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Attorneys for Defendant
APPLE INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

LS CABLE & SYSTEM LTD., Plaintiff, v. APPLE INC., Defendant.	Case No. 3:24-cv-09194-JD **DEFENDANT APPLE INC.'S NOTICE OF SUBPOENA TO PHILIPS NORTH AMERICA LLC** Judge: Hon. James Donato

LS CABLE EXHIBIT 2023
Apple v. LS Cable
IPR2025-01141

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE THAT, pursuant to Rules 30 and 45 of the Federal Rules of Civil Procedure, Defendant Apple Inc. will cause a subpoena to testify at a deposition, and for the production of documents, electronically stored information, or objects to be served on Philips North America LLC ("Philips North America"). A true and correct copy of the subpoena is attached as Exhibit 1.

The deposition will be conducted in person or by remote audio-video conference and shall be recorded by any means that the Federal Rules of Civil Procedure permit, including audio, video and stenographic means, as well as means for the instant display of testimony on a computer. The deposition shall be conducted upon oral examination before a certified court reporter either in person or from a remote location authorized to administer oaths under law. The deposition will commence on May 28, 2025, at 9:00 a.m., or on a date otherwise agreed by the parties and Philips North America. The deposition will take place at Veritext, 300 Delaware Avenue, Suite 815, Wilmington, DE 19801, or at a location to be agreed upon by the parties and Philips North America. Topics for the deposition are attached as Attachment B to the subpoena.

Philips North America has also been requested to produce the documents and materials designated in Attachment A to the subpoena by May 28, 2025, or on a date otherwise agreed to by the parties and Philips North America.

The deposition will continue from day to day, Saturdays, Sundays, and holidays excepted, until completed. You are invited to attend the deposition and to inspect and copy any documents or designated tangible things produced in response to this subpoena.

Dated: May 7, 2025

MORRISON & FOERSTER LLP

By: */s/ Shaelyn K. Dawson*
Shaelyn K. Dawson

Attorneys for Defendant
APPLE INC.

EXHIBIT 1

UNITED STATES DISTRICT COURT

for the

Northern District of California

LS CABLE & SYSTEM LTD. *Plaintiff* v. APPLE INC. *Defendant*	))))))	Civil Action No. 3:24-cv-09194-JD

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To: Philips North America LLC
c/o Corporation Service Company, 251 Little Falls Drive, Wilmington, DE 19808
(Name of person to whom this subpoena is directed)

☑ Testimony: YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization, you must promptly confer in good faith with the party serving this subpoena about the following matters, or those set forth in an attachment, and you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about these matters: See Attachment B.

Place: Veritext 300 Delaware Avenue, Suite 815 Wilmington, DE 19801	Date and Time: 05/28/2025 9:00 am

The deposition will be recorded by this method: Stenographically and by videotape

☑ *Production:* You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and must permit inspection, copying, testing, or sampling of the material: See Attachment A; please produce on or before 05/28/2025.

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 05/07/2025

CLERK OF COURT

OR

	/s/ Shaelyn Dawson
Signature of Clerk or Deputy Clerk	*Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* Apple Inc., who issues or requests this subpoena, are:
Shaelyn Dawson, Morrison Foerster, 425 Market St, San Francisco, CA 94105/shaelyndawson@mofo.com/4152687000

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. 3:24-cv-09194-JD

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

I received this subpoena for *(name of individual and title, if any)* _____ on *(date)* _____ .

❒ I served the subpoena by delivering a copy to the named individual as follows: _____

_____ on *(date)* _____ ; or

❒ I returned the subpoena unexecuted because: _____ .

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of $ _____ .

My fees are $ _____ for travel and $ _____ for services, for a total of $ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

_____
Server's signature

_____
Printed name and title

_____
Server's address

Additional information regarding attempted service, etc.:

Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

(c) Place of Compliance.

(1) ***For a Trial, Hearing, or Deposition.*** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:
(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
(i) is a party or a party's officer; or
(ii) is commanded to attend a trial and would not incur substantial expense.

(2) ***For Other Discovery.*** A subpoena may command:
(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
(B) inspection of premises at the premises to be inspected.

(d) Protecting a Person Subject to a Subpoena; Enforcement.

(1) ***Avoiding Undue Burden or Expense; Sanctions.*** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

(2) ***Command to Produce Materials or Permit Inspection.***
(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.
(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:
(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) ***Quashing or Modifying a Subpoena.***

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;
(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
(iv) subjects a person to undue burden.
(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:
(i) disclosing a trade secret or other confidential research, development, or commercial information; or
(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.
(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:
(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
(ii) ensures that the subpoenaed person will be reasonably compensated.

(e) Duties in Responding to a Subpoena.

(1) ***Producing Documents or Electronically Stored Information.*** These procedures apply to producing documents or electronically stored information:
(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.
(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.
(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.
(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) ***Claiming Privilege or Protection.***
(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:
(i) expressly make the claim; and
(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.
(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(g) Contempt.
The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

For access to subpoena materials, see Fed. R. Civ. P. 45(a) Committee Note (2013).

ATTACHMENT A

DEFINITIONS

1. The terms "Philips," "You," and "Your" mean Philips North America LLC, and its officers, directors, employees, partners, corporate parent(s), subsidiaries, agents, or affiliates thereof, past or present.

2. "Prior Art Systems" means the Philips Sonicare Advance, the Philips Sonicare Elite, and other electric toothbrushes that included inductive charging before July 29, 2005, including all prototypes, predecessor and successor systems, and versions thereof.

3. "Document" or "documents" means any tangible thing upon which any Communication, expression, or representation has been recorded by any means including, but not limited to, handwriting, typewriting, printing, photostatting, photographing, magnetic impulse, or mechanical or electronic recording and any non-identical copies (whether different from the original because of notes made on such copies, because of indications that said copies were sent to different individuals than were the originals, or because of any other reason), including but not limited to working papers, preliminary, intermediate or final drafts, correspondence, memoranda, charts, notes, records of any sort of meetings, presentations, invoices, financial statements, financial calculations, diaries, reports of telephone or other oral conversations, desk calendars, appointment books, audio or video tape recordings, microfilms, microfiche, computer tapes, computer disks, computer printouts, computer cards, and all other writings and recordings of every kind as defined in Rule 34 of the Federal Rules of Civil Procedure that are in Your actual or constructive possession, custody, or control. A draft of a nonidentical copy is a separate document within the meaning of this term.

4. The singular is to be construed as including the plural and vice versa. "And" as well as "or'' are to be construed either disjunctively or conjunctively so as to bring within the scope of the discovery request all information that might otherwise be construed to be outside its scope. The term "all" is to be construed to mean "any" and "each" and vice versa. The terms "any" and "all" shall be construed to include "each and every."

Instructions

1. This Subpoena requires You to produce all documents and things called for in each category below that were created or originated by You, or that came into Your possession, custody, or control from all files or other sources that contain responsive documents and things, wherever located and whether active, in storage, or otherwise.

2. Where only a portion of a document concerns the subject indicated, the entire document is to be produced, along with all attachments, appendices, and exhibits.

3. All documents and things shall be produced as they are kept in the ordinary course of business, with any identifying labels, file markings, or similar identifying features, or shall be organized and labeled to correspond with the categories identified in the list of documents to be produced.

4. If there are no documents or things responsive to a category specified below, please state in a writing produced at the time and place that documents are demanded to be produced by this subpoena.

5. Electronic records and computerized information should be produced in an intelligible format or together with a description of the system from which it is derived sufficient to permit rendering the material intelligible.

DOCUMENTS TO BE PRODUCED

1. Documents sufficient to show the structure, operation, functionalities, and capabilities of each Prior Art System (*e.g.*, product reviews, brochures, schematics, data sheets, user guides, application notes, and handbooks).

2. Documents sufficient to show the dates and circumstances (including without limitation the parties involved and the locations) of any offers for sale of any Prior Art System prior to July 29, 2005.

3. Documents sufficient to show the dates and circumstances (including without limitation the parties involved and the locations) of any public uses, demonstrations, or disclosures of any Prior Art System prior to July 29, 2005.

ATTACHMENT B

DEFINITIONS

1. The terms "Philips," "You," and "Your" mean Philips North America LLC, and its officers, directors, employees, partners, corporate parent(s), subsidiaries, agents, or affiliates thereof, past or present.

2. "Prior Art Systems" means the Philips Sonicare Advance, the Philips Sonicare Elite, and other electric toothbrushes that included inductive charging before July 29, 2005, including all prototypes, predecessor and successor systems, and versions thereof.

3. "Document" or "documents" means any tangible thing upon which any Communication, expression, or representation has been recorded by any means including, but not limited to, handwriting, typewriting, printing, photostatting, photographing, magnetic impulse, or mechanical or electronic recording and any non-identical copies (whether different from the original because of notes made on such copies, because of indications that said copies were sent to different individuals than were the originals, or because of any other reason), including but not limited to working papers, preliminary, intermediate or final drafts, correspondence, memoranda, charts, notes, records of any sort of meetings, presentations, invoices, financial statements, financial calculations, diaries, reports of telephone or other oral conversations, desk calendars, appointment books, audio or video tape recordings, microfilms, microfiche, computer tapes, computer disks, computer printouts, computer cards, and all other writings and recordings of every kind as defined in Rule 34 of the Federal Rules of Civil Procedure that are in Your actual or constructive possession, custody, or control. A draft of a nonidentical copy is a separate document within the meaning of this term.

4. The singular is to be construed as including the plural and vice versa. "And" as well as "or'' are to be construed either disjunctively or conjunctively so as to make the topic inclusive rather than exclusive. The term "all" is to be construed to mean "any" and "each" and vice versa. The terms "any" and "all" shall be construed to include "each and every."

DEPOSITION TOPICS

1. The structure, operation, functionalities, and capabilities of each Prior Art System.

2. Any offers for sale of the Prior Art Systems prior to July 29, 2005.

3. Any public uses, demonstrations, and disclosures of the Prior Art Systems prior to July 29, 2005.

4. The contents, preparation, and storage of any Documents produced in response to the requests in Attachment A.

5. The individuals knowledgeable about the Prior Art Systems.