

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

INTERCURRENCY SOFTWARE LLC,

Plaintiff,

v.

NIUM PTE. LTD.,

Defendant.

C.A. No. 2:25-cv-701-JRG-RSP

INTERCURRENCY SOFTWARE LLC,

Plaintiff,

v.

SKRILL LIMITED,

Defendant.

C.A. No. 2:25-cv-702-JRG-RSP

**NIUM PTE. LTD.’S RESPONSES AND OBJECTIONS TO
PLAINTIFF’S FIRST SET OF INTERROGATORIES (Nos. 1-18)**

Pursuant to Rule 26 and 33 of the Federal Rules of Civil Procedure and the Discovery Order of this Court, Defendant Nium Pte. Ltd. (“Nium” or “Defendant”) serves the following First Responses and Objections to Plaintiff Intercurrency Software LLC’s (“Intercurrency” or “Plaintiff”) First Interrogatories. The objections and responses are based upon information presently available to, and identified by, Nium after reasonable inquiry. As discovery proceeds, facts, information, evidence, documents, and things may be discovered that are not set forth in this response and that may be responsive to these interrogatories. Nium’s responses are provided without prejudice to Nium’s right to revise and/or supplement the responses. Accordingly, Nium’s

23. Nium objects to the Definitions, Instructions, and Interrogatories to the extent they are duplicative, cumulative, compound, or contain multiple subparts in violation of Fed. R. Civ. P. 33.

24. Nium objects to interrogatories to the extent that they exceed the permissible number of interrogatories allowed in this case, including all parts and subparts.

25. Nium objects to the Definitions, Instructions, and Interrogatories to the extent that they seek disclosure of information or documents: (1) not relevant to the subject matter of the case; (2) not proportional to the needs of the case; (3) where the burden or expense outweighs its likely benefit; (4) without providing a reasonable time period for information sought; or (5) otherwise beyond the scope of relevant discovery.

26. Consistent with Fed. R. Civ. P. 33(d), Nium objects to providing narrative responses to these Interrogatories where the information sought can be derived from documents produced by Nium and where the burden to derive such information from those documents is substantially the same for Plaintiff as it is for Nium.

OBJECTIONS AND RESPONSES TO INTERROGATORIES

Subject to the foregoing General Objections and reservation of rights, as well as the Specific Objections set forth below, Nium responds to Plaintiff's First Interrogatories to all Defendants as follows:

INTERROGATORY NO. 1.

Identify the date on which You first made, used, sold, or offered for sale the Accused Instrumentalities in the United States.

RESPONSE:

Nium incorporates its General Objections above. Nium objects to the interrogatory as vague and ambiguous in its use of the terms “date on which You first made, used, sold, or offered for sale” and “Accused Instrumentality.”

Subject to the foregoing specific objections and General Objections, Nium answers as follows based upon the best information and belief currently available to Nium after reasonable inquiry: Instarem became available for use in the United States at least as early as 2015.

Discovery is ongoing, and Nium reserves the right to supplement and/or amend its response to this interrogatory if necessary and as appropriate.

INTERROGATORY NO. 2.

Identify and describe any and all non-infringing alternatives for the inventions of the patent claims asserted against You in this litigation.

RESPONSE:

Nium incorporates its General Objections above. Nium objects to this interrogatory as premature to the extent it seeks contentions regarding non-infringing alternatives before Nium has fully analyzed Plaintiff’s Infringement Contentions or conducted discovery regarding the asserted claims. Nium further objects to the interrogatory as vague and ambiguous in its use of the terms “non-infringing alternatives” and “the inventions of the patent claims asserted against You” because they are not defined and could impose an undue burden on Nium to speculate as to Plaintiff’s intent. Nium further objects to this interrogatory to the extent it assumes Nium has made specific contentions about non-infringing alternatives, which may not be accurate and is not required at this stage of the litigation. Nium additionally objects to this interrogatory as premature because it requests information that requires expert opinion and analysis, including an