

ATTACHMENT A

DEFINITIONS

The following definitions and instructions apply to the document requests and deposition topics set forth in subsequent sections:

1. “You,” “your,” and “Apple” mean Apple Inc., and any present and former agents, officers, directors, employees, affiliates, investigators, trustees, consultants, advisors, accountants, attorneys and all other persons or entities acting or purporting to act on your behalf, and your affiliates, parents, divisions, joint ventures, licensees, franchisees, assigns, predecessors and successors in interest, and any other legal entities, whether foreign or domestic, that are owned or controlled by you.

2. The term “AT&T,” means AT&T Services, Inc., AT&T Mobility LLC, and AT&T Corp., individually, and collectively, including (i) all of their current and past officers, directors, agents, employees, consultants, attorneys, and others acting or purporting to act on behalf of it, and (ii) all of their predecessors, subsidiaries, parents, affiliates, and successors.

3. The term “T-Mobile,” means T-Mobile USA, Inc., including (i) all of its current and past officers, directors, agents, employees, consultants, attorneys, and others acting or purporting to act on behalf of it, and (ii) all of its predecessors, subsidiaries, parents, affiliates, and successors.

4. The term “Verizon,” means Cellco Partnership d/b/a Verizon Wireless, including (i) all of its current and past officers, directors, agents, employees, consultants, attorneys, and others acting or purporting to act on behalf of it, and (ii) all of its predecessors, subsidiaries, parents, affiliates, and successors.

5. The term “Ericsson,” means Ericsson Inc., including (i) all of its current and past officers, directors, agents, employees, consultants, attorneys, and others acting or purporting to act on behalf of it, and (ii) all of its predecessors, subsidiaries, parents, affiliates, and successors.

6. The term “Nokia,” means Nokia of America Corporation, including (i) all of its current and past officers, directors, agents, employees, consultants, attorneys, and others acting or purporting to act on behalf of it, and (ii) all of its predecessors, subsidiaries, parents, affiliates, and successors.

7. The term “Defendant Group,” means the group of commonly accused Defendants identified in a single complaint, *i.e.*, the AT&T Defendant Group is AT&T Corp., AT&T Mobility LLC, and AT&T Services, Inc., including each of its members individually and collectively. Should any parties intervene, the intervening party will constitute its own Defendant Group (“Intervenor Group”).

8. The term “Intervenor Group,” means the group of Intervenor identified in a single complaint, *i.e.*, the Ericsson Intervenor Group is Ericsson Inc., including each of its members individually and collectively.

9. The term “document” includes “originals” and “duplicates” and has the same meaning as the term “writings and recordings” and “photographs” as defined in Rules 1001(1) and (2) of the Federal Rules of Evidence, whether or not claimed to be privileged against discovery on any ground, and specifically including, but not limited to, correspondence, agreements, and communications; dealer-customer, inter-company and intra-company communications; studies, surveys, reports, analyses or projections; announcements, declarations, notices, releases and publicity; telegrams; notes and memoranda; summaries; minutes and records of telephone conversations, meetings and conferences including lists of persons attending meetings or

conferences; summaries and records of personal conversations or interviews; financial records including bills, receipts, ledgers, invoices, bank statements and canceled checks; books, manuals, and publications; telexes or cables prepared, drafted, received or sent; calendars or diaries; charts, plans, sketches and drawings; photographs, reports, and/or summaries of investigations and/or surveys; opinions, notes and reports of consultants; opinions of counsel; reports and summaries of negotiations; any other reports or summaries; agreements, contracts, memoranda of understanding, letters of intent, licenses and assignments; brochures, pamphlets, catalogs, catalog sheets, advertisements (including promotional materials), fliers, announcements, posters, signs, story boards, and scripts, audio and video recordings of radio and television commercials; circulars and trade letters; information contained in any medium now known or hereafter devised including without limitation information contained on computer tape, card, disc or program or information taking the form of or implemented as computer code or source code; and any other paper, writing or physical thing which contains the requested information. Any document that contains any comment, notation, addition, deletion, insertion or marking of any kind, which is not part of another document, is a separate document.

10. The terms “original” and “duplicate” are defined in Rules 1001(3) and (4) of the Federal Rules of Evidence, as follows: “Original” means the writing itself or any counterpart intended to have the same effect by a person executing or issuing it. An “original” of a photograph includes the negative or any print therefrom. If data is stored in a computer or similar device, any printout or other output readable by sight, shown to reflect the data accurately, is an “original.” A “duplicate” is a counterpart produced by the same impression as the original, or from the same matrix, or by means of photographs, including enlargements and miniatures, or by mechanical or

electronic re-recording, or by chemical reproduction, or by other equivalent techniques, that accurately reproduces the original.

11. The term “correspondence” refers to and includes each and every communication, letter, copy of a letter, telegram, e-mail, text message, record or notation, or any conversation, inter-office memorandum or any other similar writing.

12. The terms “relate,” “relates to,” “related to,” or “relating to” shall mean all documents and things having any logical or factual connection, directly or indirectly, with the matter discussed and shall mean any one or more of the following: evidencing, referring to, discussing, describing, concerning, mentioning, reflecting, depicting, summarizing, involving, regarding, embodying, containing, pertaining to, arising out of or is in connection with.

13. The term “evidence” means testimony, writings, material objects, or other things presented to the senses that could be offered to prove the existence or nonexistence of a fact.

14. The terms “person” or “persons” mean and include natural persons, corporations, companies, limited liability companies, partnerships, limited partnerships, associations, organizations, joint ventures, groups, government bodies or agencies, legal entities or any other cognizable entities.

15. The term “communication” means any oral or written transmission of information between persons, including but not limited to, meetings, discussion, conversations, telephone calls, memoranda, letters, telecopies, telexes, conferences or seminars.

16. The term “Asserted Patents” or “patents-in-suit” for the purposes of this subpoena means U.S. Patent Nos. 8,891,347 (the “’347 Patent”), and 8,554,196 (the “’196 Patent”).

17. The term “’347 Accused Products” refers to all user equipment that is used on AT&T, Verizon, or T-Mobile’s cellular network and that supports 3GPP 5G NR communications,

in each case including but not limited to those products identified by Plaintiff as those alleged to infringe any one or more of the Asserted Patents, including those described in the Complaint or identified in Plaintiff's operative infringement contentions (inclusive of any subsequent amendments or supplements thereto) served in this case, that you currently make, use, sell, offer for sale, import into the United States, sell for importation within the United States, and/or sell after importation into the United States or that you have made, used, sold, offered for sale, imported into the United States, sold for importation within the United States, and/or sold after importation into the United States, and similar products, since December 16, 2016 for AT&T, T-Mobile, and Verizon. The term '347 Accused Product also includes without limitation, the following user equipment devices: Apple iPhone 12, iPhone 12 mini, iPhone 13, iPhone 13 mini, iPhone 13 Pro, iPhone 13 Pro Max, iPhone 14, iPhone 14 Plus, iPhone 14 Pro, iPhone 14 Pro Max, iPhone SE, iPad, iPad Air, iPad Mini, iPad Pro 11-inch, and iPad Pro 12.9-inch.

18. The term "'196 Accused Products" refers to cellular handsets, tablets, or smartwatches that include iOS operating systems and support WiFi-only automatic updates, in each case including but not limited to those products identified by Plaintiff as those alleged to infringe the '196 Patent, including those described in the Complaint or identified in Plaintiff's operative infringement contentions (inclusive of any subsequent amendments or supplements thereto) for the '196 Patent served in this case, that you currently make, use, sell, offer for sale, import into the United States, sell for importation within the United States, and/or sell after importation into the United States or that you have made, used, sold, offered for sale, imported into the United States, sold for importation within the United States, and/or sold after importation into the United States, and similar products, since December 16, 2016 for AT&T, T-Mobile, and Verizon. The term '196 Accused Product includes without limitation, the following accused

cellular handsets, tablets, or smartwatches: 11 inch iPad Pro (2021), 12.9 inch iPad Pro (2021), Apple iPad (10th Generation), Apple iPad (9th Generation), Apple iPad Air (5th Gen), Apple iPad mini, Apple iPad Pro 11-inch (2021), Apple iPad Pro 11-inch (2022), Apple iPad Pro 12.9-inch (2021), Apple iPad Pro 12.9-inch (2022), Apple Watch SE , Apple Watch SE (2nd Gen) , Apple Watch Series 8 , Apple Watch Ultra, iPad 10th gen, iPad 9th gen, iPad Air (5th Gen), iPad mini (2021), iPad mini 6th gen, iPad Pro 11-inch 3rd gen, iPad Pro 11-inch 4th gen, iPad Pro 12.9 inch (6th Generation), iPhone 11, iPhone 12, iPhone 12 mini, iPhone 12 Pro, iPhone 12 Pro Max, iPhone 13, iPhone 13 mini, iPhone 13 Pro, iPhone 13 Pro Max, iPhone 14, iPhone 14 Plus, iPhone 14 Pro, iPhone 14 Pro Max , iPhone SE (3rd Gen), iPhone SE 2020, Watch Nike Series, Watch SE, Watch SE (2nd Gen), Watch Series 6, Watch Series 7, Watch Series 8, Watch Ultra , Watch4, Watch5.

19. The term “Accused Products” for the purposes of this subpoena refers collectively to the ‘347 Accused Products and the ‘196 Accused Products.

20. The term “Relevant Component” refers to all systems, sub-systems, components, devices, features, software, applications, services, versions, releases, apparatuses, methods, processes, and similar that comprise and/or are used by any product that relate to any claimed inventions of any of the patent-in-suit, including but not limited to beamforming, channel estimation, equalization, and antennas utilized for 3GPP 5G NR and WiFi-only automatic updates.

21. The term “Asserted Claims” refers to the claims the Accused Products are accused of infringing in the operative infringement contentions (inclusive of any subsequent amendments or supplements thereto). Asserted Claim refers individually to one of the Asserted Claims.

22. The term “Exemplary Standards and Standards Sections” refers to, the following exemplary standards, including but not limited to the exemplary standards sections cited:

- '347 Patent: 3GPP TR 36.819 v11.2.0, § 5.1, 3GPP TR 36.866 v12.0.1, § 7.3, 3GPP TS 38.200 v2.0.0, § 5.2.5.1, 3GPP TS 38.300 v15.5.0, § 5.2.1, 3GPP TS 38.300 v15.5.0, § 5.3.1, 3GPP TS 38.300 v17.2.0, § 4.1, 3GPP TR 38.901 v15.0.0, § 3.2, 3GPP TR 38.901 v15.0.0, § 7.6.2.2, 3GPP TR 38.901 v15.0.0, Table 7.8-4, O-RAN.WG4.CUS.0-v05.00;

23. When referring to a person, “identify” means give, to the extent known, the person’s full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment. Once you identify a person in accordance with this paragraph, only the name of that person need be listed in response to subsequent discovery requesting the identification of that person.

24. When referring to documents, “to identify” means to provide, to the extent known, the: (i) type of document; (ii) general subject matter; (iii) date of the document; (iv) location(s) where documents is stored; and (v) author(s), addressee(s) and recipient(s).

25. The term “concerning” means relating to, referring to, describing, evidencing, or constituting.

26. The terms “all” and “each” when used individually shall be construed as both all and each.

27. The term “including” means “including but not limited to.”

28. The term “affiliate” means any corporation or entity related through corporate ownership of stock such as a parent, subsidiary or sister company, or through common directors, officers, and employees, either at the present time or at any time in the past.

29. The term “products” refers to, without limitation, all products, components, methods, functionalities, processes, and/or services that are or were under development or planned to be developed.

30. Any word written in the singular shall be construed as plural or vice versa in order to bring within the scope of the topic all responses that otherwise might be construed to be outside its scope.

31. If you find the meaning of any term in these topics or document requests unclear, then you shall construe the term so as to render responsive any information, document, thing, or communication that might otherwise be rendered non-responsive.

32. In the event you refuse to fully respond to a deposition topic or document request because it is overly broad or unduly burdensome, you shall at least respond to that portion of the request that is unobjectionable and specifically identify that portion of the request that is allegedly objectionable.

DOCUMENTS

REQUEST NO. 1:

Documents sufficient to identify and describe each user equipment device made, used, sold, offered for sale, imported by You into the United States, sold for importation within with the United States, and/or sold after importation into the United States, in relation to AT&T, T-Mobile, and/or Verizon, since December 16, 2016, which supports 5G NR communications, including at least each product’s name, internal and external model, part, and version number(s), development names, project names, marketing and brand names, and any other designation or nomenclature used by You to identify the user equipment device, and including planned variations.

REQUEST NO. 2:

Documents sufficient to identify and describe each cellular product made, used, sold, offered for sale, imported by You into the United States, sold for importation within the United States, and/or sold after importation into the United States, in relation to AT&T, T-Mobile, and/or Verizon, since December 16, 2016, which includes an iOS operating system and supports Wi-Fi-only automatic updates, including at least each product's name, internal and external model, part, and version number(s), development names, project names, marketing and brand names, and any other designation or nomenclature used by Respondent to identify the cellular product, and including planned variations.

REQUEST NO. 3:

For each user equipment device in relation to Request No. 1, Documents sufficient to identify and describe each Relevant Component, including at least each Relevant Component's name, internal and external model, part, and version number(s), development names, project names, marketing and brand names, and any other designation or nomenclature used by You to identify the component, including the identity of each baseband processor and the identity of the specific firmware version loaded on each baseband processor (e.g., in the case of Qualcomm baseband processors, the Build ID sufficient to allow Qualcomm to identify corresponding source code) and including planned variations.

REQUEST NO. 4:

For each '196 Accused Product and each cellular product You identify in response to Request No. 2, Documents sufficient to identify and describe each Relevant Component, including at least, each product's iOS version number, each Relevant Components' name, internal and external model, part, and version number(s), development names, project names, marketing and brand names, and any other designation or nomenclature used by You to identify the component,

including the identity of each baseband processor and the identity of the specific firmware version loaded on each baseband processor (e.g., in the case of Qualcomm baseband processors, the Build ID sufficient to allow Qualcomm to identify corresponding source code), and including planned variations.

REQUEST NO. 5:

Technical documents relating to each of the Accused Products sufficient to show design, engineering, development, manufacturing, operation and use pertaining to beamforming, channel estimation, equalization, and antennas utilized for 3GPP 5G NR.

REQUEST NO. 6:

Technical documents relating to each Relevant Component of the Accused Products sufficient to show design, engineering, development, manufacturing, operation and use pertaining to beamforming, channel estimation, equalization, and antennas utilized for 3GPP 5G NR.

REQUEST NO. 7:

Technical documents relating to the Accused Products and/or Relevant Component and WiFi-only automatic updates sufficient to show design, engineering, development, manufacturing, operation and use.

REQUEST NO. 8:

Documents sufficient to show implementation-specific functionalities of the Relevant Components regarding 3GPP 5G NR beamforming, channel estimation, equalization, and/or antenna functionality.

REQUEST NO. 9:

Your participation with any standards bodies relating to 3GPP 5G NR beamforming functionality in connection with, for example, with respect to the Exemplary Standards and Standards Sections.

REQUEST NO. 10:

Source code (*e.g.*, C, C++, Java, Hardware Design Language (HDL), Verilog HDL, VHDL, Assembly, etc., including without limitation all types of code or files that implement, prepare for, design, or result in any software, firmware, hardware, or other functionalities, including functionalities of integrated circuits, processors, chips, chipsets, systems, or computers) relating to the Relevant Components of each of the Accused Products sufficient to show design, engineering, development, manufacturing, operation and use.

REQUEST NO. 11:

Documents sufficient to show the arrangement, assembly, and connection of the Relevant Components in each accused product, including for example schematics, diagrams, flowcharts, specifications, source code, design documents, engineering documents, testing documents, data sheets, and other technical documentation for each Accused Product.

REQUEST NO. 12:

End-user documentation for each Accused Product as sold in the United States, including but not limited to user manuals, product manuals, instruction manuals, service manuals, and installation instructions.

REQUEST NO. 13:

Documents sufficient to show the naming conventions used in Your model numbers, including the format and meaning of internal and external model numbers, or other identifiers, of the Accused Products.

REQUEST NO. 14:

All documents relating to agreements, contracts, or licenses involving 5G NR beamforming capabilities and/or automatic WiFi-only automatic update functionality in Accused Products and/or Relevant Components, including, but not limited to, any agreement, contract, or license concerning the design, development, manufacture, assembly, sale, distribution, importation, and/or service of any of the Accused Products or components thereof.

REQUEST NO. 15:

All agreements, contracts, or licenses entered into by you relating to the Exemplary Standards and Standards Sections.

REQUEST NO. 16:

All documents related to Your relationship between You and any Defendants or Intervenor, including but not limited to all agreements, all communications relating to such agreements, including relating to indemnification.

REQUEST NO. 17:

All Documents and Things in your possession, custody, or control relating to Plaintiff, the Asserted Patents, or the named inventors of the Asserted Patents.

REQUEST NO. 18:

Your advertising and marketing of any 5G NR beamforming channel estimation, equalization, and/or antenna functionality and/or WiFi-only automatic updates.

REQUEST NO. 19:

All documents in your possession, custody, or control relating to the Accused Products and/or Relevant Components' compliance or non-compliance with the Exemplary Standards and Standards Sections, including without limitation development testing and compliance testing.

REQUEST NO. 20:

The number of each Accused Product and/or Relevant Component sold to AT&T, T-Mobile, and/or Verizon since the issuance of the Asserted Patents.

REQUEST NO. 21:

Price, costs, revenues, and profits that You obtain or charge to AT&T, T-Mobile, and/or Verizon for any Accused Product and/or Relevant Component, including Your gross sales price for the Accused Product and/or Relevant Component, Your costs of goods sold (including Your manufacturing costs, sales costs, and all other costs of goods sold).

REQUEST NO. 22:

Your efforts to obtain certifications for the 3GPP 5G NR beamforming functionalities of the Relevant Components.

DEPOSITION TOPICS

DEPOSITION TOPIC NO. 1:

Each user equipment device made, used, sold, offered for sale, imported by You into the United States, sold for importation within with the United States, and/or sold after importation into the United States, in relation to AT&T, T-Mobile, and/or Verizon, since December 16, 2016, which supports 5G NR communications, including at least each product's name, internal and external model, part, and version number(s), development names, project names, marketing and brand names, and any other designation or nomenclature used by You to identify the user equipment device, and including planned variations.

DEPOSITION TOPIC NO. 2:

Each cellular product made, used, sold, offered for sale, imported by You into the United States, sold for importation within with the United States, and/or sold after importation into the

United States, in relation to AT&T, T-Mobile, and/or Verizon, since December 16, 2016, which includes an iOS operating system and supports Wi-Fi-only automatic updates, including at least each product's name, internal and external model, part, and version number(s), development names, project names, marketing and brand names, and any other designation or nomenclature used by Respondent to identify the cellular product, and including planned variations.

DEPOSITION TOPIC NO. 3:

For each user equipment device in relation to Deposition Topic No. 1, each Relevant Component, including at least each Relevant Component's name, internal and external model, part, and version number(s), development names, project names, marketing and brand names, and any other designation or nomenclature used by You to identify the component, including the identity of each baseband processor and the identity of the specific firmware version loaded on each baseband processor (e.g., in the case of Qualcomm baseband processors, the Build ID sufficient to allow Qualcomm to identify corresponding source code), and including planned variations.

DEPOSITION TOPIC NO. 4:

For each '196 Accused Product and each cellular product You identify in response to Deposition Topic No. 2, each Relevant Component, including at least, each product's iOS version number, each Relevant Components' name, internal and external model, part, and version number(s), development names, project names, marketing and brand names, and any other designation or nomenclature used by You to identify the component, including the identity of each baseband processor and the identity of the specific firmware version loaded on each baseband processor (e.g., in the case of Qualcomm baseband processors, the Build ID sufficient to allow Qualcomm to identify corresponding source code), and including planned variations.

DEPOSITION TOPIC NO. 5:

The design, engineering, development, manufacturing, operation and use of each Accused Products pertaining to beamforming, channel estimation, equalization, and antennas utilized for 3GPP 5G NR.

DEPOSITION TOPIC NO. 6:

The design, engineering, development, manufacturing, operation and use of each Relevant Component of the Accused Products pertaining to beamforming, channel estimation, equalization, and antennas utilized for 3GPP 5G NR.

DEPOSITION TOPIC NO. 7:

The design, engineering, development, manufacturing, operation and use of each Accused Product and/or Relevant Component in relation to WiFi-only automatic updates.

DEPOSITION TOPIC NO. 8:

Any implementation-specific functionalities of the Relevant Components regarding 3GPP 5G NR beamforming functionality.

DEPOSITION TOPIC NO. 9:

Your participation with any standards bodies relating to 3GPP 5G NR beamforming including in connection with the Exemplary Standards and Standards Sections.

DEPOSITION TOPIC NO. 10:

Source code (*e.g.*, C, C++, Java, Hardware Design Language (HDL), Verilog HDL, VHDL, Assembly, etc., including without limitation all types of code or files that implement, prepare for, design, or result in any software, firmware, hardware, or other functionalities, including functionalities of integrated circuits, processors, chips, chipsets, systems, or computers) relating to the Relevant Components of each of the Accused Products sufficient to show design, engineering, development, manufacturing, operation and use.

DEPOSITION TOPIC NO. 11:

The arrangement, assembly, and connection of the Relevant Components in each accused product, including for example schematics, diagrams, flowcharts, specifications, source code, design information, engineering information, testing information, data sheets, and other technical documentation for each Accused Product.

DEPOSITION TOPIC NO. 12:

End-user information for each Accused Product as sold in the United States, including but not limited to user manuals, product manuals, instruction manuals, service manuals, and installation instructions.

DEPOSITION TOPIC NO. 13:

The naming conventions used in Your model numbers, including the format and meaning of internal and external model numbers, or other identifiers, of the Accused Products.

DEPOSITION TOPIC NO. 14:

Agreements, contracts, or licenses involving 5G NR beamforming and/or automatic WiFi-only updates in the Accused Products and/or Relevant Components, including, but not limited to, any agreement, contract, or license concerning the design, development, manufacture, assembly, sale, distribution, importation, and/or service of any of the Accused Products or components thereof.

DEPOSITION TOPIC NO. 15:

Agreements, contracts, or licenses entered into by you relating to the Exemplary Standards and Standards Sections.

DEPOSITION TOPIC NO. 16:

Your relationship between You and any Defendants or Intervenor, including but not limited to all agreements, all communications relating to such agreements, including relating to indemnification.

DEPOSITION TOPIC NO. 17:

Your knowledge of Plaintiff, the Asserted Patents, or the named inventors of the Asserted Patents.

DEPOSITION TOPIC NO. 18:

Your advertising and marketing of the 5G NR beamforming, channel estimation, equalization, and/or antenna functionality and/or WiFi-only automatic update functionality of any Relevant Component sold by You to each Defendant Group.

DEPOSITION TOPIC NO. 19:

Your knowledge of the Accused Products and/or Relevant Components' compliance or non-compliance with the Exemplary Standards and Standards Sections, including without limitation development testing and compliance testing.

DEPOSITION TOPIC NO. 20:

The number of each Accused Product and/or Relevant Component sold to AT&T, T-Mobile, and/or Verizon since the issuance of the Asserted Patents.

DEPOSITION TOPIC NO. 21:

Price, costs, revenues, and profits that You obtain or charge to AT&T, T-Mobile, and/or Verizon for any Accused Product and/or Relevant Component, including Your gross sales price for the Accused Product and/or Relevant Component, Your costs of goods sold (including Your manufacturing costs, sales costs, and all other costs of goods sold).

DEPOSITION TOPIC NO. 22:

Your efforts to obtain certifications for the 3GPP 5G NR beamforming, channel estimation, equalization, and antenna functionalities of the Relevant Components.

DEPOSITION TOPIC NO. 23:

All Documents and Things produced by You in response to the Document Subpoenas.

DEPOSITION TOPIC NO. 24:

All Documents and Things provided by You to any Defendants in connection with the Cobblestone Litigation.