

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CEREBRUM SENSOR TECHNOLOGIES, INC. and TIRE STICKERS LLC,	)	
	)	
	)	
Plaintiffs,	)	C.A. No. 24-245 (JLH) (SRF)
	)	
v.	)	REDACTED - PUBLIC VERSION
	)	
REVVO TECHNOLOGIES, INC.,	)	
	)	
Defendant.	)	

**LETTER TO THE HONORABLE SHERRY R. FALLON FROM KAREN JACOBS
REGARDING RESPONSE TO REVVO'S DISCOVERY LETTER**

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*Attorneys for Plaintiffs Cerebrum Sensor
Technologies, Inc. and Tire Stickers LLC*

Dear Judge Fallon:

We write on behalf of Plaintiffs Cerebrum and Tire Stickers (collectively, “Cerebrum”) in advance of the telephone conference set in these matters for February 6, 2025 pursuant to the Court’s Order (D.I. 70) following the parties’ Joint Motion for Teleconference to resolve discovery disputes (D.I. 69). Revvo’s portion of the joint motion raised four issues, each of which is addressed below.¹ Revvo’s motion should be denied.

1. Cerebrum’s contentions sufficiently explain Cerebrum’s infringement claims.

Astonishingly, through its discovery letter, Revvo attempts to argue its noninfringement position yet again, before claim construction and before discovery has been completed, and notwithstanding Revvo’s attempts to do so in its now-denied partial motion to dismiss. (D.I. 79, 88). Indeed, Revvo essentially concedes that the infringement contentions identify the elements of the Accused Products that satisfy each claim element (unlike Revvo’s contentions). Revvo simply disagrees with the conclusions reached. But that is not a discovery dispute: it is a dispute on claim construction and the merits.

In its now-denied motion to dismiss, Revvo argued that that the Revvo Tire Product’s “accused ‘intermediate layer,’ which is an adhesive layer, is never vulcanized to any components of the accused Revvo Pro Tire Mounted Sensor product before or prior to attachment to the tire” (D.I. 22 at 17). The Court rightly rejected that motion to dismiss argument (D.I. 79). Indeed, Cerebrum’s infringement contentions specifically explain the basis (see, e.g., **Exhibit 1** at 24-26):

Such manufacturing process is a vulcanization process by which the rubber and cushion gum are crosslinked or bonded chemically together by the action of black cement (or the like) alone or with heat and/or pressure ...

Revvo has also produced a third-party declaration labeled REVVO_00016004-REVVO_00016011, but ***Revvo has not explained what the declarant understands by the term “vulcanized”***; indeed, it appears that Revvo’s third-party declarant has an unstated, unwarranted limited view of the term.

As mentioned, Revvo produced a third-party manufacturer’s declaration regarding the use of [REDACTED] in the manufacturing process of the Revvo Wheel Products. But Revvo refused to identify the [REDACTED] (or purportedly does not know the identity of the [REDACTED] and instead forced Cerebrum to pursue a subpoena from that manufacturer (see **Exhibit 2**). That document production was made on January 27, 2025 and is being evaluated by counsel. That manufacturer, however, has yet to produce documents which completely describe the [REDACTED] or the manufacturer’s understanding of the term “vulcanized.” And both Revvo and the manufacturer have refused to provide any discovery about their communications concerning the declaration or its contents, including how Revvo described the term “vulcanized” to the manufacturer, based on

¹ We note as an initial matter that Revvo only first raised any purported deficiencies with Cerebrum after Cerebrum repeatedly raised its concerns about the invalidity and non-infringement contentions and advised Revvo that it would seek relief from the Court.

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an alleged, but unsubstantiated, “common interest.”² Nevertheless, as stated in Cerebrum’s infringement contentions, the important point is that the [REDACTED]³ makes the [REDACTED] “crosslinked,” which meets the “vulcanized to[gether]” element under Cerebrum’s claim construction (D.I. 84-1 at 2-3).

Again, just like it did in its denied motion to dismiss, Revvo is trying to argue claim construction on a discovery motion. The unreasonableness of Revvo’s position can be easily seen in that Revvo’s claim construction for “vulcanized to[gether]” excludes the use of “pressure” and instead requires “heat and/or chemical vulcanization process” among many other things (D.I. 84-1 at 2-3). Revvo’s claim construction is refuted by the ’741 patent specification which teaches the use of pressure as an alternative to heat. *See, e.g.*, ’741 patent at col. 7:45-51 (“In an example, the display assembly described above and illustrated in FIG. 2 may be made by joining the display layer and intermediate layer together and then subjecting the same to vulcanizing conditions of elevated temperature *and/or pressure*, after which time the adhesive layer may be combined therewith, e.g., at the point of applying the display assembly.”). [REDACTED]

[REDACTED] Discovery will bear out any and all [REDACTED] used by Revvo [REDACTED] since the ’741 patent issued on November 27, 2018.

Cerebrum’s infringement contentions more than sufficiently put Revvo on notice with explanations and indicators (arrows, highlighting, etc.), and Revvo does not contend otherwise. Its disagreement with the contentions is not a discovery dispute. Revvo’s motion should be denied.

2. Cerebrum has sufficiently responded to Revvo’s Interrogatory No. 3.

Revvo argues that under 35 U.S.C. § 287 Cerebrum has an obligation to prepare charts for Cerebrum’s marked products with the same level of precision as infringement contentions, even though there is no false marking issue in the case. Revvo has it all wrong.

As an initial matter, Revvo misunderstands the requirements of 35 U.S.C. § 287. Revvo’s allegations do not go to any alleged failure to mark, but rather appear to contend overmarking. But that is not the standard. Section 287 limits a patentee’s ability to recover damages *where it fails to mark* a patented item. *Id.* (“In the event of failure so to mark, no damages shall be recovered by the patentee in any action for infringement. . . .”). If Revvo were to contend that Cerebrum failed

² Cerebrum continues to confer with both Revvo and the manufacturer about the improper withholding, which may require resolution from the Court, but is not yet ripe. Of course, if the information were to actually establish non-infringement, one would expect Revvo or the manufacturer to have produced them.

³ Revvo’s letter incorrectly crop quotes Cerebrum’s infringement contentions as if they were only directed to the “black” cement, when they clearly identify other like cements as well.

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to mark products (which Revvo has not), Cerebrum would then have the burden to explain why the products are not patented (i.e., missing claim limitations). *See Arctic Cat Inc. v. Bombardier Rec. Prods.*, 876 F.3d 1350, 1368 (Fed. Cir. 2017) (“**[A]n alleged infringer who challenges the patentee’s compliance with § 287 bears an initial burden of production to articulate the products it believes are unmarked ‘patented articles’ subject to § 287 . . .** Once the alleged infringer meets its burden of production . . ., the patentee bears the burden to prove the products identified do not practice the patented invention.”). *See also 3G Licensing, S.A. v. BlackBerry Ltd. & BlackBerry Corp.*, C.A. No. 17-82-LPS, 2020 WL 14008195, at *8 (D. Del. Oct. 2, 2020) (citing *Arctic Cat* and denying summary judgment of no pre-suit damages because Defendants failed to identify any specific products they contended were unmarked until after fact discovery closed). There is no burden on Cerebrum to provide charts for marked products under 35 U.S.C. § 287. *See id.*

Here, Cerebrum has provided sufficient constructive notice through virtually marking its products (Revvo does not contend otherwise) and has gone above and beyond its burden under 35 U.S.C. § 287 by providing marked product charts (see **Exhibit 3**). “In determining whether the patentee marked its products sufficiently to comply with the constructive notice requirement, the focus is not on what the infringer actually knew, but on whether the patentee’s actions were sufficient, in the circumstances, to provide notice *in rem*.” *Manufacturing Resources Int’l, Inc. v. Civiq Smartscares, LLC*, C.A. No. 17-269-RGA, 397 F. Supp. 3d 560, 577 (D. Del. 2019). Cerebrum provided such notice. If Cerebrum over-marked its products (which it did not), that concerns a different statute (with different requirements and burdens) than the marking statute, which is all that is at issue here. *See Seoul Semiconductor Co., Ltd. v. Finette, Inc.*, No. 22-cv-02869-TLT, 2023 WL 7107259, at *3 (N.D. Cal. Aug. 16, 2023). Revvo’s motion on this issue should be denied.

3. Cerebrum’s compound objections to Revvo’s Interrogatories should be sustained.

This issue is before the Court due to Revvo’s inconsistent counting of interrogatories. On the one hand, Revvo has counted discrete clauses in Cerebrum’s interrogatories as separate interrogatories and has refused to respond on that basis. On the other hand, Revvo has served interrogatories with similar discrete clauses for each of the three Asserted Patents and refused to count Revvo’s own interrogatories accordingly.

This discrepancy in Revvo’s counting of interrogatories began when Revvo objected to Cerebrum’s first set of interrogatories (Nos. 1-13), wherein Revvo counted 27 interrogatories (see **Exhibit 4**) and refused to respond after what it counted as 25. For example, Revvo counted four interrogatories in Cerebrum’s Interrogatory No. 1, as seen below (Exhibit 4 at 8-9):

INTERROGATORY NO. 1: Identify each configuration of the Accused Revvo Tire Sensor Products designed, made, used, sold, or offered for sale in the United States since November 27, 2018 by or on behalf of Revvo, including any relevant model names, numbers or other product identifications, describe each difference between and among the Accused Revvo Tire Sensor Products, and identify the date that each configuration or model was first offered for sale and first sold and last offered for sale and last sold and state the total amount of sales and dates for each such configuration.	Revvo further objects to this Interrogatory on the basis that it is compound and contains multiple discrete subparts, which should be considered four (4) separate interrogatories, and counts each subpart as a separate interrogatory against Plaintiffs’ interrogatory limit.
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Due to Revvo's compound objection based on the way that Revvo was counting interrogatories, to avoid bringing such a dispute before this Court, Cerebrum compromised by re-serving its first set of interrogatories by breaking down certain interrogatories and streamlining others (see, e.g., **Exhibit 5** at 7).

Meanwhile, Cerebrum objected to Revvo's compound interrogatories according to Revvo's still persistent counting method (see, e.g., **Exhibit 6** at 3):

INTERROGATORY NO. 1: On a claim-by-claim basis for each and every Asserted Claim, identify what You contend to be the effective filing date for the claim, including all supporting facts and evidence for the identified effective filing date in an element-by-element claim chart identifying the excerpts with citations to the specific page and lines of any prior filed applications that you contend supports Your identified effective filing date for all elements of each Asserted Claim.	Cerebrum further objects to this Interrogatory on the basis that it is compound and contains multiple discrete subparts, which should be considered at least six (6) separate interrogatories, and counts each subpart as a separate interrogatory against Revvo's interrogatory limit. Subject to and without waiving the foregoing objections, Cerebrum responds as follows: <u>Response to Interrogatory No. 1(1):</u> Each Asserted Claim of the '741 Patent is entitled to the effective filing date of April 27, 2015 according to U.S. provisional patent application number 62153441. <u>Response to Interrogatory No. 1(2):</u> This can be seen in the chart attached as Exhibit A. <u>Response to Interrogatory No. 1(3):</u> Each Asserted Claim of the '027 Patent is entitled to the effective filing date of April 27, 2015 according to U.S. provisional patent application number 62153441 and/or U.S. non-provisional patent application number 15/139,272. <u>Response to Interrogatory No. 1(4):</u> This can be seen in the chart attached as Exhibit B. <u>Response to Interrogatory No. 1(5):</u> Each Asserted Claim of the '421 Patent is entitled to the effective filing date of October 31, 2019 according to U.S. non-provisional patent application number 16/671,105. <u>Response to Interrogatory No. 1(6):</u> This can be seen in the chart attached as Exhibit C.
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Revvo has refused to offer a compromise to resolve this issue with the discrepancy in its counting of interrogatories, as it had demanded of Cerebrum. In any event, there is no live dispute because, unlike Revvo, Cerebrum has not refused to answer any of Revvo's interrogatories. Revvo's motion should be denied.

4. Cerebrum has substantially completed its production of documents associated with and samples of Cerebrum's marked products.

Cerebrum does not understand why Revvo has brought this issue to the Court. Before this issue was raised in the parties' Joint Motion for Teleconference (D.I. 69), Cerebrum produced such documents and repeatedly promised to further produce such documents and samples (see **Exhibit 7**, emails dated December 13 and 18). After further production, on December 23, Cerebrum wrote to Revvo with Cerebrum's position that this part of the motion was moot (see **Exhibit 8**). Revvo did not respond. This part of Revvo's motion is indeed moot and should be denied accordingly.⁴

⁴ It should also be noted that to the extent Revvo is demanding all generations of Cerebrum docks and sensors, Revvo itself has not produced all such samples of its Accused Products.

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Respectfully,

/s/ Karen Jacobs

Karen Jacobs (#2881)

KJ/rah

Enclosures

cc: Clerk of the Court (via hand delivery)
All Counsel of Record (via CM/ECF and email)

EXHIBIT 1

FULLY REDACTED

EXHIBIT 2

**SNELL
& WILMER**

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November 26, 2024

BY EMAIL

To:
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Re: *Cerebrum Sensor Technologies, Inc. et al v. Revvo Technologies, Inc.*, Case No. 1:24-cv-00245
– Discussion regarding Technical Rubber Company (“TRC”)

Dear Mr. Pivovar,

I am writing regarding our call yesterday which took place regarding, among other things, your letter dated November 20, 2024 directed to Cerebrum’s infringement contentions concerning the ‘741 patent.

Cerebrum’s infringement contentions were served on October 30, 2024. In those contentions, Cerebrum alleged (e.g., Exhibit 1 at 24) that Revvo’s “manufacturing process is a vulcanization process by which the rubber and cushion gum are crosslinked or bonded chemically together by the action of black cement (or the like) alone or with heat and/or pressure.” Cerebrum then pointed to [REDACTED]

[REDACTED]

[REDACTED] Nowhere does [REDACTED]

Your November 20 letter nowhere says that Cerebrum’s infringement contentions incorrectly [REDACTED]. But, on yesterday’s call, you said, absolutely, [REDACTED]

[REDACTED] Your representation was apparently based on [REDACTED]

**SNELL
& WILMER**

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says that [REDACTED]
[REDACTED]

Although we disagree with your deduction, given your representations on yesterday's call, we will be moving forward [REDACTED]

I will also be writing separately to try to reach agreement on a process for [REDACTED]
[REDACTED] of Revvo's products.

Best,

Snell & Wilmer



Christopher D. Bright
4927-6191-0273

EXHIBIT 3

FULLY REDACTED

EXHIBIT 4

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

CEREBRUM SENSOR TECHNOLOGIES, INC. AND TIRE STICKERS LLC,	)	
	)	C.A. No. 24-245-JLH-SRF
	)	
Plaintiffs,	)	
	)	HIGHLY CONFIDENTIAL UNDER
v.	)	PROTECTIVE ORDER
	)	
REVVO TECHNOLOGIES, INC.,	)	
	)	
Defendant.	)	

**REVVO TECHNOLOGIES, INC.’S OBJECTIONS AND
RESPONSES TO PLAINTIFFS FIRST SET OF INTERROGATORIES**

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Defendant Revvo Technologies, Inc. (“Revvo”) hereby responds as follows to Plaintiffs Cerebrum Sensor Technologies, Inc. (“Cerebrum”) and Tire Stickers LLC (“Tire Stickers”) (collectively, “Plaintiffs” or “Cerebrum”) First Set of Interrogatories (Nos. 1-13) (“Interrogatories”).

GENERAL RESPONSES

1. The specific responses set forth below are for the purposes of discovery only and Revvo neither waives nor intends to waive, but expressly reserves, any and all objections it may have to the relevance, competence, materiality, admissibility, or use at trial of any information, documents, or writings produced, identified, or referred to herein, or to the introduction of any evidence at trial relating to the subjects covered by such responses. All such objections may be made at any time up to and including the time of trial.

2. Revvo’s response to the Interrogatories is made to the best of Revvo’s present knowledge, information, and belief. These responses are at all times subject to such additional or different information that discovery or further investigation may disclose and, while based on the present state of Revvo’s recollection, are subject to such refreshing of recollection, and such

additional knowledge of facts, as may result from Revvo's further discovery or investigation. Revvo reserves the right to supplement and amend these responses and, if necessary, to assert additional objections arising from further investigation.

3. Revvo reserves the right to make any use of, or to introduce at any hearing and at trial, information and/or documents responsive to these Interrogatories but discovered subsequent to the date of this response, including, but not limited to, any such information or documents obtained in discovery herein. Revvo's investigation is continuing and ongoing and Revvo expressly reserves the right to revise and/or supplement these responses.

4. The specific responses set forth below are based upon Revvo's interpretation of the language used in the Interrogatories, and Revvo reserves its right to amend or supplement further responses in the event that Cerebrum asserts an interpretation that differs from Revvo's interpretation.

5. Revvo's response to a particular Interrogatory shall not be interpreted as implying that responsive documents and things exist or that Revvo acknowledges the appropriateness of the Interrogatory.

6. Revvo reserves the right to object on any ground to such other or supplemental interrogatories as Cerebrum may at any time propound involving or relating to the subject matter of these Interrogatories.

7. Revvo incorporates these General Responses in full into each of the individual responses set forth below.

GENERAL OBJECTIONS

Revvo makes the following general objections, whether or not separately set forth in response to each Interrogatory, to each instruction, definition, and interrogatory made in Cerebrum's first set of interrogatories:

1. Revvo objects to these Interrogatories as premature to the extent discovery is at an early stage and the Court has yet to rule on Revvo's Motion to Dismiss. The following responses and objections are based on the state of information now known and reasonably available. Pursuant to Fed. R. Civ. P. 26(e), Revvo reserves the right to supplement, modify, alter, or otherwise change any of its responses to these Interrogatories as this matter continues and discovery progresses.

2. Revvo objects to each Interrogatory to the extent it seeks information protected by the attorney-client privilege, the attorney work-product doctrine, and/or any other applicable privilege or immunity. Revvo construes each Interrogatory as not seeking such documents or information, and such documents or information shall not be produced in response to the Interrogatories. Any inadvertent disclosure or production thereof shall not be deemed a waiver of any privilege or immunity with respect to such documents or information or of any work-product protection which may attach thereto.

3. Revvo objects to each Interrogatory to the extent it is phrased in a manner that would render it overly broad, vague, or ambiguous, or would require subjective judgment or speculation on the part of Revvo. Revvo responds to these Interrogatories by construing them in light of the scope of the issues in this action and in a manner proportionate to the needs of the case.

4. Revvo objects to each Interrogatory to the extent that it seeks information or documents that are business confidential, proprietary, trade secret, or otherwise protected from

disclosure pursuant to Federal Rule of Civil Procedure 26(c)(1)(G), or Federal Rule of Evidence 501. Revvo will produce information only subject to the protective order governing this case under the local rules and the Court's orders.

5. Revvo objects to each Interrogatory to the extent it seeks to elicit information that is subject to a right of privacy under the relevant provisions of federal and state law.

6. Revvo objects to each Interrogatory to the extent it purports to place an obligation on Revvo to obtain information that is publicly available and/or is as readily available to Cerebrum as it is to Revvo.

7. Revvo objects to each Interrogatory to the extent it seeks information that is already in the possession, custody, or control of Cerebrum.

8. Revvo objects to each Interrogatory to the extent it seeks information that is not within the possession, custody, or control of Revvo.

9. Revvo objects to each Interrogatory to the extent it seeks information from entities other than Revvo.

10. Revvo objects to each Interrogatory to the extent it is duplicative of another Interrogatory or seeks duplicative information.

11. Revvo objects to each Interrogatory to the extent it is not properly limited in time.

12. Revvo objects to each Interrogatory to the extent it seeks information that it not relevant to any issues in the case.

13. Revvo objects to each Interrogatory to the extent it seeks electronically stored information ("ESI") from sources that are not reasonably accessible because of undue burden and/or cost. Revvo further objects to the preservation of such ESI. To the extent that Revvo maintains certain ESI in backup form, the cost and time required to restore such electronically

stored information would be prohibitively expensive, so any such information is not reasonably accessible.

14. Revvo objects to each Interrogatory to the extent it calls for expert opinion or the construction of any patent claim terms. Revvo objects that any such Interrogatory is premature in seeking opinions, contentions, and information prior to the deadlines set by the Court's local rules and the Court's scheduling order.

15. Revvo objects to each Interrogatory to the extent it seeks information that may be derived from documents that will be provided to Cerebrum, where the burden of deriving such information is the same for Cerebrum as it is for Revvo.

16. Revvo objects to each Interrogatory to the extent it seeks information which exceeds any limits of discovery entered by the Court in this case or otherwise limited by the discussions and negotiations of the parties.

17. Revvo objects to each Interrogatory to the extent it calls for Revvo to respond to allegations made by Cerebrum that are deficient, incomplete, or lack factual or legal basis.

18. Revvo objects to each Interrogatory as premature to the extent it seeks discovery related to the Plaintiffs' allegations of infringement of the '741 patent by the Accused Revvo Tire Sensor Products and Plaintiffs' allegations against the Accused Revvo Wheel Sensor Products until the Court resolves Revvo's pending Motion to Dismiss (D.I. 22). Accordingly, Revvo objects to any interrogatory to the extent that it seeks information in a timeframe that is relevant only to allegations of infringement under the '741 patent or that it pertains solely to the Revvo Wheel Product as such information is not relevant at this time.

19. Revvo objects to all instructions that require Revvo to undertake any responsibilities beyond those required by the Federal Rules of Civil Procedure, the Local Rules of this Court, and/or other applicable law.

20. Revvo objects to the definition of “You,” “your,” or “Revvo” as overly broad, unduly burdensome, ill-defined, irrelevant, and not proportional to the needs of the case, including because the burden of the proposed discovery outweighs its likely benefit, to the extent it includes people or entities other than Revvo Technology, Inc. The proposed definition is facially overbroad including to the extent it seeks to capture unidentified entities and persons, such as “parent companies, predecessors, subsidiaries, divisions, assigns or affiliates, and their employees, directors, officers, agents, contractors, subcontractors, consultants, accountants, and attorneys.” Revvo will construe this term to mean Revvo Technology, Inc.

21. Revvo objects to the definition of “Accused Revvo Tire Sensor Products” as overly broad, unduly burdensome, ill-defined, irrelevant, and not proportional to the needs of this case, including because the burden of proposed discovery outweighs its likely benefit, to the extent it includes “former models, sets, releases, revisions, versions, updates, and upgrades.” Revvo further objects to this definition since Cerebrum has yet to make its identification of accused products in this case under the deadline set by the Court under a scheduling order. Revvo will construe this term to mean the Revvo Pro Tire Mounted Sensor.

22. Revvo objects to the definition of “Accused Revvo Wheel Sensor Products” as overly broad, unduly burdensome, ill-defined, irrelevant, and not proportional to the needs of this case, including because the burden of proposed discovery outweighs its likely benefit, to the extent it includes “former models, sets, releases, revisions, versions, updates, and upgrades.” Revvo

further objects to this definition pending Revvo's Motion to Dismiss. Revvo will construe this term to mean the Revvo Wheel Product.

23. Revvo objects to the definition of "Revvo Dock" as overly broad, unduly burdensome, ill-defined, irrelevant, and not proportional to the needs of this case, including because the burden of proposed discovery outweighs its likely benefit, to the extent it includes "former models, sets, releases, revisions, versions, updates, and upgrades." Revvo will construe this term to mean the Dock as described in Revvo's Dock Installation Guide.

24. Revvo objects to the definition of "Modified Case" as overly broad, unduly burdensome, ill-defined, irrelevant, and not proportional to the needs of this case, including because the burden of proposed discovery outweighs its likely benefit, to the extent it includes "former models, sets, releases, revisions, versions, updates, and upgrades." Revvo further objects to this definition pending Revvo's Motion to Dismiss. Revvo will construe this term to mean the casing for the Revvo Pro Tire Mounted Sensor.

25. Revvo objects to the definition of "Potting Material" as vague and ambiguous, including because "Potting Material" is not defined on page 21 of the letter sent from Adam Pivovar to Chris Bright, dated May 10, 2024. Revvo will construe this term to mean a coating or filling material that fixes and retains the placement of the electrical sensor board within the sensor.

26. Revvo objects to the definition of "Revvo Tire Sensor" as overly broad, unduly burdensome, ill-defined, irrelevant, and not proportional to the needs of this case, including because the burden of proposed discovery outweighs its likely benefit, to the extent it includes "former models, sets, releases, revisions, versions, updates, and upgrades." Revvo will construe this term to mean the sensor component of the Revvo Pro Tire Mounted Sensor.

27. Revvo objects to the definition of “Revvo Wheel Sensor” as overly broad, unduly burdensome, ill-defined, irrelevant, and not proportional to the needs of this case, including because the burden of proposed discovery outweighs its likely benefit, to the extent it includes “former models, sets, releases, revisions, versions, updates, and upgrades.” Revvo further objects to this definition pending Revvo’s Motion to Dismiss. Revvo will construe this term to mean the sensor component of the Revvo Wheel Product.

28. Revvo objects to each interrogatory to the extent they are compound and contain multiple discrete subparts, which should be considered and counted as separate interrogatories.

29. Revvo incorporates these General Objections in full into each of the individual responses set forth below.

INTERROGATORIES

INTERROGATORY NO. 1:

Identify each configuration of the Accused Revvo Tire Sensor Products designed, made, used, sold, or offered for sale in the United States since November 27, 2018 by or on behalf of Revvo, including any relevant model names, numbers or other product identifications, describe each difference between and among the Accused Revvo Tire Sensor Products, and identify the date that each configuration or model was first offered for sale and first sold and last offered for sale and last sold and state the total amount of sales and dates for each such configuration.

RESPONSE TO INTERROGATORY NO. 1:

Revvo hereby incorporates by reference its General Objections as if fully set forth herein. Revvo objects to this Interrogatory to the extent it seeks documents or information protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege or protection. Revvo further objects to this Interrogatory as premature because the parties have yet to conduct meaningful discovery.

Revvo further objects to this Interrogatory as vague and ambiguous, particularly as to the terms “configuration” and “product identification.” Revvo shall interpret “configuration of the

Accused Revvo Tire Sensor Products” as meaning the general construct of the sensor and dock elements of the Revvo Pro Tire Mounted Sensor. Revvo further objects to this Interrogatory as overbroad, irrelevant, unduly burdensome, and not proportionate to the needs of the case with respect to the request “describe each difference between and among the Accused Revvo Tire Sensor Products” as there is no meaningful limit on what the interrogatory deems a “difference.” Revvo shall interpret “differences” as used in this interrogatory as a difference that meaningfully relates to the material issues in dispute between the parties.

Revvo further objects to this Interrogatory on the basis that it is compound and contains multiple discrete subparts, which should be considered four (4) separate interrogatories, and counts each subpart as a separate interrogatory against Plaintiffs’ interrogatory limit.

Subject to and without waiving any of these or its foregoing objections, Revvo responds to these four interrogatories as follows:

Interrogatory No. 1: Identify each configuration of the Accused Revvo Tire Sensor Products designed, made, used, sold, or offered for sale in the United States since November 27, 2018 by or on behalf of Revvo, including any relevant model names, numbers or other product identifications,

Response to Interrogatory No. 1: Revvo’s dock and sensor components have always employed [REDACTED] for placement of the sensor. (*Compare, e.g.,* sensor images in the letter sent from Adam Pivovar to Chris Bright, dated May 10, 2024 at pages 21, 23 *with* D.I. 1-1 at 189, 196.)

Interrogatory No. 2: describe each difference between and among the Accused Revvo Tire Sensor Products,

Response to Interrogatory No. 2: Differences between, for example, the Revvo dock-sensor at Page 21 of the letter sent from Adam Pivovar to Chris Bright and later Revvo dock-sensors are at least that [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]. Another difference is the placement and location of [REDACTED] in the Revvo dock-sensor at Page 21 of the letter sent from Adam Pivovar to Chris Bright and the use of [REDACTED] in later and current versions of the sensor-dock.

Interrogatory No. 3: and identify the date that each configuration or model was first offered for sale and first sold and last offered for sale and last sold,

Response to Interrogatory No. 3: Revvo's tire dock-sensor was sold [REDACTED]. Revvo continues to seek partners and customers for which the dock-sensor product is offered for sale and sold.

Interrogatory No. 4: and state the total amount of sales and dates for each such configuration,

Response to Interrogatory No. 4: Pursuant to Rule 33(d), see [REDACTED] referenced in Cerebrum's Interrogatory No. 11.

Revvo reserve its right to supplement its responses to these Interrogatories at the appropriate time as discovery progresses.

INTERROGATORY NO. 2:

For each of the Accused Revvo Tire Sensor Products identified in response to Interrogatory No. 1, identify the corresponding Revvo Dock, including any relevant model names, numbers or other

product identifications, and describe each step of the manufacturing process to produce the Revvo Dock, including but not limited to materials used, chemicals used, pressure, temperature, induction, flow time, scorch, crosslinking, curing, and optimum state of cure or overcure.

RESPONSE TO INTERROGATORY NO. 2:

Revvo hereby incorporates by reference its General Objections as if fully set forth herein. Revvo further objects as follows: Revvo objects to this Interrogatory to the extent it seeks documents or information protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege or protection. Revvo further objects to this Interrogatory as premature because the parties have yet to conduct meaningful discovery.

Revvo objects to this Interrogatory as vague and ambiguous, particularly as to the term “product identifications.” Revvo objects to this Interrogatory as overbroad, unduly burdensome, irrelevant, and outside the scope of any asserted claim, particularly with respect to the request “describe each step of the manufacturing process to produce the Revvo Dock, including but not limited to materials used, chemicals used, pressure, temperature, induction, flow time, scorch, crosslinking, curing, and optimum state of cure or overcure.” The claims of the Asserted Patents are not directed to any manufacturing processes.

Revvo further objects to this Interrogatory on the basis that it is compound and contains multiple discrete subparts, which should be considered 2 separate interrogatories, and counts each subpart as a separate interrogatory against Plaintiffs’ interrogatory limit.

Subject to and without waiving any of these or its foregoing objections, Revvo responds to these two interrogatories as follows:

Interrogatory No. 5: For each of the Accused Revvo Tire Sensor Products identified in response to Interrogatory No. 1, identify the corresponding Revvo Dock, including any relevant model names, numbers or other product identifications, and

Response to Interrogatory No. 5: Revvo hereby incorporates its response to interrogatory No. 1.

Interrogatory No. 6: and describe each step of the manufacturing process to produce the Revvo Dock, including but not limited to materials used, chemicals used, pressure, temperature, induction, flow time, scorch, crosslinking, curing, and optimum state of cure or overcure.

Response to Interrogatory No. 6: The Revvo docks employ [REDACTED] before the dock is placed on the inside of a tire.

Revvo reserve its right to supplement this Interrogatory at the appropriate time as discovery progresses.

INTERROGATORY NO. 3:

For each Revvo Dock identified in response to Interrogatory No. 2, identify the supplier of the Revvo Dock to Revvo, and identify the dates that the supplier supplied the Revvo Dock to Revvo since November 27, 2018 and identify all amounts paid to said supplier and the relevant dates.

RESPONSE TO INTERROGATORY NO. 3:

Revvo hereby incorporates by reference its General Objections as if fully set forth herein. Revvo further objects to this Interrogatory to the extent it seeks documents or information protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege or protection. Revvo further objects to this interrogatory to the extent it seeks information not relevant to any claim or defense in this case. Revvo further objects to this Interrogatory as premature because the parties have yet to conduct meaningful discovery.

Revvo objects to this Interrogatory on the basis that it is compound and contains multiple discrete subparts, which should be considered 2 separate interrogatories, and reserves the right to count each subpart as a separate interrogatory against Plaintiffs' interrogatory limit.

Subject to and without waiving any of these or its foregoing objections, Revvo responds to these two interrogatories as follows:

Interrogatory No. 7: For each Revvo Dock identified in response to Interrogatory No. 2, identify the supplier of the Revvo Dock to Revvo, and identify the dates that the supplier supplied the Revvo Dock to Revvo since November 27, 2018,

Response to Interrogatory No. 7: Revvo identifies the following [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Interrogatory No. 8: identify all amounts paid to said supplier and the relevant dates.

Discovery has only just begun in the case and Revvo will supplement its response at a reasonable time and in the most efficient manner under the case schedule.

Revvo reserve its right to supplement its responses to these Interrogatory at the appropriate time as discovery progresses.

INTERROGATORY NO. 4:

Identify each configuration of the Accused Revvo Wheel Sensor Products designed, made, used, sold, or offered for sale in the United States since December 5, 2023 by or on behalf of Revvo, including any relevant model names, numbers or other product identifications, describe each difference between and among the Accused Revvo Wheel Sensor Products, and identify the date that each configuration or model was first offered for sale and first sold and last offered for sale and last sold and state the total amount of sales and dates for each such configuration.

RESPONSE TO INTERROGATORY NO. 4:

Revvo hereby incorporates by reference its General Objections as if fully set forth herein. Revvo objects to this Interrogatory to the extent it seeks documents or information protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege or

protection. Revvo further objects to this Interrogatory as premature because the Court has not yet ruled on Revvo's Motion to Dismiss and the parties have yet to conduct meaningful discovery.

Revvo further objects to this Interrogatory as vague and ambiguous, particularly as to the terms "configuration" and "product identification." Revvo shall interpret "configuration of the Accused Revvo Wheel Sensor Products" as meaning the general construct of the elements of the Revvo Wheel. Revvo further objects to this Interrogatory as overbroad, irrelevant, unduly burdensome, and not proportionate to the needs of the case with respect to the request "describe each difference between and among the Accused Revvo Tire Sensor Products" as there is no meaningful limit on what the interrogatory deems a "difference." Revvo shall interpret "differences" as used in this interrogatory as a difference that meaningfully relates to the material issues in dispute between the parties.

Revvo further objects to this Interrogatory on the basis that it is compound and contains multiple discrete subparts, which should be considered four (4) separate interrogatories, and counts each subpart as a separate interrogatory against Plaintiffs' interrogatory limit.

Subject to and without waiving any of these or its foregoing objections, Revvo responds to these four interrogatories as follows:

Interrogatory No. 9: Identify each configuration of the Accused Revvo Wheel Sensor Products designed, made, used, sold, or offered for sale in the United States since December 5, 2023 by or on behalf of Revvo, including any relevant model names, numbers or other product identifications,

Response to Interrogatory No. 9: Revvo objects to any discovery directed to the Revvo Wheel pending resolution of Revvo's Motion to Dismiss.

Interrogatory No. 10: describe each difference between and among the Accused Revvo Wheel Sensor Products,

Response to Interrogatory No. 10: Revvo objects to any discovery directed to the Revvo Wheel pending resolution of Revvo's Motion to Dismiss.

Interrogatory No. 11: and identify the date that each configuration or model was first offered for sale and first sold and last offered for sale and last sold

Response to Interrogatory No. 11: Revvo objects to any discovery directed to the Revvo Wheel pending resolution of Revvo's Motion to Dismiss.

Interrogatory No. 12: and state the total amount of sales and dates for each such configuration.

Response to Interrogatory No. 12: Revvo objects to any discovery directed to the Revvo Wheel pending resolution of Revvo's Motion to Dismiss.

Revvo reserve its right to supplement its responses to these four Interrogatories at the appropriate time as discovery progresses, if any such supplementation is deemed necessary.

INTERROGATORY NO. 5:

For each of the Accused Revvo Wheel Sensor Products identified in response to Interrogatory No. 4, identify the corresponding Modified Case, including any relevant model names, numbers or other product identifications.

RESPONSE TO INTERROGATORY NO. 5:

Revvo hereby incorporates by reference its General Objections as if fully set forth herein. Revvo objects to this Interrogatory to the extent it seeks documents or information protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege or protection. Revvo further objects to this Interrogatory as premature because the Court has not yet ruled on Revvo's Motion to Dismiss and the parties have yet to conduct meaningful discovery.

Revvo objects to this Interrogatory as vague and ambiguous, particularly as to the term “product identifications.” Revvo further objects to this Interrogatory as overbroad, unduly burdensome, and not proportional to the needs of the case. Revvo further objects to this Interrogatory to the extent it seeks documents or information protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege or protection.

Subject to and without waiving any of these or its foregoing objections, Revvo responds as follows:

Response to Interrogatory No. 13: Revvo objects to any discovery directed to the Revvo Wheel pending resolution of Revvo’s Motion to Dismiss.

Revvo reserve its right to supplement its responses to these four Interrogatories at the appropriate time as discovery progresses, if any such supplementation is deemed necessary.

INTERROGATORY NO. 6:

For each Modified Case identified in response to Interrogatory No. 5, identify the supplier of the Modified Case to Revvo, and identify the dates that the supplier supplied the Modified Case to Revvo since December 5, 2023 and identify all amounts paid to said supplier and the relevant dates.

RESPONSE TO INTERROGATORY NO. 6:

Revvo hereby incorporates by reference its General Objections as if fully set forth herein. Revvo objects to this Interrogatory to the extent it seeks documents or information protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege or protection. Revvo further objects to this Interrogatory as premature because the Court has not yet ruled on Revvo’s Motion to Dismiss and the parties have yet to conduct meaningful discovery.

Revvo objects to this Interrogatory as overbroad, unduly burdensome, and not proportional to the needs of the case.

Revvo further objects to this Interrogatory on the basis that it is compound and contains multiple discrete subparts, which should be considered 2 separate interrogatories, and reserves the right to count each subpart as a separate interrogatory against Plaintiffs' interrogatory limit.

Subject to and without waiving any of these or its foregoing objections, Revvo responds to these two Interrogatories as follows:

Interrogatory No. 14: For each Modified Case identified in response to Interrogatory No. 5, identify the supplier of the Modified Case to Revvo, and identify the dates that the supplier supplied the Modified Case to Revvo since December 5, 2023

Response to Interrogatory No. 14: Revvo objects to any discovery directed to the Revvo Wheel pending resolution of Revvo's Motion to Dismiss.

Interrogatory No. 15: and identify all amounts paid to said supplier and the relevant dates.

Response to Interrogatory No. 15: Revvo objects to any discovery directed to the Revvo Wheel pending resolution of Revvo's Motion to Dismiss.

Revvo reserve its right to supplement its responses to these four Interrogatories at the appropriate time as discovery progresses, if any such supplementation is deemed necessary.

INTERROGATORY NO. 7:

Identify all persons, whether Revvo employees, consultants, or third parties, involved in the conception, design, development, testing, and manufacturing of the Accused Revvo Sensor Products and describe their role and involvement.

RESPONSE TO INTERROGATORY NO. 7:

Revvo hereby incorporates by reference its General Objections as if fully set forth herein. Revvo further objects to this Interrogatory to the extent it seeks documents or information protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege or protection. Revvo further objects to this interrogatory to the extent it seeks information

not relevant to any claim or defense in this case. Revvo further objects to this Interrogatory as premature because the parties have yet to conduct meaningful discovery.

Revvo objects to this Interrogatory as vague and ambiguous, particularly as to the terms “employees,” “consultants,” “third parties,” and “describe.” Revvo further objections to this Interrogatory as vague, ambiguous, overbroad, and not proportionate to the needs of the case as to the phrase “involved in.” Revvo further objects to this interrogatory as overbroad and unduly burdensome to the extent it seeks information not relevant to any claim or defense in this case. Revvo further objects to this Interrogatory to the extent it seeks information not in the possession, custody, or control of Revvo or seeks information in the possession, custody, or control of third parties. Revvo also objects to this Interrogatory to the extent it improperly and prematurely seeks legal conclusions. Revvo understands that the phrase “the conception, design, development, testing, and manufacturing” is drafted in the conjunctive and objects to the extent that it was meant to be interpreted in the disjunctive as any such interpretation would be overbroad, unduly burdensome, and not proportionate to the needs of the case. Revvo further objects to this Interrogatory as premature because the parties have yet to exchange Rule 26(a)(1) initial disclosures under the Scheduling Order and discovery is ongoing.

Subject to and without waiving any of these or its foregoing objections, Revvo responds as follows:

Response to Interrogatory No. 16: Sunjay Dodani (CEO and co-founder of Revvo): all facets of the company and its products.

Revvo reserve its right to supplement this Interrogatory at the appropriate time as discovery progresses.

INTERROGATORY NO. 8:

For each configuration of the Accused Revvo Tire Sensor Products identified in response to Interrogatory No. 1 and each configuration of the Accused Revvo Wheel Sensor Products identified in response to Interrogatory No. 4, describe how the Revvo Tire Sensor and the Revvo Wheel Sensor captures data from every revolution of the tire, including tire data from pressure, temperature, tread, predicted tread, load, alignment, road surface, wheel security, position, autolocate “and more” (Dkt. 1-1 at 189-190).

RESPONSE TO INTERROGATORY NO. 8:

Revvo hereby incorporates by reference its General Objections as if fully set forth herein.

Revvo further objects to this Interrogatory to the extent it seeks documents or information protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege or protection. Revvo further objects to this interrogatory to the extent it seeks information not relevant to any claim or defense in this case. Revvo further objects to this Interrogatory as premature because the parties have yet to conduct meaningful discovery.

Revvo objects to this Interrogatory as vague and ambiguous, and as a result overbroad and unduly burdensome, particularly as to the term “configuration.” Revvo further objects to the term “describe” and the phrase “describe how” as vague and ambiguous as to the level of detail Plaintiff seeks and to the extent it is overbroad and not proportional to the needs of the case. Revvo further objects to this Interrogatory as not relevant to any issue present in the case or calls for a legal conclusion. Revvo further objects that the cited pages of the document do not copy the text identified within this interrogatory correctly. Revvo further objects to this interrogatory to the extent how it is drafted lacks foundation and is vague and ambiguous with respect to the information requested in the context of the drafted phrase “captures data from every revolution of the tire, including tire data from pressure, temperature, tread, predicted tread, load, alignment, road surface, wheel security, position, autolocate ‘and more’.”

Subject to and without waiving any of these or its foregoing objections, Revvo responds as follows:

Response to Interrogatory No. 17: Data is captured by sensors [REDACTED]

[REDACTED]

[REDACTED]).

Revvo reserve its right to supplement this Interrogatory at the appropriate time as discovery progresses.

INTERROGATORY NO. 9:

State the date when Revvo first became aware of each of the Asserted Patents, and describe all facts regarding that awareness, including who at Revvo became aware of each of the Asserted Patents, how they became aware of each of the Asserted Patents, and steps taken by Revvo in response to learning of each of the Asserted Patents.

RESPONSE TO INTERROGATORY NO. 9:

Revvo hereby incorporates by reference its General Objections as if fully set forth herein. Revvo further objects to this Interrogatory to the extent it seeks documents or information protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege or protection.

Revvo objects to this Interrogatory to the extent it improperly and prematurely seeks legal conclusions. Revvo further objects to this Interrogatory as vague and ambiguous, and as a result overbroad and unduly burdensome, particularly as to the term “awareness.” Revvo also objects to the term “describe” as vague, ambiguous and overbroad as to the level of detail Plaintiff seeks.

Revvo further objects to this Interrogatory on the basis that it is compound and contains multiple discrete subparts, which should be considered 2 separate interrogatories, and reserves the right to count each subpart as a separate interrogatory against Plaintiffs’ interrogatory limit. Revvo further objects to this Interrogatory to the extent it seeks documents or information protected by

the attorney-client privilege, the work-product doctrine, or any other applicable privilege or protection.

Subject to and without waiving any of these or its foregoing objections, Revvo responds to these two interrogatories as follows:

Interrogatory No. 18: State the date when Revvo first became aware of each of the Asserted Patents, and describe all facts regarding that awareness, including who at Revvo became aware of each of the Asserted Patents, how they became aware of each of the Asserted Patents,

Response to Interrogatory No. 18: Cerebrum's counsel sent a letter dated January 17, 2024 to Revvo's CEO to Sunjay Dodani that identified the '741 patent and '027 patent. Revvo was not aware of the '421 patent until it was served with the Complaint.

Interrogatory No. 19: and steps taken by Revvo in response to learning of each of the Asserted Patents.

Response to Interrogatory No. 19: Revvo [REDACTED] [REDACTED] provided communications to Cerebrum's counsel as well as a product sample to prove to Cerebrum that there is no reasonably objective basis for Cerebrum to have asserted the patents against Revvo.

Revvo reserve its right to supplement its responses to these Interrogatories at the appropriate time as discovery progresses.

INTERROGATORY NO. 10:

State the first date of use of [REDACTED] in the Accused Revvo Sensor Products and the date of last use of [REDACTED] in the Accused Revvo Sensor Products, and explain why Revvo discontinued using such [REDACTED].

RESPONSE TO INTERROGATORY NO. 10:

Revvo hereby incorporates by reference its General Objections as if fully set forth herein. Revvo further objects to this Interrogatory to the extent it seeks documents or information protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege or protection.

Revvo further objects to this Interrogatory on the basis that it is compound and contains multiple discrete subparts, which should be considered 2 separate interrogatories, and reserves the right to count each subpart as a separate interrogatory against Plaintiffs' interrogatory limit.

Subject to and without waiving any of these or its foregoing objections, Revvo responds as follows:

Interrogatory No. 20: State the first date of use of Potting Material in the Accused Revvo Sensor Products and the date of last use of Potting Material in the Accused Revvo Sensor Products,

Response to Interrogatory No. 20: Revvo has used [REDACTED]

[REDACTED]
[REDACTED]
at essentially the outset of its development of Revvo's tire sensor products, going back to at least

[REDACTED].

Interrogatory No. 21: and explain why Revvo discontinued using such Potting Material.

Response to Interrogatory No. 21: Revvo [REDACTED]

[REDACTED].

Revvo reserve its right to supplement its responses to these Interrogatories at the appropriate time as discovery progresses.

INTERROGATORY NO. 11:

Explain what is meant by [REDACTED]
[REDACTED]

which Revvo has sold each of the Accused Revvo Tire Sensor Products, and [REDACTED]

RESPONSE TO INTERROGATORY NO. 11:

Revvo hereby incorporates by reference its General Objections as if fully set forth herein. Revvo further objects to this Interrogatory to the extent it seeks documents or information protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege or protection. Revvo further objects to this Interrogatory to the extent it seeks a legal conclusion.

Revvo objects to the term “reflects” and the phrase [REDACTED] as vague, ambiguous, and to the extent it seeks a legal conclusion. Revvo further objects to the term “the reasons for any differences” as vague, ambiguous, overbroad and not proportionate to the needs of the case.

Revvo further objects to this Interrogatory on the basis that it is compound and contains multiple discrete subparts, which should be considered 3 separate interrogatories, and counts each subpart as a separate interrogatory against Plaintiffs’ interrogatory limit.

Subject to and without waiving any of these or its foregoing objections, Revvo responds as follows:

Interrogatory No. 22: Explain what is meant by [REDACTED]

Response to Interrogatory No. 22: [REDACTED]

Interrogatory No. 23: whether the [REDACTED]

[REDACTED] the Accused Revvo Tire Sensor Products,

Response to Interrogatory No. 23: Revvo has [REDACTED]

Interrogatory No. 24: and the reasons for any differences in [REDACTED]

Response to Interrogatory No. 24: Revvo's [REDACTED]

Revvo reserve its right to supplement its responses to these Interrogatories at the appropriate time as discovery progresses.

INTERROGATORY NO. 12:

Identify each distributor and customer of the Accused Revvo Sensor Products, and for each such distributor and customer, identify any relevant model names or numbers distributed by such distributor or purchased by such customer, and the time periods during which the distributor has been a distributor of such Accused Revvo Sensor Products and the time periods during which the customer has been a customer of such Accused Revvo Sensor Products.

RESPONSE TO INTERROGATORY NO. 12:

Revvo hereby incorporates by reference its General Objections as if fully set forth herein. Revvo further objects to this Interrogatory to the extent it seeks documents or information protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege or protection. Revvo further objects to this Interrogatory to the extent it seeks a legal conclusion. Revvo further objects to this Interrogatory as premature because the parties have yet to conduct meaningful discovery.

Revvo objects to this Interrogatory as vague and ambiguous, particularly as to the terms “distributor” and “customer.” Revvo further objects to this Interrogatory as overbroad, irrelevant,

and unduly burdensome to the extent it is not restricted to a reasonable time period. Revvo further objects to this Interrogatory as not proportional to the needs of the case.

Revvo further objects to this Interrogatory on the basis that it is compound by seeking discrete information regarding “each distributor” and “each customer,” which are 2 separate interrogatories. Revvo counts each of these distinct requests as a separate interrogatory against Plaintiffs’ interrogatory limit. Revvo also objects to this Interrogatory because it the multiple subparts therein exceeds Plaintiffs’ limit of 25 Interrogatories under Rule 33(a)(1).

Subject to and without waiving any of these or its foregoing objections, Revvo responds as follows:

Interrogatory No. 25: Identify each distributor . . . of the Accused Revvo Sensor Products, and for each such distributor . . . , identify any relevant model names or numbers distributed by such distributor . . . , and the time periods during which the distributor has been a distributor of such Accused Revvo Sensor Products

Response to Interrogatory No. 25: Revvo’s

[REDACTED]

Revvo reserve its right to supplement its response this Interrogatory at the appropriate time as discovery progresses.

Interrogatory No. 26: Identify each . . . customer of the Accused Revvo Sensor Products, and for each such . . . customer, identify any relevant model names or numbers . . . purchased by

such customer, . . . and the time periods during which the customer has been a customer of such Accused Revvo Sensor Products.

Response to Interrogatory No. 26: Because this Interrogatory exceeds Plaintiffs' limit of 25 Interrogatories under Rule 33(a)(1), Revvo will not respond to this Interrogatory.

INTERROGATORY NO. 13:

Identify each current investor in Revvo and for each such investor, identify their current ownership interest in Revvo, including ownership interest in Revvo as a percentage of Revvo shares or stock, and the dollar amount invested in Revvo.

RESPONSE TO INTERROGATORY NO. 13:

Revvo hereby incorporates by reference its General Objections as if fully set forth herein. Revvo further objects to this Interrogatory to the extent it seeks documents or information protected by the attorney-client privilege, the work-product doctrine, or any other applicable privilege or protection.

Revvo objects to this Interrogatory as overbroad, unduly burdensome, irrelevant, and not relevant to any of the claims or defenses in this case. Revvo further objects to this Interrogatory as premature because the parties have yet to conduct meaningful discovery. Revvo also objects to this Interrogatory because it exceeds Plaintiffs' limit of 25 Interrogatories under Rule 33(a)(1).

Subject to and without waiving any of these or its foregoing objections, Revvo responds as follows:

Response to Interrogatory No. 27: Because this Interrogatory exceeds Plaintiffs' limit of 25 Interrogatories under Rule 33(a)(1), Revvo will not respond to this Interrogatory.

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Dated: September 12, 2024

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CERTIFICATE OF SERVICE

I hereby certify that on September 12, 2024, true and correct copies of the foregoing document were caused to be served on the following counsel of record as indicated:

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EXHIBIT 5

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CEREBRUM SENSOR TECHNOLOGIES,	)	
INC. and TIRE STICKERS LLC,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C.A. No. 24-245 (JLH) (SRF)
	)	
REVVO TECHNOLOGIES, INC.,	)	
	)	
Defendant.	)	

**PLAINTIFFS CEREBRUM SENSOR TECHNOLOGIES, INC. AND TIRE
STICKERS LLC’S AMENDED FIRST SET OF INTERROGATORIES TO
DEFENDANT REVVO TECHNOLOGIES, INC. (NOS. 1-14)**

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Plaintiffs Cerebrum Sensor Technologies, Inc. (“Cerebrum”) and Tire Stickers LLC (“Tire Stickers”) (collectively, “Plaintiffs” or “Cerebrum”) request that Revvo Technology, Inc. answer this Amended First Set of Interrogatories in writing and under oath, within thirty (30) days of service, and serve such answers on Plaintiffs’ counsel at Snell & Wilmer L.L.P.

DEFINITIONS

1. “You,” “Your,” or “Revvo” means Revvo Technology, Inc., including, without limitation, all parent companies, predecessors, successors, subsidiaries, divisions, assigns or affiliates, and their employees, directors, officers, agents, contractors, subcontractors, consultants, accountants, and attorneys.

2. The “Accused Revvo Tire Sensor Products” means the Revvo Pro Tire Mounted Sensor products (e.g., D.I. 1-1 at 189, as depicted below), for example, offered by Revvo through its website at <https://www.revvo.ai/>, including all current and former models, sets, releases, revisions, versions, updates, and upgrades.

PRO

Revvo Pro Tire Mounted Sensor is the most sophisticated tire sensor available in the market for all tire sizes and applications. Revvos patented sensor works on any tire to capture data from every revolution of the tire. Tire data for pressure, temperature, tread, load, alignment, road surface, wheel security, position, and more are sent to Revvo in vehicle gateways or vehicle telematics via BLE. Sensors are automatically detected and registered to vehicles, no need for additional hardware or apps to setup!



3. The “Accused Revvo Wheel Sensor Products” means the Revvo Wheel products (e.g., D.I. 1-1 at 190, as depicted below), for example, offered by Revvo through its website at <https://www.revvo.ai/>, including all current and former models, sets, releases, revisions, versions, updates, and upgrades.

WHEEL



Revvo Wheel uses Revvo’s PRO sensor and a modified case to fit on the wheel of any vehicle. This mounting option provides a one time installation of sensors on a vehicle and provides data for tire pressure, temperature, wheel security, position, predicted tread, and more. All data from Wheel sensors are sent to Revvo in vehicle gateways or vehicle telematics via BLE. Sensors are automatically detected and registered to vehicles, no need for additional hardware or apps to setup!

4. The “Accused Revvo Sensor Products” means the Accused Revvo Tire Sensor Products and the Accused Revvo Wheel Sensor Products.

5. The “Revvo Dock” means the dock used in the Accused Revvo Tire Sensor Products (e.g., D.I. 1-1 at 196, as depicted below), including all current and former models, sets, releases, revisions, versions, updates, and upgrades.



6. The “Modified Case” means the modified case in the Accused Revvo Wheel Sensor Products (e.g., D.I. 1-1 at 190, as depicted below), including all current and former models, sets, releases, revisions, versions, updates, and upgrades.



WHEEL

Revvo Wheel uses Revvo’s PRO sensor and a modified case to fit on the wheel of any vehicle. This mounting option provides a one time installation of sensors on a vehicle and provides data for tire pressure, temperature, wheel security, position, predicted tread, and more. All data from Wheel sensors are sent to Revvo in vehicle gateways or vehicle telematics via BLE. Sensors are automatically detected and registered to vehicles, no need for additional hardware or apps to setup!

7. The term “Potting Material” means “potting material” as used in the letter sent from Adam Pivovar to Chris Bright, dated May 10, 2024, at page 21.

8. The term “Nuro Invoice” means the invoice as depicted on page 18 of the letter sent from Adam Pivovar to Chris Bright, dated May 10, 2024.

9. The “’741 Patent” means U.S. Patent No. 10,137,741.

10. The “’027 Patent” means U.S. Patent No. 11,124,027.

11. The “’421 Patent” means U.S. Patent No. 11,835,421.

12. The “Asserted Patents” or “Patents-in-Suit” or “Cerebrum Patents” means the ’741 Patent,” the ’027 Patent, and the ’421 Patent.

13. “Technical Rubber Company” means Technical Rubber Company and its affiliates, including Advanced Mobility Solutions and TECH Tire & Wheel Service products.

14. “REMA Tip Top” means REMA Tip Top and its affiliates.

15. “Myers Industries” means Myers Industries and its affiliates, including Patch Rubber Company.

16. “Reinalt-Thomas Corporation” means Reinalt-Thomas Corporation and its affiliates, including America’s Tire, Discount Tire, and Tire Rack.

17. The “Revvo Tire Sensor” means the sensor used in the Accused Revvo Tire Sensor Products (e.g., D.I. 1-1 at 196, as depicted below, including the yellow housing and the components inside the housing), including all current and former models, sets, releases, revisions, versions, updates, and upgrades.



18. The “Revvo Wheel Sensor” means the sensor used in the Accused Revvo Wheel Sensor Products (e.g., D.I. 1-1 at 190, as depicted below), including all current and former models, sets, releases, revisions, versions, updates, and upgrades.



WHEEL

Revvo Wheel uses Revvo's PRO sensor and a modified case to fit on the wheel of any vehicle. This mounting option provides a one time installation of sensors on a vehicle and provides data for tire pressure, temperature, wheel security, position, predicted tread, and more. All data from Wheel sensors are sent to Revvo in vehicle gateways or vehicle telematics via BLE. Sensors are automatically detected and registered to vehicles, no need for additional hardware or apps to setup!

19. Document(s)" is used in the broadest sense to include everything contemplated by Rule 34 of the Federal Rules of Civil Procedure and by Rule 1001 of the Federal Rules of Evidence.

20. "Person" or "Entity" and their plural forms include, without limitation, any natural persons, or any business, legal, or governmental entity or association, and any other legal entities and divisions, departments, or other units thereof.

21. "Communication" means any transmission of information, including drafts, whether oral or written.

INSTRUCTIONS

1. Each of these interrogatories is continuing in nature and requires a supplemental response in conformity with Fed. R. Civ. P. 26(e). Information sought by these interrogatories shall include information possessed or known by any of Your agents, employees, attorneys, investigators, family members, or any other Person, firm, agency, or entity directly or indirectly subject to Your control.

2. Restate each interrogatory in full before each response.

3. Answer each interrogatory separately. When an interrogatory has several parts, answer each part separately.

4. For the purpose of reading, interpreting, or construing the scope of these interrogatories, the terms used should be given their most expansive and inclusive interpretation.

5. All singular terms include the plural and all plural terms include the singular.

6. The present tense includes the past tense, and the past tense includes the present.

7. Unless instructed otherwise, each interrogatory shall be construed independently and not by reference to any other interrogatory for the purpose of limitation or exclusion.

8. You must answer each interrogatory separately and fully in writing under oath, unless it is objected to, in which event the reason for the objection should be specifically and separately stated. If You assert that part of an interrogatory is objectionable, respond to the remaining parts of the interrogatory to which You do not object.

9. If You are unable to respond fully to any interrogatory, explain why Your response is incomplete, the efforts You have made to obtain the information, and the source from which all responsive information may be obtained to the best of Your knowledge or belief.

10. If, in answering these interrogatories, You claim any ambiguity in interpreting either an interrogatory or a definition or instruction applicable thereto, You should not use that claim as a basis for refusing to respond, but rather You shall set forth as part of Your response to such interrogatory the language deemed to be ambiguous and the interpretation chosen to be used in responding to the interrogatory.

11. If all or any part of any interrogatory is objected to on the ground that it seeks privileged information, or all or any part of any response thereto is withheld under any claim of privilege, for each such objection or claim Identify the nature of the privilege (including work product) that is being claimed, and provide the following information as to each Communication that the privilege is alleged to cover: (i) the name(s) of the Person(s) making the Communication

and the name(s) of each Person present while the Communication was made (or the recipient(s) of the Communication) and, where not apparent, the relationship of the Person(s) present to the Person(s) making the Communication; (ii) the date and place of the Communication; (iii) the type of Communication (e.g., letter, conversation, voice mail message, electronic mail, etc.); and (iv) the general subject matter of the Communications.

INTERROGATORIES

INTERROGATORY NO. 1:

Identify each configuration of the Accused Revvo Tire Sensor Products designed, made, used, sold, or offered for sale in the United States since November 27, 2018 by or on behalf of Revvo, including any relevant model names, numbers or other product identifications, describe each difference between and among the Accused Revvo Tire Sensor Products.

INTERROGATORY NO. 2:

For each of the Accused Revvo Tire Sensor Products identified in response to Interrogatory No. 1, identify the corresponding Revvo Dock, including any relevant model names, numbers or other product identifications.

INTERROGATORY NO. 3:

For each Revvo Dock identified in response to Interrogatory No. 2, identify the supplier of the Revvo Dock to Revvo, and identify the dates that the supplier supplied the Revvo Dock to Revvo since November 27, 2018.

INTERROGATORY NO. 4:

Identify each configuration of the Accused Revvo Wheel Sensor Products designed, made, used, sold, or offered for sale in the United States since December 5, 2023 by or on behalf of Revvo, including any relevant model names, numbers or other product identifications, describe

each difference between and among the Accused Revvo Wheel Sensor Products, and identify the date that each configuration or model was first offered for sale and first sold and last offered for sale and last sold.

INTERROGATORY NO. 5:

For each of the Accused Revvo Wheel Sensor Products identified in response to Interrogatory No. 4, identify the corresponding Modified Case, including any relevant model names, numbers or other product identifications.

INTERROGATORY NO. 6:

For each Modified Case identified in response to Interrogatory No. 5, identify the supplier of the Modified Case to Revvo, and identify the dates that the supplier supplied the Modified Case to Revvo since December 5, 2023.

INTERROGATORY NO. 7:

Identify all persons, whether Revvo employees, consultants, or third parties, involved in the conception, design, development, testing, and manufacturing of the Accused Revvo Sensor Products and describe their role and involvement.

INTERROGATORY NO. 8:

For each configuration of the Accused Revvo Tire Sensor Products identified in response to Interrogatory No. 1 and each configuration of the Accused Revvo Wheel Sensor Products identified in response to Interrogatory No. 4, describe how the Revvo Tire Sensor and the Revvo Wheel Sensor captures data from every revolution of the tire, including tire data from pressure, temperature, tread, predicted tread, load, alignment, road surface, wheel security, position, autolocate “and more” (Dkt. 1-1 at 189-190).

INTERROGATORY NO. 9:

State the date when Revvo first became aware of each of the Asserted Patents, and describe all facts regarding that awareness, including who at Revvo became aware of each of the Asserted Patents, how they became aware of each of the Asserted Patents, and steps taken by Revvo in response to learning of each of the Asserted Patents.

INTERROGATORY NO. 10:

State the first date of use of Potting Material in the Accused Revvo Sensor Products and the date of last use of Potting Material in the Accused Revvo Sensor Products, and explain why Revvo discontinued using such Potting Material.

INTERROGATORY NO. 11:

Explain what is meant by Remote Tire Monitoring “Pilot” referenced in the Nuro Invoice, whether the Quantity 1 in the Nuro Invoice for a Price of \$1,000.00 reflects the actual commercial price at which Revvo has sold each of the Accused Revvo Tire Sensor Products, and the reasons for any differences in the actual commercial price and the \$1,000.00 price in the Nuro Invoice.

INTERROGATORY NO. 12:

Identify each distributor and customer of the Accused Revvo Sensor Products, and for each such distributor and customer, identify any relevant model names or numbers distributed by such distributor or purchased by such customer.

INTERROGATORY NO. 13:

For each distributor and customer of the Accused Revvo Sensor Products, identify the time periods during which the distributor has been a distributor of such Accused Revvo Sensor Products and the time periods during which the customer has been a customer of such Accused Revvo Sensor Products.

INTERROGATORY NO. 14:

Identify each current investor in Revvo and for each such investor, identify their current ownership interest in Revvo, including ownership interest in Revvo as a percentage of Revvo shares or stock, and the dollar amount invested in Revvo.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Lucinda C. Cucuzzella

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October 17, 2024

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*Attorneys for Plaintiffs Cerebrum Sensor
Technologies, Inc. and Tire Stickers LLC*

CERTIFICATE OF SERVICE

I hereby certify that on October 17, 2024, copies of the foregoing were caused to be served upon the following in the manner indicated:

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Inc.*

VIA ELECTRONIC MAIL

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3175 Hanover Street
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*Attorneys for Defendant Revvo Technologies,
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VIA ELECTRONIC MAIL

Adam M. Pivovar, Esquire
Rachel L. Preston, Esquire
COOLEY LLP
1299 Pennsylvania Avenue NW, Suite 700
Washington, DC 20004-2400
*Attorneys for Defendant Revvo Technologies,
Inc.*

VIA ELECTRONIC MAIL

/s/ Lucinda C. Cucuzzella

Lucinda C. Cucuzzella (#3491)

EXHIBIT 6

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CEREBRUM SENSOR TECHNOLOGIES,	)	
INC. and TIRE STICKERS LLC,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	C.A. No. 24-245 (JLH) (SRF)
	)	
REVVO TECHNOLOGIES, INC.,	)	
	)	
Defendant.	)	

**PLAINTIFFS' RESPONSES TO REVVO TECHNOLOGIES, INC.'S
FIRST SET OF INTERROGATORIES (NOS. 1-3)**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Plaintiffs Cerebrum Sensor Technologies, Inc. ("Cerebrum") and Tire Stickers LLC ("Tire Stickers") (collectively, "Plaintiffs" or "Cerebrum") respond to Defendant Revvo Technologies, Inc.'s ("Defendant" or "Revvo") First Set of Interrogatories (Nos. 1-3) as follows:

PRELIMINARY STATEMENT

Cerebrum reserves the right to supplement and modify its responses to these Interrogatories. Cerebrum's response to an Interrogatory is not an admission to the existence of any "facts" or positions set forth or assumed by such Interrogatory. Cerebrum incorporates this Preliminary Statement into each of its responses below.

GENERAL OBJECTIONS

The following general objections are in addition to and are incorporated in each specific response. The failure to mention any of the following general objections and qualifications in the specific responses set forth below shall not be deemed a waiver of such objection or qualification:

A. Cerebrum objects to Revvo's "Definitions" and "Instructions" to the extent they purport to impose obligations on Cerebrum inconsistent with or in excess of Cerebrum's

obligations under the Federal Rules of Civil Procedure, the Local Rules of the U.S. District Court for the District of Delaware, or any orders or procedures of the Court.

B. Cerebrum objects to Revvo's definition of "You," "Your," "Plaintiffs" and/or "Cerebrum" to the extent it requires Cerebrum to respond with information and documents outside of its possession, custody, or control, including but not limited to the phrase "all persons or entities currently or previously acting on its behalf." Cerebrum also objects to the extent this definition seeks the disclosure of information protected by the attorney-client privilege, work-product doctrine, or any other applicable privilege.

C. Cerebrum objects to Revvo's Interrogatories to the extent they seek documents or information protected by the attorney-client privilege, work product doctrine, or any other applicable privileges. Cerebrum will not disclose or produce any such information, documents, or things. Any inadvertent disclosure by Cerebrum of such information, documents, or things shall not constitute a waiver of any privilege or basis for objecting to discovery, of Cerebrum's right to object to the use of such information, documents, or things by Revvo, and of Cerebrum's right to seek the return of any such information, documents, or things that may inadvertently be disclosed.

D. Cerebrum objects to Revvo's Interrogatories to the extent they seek information or documents outside Cerebrum's possession, custody, or control. Cerebrum will respond to Revvo's Interrogatories based only on information and documents in its possession, custody, or control.

E. Cerebrum objects to each interrogatory to the extent they are compound and contain multiple discrete subparts, which should be considered and counted as separate interrogatories.

SPECIFIC OBJECTIONS AND RESPONSES

INTERROGATORY NO. 1:

On a claim-by-claim basis for each and every Asserted Claim, identify what You contend to be the effective filing date for the claim, including all supporting facts and evidence for the identified effective filing date in an element-by-element claim chart identifying the excerpts with citations to the specific page and lines of any prior filed applications that you contend supports Your identified effective filing date for all elements of each Asserted Claim.

RESPONSE TO INTERROGATORY NO. 1:

Cerebrum objects to this Interrogatory as overbroad, unduly burdensome, and not proportional to the needs of the case to the extent it seeks “all supporting facts and evidence.”

Cerebrum further objects to this Interrogatory on the basis that it is compound and contains multiple discrete subparts, which should be considered at least six (6) separate interrogatories, and counts each subpart as a separate interrogatory against Revvo’s interrogatory limit.

Subject to and without waiving the foregoing objections, Cerebrum responds as follows:

Response to Interrogatory No. 1(1): Each Asserted Claim of the ’741 Patent is entitled to the effective filing date of April 27, 2015 according to U.S. provisional patent application number 62153441. Response to Interrogatory No. 1(2): This can be seen in the chart attached as **Exhibit A**.

Response to Interrogatory No. 1(3): Each Asserted Claim of the ’027 Patent is entitled to the effective filing date of April 27, 2015 according to U.S. provisional patent application number 62153441 and/or U.S. non-provisional patent application number 15/139,272. Response to Interrogatory No. 1(4): This can be seen in the chart attached as **Exhibit B**.

Response to Interrogatory No. 1(5): Each Asserted Claim of the ’421 Patent is entitled to the effective filing date of October 31, 2019 according to U.S. non-provisional patent application number 16/671,105. Response to Interrogatory No. 1(6): This can be seen in the chart attached as **Exhibit C**.

INTERROGATORY NO. 2:

To the extent that an inventor, joint inventor, or another who obtained subject matter directly or indirectly from an inventor or joint inventor publicly disclosed the subject matter of any Asserted Claim prior to the Presumptive Filing Date of an Asserted Patent, identify completely and with specificity all facts and circumstances relating to such public disclosure, including the date on which such public disclosure was made and an element-by-element claim chart identifying where and how such subject matter disclosed all elements of each Asserted Claim allegedly embodied by the publicly disclosed subject matter.

RESPONSE TO INTERROGATORY NO. 2:

Cerebrum objects to this Interrogatory as overbroad, unduly burdensome, and not proportional to the needs of the case to the extent it seeks “all facts and circumstances.” Cerebrum also objects to this Interrogatory to the extent it seeks information not in Cerebrum’s possession, custody, or control.

Cerebrum further objects to this Interrogatory on the basis that it is compound and contains multiple discrete subparts, which should be considered at least nine (9) separate interrogatories, and counts each subpart as a separate interrogatory against Revvo’s interrogatory limit.

Subject to and without waiving the foregoing objections, Cerebrum responds as follows:

Response to Interrogatory No. 2(7): The subject matter of at least some portions of the Asserted Claims of the ’741 Patent was first publicly disclosed approximately May 28, 2015.

Response to Interrogatory No. 2(8): This can be seen in, for example, <https://youtu.be/iY3rFpgUsVs?si=Hy3yCQMUE8XfpRo5>. Response to Interrogatory No. 2(9): In due course, Cerebrum is willing to provide a corresponding chart.

Response to Interrogatory No. 2(10): The subject matter of at least some portions of the Asserted Claims of the ’027 Patent was first publicly disclosed approximately May 28, 2015.

Response to Interrogatory No. 2(11): This can be seen in, for example, <https://youtu.be/iY3rFpgUsVs?si=Hy3yCQMUE8XfpRo5>. Response to Interrogatory No. 2(12): In due course, Cerebrum is willing to provide a corresponding chart.

Response to Interrogatory No. 2(13): The subject matter of at least some portions of the Asserted Claims of the '421 Patent was first publicly disclosed approximately June 14, 2019 to July 26, 2019. Response to Interrogatory No. 2(14): This can be seen in, for example, <https://tsdr.uspto.gov/documentviewer?caseId=sn88541044&docId=FTK20190730145019&linkId=26#docIndex=25&page=1>. Response to Interrogatory No. 2(15): In due course, Cerebrum is willing to provide a corresponding chart.

INTERROGATORY NO. 3:

For each Marked Product that You contend practices any claim(s) of an Asserted Patent under 35 U.S.C. § 287, identify the complete basis for such product marking, including separately for each Marked Product a claim chart identifying on an element-by-element basis all facts and evidence that you contend supports Your allegation that such product practices the Asserted Patent claim(s) by identifying completely and with specificity where and how each Marked Product allegedly satisfies each element of any claim(s) of an Asserted Patent that You contend is practiced by such Marked Product.

RESPONSE TO INTERROGATORY NO. 3:

Cerebrum objects to this Interrogatory as overbroad, unduly burdensome, and not proportional to the needs of the case to the extent it seeks the “complete basis” and “all facts and evidence.” Moreover, Cerebrum objects to this Interrogatory as seeking discovery that is premature, not relevant and/or not proportional as Revvo has not put forward any defense that puts any Marked Product at issue in the case.

Cerebrum further objects to this Interrogatory on the basis that it is compound and contains multiple discrete subparts, which should be considered at least six (6) separate interrogatories, and counts each subpart as a separate interrogatory against Revvo’s interrogatory limit.

Subject to and without waiving the foregoing objections, Cerebrum responds as follows:

Response to Interrogatory No. 3(16): For the '741 Patent, Tire Stickers’ Marked Products are identified at <https://www.tirestickers.com/virtual-patent-marking/>, and Cerebrum’s Marked

Products are identified at <https://cerebrumsensor.com/pages/virtual-patent-marking>. Response to Interrogatory No. 3(17): In due course, Cerebrum is willing to provide a corresponding chart.

Response to Interrogatory No. 3(18): For the '027 Patent, Tire Stickers' Marked Products are identified at <https://www.tirestickers.com/virtual-patent-marking/>, and Cerebrum's Marked Products are identified at <https://cerebrumsensor.com/pages/virtual-patent-marking>. Response to Interrogatory No. 3(19): In due course, Cerebrum is willing to provide a corresponding chart.

Response to Interrogatory No. 3(20): For the '421 Patent, Cerebrum's Marked Products are identified at <https://cerebrumsensor.com/pages/virtual-patent-marking>. Response to Interrogatory No. 3(21): In due course, Cerebrum is willing to provide a corresponding chart.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Lucinda C. Cucuzzella

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*Attorneys for Plaintiffs Cerebrum Sensor
Technologies, Inc. and Tire Stickers LLC*

October 30, 2024

CERTIFICATE OF SERVICE

I hereby certify that on October 30, 2024, copies of the foregoing were caused to be served upon the following in the manner indicated:

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Rachel L. Preston, Esquire
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*Attorneys for Defendant Revvo Technologies,
Inc.*

VIA ELECTRONIC MAIL

/s/ Lucinda C. Cucuzzella

Lucinda C. Cucuzzella (#3491)

EXHIBIT 7

Bright, Christopher

From: Bright, Christopher
Sent: Wednesday, December 18, 2024 2:51 PM
To: 'Pivovar, Adam'; 'Chen, Reuben'; 'Preston, Rachel L'; 'Farnan, Kelly E.'; 'Metzler, Sara M.'; 'Blau, Jessica E.'; 'Gibbs, Tracy'
Cc: 'Jacobs, Karen'; 'Cucuzzella, Cindy'; Franich, Christopher; Povinelli, Morgan; Buck, Brandon
Subject: RE: Cerebrum v. Revvo -- Meet and Confer on Revvo's deficient invalidity contentions

Follow Up Flag: Follow up
Flag Status: Flagged

Counsel for Revvo,

You seem to want to present as a dispute to the Court the following: "Plaintiffs' production of documents associated with and samples of Plaintiffs' marked products." There is no such dispute.

Plaintiffs have already produced such documents and will be making another production of such documents this week, as well as producing samples this week. Plaintiffs have not refused to produce such discovery.

Best,

Chris Bright

O: 714.427.7069
cbright@swlaw.com

**SNELL
& WILMER**

swlaw.com | LinkedIn

Plaza Tower | 600 Anton Boulevard | Suite 1400 | Costa Mesa, CA 92626-7689

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From: Bright, Christopher
Sent: Wednesday, December 18, 2024 8:40 AM
To: 'Pivovar, Adam' <apivovar@cooley.com>; 'Chen, Reuben' <rchen@cooley.com>; 'Preston, Rachel L' <RPreston@cooley.com>; 'Farnan, Kelly E.' <Farnan@RLF.com>; 'Metzler, Sara M.' <Metzler@rlf.com>; 'Blau, Jessica E.' <Blau@rlf.com>; 'Gibbs, Tracy' <tgibbs@cooley.com>
Cc: 'Jacobs, Karen' <KJacobs@morrisnichols.com>; 'Cucuzzella, Cindy' <ccucuzzella@morrisnichols.com>; Franich, Christopher <cfranich@swlaw.com>; Povinelli, Morgan <mpovinelli@swlaw.com>; Buck, Brandon <bbuck@swlaw.com>
Subject: RE: Cerebrum v. Revvo -- Meet and Confer on Revvo's deficient invalidity contentions

Counsel for Revvo,

Further to my email below, Plaintiffs expect to be making a production of samples and documents this week.

Chris Bright

O: 714.427.7069

cbright@swlaw.com

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From: Bright, Christopher

Sent: Friday, December 13, 2024 10:42 AM

To: 'Pivovar, Adam' <apivovar@cooley.com>; Chen, Reuben <rchen@cooley.com>; Preston, Rachel L <RPreston@cooley.com>; Farnan, Kelly E. <Farnan@RLF.com>; Metzler, Sara M. <Metzler@rlf.com>; Blau, Jessica E. <Blau@rlf.com>; Gibbs, Tracy <tgibbs@cooley.com>

Cc: Jacobs, Karen <KJacobs@morrisnichols.com>; Cucuzzella, Cindy <ccucuzzella@morrisnichols.com>; Franich, Christopher <cfranich@swlaw.com>; Povinelli, Morgan <mpovinelli@swlaw.com>; Buck, Brandon <bbuck@swlaw.com>

Subject: RE: Cerebrum v. Revvo -- Meet and Confer on Revvo's deficient invalidity contentions

Counsel for Revvo,

Your effort to equate Revvo's deficient invalidity contentions to the issues raised in your email fails.

Revvo's invalidity contentions do nothing to identify where any of the 7 claim terms proposed by Plaintiffs for construction can be found in the prior art. Nor do Revvo's invalidity contentions identify where the 88 claim terms proposed by Revvo or the 42 "priority terms" proposed by Revvo can be found in the prior art.

In stark contrast, Plaintiffs' infringement contentions identify with specificity where the terms can be found in Revvo's accused products. Revvo may disagree with Plaintiffs' identifications, but that is not a discovery issue.

As for the other issues raised by your email:

Revvo's Interrogatory No. 3 (marking) – Revvo's position is non-sense. Plaintiffs' discovery response has sufficiently put Revvo on notice regarding Plaintiffs' marked products. It is now up to Revvo to dispute that marking. Whether or not Revvo disputes that Plaintiffs' products are properly marked has nothing to do with the core issues in this case – claim construction, infringement and validity.

Plaintiffs have agreed to produce samples and documents, as we discussed.

As for Plaintiffs' objections to the number of Revvo's interrogatories Nos. 1-3, Revvo has not made a compromise proposal, as Revvo demanded from Plaintiffs regarding Revvo's interrogatories.

This is yet another time that Revvo has repeatedly ignored our requests to confer, only to finally respond by creating different issues. When we meet and confer on those issues, we will also meet and confer on Revvo's refusal to provide its non-infringement contentions (see my December 2 letter).

Your retaliatory email will not hold up Plaintiffs presenting the deficiencies of Revvo's invalidity contentions to the Court. We are available to confer today and Monday, as we have repeatedly requested for more than a week, but we will not be further delayed in presenting Revvo's deficient invalidity contentions to the Court.

Chris Bright

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From: Pivovar, Adam <apivovar@cooley.com>**Sent:** Wednesday, December 11, 2024 1:33 PM**To:** Bright, Christopher <cbright@swlaw.com>; Chen, Reuben <rchen@cooley.com>; Preston, Rachel L <RPreston@cooley.com>; Farnan, Kelly E. <Farnan@RLF.com>; Metzler, Sara M. <Metzler@rlf.com>; Blau, Jessica E. <Blau@rlf.com>; Gibbs, Tracy <tgibbs@cooley.com>**Cc:** Jacobs, Karen <KJacobs@morrisnichols.com>; Cucuzzella, Cindy <ccucuzzella@morrisnichols.com>; Franich, Christopher <cfranich@swlaw.com>; Povinelli, Morgan <mpovinelli@swlaw.com>; Buck, Brandon <bbuck@swlaw.com>**Subject:** RE: Cerebrum v. Revvo -- Meet and Confer on Revvo's deficient invalidity contentions**[EXTERNAL]** apivovar@cooley.com

Counsel for Plaintiff,

On November 25, 2024, the Parties held a meet-and-confer concerning various deficiencies in Plaintiff's infringement contentions and interrogatory responses and allegations made by Plaintiff that have utterly no evidentiary basis. Moreover, we have frequently discussed various unreasonable and inconsistent interpretations of the claims by Plaintiff. Revvo's prior art based invalidity contentions in chart format are in a standard format that is typical for such contentions, wherein the relevant portions of each prior art reference is identified for each claim element. As the Invalidity Contentions expressly note that "[t]he Court has also not yet construed the claims" and that, to the extent decipherable, Revvo's contentions include "any interpretation of the claims that would allegedly be satisfied by the accused products and services."

Moreover, as we discussed during the meet-and-confer, Plaintiff has also not provided sufficient responses to Revvo's discovery to justify the patent marking that Plaintiffs have made (see Revvo Interrogatory No. 3, RFP Nos. 4, 6). Plaintiff has not provided sufficient charts to show how **each** of the marked products allegedly satisfy the identified claims and has not provided any documentary production concerning the manufacturing, nature of the materials, or samples of each marked product. It is readily apparent that Plaintiff cannot substantiate its marked products as practicing the claimed inventions and, as we discussed, Plaintiff cannot avoid providing the requested information and any basis under which the claims could even remotely be interpreted as covering all of the marked products, as Revvo requested over two weeks ago. Plaintiffs' discovery on this matter remains outstanding and implicates Plaintiff's purported interpretation of the claims, which of course, Revvo could and should be able to rely on within its invalidity contentions.

Finally, any teleconference regarding discovery disputes should therefore include the following bullet points as well. We should meet-and-confer regarding these shortcomings and Plaintiff, as the party with the burden should provide fulsome and complete discovery, provide its proposed constructions and thereafter the parties can further discuss via a meet-and-confer how best to proceed with Plaintiff's failure to adequately respond and provide discovery in this case.

- The sufficiency and evidentiary basis for Plaintiffs' infringement contentions.
- Plaintiffs' failure to sufficiently respond to Revvo's Interrogatory No. 3.

- Plaintiffs' failure to produce documents and samples in response to Revvo's Request for Production Nos. 4 and 6.
- Plaintiffs' objections to the number of Revvo's interrogatories Nos. 1-3.

To the extent necessary, the parties can determine a time to hold another meet-and-confer regarding Plaintiff's discovery shortcomings and the extent to which a discovery teleconference should be requested.

Thanks,
Adam

Adam M. Pivovar, Ph.D.

Cooley LLP
1299 Pennsylvania Avenue, NW • Suite 700
(enter from 12th and E Streets)
Washington, DC 20004-2400
Direct: (202) 842 7889 • Fax: (202) 842 7899 • Cell: (301) 518 9212
Bio: www.cooley.com/apivovar • Practice: www.cooley.com/litigation

From: Bright, Christopher <cbright@swlaw.com>

Sent: Tuesday, December 10, 2024 1:46 PM

To: Pivovar, Adam <apivovar@cooley.com>; Chen, Reuben <rchen@cooley.com>; Preston, Rachel L <RPreston@cooley.com>; Farnan, Kelly E. <Farnan@RLF.com>; Metzler, Sara M. <Metzler@rlf.com>; Blau, Jessica E. <Blau@rlf.com>; Gibbs, Tracy <tgibbs@cooley.com>

Cc: Jacobs, Karen <KJacobs@morrisnichols.com>; Cucuzzella, Cindy <ccucuzzella@morrisnichols.com>; Franich, Christopher <cfranich@swlaw.com>; Povinelli, Morgan <mpovinelli@swlaw.com>; Buck, Brandon <bbuck@swlaw.com>

Subject: RE: Cerebrum v. Revvo -- Meet and Confer on Revvo's deficient invalidity contentions

[External]

Counsel for Revvo,

Please see the attached draft joint motion for a teleconference and let us know your available dates.

Best,

Chris Bright

☎: 714.427.7069
cbright@swlaw.com

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From: Bright, Christopher

Sent: Friday, December 6, 2024 6:58 PM

To: 'Pivovar, Adam' <apivovar@cooley.com>; 'Chen, Reuben' <rchen@cooley.com>; 'Preston, Rachel L' <RPreston@cooley.com>; 'Farnan, Kelly E.' <Farnan@RLF.com>; 'Metzler, Sara M.' <Metzler@rlf.com>; 'Blau, Jessica E.' <Blau@rlf.com>; 'Gibbs, Tracy' <tgibbs@cooley.com>

Cc: 'Jacobs, Karen' <KJacobs@morrisnichols.com>; 'Cucuzzella, Cindy' <ccucuzzella@morrisnichols.com>; 'Franich,

Christopher <cfranich@swlaw.com>; Povinelli, Morgan <mpovinelli@swlaw.com>; Buck, Brandon <bbuck@swlaw.com>

Subject: RE: Cerebrum v. Revvo -- Meet and Confer on Revvo's deficient invalidity contentions

Counsel for Revvo,

Revvo having yet ignored (yet again) our correspondence, we will send you a joint motion for a teleconference with the Court regarding Revvo's deficient invalidity contentions. If you are willing to meet and confer by Wednesday next week, please let us know. Otherwise, we will understand that you have no interest in rectifying the deficiencies in Revvo's invalidity contentions and send you the joint motion.

Chris Bright

☎: 714.427.7069
cbright@swlaw.com

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From: Bright, Christopher

Sent: Monday, December 2, 2024 9:49 AM

To: 'Pivovar, Adam' <apivovar@cooley.com>; 'Chen, Reuben' <rchen@cooley.com>; 'Preston, Rachel L' <RPreston@cooley.com>; 'Farnan, Kelly E.' <Farnan@RLF.com>; 'Metzler, Sara M.' <Metzler@rlf.com>; 'Blau, Jessica E.' <Blau@rlf.com>; 'Gibbs, Tracy' <tgibbs@cooley.com>

Cc: 'Jacobs, Karen' <KJacobs@morrisnichols.com>; 'Cucuzzella, Cindy' <ccucuzzella@morrisnichols.com>; Franich, Christopher <cfranich@swlaw.com>; Povinelli, Morgan <mpovinelli@swlaw.com>; Buck, Brandon <bbuck@swlaw.com>

Subject: Cerebrum v. Revvo -- Meet and Confer on Revvo's deficient invalidity contentions

Counsel for Revvo,

Please see the attached letter.

Best,

Chris Bright

☎: 714.427.7069
cbright@swlaw.com

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If you are the intended recipient, please be advised that the content of this message is subject to access, review and disclosure by the sender's Email System Administrator.

EXHIBIT 8

Bright, Christopher

From: Bright, Christopher
Sent: Monday, December 23, 2024 3:41 PM
To: 'Pivovar, Adam'; 'Chen, Reuben'; 'Preston, Rachel L'; 'Farnan, Kelly E.'; 'Metzler, Sara M.'; 'Blau, Jessica E.'; 'Gibbs, Tracy'
Cc: 'Jacobs, Karen'; 'Cucuzzella, Cindy'; Franich, Christopher; Povinelli, Morgan; Buck, Brandon
Subject: RE: Cerebrum v. Revvo -- Meet and Confer on Revvo's deficient invalidity contentions
Attachments: 2024 1223 Letter to Revvo Counsel re Cerebrum samples shipped.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Counsel for Revvo,

Last week, Plaintiffs made another document production in accordance with my email below. Further, attached is a letter that is being sent today by FedEx with Cerebrum samples. If you would like Tire Stickers samples, please confirm, and we will send those next week.

Given the above, Plaintiffs understand that the following issue raised in Revvo's portion of D.I. 69 is moot: "Plaintiffs' production of documents associated with and samples of Plaintiffs' marked products."

Best,

Chris Bright

☎: 714.427.7069
cbright@swlaw.com

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From: Bright, Christopher
Sent: Wednesday, December 18, 2024 2:51 PM
To: 'Pivovar, Adam' <apivovar@cooley.com>; 'Chen, Reuben' <rchen@cooley.com>; 'Preston, Rachel L' <RPreston@cooley.com>; 'Farnan, Kelly E.' <Farnan@RLF.com>; 'Metzler, Sara M.' <Metzler@rlf.com>; 'Blau, Jessica E.' <Blau@rlf.com>; 'Gibbs, Tracy' <tgibbs@cooley.com>
Cc: 'Jacobs, Karen' <KJacobs@morrisnichols.com>; 'Cucuzzella, Cindy' <ccucuzzella@morrisnichols.com>; Franich, Christopher <cfranich@swlaw.com>; Povinelli, Morgan <mpovinelli@swlaw.com>; Buck, Brandon <bbuck@swlaw.com>
Subject: RE: Cerebrum v. Revvo -- Meet and Confer on Revvo's deficient invalidity contentions

Counsel for Revvo,

You seem to want to present as a dispute to the Court the following: "Plaintiffs' production of documents associated with and samples of Plaintiffs' marked products." There is no such dispute.

Plaintiffs have already produced such documents and will be making another production of such documents this week, as well as producing samples this week. Plaintiffs have not refused to produce such discovery.

Best,

Chris Bright

O: 714.427.7069
cbright@swlaw.com

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From: Bright, Christopher

Sent: Wednesday, December 18, 2024 8:40 AM

To: 'Pivovar, Adam' <apivovar@cooley.com>; 'Chen, Reuben' <rchen@cooley.com>; 'Preston, Rachel L' <RPreston@cooley.com>; 'Farnan, Kelly E.' <Farnan@RLF.com>; 'Metzler, Sara M.' <Metzler@rlf.com>; 'Blau, Jessica E.' <Blau@rlf.com>; 'Gibbs, Tracy' <tgibbs@cooley.com>

Cc: 'Jacobs, Karen' <KJacobs@morrisnichols.com>; 'Cucuzzella, Cindy' <ccucuzzella@morrisnichols.com>; Franich, Christopher <cfranich@swlaw.com>; Povinelli, Morgan <mpovinelli@swlaw.com>; Buck, Brandon <bbuck@swlaw.com>

Subject: RE: Cerebrum v. Revvo -- Meet and Confer on Revvo's deficient invalidity contentions

Counsel for Revvo,

Further to my email below, Plaintiffs expect to be making a production of samples and documents this week.

Chris Bright

O: 714.427.7069
cbright@swlaw.com

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From: Bright, Christopher

Sent: Friday, December 13, 2024 10:42 AM

To: 'Pivovar, Adam' <apivovar@cooley.com>; Chen, Reuben <rchen@cooley.com>; Preston, Rachel L <RPreston@cooley.com>; Farnan, Kelly E. <Farnan@RLF.com>; Metzler, Sara M. <Metzler@rlf.com>; Blau, Jessica E. <Blau@rlf.com>; Gibbs, Tracy <tgibbs@cooley.com>

Cc: Jacobs, Karen <KJacobs@morrisnichols.com>; Cucuzzella, Cindy <ccucuzzella@morrisnichols.com>; Franich, Christopher <cfranich@swlaw.com>; Povinelli, Morgan <mpovinelli@swlaw.com>; Buck, Brandon <bbuck@swlaw.com>

Subject: RE: Cerebrum v. Revvo -- Meet and Confer on Revvo's deficient invalidity contentions

Counsel for Revvo,

Your effort to equate Revvo's deficient invalidity contentions to the issues raised in your email fails.

Revvo's invalidity contentions do nothing to identify where any of the 7 claim terms proposed by Plaintiffs for construction can be found in the prior art. Nor do Revvo's invalidity contentions identify where the 88 claim terms proposed by Revvo or the 42 "priority terms" proposed by Revvo can be found in the prior art.

In stark contrast, Plaintiffs' infringement contentions identify with specificity where the terms can be found in Revvo's accused products. Revvo may disagree with Plaintiffs' identifications, but that is not a discovery issue.

As for the other issues raised by your email:

Revvo's Interrogatory No. 3 (marking) – Revvo's position is non-sense. Plaintiffs' discovery response has sufficiently put Revvo on notice regarding Plaintiffs' marked products. It is now up to Revvo to dispute that marking. Whether or not Revvo disputes that Plaintiffs' products are properly marked has nothing to do with the core issues in this case – claim construction, infringement and validity.

Plaintiffs have agreed to produce samples and documents, as we discussed.

As for Plaintiffs' objections to the number of Revvo's interrogatories Nos. 1-3, Revvo has not made a compromise proposal, as Revvo demanded from Plaintiffs regarding Revvo's interrogatories.

This is yet another time that Revvo has repeatedly ignored our requests to confer, only to finally respond by creating different issues. When we meet and confer on those issues, we will also meet and confer on Revvo's refusal to provide its non-infringement contentions (see my December 2 letter).

Your retaliatory email will not hold up Plaintiffs presenting the deficiencies of Revvo's invalidity contentions to the Court. We are available to confer today and Monday, as we have repeatedly requested for more than a week, but we will not be further delayed in presenting Revvo's deficient invalidity contentions to the Court.

Chris Bright

☎: 714.427.7069
cbright@swlaw.com

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Subject: RE: Cerebrum v. Revvo -- Meet and Confer on Revvo's deficient invalidity contentions

[EXTERNAL] apivovar@cooley.com

Counsel for Plaintiff,

On November 25, 2024, the Parties held a meet-and-confer concerning various deficiencies in Plaintiff's infringement contentions and interrogatory responses and allegations made by Plaintiff that have utterly no evidentiary basis. Moreover, we have frequently discussed various unreasonable and inconsistent interpretations of the claims by Plaintiff. Revvo's prior art based invalidity contentions in chart format are in a standard format that is typical for such contentions, wherein the relevant portions of each prior art reference is identified for each claim element. As the Invalidity Contentions expressly note that "[t]he Court has also not yet construed the claims" and that, to the extent decipherable, Revvo's contentions include "any interpretation of the claims that would allegedly be satisfied by the accused products and services."

Moreover, as we discussed during the meet-and-confer, Plaintiff has also not provided sufficient responses to Revvo's discovery to justify the patent marking that Plaintiffs have made (see Revvo Interrogatory No. 3, RFP Nos. 4, 6). Plaintiff has not provided sufficient charts to show how **each** of the marked products allegedly satisfy the identified claims and has not provided any documentary production concerning the manufacturing, nature of the materials, or samples of each marked product. It is readily apparent that Plaintiff cannot substantiate its marked products as practicing the claimed inventions and, as we discussed, Plaintiff cannot avoid providing the requested information and any basis under which the claims could even remotely be interpreted as covering all of the marked products, as Revvo requested over two weeks ago. Plaintiffs' discovery on this matter remains outstanding and implicates Plaintiff's purported interpretation of the claims, which of course, Revvo could and should be able to rely on within its invalidity contentions.

Finally, any teleconference regarding discovery disputes should therefore include the following bullet points as well. We should meet-and-confer regarding these shortcomings and Plaintiff, as the party with the burden should provide fulsome and complete discovery, provide its proposed constructions and thereafter the parties can further discuss via a meet-and-confer how best to proceed with Plaintiff's failure to adequately respond and provide discovery in this case.

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- Plaintiffs' failure to sufficiently respond to Revvo's Interrogatory No. 3.
- Plaintiffs' failure to produce documents and samples in response to Revvo's Request for Production Nos. 4 and 6.
- Plaintiffs' objections to the number of Revvo's interrogatories Nos. 1-3.

To the extent necessary, the parties can determine a time to hold another meet-and-confer regarding Plaintiff's discovery shortcomings and the extent to which a discovery teleconference should be requested.

Thanks,
Adam

Adam M. Pivovar, Ph.D.

Cooley LLP
1299 Pennsylvania Avenue, NW • Suite 700
(enter from 12th and E Streets)
Washington, DC 20004-2400
Direct: (202) 842 7889 • Fax: (202) 842 7899 • Cell: (301) 518 9212
Bio: www.cooley.com/apivovar • Practice: www.cooley.com/litigation

From: Bright, Christopher <cbright@swlaw.com>

Sent: Tuesday, December 10, 2024 1:46 PM

To: Pivovar, Adam <apivovar@cooley.com>; Chen, Reuben <rchen@cooley.com>; Preston, Rachel L <RPreston@cooley.com>; Farnan, Kelly E. <Farnan@RLF.com>; Metzler, Sara M. <Metzler@rlf.com>; Blau, Jessica E.

<Blau@rlf.com>; Gibbs, Tracy <tgibbs@cooley.com>

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Subject: RE: Cerebrum v. Revvo -- Meet and Confer on Revvo's deficient invalidity contentions

[External]

Counsel for Revvo,

Please see the attached draft joint motion for a teleconference and let us know your available dates.

Best,

Chris Bright

☎: 714.427.7069
cbright@swlaw.com

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Subject: RE: Cerebrum v. Revvo -- Meet and Confer on Revvo's deficient invalidity contentions

Counsel for Revvo,

Revvo having yet ignored (yet again) our correspondence, we will send you a joint motion for a teleconference with the Court regarding Revvo's deficient invalidity contentions. If you are willing to meet and confer by Wednesday next week, please let us know. Otherwise, we will understand that you have no interest in rectifying the deficiencies in Revvo's invalidity contentions and send you the joint motion.

Chris Bright

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Subject: Cerebrum v. Revvo -- Meet and Confer on Revvo's deficient invalidity contentions

Counsel for Revvo,

Please see the attached letter.

Best,

Chris Bright

O: 714.427.7069
cbright@swlaw.com

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