

# EXHIBIT 2

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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 REQUESTS FOR  
PRODUCTION 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 Federal Rules of Civil Procedure 26 and 34, Plaintiffs and Counterdefendants  
2 Amazon.com, Inc. and Amazon Web Services, Inc. (collectively “Amazon”) request that Personal-  
3 Web Technologies, LLC (“PersonalWeb”) provide a written response to the following requests and  
4 produce the documents and things described below for inspection and copying, in accordance with  
5 the following instructions and definitions, at the offices of Fenwick & West LLP, Silicon Valley  
6 Center, 801 California Street, Mountain View, CA, 94041, within thirty (30) days of service hereof.

### 7 DEFINITIONS

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

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

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

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

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

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

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

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

23 9. The term “patents-in-suit” means, collectively, the ’791 patent, the ’442 patent, the  
24 ’310 patent, the ’544 patent, and the ’420 patent. Requests referring to “each of the patents-in-suit”  
25 (or “each asserted claim in the patents-in-suit”) require responsive documents for each of the ’791  
26 patent, the ’442 patent, the ’310 patent, the ’544 patent, and the ’420 patent.

27 10. The term “related patents/applications” means any and all patents, patent applica-  
28 tions and/or patent publications concerning subject matter similar to the claimed subject matter of

1 the patents-in-suit; by way of example only, related patents/applications include any patent docu-  
2 ment that (i) claims priority from any of the patents-in-suit, (ii) is identified as priority for any of  
3 the patents-in-suit, or (iii) claims priority to any application to which any of the patents-in-suit  
4 claims priority.

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

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

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

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

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

24 16. The term “technical documents” means all technical documents, including without  
25 limitation user manuals and guides, installation manuals and guides, reference manuals and guides,  
26 data sheets, technical documentation, technical presentations, schematics, specifications, architec-  
27 ture descriptions, release notes, readme files, source code, executable code, engineering notebooks,  
28 workbooks, diagrams, blueprints, sketches, flow charts, design requirements, design reviews, bug

1 reports, project plans and papers, test reports, throughput analysis, troubleshooting guides, and bills  
2 of materials.

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

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

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

17 20. The term “person” is defined as any natural person or any legal entity, including,  
18 without limitation, any business or governmental entity or association.

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

23 22. “Identify,” when used with respect to any natural person, means to state the person’s  
24 full name, present or last-known address, telephone number, position/occupation, and employer.

25 23. “Identify,” when used with respect to any legal entity (such as a corporation, com-  
26 pany, or person other than a natural person), means to state the entity’s name, the place of incorpo-  
27 ration or organization, the principal place of business, and the nature of the business conducted by  
28 that legal entity.

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