IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

COGMEDIA LLC,	§	
	§	
Plaintiff	§	CASE NO. 1:25-cv-12127
	§	
vs.	§	
	§	
META PLATFORMS, INC.,	§	
	§	
Defendant.	§	

COGMEDIA LLC'S OBJECTIONS AND RESPONSES TO DEFENDANT'S FIRST SET OF INTERROGATORIES

Pursuant to Federal Rules of Civil Procedure 26 and 33 and District of Massachusetts Local Rules 26 and 33, Plaintiff COGMEDIA LLC, ("Plaintiff" or "Cogmedia") responds to Defendant Meta Platforms, Inc.'s ("Defendant" or "Meta") First Set of Interrogatories as follows:

PRELIMINARY STATEMENT

1. Plaintiff has not completed discovery or preparation for trial in this litigation and reserves the right to rely upon any evidence subsequently discovered or which may otherwise come to light during discovery. Thus, these responses and objections are based on the documents, facts, and/or contentions presently known and available to Plaintiff. Plaintiff reserves the right to supplement or amend these responses if and when any such additional information is ascertained.

2. Certain documents and information that may be responsive to Defendant's Requests are subject to confidentiality requirements with the United States Government and/or the Office of Naval Research ("ONR") and are therefore protected from disclosure. Plaintiff is expeditiously seeking confirmation that these materials may be produced, subject to the Protective Order entered in this litigation, and intends to supplement its Responses as soon as possible.

3. Plaintiff makes these responses subject to and without waiving Plaintiff's right to

introduce, use, or refer to information which Plaintiff presently has, but which Plaintiff has not yet had sufficient time to analyze and evaluate, as well as Plaintiff's right to amend or supplement its responses in the event that any information previously available to Plaintiff is unintentionally omitted from its responses.

4. Nothing herein shall be construed as an admission with respect to the admissibility or relevance of any information, fact or document, or the truth or accuracy of any characterization or statement of any kind contained in Defendant's Interrogatories.

GENERAL OBJECTIONS

1. Plaintiff objects to Defendant's Definitions and Instructions to the extent they purport to require Plaintiff to do more than required by the Federal Rules of Civil Procedure, the District of Massachusetts Local Rules, or any order of the Court.

2. Plaintiff objects to each and every interrogatory to the extent it calls for the disclosure of information protected by attorney-client privilege, the attorney-work-product doctrine, or other applicable privilege or immunity including but not limited to the registered patent agent privilege. Plaintiff will not be providing information protected by any such privilege or immunity. Plaintiff will not undertake to locate and log communications between any or all of Plaintiff and their counsel regarding the subject matter of this proceeding dated after the institution of this action.

3. Plaintiff objects to each interrogatory to the extent that it calls for information not reasonably available to, or not within the possession, custody, or control of Plaintiff, or that has been previously produced by Plaintiff or Defendant. The responses below are based on information reasonably available to Plaintiff and within Plaintiff's possession, custody, or control. Plaintiff's objections and responses to these interrogatories are by, and on behalf of, Plaintiff's alone.

4. Plaintiff objects to Defendant's definition No. 1 insofar as it expands the definition of "You," "Your," "Plaintiff," and "Cogmedia" beyond the Plaintiff in the above-styled caption.

5. Each of the foregoing objections shall be considered continuing and are hereby incorporated by reference into each specific response.

Specific Objections and Responses

INTERROGATORY NO. 1: If You contend that you are entitled to any remedy or monetary recovery as a result of alleged infringement of the Asserted Patents by Meta, state whether You contend that Plaintiff is entitled to lost profits or a reasonable royalty, and provide all facts and bases upon which You rely in support of Your contention such as the relevant damages period. Specifically, if You contend Plaintiff is entitled to an award of lost profits damages, identify each of Plaintiff's products You allege fall within the scope of any Asserted Patent(s), and state the costs, gross revenues, and net profits derived therefrom in each fiscal or calendar year since such sales commenced. If You contend Plaintiff is entitled to an award of reasonable royalty damages, state what You assert to be a reasonable royalty to be paid by Meta under 35 U.S.C. § 284, including the complete factual bases on which You base your calculation of such royalty rate, including the date of the hypothetical negotiation, the identity of the hypothetical willing licensor and licensee, and all facts and assumptions underlying Your royalty calculation, including the applicable royalty base.

RESPONSE:

Plaintiff objects to this Interrogatory because it seeks information protected or otherwise exempt or immune from discovery, including without limitation, information protected from discovery by attorney-client privilege and/or work product immunity, or information that is otherwise protected from disclosure by any other applicable privilege. Plaintiff objects to this Interrogatory as calling for an expert's testimony, report and/or opinion, and as such is premature.

Subject to and without waiving these, its General Objections, and Preliminary Statement, Plaintiff responds as follows: Plaintiff will provide its damages expert report in accordance with the

schedule set by the Court. Plaintiff hereby incorporates by reference both its Original Complaint and Initial Disclosures. At a minimum, Plaintiff is seeking compensation no less than a reasonable royalty. Plaintiff anticipates that its expert's determination of a reasonable royalty will be based on at least the application of the well accepted factors set forth in *Georgia-Pacific Corp. v. U.S. Plywood-Champion Papers, Inc.*, 318 F. Supp. 1116, 1120, 166 USPQ 235, 238 (S.D.N.Y. 1970), modified, 446 F.2d 295 (2d. Cir. 1971). A "hypothetical negotiation" approach to calculating a reasonable royalty will require discovery from Defendant. Plaintiff also claims prejudgment interest from the date of infringement to the date of judgment at the statutory rate up and until and including the day that judgment is entered. Plaintiff further seeks to recover post-judgment interest continuing until such judgment is paid at the maximum rate allowed by the law. Plaintiff further seeks its reasonable attorney's fees and costs in accordance with 35 U.S.C. § 285.

INTERROGATORY NO. 2:

Describe in detail the ownership history of the Patents-in-Suit and all rights thereto, including without limitation, identifying the current owner of the Patents-in-Suit, any assignments and licenses of the Patents-in-Suit, and any attempted or completed transfers of title or other rights of the Patents- in-Suit, and for each assignment, license or agreement, specifically: (a) state the date the assignment, license or agreement was made; (b) identify all persons involved in the assignment, license or agreement and describe the involvement of each such person; (c) state the purpose of the assignment, license or agreement; and (d) identify all documents (by Bates number) that relate to the assignment, license or agreement, or negotiation of the same.

RESPONSE:

Plaintiff objects to this Interrogatory because it seeks information protected or otherwise exempt or immune from discovery, including without limitation, information protected from discovery by attorney-client privilege and/or work product immunity, or information that is otherwise protected from disclosure by any other applicable privilege. Plaintiff further objects to this Interrogatory because it contains information that is irrelevant and/or not proportional to the needs of this case.

Subject to and without waiving these, its General Objections, and Preliminary Statement, Plaintiff responds as follows: Plaintiff is the owner of all right, title, and interest in the Patents-in-Suit and pursuant to FRCP 33(d), Plaintiff also identifies at least the following documents within which responsive information may be found: COG_000001, COG_000002, COG_000108, COG_000109, COG_000111, COG_000112, COG_000122, and COG_001835.

INTERROGATORY NO. 3:

Identify all Persons that have any current or past financial interest in the Patents-in-Suit or Related Patents, or any portfolio or collection of patents that include any of the foregoing, or that have any financial interest in the outcome of this Action or any Related Action, or that have invested in, provided funding to, or otherwise provided financial support to Cogmedia (whether characterized as an investment, loan, litigation funding, or payment for services), and for each such Person:

(a) describe the nature of such Person's financial interest, investment, or funding arrangement;

(b) describe all payments, investments, or other monetary or non-monetary consideration paid or received by each such Person, including the amounts, dates, and terms thereof;

(c) identify all Agreements between Cogmedia and each such Person relating to the Asserted Patents, this Action, or any Related Action, including any agreement governing the distribution of any recovery from this Action;

(d) describe any decision-making authority such Person has with respect to the prosecution of this Action or any Related Action; and

(e) identify all Documents, knowledgeable Persons, and any other evidence relating thereto.

RESPONSE:

Plaintiff objects to this Interrogatory because it seeks information protected or otherwise exempt or immune from discovery, including without limitation, information protected from discovery by attorney-client privilege and/or work product immunity, or information that is otherwise protected from disclosure by any other applicable privilege. Plaintiff further objects to this Interrogatory because it contains information that is irrelevant and/or not proportional to the needs of this case.

Subject to and without waiving these, its General Objections, and Preliminary Statement, Plaintiff is the owner of all right, title, and interest in the Patents-in-Suit.

INTERROGATORY NO. 4:

Identify and describe any and all reverse engineering, inspection, testing, evaluation, teardown, or analysis of any of Meta's products, including:

(a) the products reverse engineered, inspected, tested, evaluated, torn down, or analyzed;

(b) how the products identified in (a) were obtained;

(c) the nature of the reverse engineering, inspection, testing, evaluation, or analysis performed;

(d) any and all persons and entities involved in the reverse engineering, inspection, testing, evaluation, teardown or analysis;

(e) the date(s) of any such reverse engineering, inspection, testing, evaluation, teardown, or analysis;

(f) the results of such reverse engineering, inspection, testing, evaluation, teardown, or analysis;

(g) for each product identified in (a), any and all source code, APIs, or technical features examined; and

(h) any Documents and Things relating thereto.

RESPONSE:

Plaintiff objects to this Interrogatory because it seeks information protected or otherwise exempt or immune from discovery, including without limitation, information protected from discovery by attorney-client privilege and/or work product immunity, or information that is otherwise protected from disclosure by any other applicable privilege. Plaintiff further objects to this Interrogatory because it contains information that is irrelevant and/or not proportional to the needs of this case.

Subject to and without waiving these, its General Objections, and Preliminary Statement, Plaintiff responds as follows: Prior to filing the lawsuit, Plaintiff and its counsel performed a thorough pre-suit investigation of its claims based on publicly available information.

INTERROGATORY NO. 5:

Identify and describe in detail each product or system made or sold by Plaintiff or any Licensees of the Patents-in-Suit that Plaintiff contends or believes embodies or practices any claim of the Patents-in-Suit, and for each and every such product:

(a) identify whether such product was ever sold, offered for sale, licensed, or made available for use by any Person, the dates thereof, and all revenues derived therefrom; and

(b) provide a claim chart for each such product separately identifying where each limitation of each claim may be found within each product, and all Documents, knowledgeable persons, and any other evidence relating thereto.

RESPONSE:

Plaintiff objects to this Interrogatory because it seeks information protected or otherwise exempt or immune from discovery, including without limitation, information protected from discovery by attorney-client privilege and/or work product immunity, or information that is otherwise protected from disclosure by any other applicable privilege. Plaintiff also objects to this Interrogatory as calling for an expert's testimony, report and/or opinion, and as such is premature. Plaintiff further objects to this Interrogatory because it contains information that is irrelevant and/or not proportional to the needs of this case. Plaintiff objects to this Interrogatory to the extent it is not reasonably limited in time or scope. Plaintiff objects to this Interrogatory to the extent it improperly seeks to require Plaintiff to marshal all of its available proof and limit the evidence that Plaintiff may present at the trial of this matter. Plaintiff further objects to this Interrogatory as containing discrete subparts that should be counted as at least three separate interrogatories (1) an identification of products that Plaintiff contends or believes embodies or practices the Asserted Claims. (2) information regarding sales of such products, and (3) claim charts for each such product. These subjects of inquiry are different, separate, and discrete matters, and are thus improper to be included as part of a single Interrogatory. Plaintiff objects to this interrogatory as overly broad and more suited to being addressed in a deposition.

Subject to and without waiving these, its General Objections, and Preliminary Statement, pursuant to FRCP 33(d) Plaintiff identifies at least the following documents within which responsive information may be found: COG_004648, COG_004690-95, COG_004900, COG_005993, COG_006149, COG_006154-78, COG_006352, COG_006374, COG_006384, COG_006594, COG_006882, COG_007887, COG_007895, and COG_007903.

INTERROGATORY NO. 6:

Identify and describe in detail all efforts undertaken to mark any product with the Patents-in-Suit, including an identification of the beginning and end dates of any such patent marking (including the beginning and end dates of any interruption in patent marking), the seller of such marked products, and the manner of marking for each marked product (such as the location of the patent mark and/or the manner of such patent marking), and an identification of whether any licensee was required or requested to mark (such as under 35 U.S.C. § 287), and Plaintiff's efforts to ensure compliance with marking obligations.

RESPONSE:

Plaintiff objects to this Interrogatory because it contains information that is irrelevant to any party's claim or defense. Marking under 35 U.S.C. § 287(a) is not at issue in this action. All claims of the Asserted Patents, and all claims asserted by Plaintiff, are method claims. The marking requirement of § 287(a) does not apply to patents containing only method claims. *See American Medical Systems, Inc. v. Medical Engineering Corp.*, 6 F.3d 1523, 1538 (Fed. Cir. 1993).

INTERROGATORY NO. 7:

If You contend that any claim of any Asserted Patent is entitled to a priority date prior to the filing date of that patent, state all factual and legal bases for that contention, including identifying which claims and patents You contend are entitled to which priority dates and which documents support Your contentions.

RESPONSE:

Plaintiff objects to this Interrogatory because it seeks information protected or otherwise exempt or immune from discovery, including without limitation, information protected from discovery by attorney-client privilege and/or work product immunity, or information that is otherwise protected from disclosure by any other applicable privilege. Plaintiff also objects to this Interrogatory as calling for an expert's testimony, report and/or opinion, and as such is premature. Plaintiff objects to this Interrogatory to the extent it improperly seeks to require Plaintiff to marshal all of its available proof and limit the evidence that Plaintiff may present at the trial of this matter.

Subject to and without waiving these, its General Objections, and Preliminary Statement, Plaintiff responds as follows: Each asserted claim of the Asserted Patents is entitled to a priority date no

later than the filing date of the earliest application in the chain of priority to which the patent claims benefit, and the subject matter of each asserted claim is fully supported by and disclosed in that earliest-filed application, and each subsequent application in compliance with 35 U.S.C. § 112. Plaintiff hereby identifies and incorporates by reference provisional application No. 60/566,723, filed on Apr. 29, 2004. Plaintiff also notes that the Patents-in-Suit carry a presumption of validity under 35 U.S.C. § 282.

INTERROGATORY NO. 8:

State whether You, a Named Inventor, or EWall Contributor have ever demonstrated, used or disclosed publicly, sold, or offered for sale any product, system, or device (including any prototype) before the filing dates of the Patents-in-Suit to any Third Party or the public, and for each such demonstration, use, disclosure, sale, or offer for sale, identify:

(a) the date of such demonstration, use, disclosure, sale, or offer for sale,

(b) the parties involved including names of all individuals and companies involved,

(c) the location of such demonstration, use, disclosure, sale, or offer for sale,

(d) the identity of the product, system, or device,

(e) a description of the technical details of that the product, system, or device, and

(f) any non-disclosure agreement or similar agreement that You contend govern the confidentiality of any such demonstration, use, disclosure, sale, or offer for sale, associated with the product system, or device.

RESPONSE:

Plaintiff objects to this Interrogatory to the extent it seeks information protected or otherwise exempt or immune from discovery, including without limitation, information protected from discovery by attorney-client privilege and/or work product immunity, or information that is otherwise protected from disclosure by any other applicable privilege. Plaintiff objects to this Interrogatory because it contains information that is irrelevant and/or not proportional to the needs of this case. Plaintiff further objects to this Interrogatory because it is not limited to the scope of the case and by its own language encompasses the sale of products, systems, and devices that have no relation to the current action. Plaintiff further objects to interrogatory to the extent it defines the relevant time period by reference to the filing date of the Patents-in-Suit rather than the filing date of the earliest application in the chain of priority for each of the Patents-in-Suit. Plaintiff objects to this interrogatory as overly broad and more suited to being addressed in a deposition.

Subject to and without waiving these, its General Objections, and Preliminary Statement, Plaintiff never demonstrated, used or disclosed publicly, sold, or offered for sale any product, system, or device (including any prototype) that embody or otherwise practice any claim of the Patents-in-Suit before the filing date of the earliest application in the chain of priority of each of the Patents-in-Suit.

INTERROGATORY NO. 9:

State whether You contend any secondary considerations or objective indicia of non-obviousness supports non-obviousness of any asserted claim of the Patents-in-Suit, including without limitation any nexus between any claimed secondary considerations or objective indicia of non-obviousness to any claimed invention, long-felt need for the subject matter of the claim, failure of others to solve a problem solved by the subject matter of the claim, unexpected results, or commercial success, and if so, explain fully the basis for such assertion, including identifying any Documents that relate to such contention and identifying any witness with knowledge of such contention.

RESPONSE:

Plaintiff objects to this Interrogatory to the extent it seeks information protected or otherwise exempt or immune from discovery, including without limitation, information protected from discovery by attorney-client privilege and/or work product immunity, or information that is otherwise protected from disclosure by any other applicable privilege. Plaintiff objects to this Interrogatory on the grounds that it seeks information that is equally available to Defendant from other sources that are more convenient, less burdensome and/or less expensive, particularly to the extent the information sought is within the custody or control of Defendant, publicly available or available from third parties. Plaintiff also objects to this Interrogatory as calling for an expert's testimony, report and/or opinion, and as such is premature.

Subject to and without waiving these, its General Objections, and Preliminary Statement, Plaintiff responds as follows: Discovery is ongoing and certain information in the possession of Defendant may be responsive to this Interrogatory. Plaintiff will provide its expert report and/or rebuttal expert report in accordance with the schedule set by the Court. At the very least, Defendant's infringing products have achieved commercial success in the industry.

INTERROGATORY NO. 10:

Identify and describe in detail all activities undertaken by Plaintiff to commercialize the subject matter of the Patents-in-Suit whether successful or not, including an identification of all persons with whom Plaintiff discussed any investments, licenses, research, and/or development relating to the Patents-in-Suit, and all contracts, purchase orders, invoices, advertisements, marketing materials, offer letters, beta site testing agreements, and third party or joint development agreements exchanged with any third party, and the persons most knowledgeable regarding the activities identified herein.

RESPONSE:

Plaintiff objects to this Interrogatory to the extent it seeks information protected or otherwise exempt or immune from discovery, including without limitation, information protected from discovery by attorney-client privilege and/or work product immunity, or information that is otherwise protected from disclosure by any other applicable privilege. Plaintiff objects to this Interrogatory seeking "all activities" by Plaintiff as overbroad, unduly burdensome, and not proportional to the needs of the case. Plaintiff objects to this interrogatory as overly broad and more suited to being addressed in a deposition.

Subject to and without waiving these, its General Objections, and Preliminary Statement, Plaintiff responds pursuant to FRCP 33(d) and identifies at least the following documents within which responsive information may be found: COG_004648, COG_004690-95, COG_004900, COG_005009, COG_005765, COG_006882, COG_007236, COG_007240, and COG_007245.

INTERROGATORY NO. 11:

For each Patent-in-Suit, describe in detail all marketing, advertising, and promotion relating to its attempted licensing or commercialization, whether in print, on television, on the Internet, or otherwise, including an identification of all vendors, consultants, and/or agencies that worked on the marketing, advertising, and/or promotions; describe the quantity of the dissemination of the marketing material(s), advertisements, or promotional material(s); identify each individual or entity that participated in the marketing, advertising, and promotion of the product; describe the role of each individual or entity in the marketing, advertising, and/or promotion of the Asserted

Patent; and identify the person(s) responsible for the marketing, advertising, and/or promotion of each patent.

RESPONSE:

Plaintiff objects to this Interrogatory to the extent it seeks information protected or otherwise exempt or immune from discovery, including without limitation, information protected from discovery by attorney-client privilege and/or work product immunity, or information that is otherwise protected from disclosure by any other applicable privilege. Plaintiff objects to this Interrogatory seeking "all marketing, advertising, and promotion" by Plaintiff as overbroad, unduly burdensome, and not proportional to the needs of the case. Plaintiff objects to this interrogatory as overly broad and more suited to being addressed in a deposition.

Subject to and without waiving these, its General Objections, and Preliminary Statement, Plaintiff responds pursuant to FRCP 33(d) and identifies at least the following documents within which responsive information may be found: COG_004648, COG_004690-95, COG_004900, COG_005009, COG_005765, COG_006882, COG_007236, COG_007240, and COG_007245.

INTERROGATORY NO. 12:

For each Named Inventor of the Patents-in-Suit:

(a) identify the Named Inventor and provide their present or last known address, telephone number, employer, job title, and job description;

(b) describe in detail the employment and consulting history of each Named Inventor from 2000 to the present, including for each position: the employer or client, the dates of employment or engagement, and the job title and responsibilities;

(c) identify all employment agreements, consulting agreements, technology transfer policies, invention assignment agreements, or other Agreements relating to the ownership of intellectual property to which each Named Inventor was or is a party;

(d) for Named Inventors not currently employed by Plaintiff, state whether such individual or their current employers is contractually obligated to provide information or assistance to You in connection with this Action, and describe the circumstances by which such individual's employment with You or a Licensee was terminated, if they were previously so employed;

(e) identify all funding sources, grants, contracts, or sponsorship agreements that supported work by any Named Inventor leading to the inventions claimed in the Asserted Patents, including but not limited to any grants or contracts from the Office of Naval Research; and

(f) identify all Documents relating to the foregoing.

RESPONSE:

Plaintiff objects to this Interrogatory to the extent it seeks information protected or otherwise exempt or immune from discovery, including without limitation, information protected from discovery by attorney-client privilege and/or work product immunity, or information that is otherwise protected from disclosure by any other applicable privilege. Plaintiff objects to this Interrogatory because it contains information that is irrelevant and/or not proportional to the needs of this case. Plaintiff further objects that the information requested by this Interrogatory is cumulative of the information requested by Interrogatory Nos. 2 and 14. Plaintiff further objects to this Interrogatory as containing at least three discrete subparts that should be counted as at least three separate interrogatories (1) an identification spanning 26 years of each inventor's employment and biographical information (2) every agreement the inventors have ever entered into regardless of their relation to the Patents-in-Suit, and (3) all funding sources that supported work by any named inventor leading to the inventions claimed in the Patents-in-Suit. These subjects of inquiry are different, separate, and discrete matters, and are thus improper to be included as part of a single Interrogatory. Plaintiff objects to this interrogatory as overly broad and more suited to being addressed in a deposition.

Subject to and without waiving these, its General Objections, and Preliminary Statement, Plaintiff incorporates by reference its Initial Disclosures pursuant to FRCP 26(a)(1) and responds pursuant to FRCP 33(d) and identifies at least the following documents within which responsive information may be found: COG_004136, COG_004453, COG_004304, COG_004283, and COG_004270.

INTERROGATORY NO. 13:

Describe in detail the EWall Project, including:

(a) the overall design, architecture, and functionality of the "EWall" or "Electronic Card Wall" system, including a description of each of its modules (e.g., Workspace, Information, Knowledge, Collaboration, and Visualization) and how they interacted; (b) the relationship between the EWall Project and the inventions claimed in the Asserted Patents, including whether You contend that the EWall Project practices and/or discloses any claim or the Asserted Patents, and if so, the complete

factual basis for that contention (including the date of any such practice or disclosure), and if not, the complete basis for any distinction between the EWall Project and the claimed inventions;

(c) all software prototypes, implementations, and versions of the EWall system, including the "three software prototypes" described in the May 1, 2017 Declaration of Paul Erich Keel, Ph.D. (submitted in connection with Application No. 15/243,497), and for each prototype or implementation: (i) its date of creation and completion; (ii) a description of its functionality and which EWall modules it implemented; (iii) the hardware and software environment(s) on which it was developed and ran; (iv) all Persons who designed, developed, coded, or contributed to its creation; (v) all Persons to whom it was demonstrated, made available, or distributed, and the dates thereof; (vi) whether any non-disclosure or confidentiality agreement governed access; and (vii) its current location, custodian, and whether source code, executables, or archived versions still exist;

(d) the "Information Object" used and described in the EWall system, including its format, visual representation, data structure, and functionality (such as any picture, heading, hyperlink, comment, vote, copy, or other interactive features associated with the Information Objects), and the relationship between EWall's Information Objects and the "information objects" and "cards" recited in the Asserted Patents;

(e) the NewsView and NewsStripe components of the EWall Project, including the dates on which any prototypes or implementations thereof were completed and made available, their functionality, and all Persons involved in their development;

(f) all Persons who contributed to the conception, design, development, or implementation of the EWall Project, including but not limited to each EWall Contributor, and a description of each Person's specific contributions;

(g) the dates on which any aspect of the EWall system was first (i) conceived, (ii) reduced to practice (actually or constructively), (iii) publicly demonstrated or disclosed, (iv) made available to any Person outside a confidential relationship, and (v) described in any publication, presentation, or report; and

(h) all Documents and Things relating to the foregoing.

RESPONSE:

Plaintiff objects to this Interrogatory to the extent it seeks information protected or otherwise exempt or immune from discovery, including without limitation, information protected from discovery by attorney-client privilege and/or work product immunity, or information that is otherwise protected from disclosure by any other applicable privilege. Plaintiff objects to this Interrogatory as overbroad, unduly burdensome, and not proportional to the needs of the case. Plaintiff objects to this Interrogatory as calling for an expert's testimony, report and/or opinion, and as such is premature. Plaintiff further objects to this Interrogatory as containing discrete subparts that should be counted as at least five separate interrogatories (1) overall design of EWall, (2) the relationship between EWall and the Asserted Patents, (3) information related to the Asserted Patents' prosecution history, (4) relationship between EWall and specific claim language used in the Patents-in-Suit, and (5) the inventorship and development of EWall. These subjects of inquiry are different, separate, and discrete matters, and are thus improper to be included as part of a single Interrogatory. Plaintiff objects to this interrogatory as overly broad and more suited to being addressed in a deposition.

Subject to and without waiving these, its General Objections, and Preliminary Statement, Plaintiff responds pursuant to FRCP 33(d) and identifies at least the following documents within which responsive information may be found: COG_000126, COG_000146, COG_000171, COG_000197, COG_001848, COG_002563, COG_004090, COG_004482, COG_004630, COG_004637, COG_006774, COG_006824, COG_006909, COG_006921, COG_007276, COG_007277, COG_007278, COG_007290, COG_007291, COG_007301, COG_007337, COG_007378, COG_007414, COG_007442, COG_007461, COG_007490, COG_007493, COG_007498, COG_007508, and COG_007735.

<u>INTERROGATORY NO. 14:</u>

Identify and describe all grants, contracts, sponsorship agreements, and other funding arrangements between the Office of Naval Research ("ONR") or any other government agency and any Person or entity relating to the EWall Project, including Grant and/or Contract Nos. N00014-02-1-0132, N00014-04-1-0569, and N00014-08-C-0206, and:

(a) for each grant, contract, or funding arrangement, identify: (i) the parties; (ii) the dates and amounts of funding; (iii) the deliverables, milestones, or objectives; (iv) all intellectual property provisions, including any government purpose license rights, march-in rights, invention reporting obligations, or other rights reserved by or granted to the United States Government; and (v) all reporting obligations and all reports, deliverables, or publications submitted pursuant thereto; (b) identify each public demonstration, presentation, workshop, conference, or other event at which the EWall Project or any aspect thereof was presented, demonstrated, or discussed in connection with any ONR-funded program, including but not limited to ONR Collaborative Knowledge Management (CKM) Workshops, and for each such event, identify: (i) the date and location; (ii) the attendees; (iii) what was presented, demonstrated, or discussed, including whether any software prototype was demonstrated; (iv) whether any non-disclosure or confidentiality agreements applied to any attendee or the event; and (v) all Documents relating thereto, including agendas, attendee lists, sign-in sheets, presentation slides, handout materials, and post-event reports or summaries;

(c) identify any other public demonstration, presentation, or disclosure of the EWall Project not covered by sub-part (b), including any demonstrations at MIT or elsewhere, and provide the same information requested in sub-part (b)(i) through (b)(v); and

(d) identify all Documents and Things relating to the foregoing.

RESPONSE:

Plaintiff objects to this Interrogatory to the extent it seeks information protected or otherwise exempt or immune from discovery, including without limitation, information protected from discovery by attorney-client privilege and/or work product immunity, or information that is otherwise protected from disclosure by any other applicable privilege. Plaintiff objects to this Interrogatory as overbroad, unduly burdensome, and not proportional to the needs of the case. Plaintiff objects to this Interrogatory because it seeks information that is irrelevant to any party's claim or defense. Plaintiff further objects to this Interrogatory as containing discrete subparts that should be counted as at least two separate interrogatories (1) identification of grants and funding

arrangements related to EWall and (2) every demonstration of EWall. These subjects of inquiry are different, separate, and discrete matters, and are thus improper to be included as part of a single Interrogatory. Plaintiff objects to this interrogatory as overly broad and more suited to being addressed in a deposition.

Subject to and without waiving these, its General Objections, and Preliminary Statement, Plaintiff responds pursuant to FRCP 33(d) and identifies at least the following documents within which responsive information may be found: COG_000109, COG_000111, COG_004648, COG_004805, COG_004875, COG_004881, COG_004888, COG_004943, COG_004944, COG_004953, COG_004955, COG_004956, COG_004958, and COG_007864.

INTERROGATORY NO. 15:

For each asserted claim of the Patents-in-Suit, describe in detail all facts and circumstances relating to the conception, reduction to practice, and development of the claimed invention, including:

(a) the earliest date You contend that the subject matter of each asserted claim was conceived, and all facts, witnesses, and Documents supporting that contention;

(b) the earliest date You contend that the subject matter of each asserted claim was actually reduced to practice, a description of the acts constituting such reduction to practice (including identification of any prototype, software implementation, or working system that embodied the claimed invention), and all facts, witnesses, and Documents supporting that contention;

(c) if You contend that the subject matter of any asserted claim was constructively reduced to practice by the filing of a patent application, identify the application and its filing date;

(d) all activities constituting diligence between conception and reduction to practice;

(e) for each Named Inventor, identify the specific contribution that Person made to the conception of each asserted claim, including which claim limitations were conceived by which Named Inventor, and describe the circumstances of such conception (including the date, location, and any corroborating witnesses or Documents);

(f) state whether any EWall Contributor other than the Named Inventors contributed to the conception of the subject matter of any asserted claim, and if You contend that none of the EWall

Contributors contributed to the conception of any claimed invention, state the complete factual basis for that contention as to each such person;

(g) describe the relationship, if any, between the conception and reduction to practice of the claimed inventions and the EWall Project, including whether any aspect of the EWall Project constituted or contributed to the conception or reduction to practice of any claimed invention, and if You contend that the claimed inventions are distinct from the EWall Project, state the complete factual basis for that contention; and

(h) identify all Documents relating to the foregoing, including invention disclosure statements, laboratory notebooks, design documents, correspondence, and any other contemporaneous evidence of conception or reduction to practice.

RESPONSE:

Plaintiff objects to this Interrogatory to the extent it seeks information protected or otherwise exempt or immune from discovery, including without limitation, information protected from discovery by attorney-client privilege and/or work product immunity, or information that is otherwise protected from disclosure by any other applicable privilege. Plaintiff objects to this Interrogatory seeking by Plaintiff as overbroad, unduly burdensome, and not proportional to the needs of the case. Plaintiff further objects to this Interrogatory as containing discrete subparts that should be counted as at least two separate interrogatories (1) information related to conception and reduction to practice and (2) information related to the relationship between conception and reduction to practice and EWall. Plaintiff objects to this interrogatory as overly broad and more suited to being addressed in a deposition.

Subject to and without waiving these, its General Objections, and Preliminary Statement, the Asserted Claims are entitled to a priority date no later than the filing date of the earliest application in the chain of priority upon which each of the Patents-in-Suit claim benefit. Plaintiff also responds pursuant to FRCP 33(d) and identifies at least the following documents within which responsive information may be found: COG_002125, COG_001934, COG_002063, COG_003281, COG_002351, COG_002356, COG_001867, COG_001887, COG_002403, COG_001848, COG_002104, COG_002410, COG_003136, COG_003594, COG_003696, and COG_002483.

Date: May 28, 2026

Respectfully submitted,

/s/ Dave R. Gunter
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(*admitted *pro hac vice* by Orders dated July 30 and 31, 2025)

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ATTORNEYS FOR PLAINTIFF COGMEDIA LLC

CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of May 2026, I served this document via email on all counsel of record in this case.

/s/ Dave R. Gunter

VERIFICATION

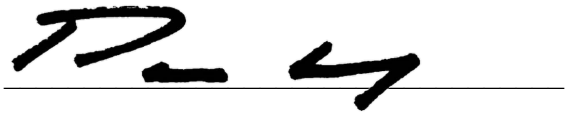
I, Paul Keel, declare:

I am the Managing Member of Plaintiff Cogmedia LLC in the above-entitled action, and I am authorized to make this verification on its behalf.

I have read the foregoing responses contained in *Plaintiff's Objections and Responses to Defendant's First Set of Interrogatories* and the facts stated are true and correct to the best of my knowledge according to the information known by me or provided to me. Certain of the word usage and sentence structure may be that of the attorneys assisting in the preparation of the foregoing.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Cambridge, MA on the 27th day of May, 2026.



[Managing Member of Cogmedia LLC]