

# EXHIBIT 1

1 J. DAVID HADDEN (CSB No. 176148)  
dhadden@fenwick.com  
2 SAINA S. SHAMILOV (CSB No. 215636)  
sshamilov@fenwick.com  
3 TODD R. GREGORIAN (CSB No. 236096)  
tgregorian@fenwick.com  
4 PHILLIP J. HAACK (CSB No. 262060)  
phaack@fenwick.com  
5 RAVI R. RANGANATH (CSB No. 272981)  
rranganath@fenwick.com  
6 CHIEH TUNG (CSB No. 318963)  
ctung@fenwick.com  
7 FENWICK & WEST LLP  
Silicon Valley Center  
8 801 California Street  
Mountain View, CA 94041  
9 Telephone: 650.988.8500  
Facsimile: 650.938.5200

10 Counsel for AMAZON.COM, INC.  
11 and AMAZON WEB SERVICES, INC.

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN JOSE DIVISION  
15

16 IN RE: PERSONAL WEB TECHNOLOGIES,  
LLC ET AL., PATENT LITIGATION

Case No. 5:18-md-02834-BLF

17 AMAZON.COM, INC., and AMAZON WEB  
18 SERVICES, INC.,

Case No.: 5:18-cv-00767-BLF

Plaintiffs,

19 v.

**FIRST SET OF INTERROGATORIES  
OF AMAZON.COM, INC. AND  
AMAZON WEB SERVICES, INC. TO  
PERSONALWEB TECHNOLOGIES,  
LLC**

20 PERSONALWEB TECHNOLOGIES, LLC and  
21 LEVEL 3 COMMUNICATIONS, LLC,

Defendants.

22 PERSONALWEB TECHNOLOGIES, LLC and  
23 LEVEL 3 COMMUNICATIONS, LLC,

Counterclaimants,

24 v.  
25

26 AMAZON.COM, INC., and AMAZON WEB  
SERVICES, INC.,

27 Counterdefendants.  
28

1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Amazon.com, Inc. and  
2 Amazon Web Services, Inc. (collectively “Amazon”) request that PersonalWeb Technologies, LLC  
3 (“PersonalWeb”) answer the following interrogatories separately and fully, in writing and under  
4 oath, within thirty (30) days from the date of service of these interrogatories, at the offices of Fen-  
5 wick & West LLP, Silicon Valley Center, 801 California Street, Mountain View, CA, 94041. These  
6 interrogatories are intended to be continuing in nature and should be supplemented, as required,  
7 pursuant to Federal Rule of Civil Procedure 26(e). These interrogatories should be answered in  
8 accordance with the definitions and instructions set forth below.

### 9 DEFINITIONS

10 1. The terms “you” or “PersonalWeb” means PersonalWeb Technologies LLC, and its  
11 predecessors, parents, subsidiaries, divisions, officers, employees, agents, and attorneys, and each  
12 person acting or purporting to act on their behalf or under their control.

13 2. The term “Amazon” means Amazon.com, Inc. and Amazon Web Services, Inc., in-  
14 cluding, without limitation, all predecessors, parents, subsidiaries, divisions, officers, employees,  
15 agents, and attorneys of Amazon.com, Inc. and Amazon Web Services, Inc., and each person acting  
16 or purporting to act on their behalf or under their control.

17 3. The term “Level 3” means Level 3 Communications, Inc., and its predecessors, par-  
18 ents, subsidiaries, divisions, officers, employees, agents, and attorneys, and each person acting or  
19 purporting to act on their behalf or under their control.

20 4. The term “’791 patent” means U.S. Patent No. 5,978,791.

21 5. The term “’442 patent” means U.S. Patent No. 6,928,442.

22 6. The term “’310 patent” means U.S. Patent No. 7,802,310.

23 7. The term “’544 patent” means U.S. Patent No. 7,954,544.

24 8. The term “’420 patent” means U.S. Patent No. 8,099,420.

25 9. The term “patents-in-suit” means, collectively, the ’791 patent, the ’442 patent, the  
26 ’310 patent, the ’544 patent, and the ’420 patent. Requests referring to “each of the patents-in-suit”  
27 (or “each asserted claim in the patents-in-suit”) require responsive documents for each of the ’791  
28 patent, the ’442 patent, the ’310 patent, the ’544 patent, and the ’420 patent.

1           10.     The term “related patents/applications” means any and all patents, patent applica-  
2 tions and/or patent publications concerning subject matter similar to the claimed subject matter of  
3 the patents-in-suit; by way of example only, related patents/applications include any patent docu-  
4 ment that (i) claims priority from any of the patents-in-suit, (ii) is identified as priority for any of  
5 the patents-in-suit, or (iii) claims priority to any application to which any of the patents-in-suit  
6 claims priority.

7           11.     The term “asserted claim(s)” means any and all claims of the patents-in-suit that  
8 PersonalWeb contends Amazon infringes.

9           12.     The term “covered product” means any apparatus, product, device, process, method,  
10 act, or other instrumentality made, used, sold, offered for sale, or imported by PersonalWeb or any  
11 licensee of the Patents-in-Suit that you contend embodies the alleged inventions described in any  
12 asserted claim of any of the Patents-in-Suit.

13           13.     The term “2011 Texas action” means the lawsuit filed by PersonalWeb in the East-  
14 ern District of Texas on December 8, 2011 against Amazon, captioned *PersonalWeb Techs., LLC*  
15 *v. Amazon.com Inc.*, No. 6:11-cv-00658 (E.D. Tex.).

16           14.     The term “prior art” means, as of the filing date of the patents-in-suit, any article,  
17 poster, abstract, chapter, display, slides, or other printed publication that discloses, or a use, sale,  
18 or offer for sale of a system or device disclosed or claimed in the patents-in-suit or that practices or  
19 could be used to practice, the alleged inventions or portions of the alleged inventions disclosed or  
20 claimed in the patents-in-suit or any other thing or activity which could be or could have been relied  
21 on by the United States Patent Office or a Court for an anticipation or obviousness determination  
22 of the patents-in-suit, including any and all patents, patent applications and/or publications prepared  
23 before the filing date of the patents-in-suit.

24           15.     The term “named inventor” means one or more of the inventors named on any of  
25 the patents-in-suit, including David A. Farber and Ronald D. Lachman.

26           16.     The term “source code” means computer code instructions, data structures, and data  
27 definitions expressed in a form suitable for input to an assembler, compiler, translator, or other data  
28 processing module, and associated comments and revision histories.

1           17.     The term “technical documents” means all technical documents, including without  
2 limitation user manuals and guides, installation manuals and guides, reference manuals and guides,  
3 data sheets, technical documentation, technical presentations, schematics, specifications, archite-  
4 cture descriptions, release notes, readme files, source code, executable code, engineering notebooks,  
5 workbooks, diagrams, blueprints, sketches, flow charts, design requirements, design reviews, bug  
6 reports, project plans and papers, test reports, throughput analysis, troubleshooting guides, and bills  
7 of materials.

8           18.     The term “document” has the broadest meaning accorded that term by Fed. R. Civ.  
9 P. 34(a) and includes, but is not limited to, all of the items defined in Fed. R. Evid. 1001, and all  
10 preliminary and final drafts of any such item.

11           19.     The term “all documents” means any and all documents that you can locate through  
12 a diligent search of all locations likely to contain documents requested herein and through reason-  
13 able inquiry of all persons likely to know of the existence of documents requested herein. A draft  
14 or non-identical copy is a separate document within the meaning of this term. Any comment or  
15 notation appearing on any document, and not a part of the original text, is to be considered a sepa-  
16 rate “document.”

17           20.     The term “communication” shall refer to all written, oral, telephonic or other inquir-  
18 ies, dialogues, discussions, conversations, interviews, correspondence, consultations, negotiations,  
19 agreements, understandings, meetings, letters, notes, telegrams, advertisements, press releases,  
20 computer mail, e-mail and all other documents evidencing any verbal or nonverbal interaction be-  
21 tween persons and/or entities.

22           21.     The term “person” is defined as any natural person or any legal entity, including,  
23 without limitation, any business or governmental entity or association.

24           22.     The terms “relate to,” “relates to,” “related to,” “relating to,” “referring to,” “per-  
25 taining to,” “pertain to,” and “regarding” mean constitute, include, comprise, consist of, refer, re-  
26 flect, discuss, show, state, explain, contradict, provide context to, evidence, concern or be in any  
27 way logically or factually connected with the matter discussed or identified.

28

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