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

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| TOPWIRE LLC,<br><br>Plaintiff,<br><br>v.<br><br>SAMSUNG ELECTRONICS CO., LTD. AND SAMSUNG ELECTRONICS AMERICA, INC.,<br><br>Defendants. | Civil Action No. 2:25-cv-1183-JRG-RSP |

**DEFENDANTS' FIRST SET OF INTERROGATORIES TO PLAINTIFF**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (together "Samsung" or "Defendants") hereby request that Plaintiff TopWire LLC ("TopWire" or "Plaintiff") in the above-captioned case respond to the following interrogatories individually, separately, and fully in writing, under oath, and in accordance with the following definitions and instructions, within thirty (30) days of service hereof. Pursuant to Federal Rule of Civil Procedure 26(e), these interrogatories are continuing in nature. TopWire is therefore required to supplement or amend all responses if TopWire learns that a response is incomplete or incorrect between the time it serves its responses and the time of trial.

**DEFINITIONS**

1. "Samsung" means Defendants Samsung Electronics Co., Ltd. ("SEC") and Samsung Electronics America, Inc. ("SEA").

2. "TopWire," "Plaintiff," "You," or "Your" means TopWire LLC and any Person operating under its control or on its behalf including officers, directors, employees, representatives,



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consultants, agents, servants, attorneys (including but not limited to prosecution counsel), accountants, or any Person who served in any such roles at any time, as well as corporate parents, subsidiaries (whether wholly or partially owned), affiliates, divisions, predecessor companies (whether acquired by merger, consolidation or other means) or proprietorships, or any joint venture to which TopWire, or one of its corporate parents, subsidiaries, affiliates, divisions, predecessor companies or proprietorships, is a party.

3. "'202 Patent" means U.S. Patent No. 9,859,202.

4. "Asserted Patent" means the '202 Patent.

5. "Related Patents" and "Related Patents or Applications" means: (a) any patent or patent application filed anywhere in the world claiming priority to the Asserted Patent, (b) any patent or patent application filed anywhere in the world claiming priority to any patent or patent application to which the Asserted Patent claims priority, (c) any patent or patent application filed anywhere in the world to which any Asserted Patent claims priority or on which the Asserted Patent depends for priority, (d) the reissue, reexamination, or post-grant review (including *Inter Partes* review and Covered Business Method review) of any of the aforementioned patents or patent applications, and (e) any foreign counterpart patent or foreign counterpart application of any of the aforementioned patents or patent applications. This term includes, without limitation, U.S. Patent No. 9,859,202 and U.S. Patent Application Nos. 15/190,695 and 62/184,034. This term specifically includes any of the foregoing whether it issued, is currently pending, or is abandoned.

6. "Infringement Contentions" means TopWire's Disclosure of Asserted Claims and Infringement Contentions Pursuant to P.R. 3-1 (served March 12, 2026) and any subsequent supplements or amendments that may be served on Defendants after having obtained leave to amend or supplement from the Court.



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7. The phrase "this Action" shall mean and refer to the above-captioned action filed in the Eastern District of Texas.

8. "Related Litigations" means any past or pending legal proceedings before a federal or state court, the U.S. Patent Office, the International Trade Commission, or foreign tribunals involving the Asserted Patent or Related Patents.

9. "Complaint" shall refer to Docket Entry 1 of this Action, or TopWire's most recently entered complaint in this Action.

10. "Accused Product" means any product identified in TopWire's Infringement Contentions.

11. "Asserted Claim(s)" means each and every claim of the Asserted Patent that TopWire contends that Defendants infringe, as identified in TopWire's Infringement Contentions.

12. "Prior Art," as used herein, means all documents, publications, patents, physical devices, prototypes, products, uses, sales, offer for sale, public disclosures, or other activity that constitute, describe, suggest, disclose, anticipate, render obvious, refer to, or relate to the subject matter described or claimed in the Asserted Patent prior to the filing date of such patent, and includes those categories of information set forth in 35 U.S.C. §§ 102 or 103.

13. "Document(s)" is defined broadly to be given the full scope of that term as contemplated in Rules 26 and 34 of the Federal Rules of Civil Procedure and includes any tangible thing or object, any written or graphic matter, and any medium of any type or description upon which intelligence or information is recorded or from which intelligence or information can be perceived, that is or has been in Your actual or constructive possession, custody, or control, or of which You have knowledge, regardless of the medium on which it is produced, reproduced, or stored (including without limitation computer programs and files containing any requested

information), and any recording or writing, as these terms are defined in Rule 1001 of the Federal Rules of Evidence. This definition encompasses all tangible things including prototypes, models, and physical specimens, all originals (or, if originals are not available, identical copies thereof), all non-identical copies of a Document, all drafts of final Documents, all written, printed, or recorded matter of any kind, and all other data compilations from which information can be obtained and translated if necessary, that are or have been in Your actual or constructive possession or control, regardless of the medium on which they are produced, reproduced, or stored (including without limitation computer programs and files containing any requested information together with instructions or programs necessary to search such data and hard copies where available), any recording or writing, and/or any other documentary material of any nature.

14. "Communication(s)" means any transmission of information (in the form of facts, ideas, inquiries, or otherwise) whether direct or through an intermediary, via any means including, but not limited to, conversations, agreements, inquiries, or replies, whether in person, whether orally, nonverbally, telephonically, telegraphically, in writing (including electronic writing, such as e-mail, social media communications, and shared files or communications shared or sent through Slack or similar programs), by facsimile, by recording, or otherwise.

15. "Named Inventor" means the inventor listed on the face of the Asserted Patent, including any prior names or aliases used.

16. "Person(s)" shall include, without limitation, natural persons, corporations, partnerships, business trusts, associates, and business or other entities, and any officer, director, employee, partner, corporate parent, subsidiary, affiliate, agent, representative, attorney, or principal thereof.

17. References to any natural person shall include, in addition to the natural person, any agent, employee, representative, attorney, or principal thereof.

18. References to any entity shall include, in addition to the entity, any officer, director, employee, subsidiary, affiliate, agent, representative, attorney, or principal thereof.

19. "Identify" or "identification" means:

a. When used with respect to a natural person, to state:

i. his or her name;

ii. any other names used by him or her presently or in the past;

iii. his or her present or last known business address, residence address, status, and telephone numbers; and

iv. the corporation, partnership, association, foundation, trust, organization, or other entity, and the functional division thereof, with which he or she is now associated, and his or her title, status, position, rank, or classification with such entity at the present and throughout the time period specified.

b. When used with respect to a person other than a natural person, including but not limited to any corporation, partnership, association, foundation, trust, organization, or other entity or functional division thereof, to state:

i. its full name;

ii. the address of its principal office or place of business;

iii. all names under which it is doing business or ever has done business;

iv. the nature of the venture (e.g., sole proprietorship, partnership, corporation, etc.); and



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v. the identities of its officers, directors, partners or administrators.

c. When used with respect to real property, to state:

i. the unit/apartment/office/etc. number (if applicable), the street number, the street name, the city, the state, and the zip code at which the real property is located; and

ii. a description sufficient to allow a third party to both (i) identify and locate any real property location being addressed in Your interrogatory response and (ii) distinguish any real property location being addressed in Your interrogatory response from similar real property locations.

d. When used with respect to a device or component, to state:

i. with respect to each such device or component, information identifying the specific device or component with particularity, for example, by product name, model number, item number, UPC code, or other commercial designation.

e. When used with respect to a Document, to state:

i. the type of Document or tangible thing (e.g., letter, memoranda, computer disk, etc.);

ii. the date it was created;

iii. its author and signatories;

iv. its addressees and all other Persons receiving copies;

v. the nature and substance of the Document with sufficient particularity to enable it to be identified; and



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vi. its location and its custodian (or if it is no longer within Your possession, custody or control, state what disposition was made of it; state the date of such disposition; identify every person who participated in or approved such disposition; and identify the Person having knowledge of its contents).

20. "Related to," "relating to," and "concerning," when referring to any given subject matter, means concerning, regarding, comprising, containing, embodying, identifying, illustrating, stating, dealing with, involving, mentioning, referring to, related to, supporting, favoring, opposing, negating, bolstering, detracting from, located in, considered in connection with, bearing on, evidencing, indicating, reporting on, recording, alluding to, responding to, connected with, commenting on, in respect of, about, in relation to, discussing, showing, describing, reflecting, analyzing, constituting, or being.

21. The word including and every variant thereof shall be construed to mean "including without limitation."

22. The singular form of each word shall be interpreted in the plural as well.

23. Any pronoun shall be construed to refer to the masculine, feminine, or neuter gender, as is most appropriate in each case.

24. The words "and," "or," and "and/or" shall be construed conjunctively or disjunctively, whichever maximizes the scope of each discovery request, definition, or in which they are used.

25. The words "any" and "all" shall be construed to mean "any and all."

26. The words "each" and "every" shall be construed to mean "each and every."



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27. The term “date” or “dates” shall mean the exact day, month, and year, if ascertainable, or if not, the best approximation thereof.

28. The use of the term “the” shall not be construed as limiting the scope of any request.

## INSTRUCTIONS

The following instructions apply to answering the interrogatories below:

1. You are required to answer the following interrogatories separately and fully in writing and under oath, within thirty (30) days from the date of service. When answering the interrogatories, You are required to furnish such information as is available to You, including, but not limited to, information known to Your officers, employees, agents, or anyone acting for or on Your behalf.

2. If You have no information about the subject of a particular interrogatory, or if for some other reason You are unable to answer it, the response to that interrogatory should specifically so state. No interrogatory should be without some response.

3. If You cannot answer an interrogatory completely, answer as fully as You can and specify the ways in which Your response may be incomplete because of Your lack of knowledge. If You do not know exact dates, amounts, or other facts with certainty, but You have information from which You can make an approximate or estimated answer, do so and indicate if the answer is an approximate or estimate because You lack more precise information.

4. Any recipient of these interrogatories who withholds any requested information by reason of a claim of privilege or attorney work product, or who objects to any part of these interrogatories, shall state the nature of the privilege or objection and provide sufficient information to permit a full determination of whether the claim or objection is proper.



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5. If You object to any portion or subpart of these interrogatories, state the objection to such portion or subpart, and answer any unobjectionable portion(s) or subpart(s) and/or provide the unobjectionable information requested.

6. If You elect to produce Documents in lieu of providing a written response to an interrogatory, pursuant to Rule 33(d) of the Federal Rules of Civil Procedure, provide a list identifying for each such Document produced (1) the interrogatory to which the Document(s) is responsive and (2) the production number(s) of such Documents identified for each response.

7. The interrogatories are to be considered as continuing and TopWire must provide, by way of supplementary answers, such additional information as You or any other Persons acting on TopWire's behalf may hereafter obtain which will supplement or otherwise modify any answers to the interrogatories.

8. If You assert a claim of privilege or work product protection in objecting to any interrogatory, identify with respect to each Communication, Document, or tangible thing the nature and basis of the privilege claimed, and provide as much of the following information as is not encompassed by privilege: its type; its general subject matter and purpose; its date; the names of Persons making or receiving the Communication, Document, or tangible thing or a copy thereof or, if the Communication was oral, the names of those present when the Communication was made; their relationship to the author or speaker; and any other information needed to determine the applicability of the privilege or protection.

## INTERROGATORIES

**INTERROGATORY NO. 1:**

Describe the facts and circumstances relating to the development of the alleged inventions claimed in each Asserted Claim of the Asserted Patent (including any information obtained through Your acquisition of the Asserted Patent), including the facts and circumstances regarding conception and any reduction to practice of the alleged inventions, the dates on which the alleged inventions were allegedly conceived and reduced to practice, a narrative explaining such development, conception, and reduction to practice, a description and identification of any alleged diligence between the asserted conception and reduction to practice dates, the identification of each Person with knowledge of such development, conception, reduction to practice, or diligence (including, but not limited to: Dyi-Chung Hu), and the nature of each Person's participation, involvement, and/or contribution.

**INTERROGATORY NO. 2:**

Describe in detail the complete chain-of-title of the Asserted Patent and any Related Patents or Applications, including provisional applications, and any facts related to Your alleged standing to bring suit for infringement of the Asserted Patent, including (a) the identification of all Persons who have ever been assigned some or all the rights in or who otherwise ever held any right under or interest in (whether direct or indirect, through an ownership interest, or other agreement with You) the Asserted Patent or any Related Patents or Applications, including provisional applications; (b) the identity, nature, dates of, and consideration exchanged relating to the assignment, right, or interest; and (c) all Documents and Communications relating to such assignment, right, or interest, including any relevant agreements and diligence materials relating to the sale or acquisition of the Asserted Patent.



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**INTERROGATORY NO. 3:**

For each Asserted Claim of the Asserted Patent that You allege Defendants indirectly infringe, through inducement or contributory infringement, provide all factual and legal bases for your contentions and an identification of all Documents relating to Your contentions.

**INTERROGATORY NO. 4:**

Identify all Prior Art (a) known or believed by You to be relevant to the subject matter of the Asserted Patent or any Related Patents or Applications, including the alleged priority applications, (b) that has been asserted by any Person (including any patent office) to be relevant to the subject matter of the Asserted Patent or any Related Patents or Applications, including the alleged priority applications, or (c) that was located during a search relating to the Asserted Patent or any Related Patents or Applications, including the alleged priority applications (whether or not You contend the results are relevant to the validity or patentability of the Asserted Patent); and describe when, by whom, and under what circumstances each such Prior Art reference was first discovered or identified.

**INTERROGATORY NO. 5:**

Identify all secondary considerations and objective evidence of non-obviousness that You believe apply to any of the Asserted Claims, including, but not limited to, the presence or absence of any commercial success, long-felt need, commercial acquiescence, industry recognition, unexpected results, expressions of skepticism, copying, teaching away, successful or failed attempts by others, or simultaneous development.

**INTERROGATORY NO. 6:**

Identify any and all circumstances where You or any other Person who has ever had any right or interest in the Asserted Patent or Related Patents or Applications has ever licensed, attempted to license, offered to license, or otherwise conveyed, attempted to convey, or offered to convey any right in the Asserted Patent or any Related Patents or Applications, including by identifying the Person to whom such offers or conveyances have been made or who received any such rights or have requested to receive any such rights; identifying the date of any such agreement conveying any such rights; describing the terms of any conveyance of any such rights; and identifying all Documents and Communications concerning any such offer, request, grant, or receipt of such rights.

**INTERROGATORY NO. 7:**

Identify by name each product or service of TopWire or any other Person that has ever embodied or practiced any of the claims of the Asserted Patent, including by identifying the owner or seller of each such product or service; identifying the dates of first release and approximate dates of sale or offer for sale of each such product or service; identifying the claim(s) of the Asserted Patent that You believe each such product or service has embodied or practiced; identifying any such products of TopWire or any other Person that have been marked by TopWire or any other Person and when the marking occurred; and describing whether You, any other Person with any right or interest in the Asserted Patent, or any licensee of the Asserted Patent has complied with the marking requirements of 35 U.S.C. § 287; and identifying all Communications and Documents relating to and each Person with knowledge of the foregoing.

**INTERROGATORY NO. 8:**

State the complete factual and legal bases for TopWire's claim for damages against Samsung, including: (a) an identification of each damages theory that You contend should be used

in the damages calculation (e.g., reasonable royalty, lost profits, etc.); (b) the inputs that You contend should be used in the damages calculation under each such theory (e.g., the royalty rate on net sales, and the alleged royalty base, including whether You contend that the entire market value rule applies); (c) the incremental value You contend the Asserted Patent contributes to each Accused Product; (d) the dates on which You contend damages should begin and the factual bases supporting such dates; (e) the amount of damages attributable to each Accused Product; (f) an identification of all Documents on which such calculations are based; (g) the date You contend the hypothetical negotiation should have commenced; and (h) the facts and contentions relating to each of the 15 factors set out in *Georgia-Pacific Corp. v. U.S. Plywood Corp.*, 318 F. Supp. 1116 (S.D.N.Y. 1970).

**INTERROGATORY NO. 9:**

State the complete factual and legal bases for any TopWire claim for enhanced damages, including the date and a detailed description of (1) all facts and circumstances relating to how You contend Samsung first became aware of the Asserted Patent and was provided with notice of the alleged infringement; (2) all legal and factual bases for any contention that Samsung has willfully infringed any Asserted Claim of the Asserted Patent; and (3) an identification of all Documents relating to the foregoing.

**INTERROGATORY NO. 10:**

Detail all financial interest(s), direct or indirect, including, without limitation, any ownership, security interests, or investment interests in the Asserted Patent or Related Patents or Applications, or in this Action or Related Litigations, including an identification of all Persons and/or entities with a financial interest (including any litigation funders), a description of the

terms/nature of the interest, and an identification of all Documents (by Bates number) relating to such financial interest.

Dated: May 20, 2026

Respectfully submitted,

*/s/ Neil P. Sirota*

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## CERTIFICATE OF SERVICE

I hereby certify that on May 20, 2026, a true and correct copy of the foregoing document was served on all counsel of record via electronic mail.

*/s/ Neil P. Sirota*
Neil P. Sirota



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