTERROGATORY NO. 10:

To the extent you contend any Asserted Claim is entitled to a priority date earlier than the filing date of the relevant Asserted Patent application, provide a chart that lists each limitation of each Asserted Claim of such Asserted Patent and identifies the facts relied upon to support each priority claim. The chart should include the application(s), column(s), and line number(s) of the priority patent application(s) or material(s) that disclose each such limitation of the Asserted Claims. If you contend that any Asserted Claim is entitled to a priority date earlier than the filing date of the relevant Asserted Patent application based on conception and reduction to practice, then the chart should identify and describe in detail the conception and reduction to practice, actual and constructive, of the alleged invention covered by each asserted claim of the Asserted Patents, including, but not limited to the manner and circumstance surrounding the conception and reduction to practice, the date of conception and the date of reduction to practice for that claim, the identity of all individuals who contributed toward or participated in any such conception or reduction to practice, and all documents by production number which you contend corroborate each such conception and reduction to practice, and all Persons who you contend can corroborate each such conception and reduction to practice.

RESPONSE TO INTERROGATORY NO. 10:

Multimedia incorporates its General Objections as if fully set forth herein.

Multimedia further objects to this Interrogatory as overly broad, unduly burdensome, and not proportional to the needs of this case, to the extent that it asks Multimedia to “provide a chart that lists each limitation of each Asserted Claim of such Asserted Patent and identifies the facts relied upon to support each priority claim.” It would be unduly burdensome for Multimedia to identify each limitation of each Asserted Claim for each Patent-in-Suit that Multimedia contends is entitled to an earlier priority date and to identify the facts supporting such earlier priority date

for each Asserted Claim for each Patent-in-Suit, especially in light of how VIZIO defines “chart” in this Interrogatory. In particular, VIZIO’s definition of “chart” in this Interrogatory is overly broad, unduly burdensome, and not proportional to the needs of this case to the extent that it asks Multimedia to “identify and describe in detail the conception and reduction to practice, actual and constructive, of the alleged invention covered by each asserted claim of the Asserted Patents, including, but not limited to the manner and circumstance surrounding the conception and reduction to practice, the date of conception and the date of reduction to practice for that claim, the identity of all individuals who contributed toward or participated in any such conception or reduction to practice, and all documents by production number which you contend corroborate each such conception and reduction to practice, and all Persons who you contend can corroborate each such conception and reduction to practice.”

Multimedia objects to this Interrogatory as premature to the extent the Court has not yet construed the claims of the Patents-in-Suit.

Multimedia further objects to this Interrogatory to the extent it attempts to improperly shift the burden regarding patent validity, on which VIZIO bears the burden of proof.

Multimedia further objects to this Interrogatory as compound, and/or containing multiple discrete subparts within the meaning of Rule 33(a) of the Federal Rules of Civil Procedure, at least to the extent it calls for Multimedia to “identify and describe in detail” “the manner and circumstance surrounding the conception and reduction to practice,” “the date of conception and the date of reduction to practice for that claim,” “the identity of all individuals who contributed toward or participated in any such conception or reduction to practice,” “all documents by production number which you contend corroborate each such conception and reduction to

practice,” and “all Persons who you contend can corroborate each such conception and reduction to practice.”

Subject to, and without waiving, the foregoing objections, Multimedia responds to this Interrogatory as follows:

Multimedia incorporates by reference its Infringement Contentions, served July 20, 2023, and any supplements thereto. Multimedia further states that the claimed inventions of the respective Asserted Patents were invented by the respective named inventors. Each Asserted Claim was conceived of and reduced to practice prior to filing of the provisional application(s) to which each Asserted Patent claims priority, as indicated at least by the materials comprising the respective provisional applications, which are incorporated by reference pursuant to Federal Rule of Civil Procedure 33(d). *See* MULTIMEDIA-V-039412–MULTIMEDIA-V-042690. In addition to the Patents, File Histories, and Provisional Applications, pursuant to Federal Rule of Civil Procedure 33(d), Multimedia refers VIZIO to the following documents from which information responsive to this Interrogatory may be ascertained: MULTIMEDIA-V-042691-047720.

Discovery is ongoing and Multimedia reserves the right to amend or supplement its response to this Interrogatory in accordance with the Federal Rules of Civil Procedure and any applicable order of the Court, including to the extent Multimedia comes into possession, custody, or control of third party documents responsive to this Interrogatory. Multimedia also reserves the right to rely on the testimony of witnesses that are deposed and provide information relevant to this Interrogatory.

INTERROGATORY NO. 11:

For each of the Patents-in-Suit, explain the bases for your contention that the alleged infringement has been willful and deliberate including, but not limited to, when and how each VIZIO was put on notice of the alleged infringement, a complete description of any communications between you and VIZIO (including the names of all Persons involved in such

communications, the dates, and a full description of the matters discussed during the communications), and the identity of each Person with knowledge relating to your willfulness allegations and all supporting documents.

RESPONSE TO INTERROGATORY NO. 11:

Multimedia incorporates its General Objections as if fully set forth herein.

Multimedia objects to this Interrogatory as overly broad, unduly burdensome, and not proportional to the needs of the case to the extent it seeks information regarding Multimedia's Infringement Contentions beyond that required by P.R. 3-1.

Multimedia further objects to this Interrogatory to the extent that it is vague and ambiguous, and calls for information that is not relevant, at least in that the phrase "each VIZIO" is not sufficiently particular.

Multimedia further objects to this Interrogatory to the extent that it seeks information that is protected from disclosure by the attorney-client privilege, the attorney work product doctrine or any other applicable privilege, doctrine, or discovery immunity. The inadvertent production by Multimedia of information protected from disclosure by any such privilege, doctrine, or immunity shall not be deemed a waiver by Multimedia of any such privileges or protections.

Multimedia objects to this Interrogatory to the extent it seeks information in the possession, custody, or control of VIZIO and/or a third party, which has not yet been produced.

Multimedia further objects to this Interrogatory as premature and/or improperly requesting expert discovery and legal conclusions prior to the date for expert reports set forth in the Court's Scheduling Order and because VIZIO's document production thus far is deficient and information relevant to Multimedia's claim is in VIZIO's possession.

Multimedia objects to this Interrogatory as premature to the extent the Court has not yet construed the claims of the Patents-in-Suit.

Multimedia further objects to this Interrogatory as compound, and/or containing multiple discrete subparts within the meaning of Rule 33(a) of the Federal Rules of Civil Procedure, at least to the extent it calls for Multimedia to provide “when and how each VIZIO was put on notice of the alleged infringement,” “a complete description of any communications between you and VIZIO (including the names of all Persons involved in such communications, the dates, and a full description of the matters discussed during the communications),” and “the identity of each Person with knowledge relating to your willfulness allegations and all supporting documents.”

Subject to, and without waiving, the foregoing objections, Multimedia responds to this Interrogatory as follows:

Multimedia incorporates by reference its Complaint, its Infringement Contentions, and all documents cited therein. As indicated in Multimedia’s September 21, 2023 correspondence to VIZIO counsel, Multimedia will supplement its Infringement Contentions to provide further information responsive to this Interrogatory upon receipt of relevant discovery from VIZIO, which, to-date, has not been provided.

Discovery is ongoing and Multimedia reserves the right to amend or supplement its response to this Interrogatory in accordance with the Federal Rules of Civil Procedure and any applicable order of the Court. Multimedia also reserves the right to rely on the testimony of witnesses that are deposed and provide information relevant to this Interrogatory.

Dated: October 30, 2023

Respectfully submitted,

/s/ Gregory R. Springsted

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*Attorneys for Plaintiff Multimedia Technologies
Pte. Ltd.*

CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2023 I caused a true and correct copy of the **PLAINTIFF MULTIMEDIA TECHNOLOGIES PTE. LTD.'S FIRST SET OF INTERROGATORIES TO DEFENDANT VIZIO, INC.** to be served in accordance with the Federal Rules of Civil Procedure, and/or the Local Rules of this Court, upon the following parties and participants, via email:

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/s/ Gregory R. Springsted
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