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Attorneys for Defendants and Counterclaimants
ANALOG DEVICES, INC. and
MAXIM INTEGRATED PRODUCTS, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NUMBER 14 B.V.,

Plaintiff,

v.

ANALOG DEVICES, INC.; and MAXIM
INTEGRATED PRODUCTS, INC.

Defendants.

ANALOG DEVICES, INC.; and MAXIM
INTEGRATED PRODUCTS, INC.,

Counterclaimants,

v.

NUMBER 14 B.V., RUDY ESCHAUZIER,
and NICO VAN RIJN,

Counter-Defendants.

Case No.: 5:24-cv-02435-EKL

**SECOND AMENDED RESPONSE TO
PLAINTIFF'S FIRST SET OF
INTERROGATORIES TO
DEFENDANTS/COUNTERCLAIMANTS**

PROPOUNDING PARTY: Plaintiff Number 14 B.V.

RESPONDING PARTY: Defendants Analog Devices, Inc. and
Maxim Integrated Products, Inc.

SET NUMBER: One

1 and confer regarding this interrogatory. ADI/Maxim is prepared to respond to this interrogatory
 2 until Plaintiff has exhausted its limit of 25 interrogatories, after the 9 interrogatories posed
 3 previously by Plaintiff, leaving 16 interrogatories. However, given the vague and overbroad
 4 nature of the request, ADI/Maxim cannot unilaterally identify the first 16 interrogatories posed.
 5 Therefore, ADI/Maxim invites Number 14 to meet and confer to provide ADI/Maxim with more
 6 guidance as to the first 16 separate interrogatories for which it seeks a response herein.

7 The parties met and conferred regarding the overbreadth and numerosity of Interrogatory
 8 3. Interrogatory 3 alone exceeded the Federal Rules of Civil Procedure's limit of 25
 9 interrogatories. On December 5, 2024, Responding Party proposed that Propounding Party select
 10 any 25 interrogatories from the first set for which they would like answers, while the Responding
 11 Party maintained its objection to Interrogatory 3. On the same day, Propounding Party agreed to
 12 the Responding Party's proposal and provided nine subparts from Interrogatory 3. These nine
 13 subparts are now numbered Interrogatory 3-1 through 3-9 below.

14 **RESTATED INTERROGATORY 3-1:**

15 Defendants' denial of the First Cause of Action of the Complaint (alleging breach of
 16 contract).

17 **RESPONSE TO RESTATED INTERROGATORY 3-1:**

18 Responding Party incorporate herein their General Statements and Objections.
 19 Responding Party objects to the extent this interrogatory seeks discovery of information protected
 20 by the attorney client privilege, the work-product doctrine, or any other applicable privileges and
 21 protections against disclosures. Responding Party will not disclose or produce any information
 22 protected by such privilege or doctrine. Responding Party further objects as the interrogatory is
 23 premature. Fact and expert discovery are ongoing, and Responding Party does not have all of the
 24 information it needs to state each and every fact supporting the information requested.
 25 Responding Party will identify experts they have retained for this action and which subject(s)
 26 they are expected to testify in accordance with the Federal Rules of Civil Procedure and the
 27 deadline set in the Court's Scheduling Order (ECF 76). Responding Party states this Interrogatory
 28 is a contention interrogatory. Courts recognize that answers to contention interrogatories will

claims originally filed as anticipated/obvious over Huijsing. The Inventors did not dispute the Patent Examiner's finding, and instead amended the claims. The Inventors were well aware of Huijsing; Huijsing was, in fact, assigned to Maxim and the subject matter was identical to patent '596. Furthermore, the Plaintiffs and Mr. Huijsing were well acquainted, in fact, Mr. Eschauzier and Mr. Huijsing co-authored a book. Thus, Plaintiffs were fully aware of Huijsing and its relevance for the patent prosecution of patent '596, and yet, did not disclose Huijsing to the USPTO.

For the reasons above, Number 14 and the Inventors materially breached the License Agreement. ADI/Maxim's performance under the License Agreement is excused and therefore, royalties are not owed to Number 14. Maxim denies all allegations concerning Number 14's breach of the contract cause of action.

AMENDED RESPONSE TO RESTATED INTERROGATORY 3-1:

Responding Party incorporate herein their General Statements and Objections.

Responding Party objects to the extent this interrogatory seeks discovery of information protected by the attorney client privilege, the work-product doctrine, or any other applicable privileges and protections against disclosures. Responding Party will not disclose or produce any information protected by such privilege or doctrine. Responding Party further objects as the interrogatory is premature. Fact and expert discovery are ongoing, and Responding Party does not have all of the information it needs to state each and every fact supporting the information requested.

Responding Party will identify experts they have retained for this action and which subject(s) they are expected to testify in accordance with the Federal Rules of Civil Procedure and the deadline set in the Court's Scheduling Order (ECF 76). Responding Party states this Interrogatory is a contention interrogatory. Courts recognize that answers to contention interrogatories will evolve over time as theories of liability and defense begin to take shape. *Looksmart Grp., Inc. v. Microsoft Corp.*, 386 F. Supp. 3d 1222, 1230 (N.D. Cal. 2019). Answers to contention interrogatories may not come into focus until the end of discovery. *Id.* Therefore, Responding Party reserves the right to supplement these responses. Fed. R. Civ. Pro. 26(e). Responding Party further objects that this Interrogatory as overbroad, unduly burdensome and not reasonably

1 The specifications for the alleged royalty bearing products are the Typical Values provided in
 2 their respective datasheets, which are publicly available online. Furthermore, the Inventors were
 3 extensively involved in the development of the technology of the Licensed Patents during their
 4 employment at Maxim. They also played a significant role in the design and development of the
 5 Stand-Alone Amplifier products, at least some of which are now alleged to be royalty bearing and
 6 were initially expected to incorporate the Licensed Patents. As such, the Inventors, acting in bad
 7 faith, requested royalties despite knowing the products failed to meet the required specifications
 8 in Annex 1.

9 Furthermore, Plaintiff, in bad faith, relied on and licensed patents that included invalid
 10 claims, and thus were not eligible for royalty payments. Licensing and receiving royalties on
 11 invalid patent claims are additionally a form of patent misuse and precludes Number 14 and/or
 12 the Inventors from recovering any alleged damages. The Licensed Patents are invalid for the
 13 reasons set forth below.

14 *Invalidity of U.S. Patent 7,812,665 (“’665”)*

15 One or more of the claims of ‘665 are also invalid under 35 U.S.C. §§ 102 and/or 103
 16 because the claims were anticipated and/or rendered obvious by prior art. For example, the claims
 17 in ‘665 were rendered obvious in view of at least A High-Performance Autozeroed CMOS
 18 Opamp with 50pV Offset, by Krummenacher et al., from the 1997 IEEE International Solid-state
 19 Circuits Conference, 1997 (“*Krum*”) and/or in view of U.S. Patent No. 6,486,806 (“*Munoz*”).
 20 Additionally, claims in ‘665 are rendered obvious by *Krum* and *Munoz* in view of U.S. Patent No.
 21 7,642,846 (“*Yan*”). Each of the *Krum*, *Munoz*, and *Yan* patents, alone or in combination, render
 22 the corresponding limitations obvious to a person of ordinary skill in the art. For example, all
 23 elements of Claim 1 of ‘665 are rendered obvious by *Krum* and *Munoz*, alone or in combination:

- 24 a. [1pre]: the claimed “amplifier system” in the preamble is disclosed by
- 25 *Krum*’s amplifier in Fig. 1;
- 26 b. [1a]: the claimed “first amplifier” is disclosed by *Krum*, as a portion of the
- 27 amplifier in Fig. 1, including the input stages, the mid stage, and a portion
- 28 of the output stage;

- c. [1b]: the claimed “comparator” is disclosed by *Krum*, as a portion of the amplifier in Fig. 1, including the driver to the Low-Pass Filter, the Low-Pass Filter, and the Schmitt trigger;
- d. [1c]: the claimed “successive approximation register” is disclosed by *Krum*, as a portion of the amplifier in Fig. 1, including the block SAR;
- e. [1d]: the claimed “first switch” is disclosed by *Krum*, as a portion of the amplifier in Fig. 1, including the passgates at the differential inputs;
- f. [1e]: the claimed “second switch” is disclosed by *Krum*, as a portion of the amplifier in Fig. 1, including the output stage source switches and the passgate at the output;
- g. [1g]: the claimed “radix of less than 2” is disclosed by Munoz, since Munoz’ DAC from Fig. 3A has a radix of less than two; and
- h. [1h]: the claimed “control” of the input offset of the amplifier is disclosed by *Krum*, as its CAL DAC operates to cancel the input offset of *Krum*’s amplifier.

In addition, and by way of example, all elements of dependent claims 2-7 of ‘665 are rendered obvious by *Krum*, *Munoz*, and *Yan*, alone or in combination, in which *Yan*’s transconductance stage from Fig. 3 is combined with *Krum*’s input stages:

Claim 2 of ‘665: Munoz teaches that a radix value of 1.9 is possible.

Claim 3 of ‘665: Munoz teaches in Fig. 3B that the radix for the LSB is two.

Claim 4 of ‘665: Munoz teaches in Fig. 3B one additional bit that is one half of the LSB.

Claim 5 of ‘665:

- a. [5a]: the claimed “first transconductance differential input stage” is disclosed by *Krum*’s amplifier in Fig. 1, including transistors M1, M2, M5, and M6;
- b. [5b]: the claimed “second transconductance differential input stage” is disclosed by *Yan*’s amplifier in Fig. 3, including transistors m3 and m4;
- c. [5c]: the claimed connection between the outputs of the first and second transconductance differential input stages is disclosed by the combination

Krum-Munoz-Yan;

- d. [5d]: the claimed connection of the D/A converter is disclosed by the combination *Krum-Munoz-Yan*; and
- e. [5e]: the claimed division of the current source is disclosed by *Yan*'s amplifier in Fig. 3, which divides the current provided by the NMOS transistor coupled to VS.

Claim 6 of '665:

- a. [6a]: the claimed "intermediate stage" is disclosed by *Krum*, including amplifying transistors M7, M8, and transistors biased by gate voltages VB1-4;
- b. [6b]: the claimed "first output stage" is disclosed by *Krum*, including transistors M10-13.
- c. [6c]: the claimed "second output stage" is disclosed by *Krum*, including transistors M20-23, LPF, and the Schmitt trigger.

Claim 7 of '665:

- a. [7a]: the functionality of the "first switch" and the "second switch" is disclosed by *Krum*, for example, in autozeroing mode; and
- b. [7b]: the "high impedance state" of the "first switch" and the "second switch" is disclosed by *Krum*, for example, in normal operation.

In addition, and by way of example, Claims 1 and 9 of '665 are also invalid under 35 U.S.C. §§ 102 and/or 103 because the claims were anticipated and/or rendered obvious by prior art. For example, claims in '665 were rendered obvious in view of at least U.S. Patent No. 7,265,611 ("*Wang*"), U.S. Patent No. 4,336, 526 ("*Weir*"), and U.S. Patent No. 5,789,974 ("*Ferguson*"). Each of the *Wang*, *Weir*, and *Ferguson* patents, alone or in combination, render the corresponding limitations obvious to a person of ordinary skill in the art. For example, all elements of Claim 1 of '665 are rendered obvious, alone or in combination:

- a. [1pre]: the claimed "amplifier system" in the preamble is disclosed by *Wang*'s amplifier in Fig. 3;

- b. [1a]: the claimed “first amplifier” is disclosed by *Wang*, as a portion of the amplifier in Fig. 3, including the amplifier 2;
- c. [1b]: the claimed “comparator” is disclosed by *Wang*, as a portion of the amplifier in Fig. 3, including comparator 6;
- d. [1c]: the claimed “successive approximation register” is disclosed by *Wang*, as a portion of the amplifier in Fig. 3, including the block SAR 7;
- e. [1d]: the claimed “first switch” is disclosed by *Wang*, as a portion of the amplifier in Fig. 5, including switches S1 and S2;
- f. [1e]: the claimed “second switch” is disclosed by *Ferguson*, as a portion of the amplifier in Fig. 6, including switch S12;
- g. [1g]: the claimed “radix of less than 2” is disclosed by *Weir*, including a DAC with elements 15-1 to 15-9; and
- h. [1h]: the claimed “control” of the input offset of the amplifier is disclosed by *Wang*, including signal VC Fig. 3.

In addition, and by way of example, all elements of dependent Claim 9 of ‘665 are rendered obvious by *Wang*, *Weir*, and *Ferguson* patents, alone or in combination:

- a. [9a]: the claimed “One-Time-Programmable memory” is disclosed by *Weir* as memory 20; and
- b. [9b]: the claimed “controlling” is disclosed by *Wang* as a control signal VC.

Therefore, ‘665 is invalid under 35 U.S.C. §§ 102, 103, and/or 112.

Invalidity of U.S. Patent No. 7,973,596 (“’596”)

One or more of the claims of ‘596 are invalid under 35 U.S.C. §§ 102 and/or 103 because claims were anticipated and/or rendered obvious by prior art. For example, claims in ‘596 were rendered obvious in view of at least U.S. Patent No. 7,834,685 (“*Pertijs*”). Claims in ‘596 are also rendered obvious in view of at least U.S. Patent No. 6,476,671 (“*Tang*”). Each of the *Pertijs* and *Tang* patents, alone or in combination, render the corresponding limitations obvious to a person of ordinary skill in the art. As an example, all elements of Claim 21 of ‘596 are rendered obvious

by *Pertijs*:

- a. [21pre]: the claimed “chopper stabilized first amplifier” in the preamble is disclosed by *Pertijs*’ amplifier 102 in Fig. 1;
- b. [21a]: the claimed “operating the chopper stabilization at a first frequency” is disclosed by *Pertijs* as the operation of switches 110 and 126, as shown in *Pertijs* Fig. 2;
- c. [21b]: the claimed “operating the autozeroing at a second frequency” is disclosed by *Pertijs* as the operation of switches 112 and 130, as shown in *Pertijs* Fig. 2;
- d. [21c]: the claimed “ratio of the frequency being two to one” is disclosed by *Pertijs* Fig. 2;
- e. [21d]: the claimed “second frequency being twice the first frequency” is disclosed by *Pertijs* Fig. 2;
- f. [21e]: the claimed “duty cycle of less than one half” is disclosed by *Pertijs* Fig. 2.

As a further example, all elements of Claim 22 of ‘596 are rendered obvious by *Pertijs*:

- a. [22pre]: the claimed “chopper stabilized first amplifier having an autozeroing capability” is disclosed by *Pertijs*’ amplifier 102 in Fig. 1;
- b. [22a]: the claimed “stabilization at a first frequency” is disclosed by *Pertijs* as the operation of switches 110 and 126, as shown in *Pertijs* Fig. 2;
- c. [22b]: the claimed “autozeroing at a second frequency” is disclosed by *Pertijs* as the operation of switches 112 and 130, as shown in *Pertijs* Fig. 2; and
- d. [22c]: the claimed “ratio of the frequency being two to one” is disclosed by *Pertijs* Fig. 2; and
- e. [22d] the claimed “duty cycle” is rendered obvious by *Pertijs*’ teachings, implemented with four separate stages, wherein one stage would perform autozeroing while the remaining three stages would provide the output

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signal.

Therefore, ‘596 is invalid under 35 U.S.C. §§ 102 and/or 103.

In addition, the Inventors engaged in inequitable conduct during the prosecution of ‘596 and as such, the patent is unenforceable. The Inventors were the sole applicants of ‘596. In connection with the prosecution of ‘596, the Inventors failed to disclose the prior art of U.S. Patent No. 6,734,723 (“*Huijsing*”). The Inventors even signed a declaration acknowledging that they had a duty to disclose to the USPTO, information known to be material to patentability of the claims in ‘596. The Patent Examiner independently discovered *Huijsing* and rejected certain claims originally filed as anticipated/obvious over *Huijsing*. The Inventors did not dispute the finding and instead, amended the claims.

However, the Inventors were aware of *Huijsing* and its subject matter. Its subject matter is identical to ‘596 and it was assigned to Maxim. Additionally, the Inventors and Mr. Huijsing worked in the same field/industry and are colleagues. Mr. Eschauzier and Mr. Huijsing even co-authored a book together. Yet, the Inventors failed to disclose *Huijsing* to the USPTO, despite signing and acknowledging they had a duty to disclose. Therefore, Defendants are of the belief that the Inventors intended to deceive or misrepresent to the USPTO that ‘596 was novel. Since the Inventors chose not to disclose the prior art during the prosecution of ‘596, ‘596 is unenforceable.

Therefore, Maxim denies all allegations concerning Number 14’s breach of contract cause of action.

Documents in Support of Amended Response to Restated Interrogatory 3-1:

DOCUMENTS	
• License Agreement • Stand-Alone Amplifier Product Datasheets • Baseline Product Datasheets • Exhibits 2-6 to Defendants FAC (ECF 127) • IPR2025-00550 Petition and Exhibits • IPR2025-00551 Petition and Exhibits • U.S. Patent No. 7,812,665 • U.S. Patent No. 7,973,596 • U.S. Patent No. 6,734,723	

People in Support of Amended Response to Restated Interrogatory 3-1:

NAME	KNOWLEDGE
Rudy Eschauzier	Royalty calculation, royalty payments, product list, product specifications
Nico van Rijn	Royalty calculation, royalty payments, product list, product specifications
Bryan Caron	Sales numbers, harmonization practices, accounting, finances
Robin Franciullo	Sales numbers, harmonization practices, accounting, finances
Peter Schiavone	Sales numbers, harmonization practices, accounting, finances
Rachelle Cabrera	Royalty calculation, royalty payments
Scott Amplement	Product specifications and royalty payments
Diarmuid McSwiney	Royalty payments
Paulina Pan	Royalty calculation, products list, product specifications
Ma. Madel Masilungan	Royalty calculation, royalty payments, products list
Daihong Fu	Product specifications, products list, royalty payments
Maurizio Gavardoni	Product specifications
Yogesh Sharma	Product specifications

RESTATED INTERROGATORY 3-2:

Defendants' Denial of the Second Cause of Action of the Complaint (alleging breach of the duty of good faith and fair dealing).

RESPONSE TO RESTATED INTERROGATORY 3-2:

Responding Party incorporate herein their General Statements and Objections.

Responding Party objects to the extent this interrogatory seeks discovery of information protected by the attorney client privilege, the work-product doctrine, or any other applicable privileges and protections against disclosures. Responding Party will not disclose or produce any information protected by such privilege or doctrine. Responding Party further objects as the interrogatory is premature. Fact and expert discovery are ongoing, and Responding Party does not have all of the information it needs to state each and every fact supporting the information requested.

Responding Party will identify experts they have retained for this action and which subject(s)

1 Therefore, since Number 14 contends Annex 2 provides a definitive list of components for the
2 standard cost, Defendants dispute Number 14's interpretation of Annex 2 which should be
3 interpreted according to its plain meaning and contend in the alternative, Annex 2 is vague,
4 ambiguous, and contains uncertain terms.

5
6 Dated: May 13, 2025

ROPERS MAJESKI PC

7
8 By: /s/ Kevin W. Isaacson

MICHAEL J. IOANNOU
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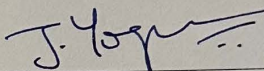
VERIFICATION

I, Yogesh Sharma, declare:

I am the Director of Design, Verification, and Layout of Defendant/Counterclaimant Analog Devices, Inc. referred to in SECOND AMENDED RESPONSE TO PLAINTIFF'S FIRST SET OF INTERROGATORIES TO DEFENDANTS/COUNTERCLAIMANTS. I have read the foregoing document, and I am informed and believe, based on a reasonable inquiry, that the matters therein are true and correct to the best of my knowledge, information, and belief, and on that ground, I allege that the matters stated therein are true and correct.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on May 12, 2025, at Santa Clara, CA


YOGESH SHARMA

Number 14 B.V. v. Analog Devices, Inc., et al.
United States District Court, Northern District, Action No. 5:24-cv-02435-EKL

VERIFICATION

CASE NAME: *Number 14 B.V., et al. v. Analog Devices, Inc., et al.*

ACTION NO.: USDC Northern District Case No. 5:24-cv-02435-EKL

PROOF OF SERVICE

1. At the time of service, I was over 18 years of age and not a party to this action.
2. My business address is 333 W. Santa Clara Street, Suite 910, San Jose, CA 95113.
3. On May 13, 2025, I served the following document:

**SECOND AMENDED RESPONSE TO PLAINTIFF'S FIRST SET OF
INTERROGATORIES TO DEFENDANTS/COUNTERCLAIMANTS**

4. I served the documents on the persons at the address below (along with their fax numbers and/or email addresses if service was by fax or email):

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5. I served the documents by the following means:

☒ By email or electronic transmission: I sent the documents via my electronic service address (michelle.cecchini@ropers.com) to the persons at the email addresses listed in item 4. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the United States that the above is true and correct.

Date: May 13, 2025

Michelle Cecchini

Michelle Cecchini