

From: [Zhang, Yi](#)
To: [Christopher Honea](#)
Cc: ghelectraled@ghiplaw.com; [Raffetto, Joseph](#); [Hughes, Scott](#); [Shaun Hassett](#); [Mike Jones](#)
Subject: RE: ElectraLED, Inc. v. Chauvet & Sons, LLC , Case No. 2:24-cv-00511-JRG-RSP (E.D. Tex.) || ElectraLED's Discovery Deficiencies
Date: Monday, August 25, 2025 11:22:41 AM

Counsel,

It has been almost a month since we wrote to you about ElectraLED's significant discovery deficiencies, including that ElectraLED (1) has produced almost no documents responsive to the categories of documents that Chauvet has requested and (2) has not provided any substantive responses to Chauvet's Interrogatories so far. To date, we still have not received any additional documents. Further, ElectraLED has still not supplemented its interrogatory responses or even confirmed that it would do so. Please confirm that ElectraLED will be producing documents responsive to each of these categories identified in our previous letter and supplementing its interrogatory responses by Friday, August 29.

Best,
Sally

Yi (Sally) Zhang
Senior Associate

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From: Zhang, Yi
Sent: Wednesday, August 6, 2025 4:46 PM
To: Christopher Honea <chonea@ghiplaw.com>
Cc: ghelectraled@ghiplaw.com; Raffetto, Joseph <joseph.raffetto@hoganlovells.com>; Hughes, Scott <scott.hughes@hoganlovells.com>; Shaun Hassett <shaunhassett@potterminton.com>; Mike Jones <mikejones@potterminton.com>
Subject: RE: ElectraLED, Inc. v. Chauvet & Sons, LLC , Case No. 2:24-cv-00511-JRG-RSP (E.D. Tex.) || ElectraLED's Discovery Deficiencies

Chris,

Your email does not address ElectraLED's failure to respond to Chauvet's interrogatories, as outlined below. Please confirm that ElectraLED will be supplementing its responses as

requested by Friday, August 8.

In addition, regarding document productions, Colin confirmed via separate correspondence that the productions that ElectraLED made were for the Astera -512 case, not the Chauvet -511 case. So, at this point, ElectraLED has produced two documents in this case: the patent and its file history. Regardless, with or without those documents, ElectraLED's production is woefully deficient and fails to address every single category of documents that Chauvet has requested. Without limitation, ElectraLED's production fails to include any documents responsive to at least the following categories listed in our letter:

1. Documents sufficient to identify each person or entity having an ownership interest in Plaintiff, as well as the amount or percentage of each such person's or entity's ownership interest.
2. All documents that relate to any interest any person or entity has in the outcome of this litigation.
3. All documents concerning any transaction by which Plaintiff obtained any rights to the Patent-in-Suit or Related Patents, including without limitation, any related agreements or communications.
4. All agreements concerning the Patent-in-Suit and all amendments to any agreements responsive to this request and to request No. 3.
5. All documents relating to discussions with and among Plaintiff's board members or members, including minutes of the board of directors, regarding the Patent-in-Suit, any Related Patents, or any intellectual property portfolio including the Patent-in-Suit or Related Patents.
6. All communications, including but not limited to communications by and among Plaintiff's employees, management, and/or managing officers, regarding the Patent-in-Suit.
7. All communications, including but not limited to communications by and among Plaintiff's employees, management, and/or managing officers, regarding the Lawsuit.
8. All documents concerning or demonstrating Plaintiff's alleged right to assert the Patent-in-Suit, including, but not limited to, documents establishing the chain of title for the Patent-in-Suit, and any application from which the Patent-in-Suit issued.
9. All documents concerning any rights in the Patent-in-Suit or Related Patents.
10. All documents concerning the filing and prosecution of the Patent-in-Suit, and Related

Patents, including but not limited to all draft and final versions of such applications, office actions, draft and final versions of response to office actions, and all communications concerning the filing and prosecution of such patent applications.

11. All documents concerning ongoing prosecution of Related Patents, whether public or confidential.
12. All documents related to licenses or efforts to license any of the Patent-in-Suit or Related Patents (or any package or portfolio of assets including any of the Patent-in-Suit or Related Patents), including, but not limited to, all license agreements and all documents relating to past license negotiations (whether or not those negotiations ultimately resulted in a license).
13. All documents concerning any assertion or suggestion by any person, including Plaintiff or any person acting on behalf of Plaintiff, that another person should or must license any of the Patent-in-Suit or any Related Patent.
14. All documents concerning any comparable licenses that would assist in determining a reasonable royalty applicable to the Patent-in-Suit.
15. All documents concerning any accusation by any person or entity that another person or entity is or has infringed any of the Patent-in-Suit or any Related Patent.
16. All documents concerning any proposed or actual settlement of any litigation, prospective litigation, disputes, and/or business agreement involving any of the Patent-in-Suit or any Related Patent.
17. All documents Plaintiff has received from third parties that relate to any of the Patent-in-Suit or any Related Patent.
18. All documents reflecting notice given to any person or entity of the existence of any of the Patent-in-Suit or any Related Patent or asserting that any of the Patent-in-Suit or any Related Patent are infringed.
19. All documents and communications that reflect or relate to any assertion by any person or entity that any claim of the Patent-in-Suit or Related Patents is invalid.
20. All documents relating to the conception, development, or reduction to practice of the Patent-in-Suit or Related Patents, including documents (a) identifying the date(s) and location(s) of conception and reduction to practice, (b) reflecting any acts of diligence in reducing to practice the inventions claimed in the Patent-in-Suit or Related Patents (such as, for example, laboratory notebooks), and (c) describing the role of each entity who worked on the development of such subject matter.

21. All agreements and communications with any contract manufacturer or any third party regarding the conception, development, or reduction to practice of the Patent-in-Suit or Related Patents.
22. All documents that are or reflect prior art in the field of invention of the Patent-in-Suit or Related Patents, including but not limited to any documents that reflect the results of any prior art search related to the Patent-in-Suit, and all art that any third party, including any patent office, has alleged to be prior art to the Patent-in-Suit.
23. All documents relating to any evaluation, analysis, or review of any prior art relating to the Patent-in-Suit.
24. All documents that relate to any public knowledge, use, or sale of any subject matter claimed by the Patent-in-Suit or any Related Patent.
25. Documents sufficient to show each of the earliest making, using, selling, offering for sale, and disclosure of the subject matter claimed in the Patent-in-Suit, including: the first manufacture; the first use; the first public use in the United States; the first offer for sale in the United States; the first sale in the United States; the first public disclosure; and the first disclosure by a named inventor to any other entity.
26. All documents regarding the marking of any Plaintiff or authorized products with the Patent-in-Suit or Related Patents.
27. All documents relating to alleged objective indicia and/or secondary considerations of the obviousness or non-obviousness of the Patent-in-Suit.
28. All documents reflecting the sales and revenue for any Plaintiff products, or products authorized under the Patent-in-Suit or any Related Patent, that allegedly embody any claim of the Patent-in-Suit or Related Patents.
29. All documents that relate to any alleged embodiment—whether commercially available or not and whether directly developed by Plaintiff or not—of any claim of the Patent-in-Suit or Related Patents, including documents sufficient to show the operation of any such product and any sale, offer for sale, demonstration, prototype, and/or case study associated with each such product.
30. All agreements with any contract manufacturer or other third party relating to the design, development, manufacture, or importation of any alleged invention or embodiment—whether commercially available or not—claimed or disclosed in the Patent-in-Suit or any Related Patent.

31. All communications with any contract manufacturer or any third party regarding the conception, development, or reduction to practice of the Patent-in-Suit or Related Patents.
32. All documents that reflect how Plaintiff first became aware of Chauvet's alleged infringement of the Patent-in-Suit, including any communications regarding infringement of the Patent-in-Suit by any product sold by Chauvet or used by its customers.
33. All documents concerning any inspection, testing, evaluation, or analysis conducted by any person of any product or service of Chauvet for any purpose by or on behalf of Plaintiff, including but not limited to all documents such as claim charts showing how any product or service of Chauvet compares to any claim of the Patent-in-Suit.
34. All documents that support or refute any contention by Plaintiff that any of Chauvet's accused products infringe any claim of the Patent-in-Suit literally, or under the doctrine of equivalents.
35. All documents relating to Plaintiff's claim for damages, including but not limited to documents that support or refute its claims regarding the type and amount of damages sought.
36. All documents reflecting the market for any product or process that embodies the Patent-in-Suit, including documents reflecting the market's size, growth, competitors, customers, products, and product pricing.
37. All documents concerning the market or demand for the alleged inventions claimed in the Patent-in-Suit or any Related Patent, or the technology of the Patent-in-Suit or any Related Patent, including but not limited to:
 - (a) market studies, market surveys, competitive analyses, analyst reports, or any other document prepared by or for Plaintiff or relating to market expectations and discussions or description of the competitive environment;
 - (b) forecasts, sales/market projections, business plans, or other documents reflecting any expectations regarding the market potential for any prototypes, devices, or systems that allegedly embody any claim of the Patent-in-Suit or any Related Patent; and any device, prototype, physical sample, model, or working model, that embodies or otherwise incorporates or uses the subject matter allegedly disclosed and/or claimed in the Patent-in-Suit or any Related Patent.
38. All documents reflecting consumer adoption of, awareness of, preference for, feedback regarding, or use over time of any product or process that allegedly embodies,

practices, or infringes any claim of the Patent-in-Suit or Related Patents.

39. All documents relating to any acceptable non-infringing alternative to any product or process that allegedly embodies, practices, or infringes the Patent-in-Suit or Related Patents.
40. All documents relating to any contention that any non-infringing alternatives are not acceptable.
41. A working sample of any alleged embodiment—whether developed by Plaintiff or not—of any claim of the Patent-in-Suit, including any associated packaging or sales, marketing, or informational materials.
42. All documents concerning any testimony related to the Patent-in-Suit or Related Patents.
43. All documents concerning any discovery requests or responses in any legal proceeding, other than this Lawsuit, relating to the Patent-in-Suit or Related Patents.
44. All documents concerning the named inventors of the Patent-in-Suit.
45. All agreements, including employment agreements, with James Thomas, David Lynd, Gary Gatesman, Jim Mosier, or Bryan Warner.
46. All documents reflecting any statements Plaintiff made to potential or actual investors, licensees, employees, and/or consultants relating to the patentability, validity, enforceability, scope, interpretation, or valuation of the Patent-in-Suit.
47. All documents concerning any past or present decisions concerning whether to assert against any other person or entity the Patent-in-Suit, including any advantages or disadvantages of such assertion, any evaluation of value or risk to Plaintiff of such assertion, and any likelihood of success of such assertion.
48. All documents regarding the decision to file this Lawsuit, including all correspondence involving Plaintiff's shareholders, directors, or officers regarding the decision to file this Lawsuit.
49. All documents and things relating to any funding, financing, or investing in, in whole or part, any litigation involving any of the Patent-in-Suit or any Related Patent, including all discussion relating to any funding, financing, or investing in, in whole or part, any litigation involving the Asserted Patents, whether or not such discussions matured into any agreement.

Please confirm that ElectraLED will be producing documents responsive to each of these categories by Friday, August 8.

Best,
Sally

Yi (Sally) Zhang

Senior Associate

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From: Christopher Honea <chonea@ghiplaw.com>

Sent: Wednesday, August 6, 2025 1:50 PM

To: Zhang, Yi <yi.zhang@hoganlovells.com>

Cc: ghelectraled@ghiplaw.com; Raffetto, Joseph <joseph.raffetto@hoganlovells.com>; Hughes, Scott <scott.hughes@hoganlovells.com>; Shaun Hassett <shaunhassett@potterminton.com>; Mike Jones <mikejones@potterminton.com>

Subject: Re: ElectraLED, Inc. v. Chauvet & Sons, LLC , Case No. 2:24-cv-00511-JRG-RSP (E.D. Tex.) ||
ElectraLED's Discovery Deficiencies

[EXTERNAL]

Hi Sally,

I believe you are incorrect.

Colin, can you confirm the production dates and documents that have been produced?
Perhaps there was a mistake in producing in this case specifically, with counsel overlapping in defendants and now two cases for all defendants to keep track of.

Thank you for your patience,
Chris

On Aug 5, 2025, at 6:42 PM, Zhang, Yi <yi.zhang@hoganlovells.com> wrote:

Counsel,

We received no response to this email. As we said, ElectraLED has produced **no** documents in the Chauvet case other than the patent and its file history and has largely relied on Rule 33(d) for all its interrogatory responses, despite producing no documents. Please confirm that ElectraLED will be supplementing its document productions and interrogatory responses as requested by **August 8**.

Best,
Sally

Yi (Sally) Zhang

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From: Zhang, Yi

Sent: Monday, July 28, 2025 1:50 PM

To: Christopher Honea <chonea@ghiplaw.com>; 'ghelectraled@ghiplaw.com' <ghelectraled@ghiplaw.com>

Cc: Raffetto, Joseph <joseph.raffetto@hoganlovells.com>; Hughes, Scott <scott.hughes@hoganlovells.com>; Shaun Hassett

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Subject: ElectraLED, Inc. v. Chauvet & Sons, LLC , Case No. 2:24-cv-00511-JRG-RSP (E.D. Tex.) || ElectraLED's Discovery Deficiencies

Counsel,

We write regarding serious deficiencies in ElectraLED's document productions and ROG responses. ElectraLED filed its complaint in July 2024, but at this point, it appears to have produced almost **no** documents. Indeed, most of what ElectraLED has produced is a public copy of the asserted patent and the asserted patent's file history. ElectraLED did send email correspondence with a handful of additional documents, but it did not specify what issues or even case these documents relate to. We have sent multiple requests asking for clarification but have received no response. In any event, ElectraLED's document production in this case is woefully insufficient. Please confirm that ElectraLED will promptly supplement (no later than August 4) its document production in compliance with the Local Rules and the Orders of the Court. We also attach for reference a list of

documents that Chauvet expects ElectraLED to produce pursuant to Paragraph 3 of the Discovery Order (Dkt. 18).

In addition, ElectraLED has still not provided any substantive responses to Chauvet's first set of interrogatories served back in October 2024. In fact, for the most part in its responses, ElectraLED simply states that it answers "in the form of production pursuant to FRCP 33(d)." But ElectraLED has identified no documents in such responses, nor could it since it has produced almost no documents. For example:

1. In its response to Interrogatory No. 1 requesting information about the conception and reduction to practice of the alleged invention, ElectraLED provides no information, refers Chauvet to the complaint, the patent, and the file history, and further states that it "answers in the form of production pursuant to FRCP Rule 33(d)." Chauvet expects ElectraLED to identify all documents relating to the conception or reduction to practice, as well as provide all information requested by the interrogatory, including, without limitation, identifying the individuals and entities (including third parties) involved in the conception and reduction to practice the subject matter claimed in the '245 Patent and the role and contribution of each such individual and entity.
2. In its response to Interrogatory No. 2 requesting information about the earliest making, using, selling, offering for sale, and disclosure of the alleged invention, ElectraLED provides no information, refers Chauvet to the complaint, the patent, and the file history, and further states that it "answers in the form of production pursuant to FRCP Rule 33(d)." Chauvet expects ElectraLED to identify all documents relating to the earliest making, using, selling, offering for sale, and disclosure of the alleged invention, as well as provide all information requested by the interrogatory, including, without limitation, the date and location of the first manufacture; the first use; the first public use in the United States; the first offer for sale in the United States; the first sale in the United States; the first public disclosure; and the first disclosure by a named inventor to any other entity.
3. In its response to Interrogatory No. 4 requesting ElectraLED to provide information about its purported compliance with 35 U.S.C. § 287, ElectraLED provides no information, refers Chauvet to the complaint, and further states that it "answers in the form of production pursuant to FRCP Rule 33(d)." Chauvet expects ElectraLED to identify all documents relating

to ElectraLED's purported compliance with 35 U.S.C. § 287, as well as provide all information requested by the interrogatory, including, without limitation, identifying (a) products made or sold by ElectraLED or any licensee that practice any claim of the '245 Patent, (b) products made or sold by ElectraLED or any licensee that have been marked with the '245 Patent, (c) the dates over which the products have been marked, (d) documents showing any such markings, and (e) efforts or steps ElectraLED took to ensure that any licensees of the '245 Patent have complied with 35 U.S.C. § 287.

4. In its response to Interrogatory No. 6 requesting ElectraLED to provide information about the purported validity of the '245 Patent, ElectraLED provides no information, refers Chauvet to the complaint and patent file history, and further states that it "answers in the form of production pursuant to FRCP Rule 33(d)." Chauvet expects ElectraLED to provide all information requested by this interrogatory, including, without limitation, identify all prior art that it is aware of (both before and after this suit) and provide all factual and legal bases of ElectraLED that the '245 Patent is valid in view of such prior art (including, but not limited to, its "validity" contentions as to why the patent is valid in response to Chauvet's invalidity contentions).
5. In its response to Interrogatory No. 7 requesting ElectraLED to state whether it contends that any objective indicia or secondary considerations are relevant to the obviousness determination, ElectraLED provides no response, refers Chauvet to the complaint, and further states that it "answers in the form of production pursuant to FRCP Rule 33(d)." Chauvet expects ElectraLED to explicitly state whether it contends that any objective indicia or secondary considerations are relevant to the obviousness determination and if so, identify each such objective indicia or secondary consideration it will rely on to rebut a claim of obviousness and describe the alleged nexus to the '245 Patent of each alleged secondary consideration.
6. In its response to Interrogatory No. 9 requesting information about each instance ElectraLED or any agent thereof offered to license, sell, assign, or otherwise convey any permissions under or rights to the '245 Patent or any related patents or patent applications, or in which a third party requested to license, purchase, or otherwise obtain rights to the '245 Patent or any

related patents or patent applications, ElectraLED provides no information and states that it “answers in the form of production pursuant to FRCP Rule 33(d).” Defendant expects ElectraLED to provide all information requested by the interrogatory, including, without limitation, (a) identifying each offer to license, sell, assign, or otherwise convey any permissions under or rights to the ’245 Patent or any related patent or patent application; (b) describing any discussion or negotiations thereto; (c) identifying the entities or individuals involved; and (d) identifying all relevant documents, among other things.

Please confirm that ElectraLED will supplement its responses to Chauvet’s interrogatories as requested by August 4, 2025.

Best,
Sally

Yi (Sally) Zhang

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Hogan Lovells is an international legal practice that includes Hogan Lovells US LLP and Hogan Lovells International LLP. For more information, see www.hoganlovells.com.

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