

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

| | | |
|------------------|---|---------------------|
| ARENDI S.A.R.L., |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | C.A. No. 13-919-LPS |
| |) | |
| GOOGLE LLC, |) | |
| |) | |
| Defendant. |) | |
| |) | |

NOTICE OF DEPOSITION PURSUANT TO RULE 30(b)(6)

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, on October 16, 2019, at 9:00 a.m., at the offices of Smith, Katzenstein & Jenkins, LLP, 1000 West Street, Suite 1501, Wilmington, DE, or at some other time and place as may be agreed upon by counsel, counsel for Arendi S.A.R.L. will take the videotaped deposition(s) of the designated representative(s) of Google best able to testify as to the matters set forth in Exhibit 1. Google has a duty to designate one or more officers, directors, managing agents, or other persons with sufficient knowledge to testify fully regarding the topics listed in Exhibit 1. No later than ten business days prior to the deposition, Google shall identify the person(s) who will testify on its behalf pursuant to this notice and the matter(s) about which each person will testify.

The deposition(s) will be taken before a Notary Public or some other officer authorized by law to administer oaths for use at trial. The above deposition(s) will be videotaped and will continue from day to day until completed.

Dated: August 26, 2019

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EXHIBIT 1

Definitions

1. The terms “You,” “Google,” or “Defendant” mean collectively and/or individually Google LLC and its subsidiaries, affiliates, divisions, successors, or assignees, and their respective officers, directors, employees, and agents.
2. The terms “Plaintiff” or “Arendi” refer to Arendi S.A.R.L., including any officers, agents, employees, representatives, and all persons acting on its behalf.
3. The terms “Asserted Patents” and “Patents-in-Suit” refer to the patents identified in the complaint in Your action. When any patent is referred to herein, that reference is intended to include the application on which it issued, its entire prosecution history, and all foreign counterparts, including foreign applications and foreign prosecution histories.
4. The term “Accused Products” refers to the products identified in the most recently amended disclosure (including any supplemental disclosures and amendments to such supplements) made pursuant to Paragraph 4(a) of the Default Standard for Discovery.
5. The term “Accused Devices” refers to those Accused Products for which a Device Name, Device Type, OS and/or Year is listed in Exhibit 1 to Plaintiff’s most recently amended disclosure (including any supplemental disclosures and amendments to such supplements) made pursuant to Paragraph 4(a) of the Default Standard for Discovery.
6. The term “Linkify Functions” refers to any function or combination of functions that receive text information, analyze or parse text, and convert text expressions into selectable links or similarly active text. This includes but is not limited to Google LLC’s Linkify, Smart Linkify, TextClassifier, and TextView, and Apple Data Detector functions.
7. The term “Accused Applications” refers to any applications that are preinstalled on the Accused Devices that include any “Linkify Functions” including but not limited to:
 - a. messaging program(s) that display, create or manage text, SMS, or instant messaging
 - b. email program(s) that display, create or manage email
 - c. web browser(s) that display, create or manage a web page
 - d. calendar and task program(s) that display, create or manage calendar items
 - e. task program(s) that display, create or manage task list items
 - f. contacts program(s) that display, create or manage contact entries, or address book entries
 - g. text editor program(s) that display, create or manage text documents
 - h. slides program(s) that display, create or manage slides documents

- i. spreadsheet program(s) that display, create or manage spreadsheet documents
8. The terms “all” and “each” shall be construed as “and,” “each,” and “and/or.”
9. The connectives “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the topic all responses that might otherwise be construed outside of its scope.
10. The term “any” should be understood in either its most or least inclusive sense as will bring within the scope of the topic all responses that might otherwise be construed to be out of its scope.
11. The terms “relate,” “relating,” or “related” mean in any way, directly or indirectly, in whole or in part, relating to, concerning, referring to, discussing, mentioning, regarding, pertaining to, describing, reflecting, containing, analyzing, studying, reporting on, commenting on, evidencing, constituting, setting forth, considering, recommending, modifying, amending, confirming, endorsing, representing, supporting, qualifying, terminating, revoking, refuting, undermining, canceling, contradicting, or negating.
12. The term “person” refers both to natural persons and entities including individual proprietorships, partnerships, corporations, associations, joint ventures, and other organizations, and the acts and knowledge of a person include the acts and knowledge of that person’s directors, officers, members, employees, representatives, agents, and attorneys.
13. The term “document” means documents and tangible things, including electronically stored information and email, within the full scope of the Federal Rules of Civil Procedure.
14. The term “communication” means any disclosure, transfer, or exchange of information or opinion, however made.
15. The word “preinstalled” refers to software, programs and/or applications (including operating systems) that are a) loaded and/or installed on a device before that device is sold and/or offered for sale to an end user (but excluding the resale and/or offering for resale of a used device by an end user), b) loaded and/or installed on a device in a factory setting, c) present on a device at the time an end user (other than an end user who acquires ownership and/or possession of a used device from another end user) acquires ownership and/or possession of that device for the first time, and/or d) are automatically loaded and/or installed on a device when that device is first turned on and/or initialized and/or set up and/or activated by an end user.
16. The terms “sale,” “sales,” “sell” or “sold” shall include sales, licenses, leases, loans, consignments, distribution to resellers or others (including, but not limited to, to Your related and affiliated entities) and all other methods of product distribution whether direct or indirect, and whether the product is distributed singly or in combination with

or as part of another product, and whether or not revenue was or will be received therefrom.

17. The term “Related Cases” means the following cases filed in the District of Delaware, *Arendi S.A.R.L. v. HTC Corp., et al.*, 12-CV-1600; *Arendi S.A.R.L. v. Google LLC*, 13-919-LPS; *Arendi S.A.R.L. v. Oath Holdings Inc. et al.*, 13-CV-920; *Arendi S.A.R.L. v. Motorola Mobility LLC*, 12-CV-1601-LPS; *Arendi S.A.R.L. v. Microsoft Mobile Inc.*, 12-CV-1599; *Arendi S.A.R.L. v. Samsung Electronics Co. Ltd., et al.*, 12-CV-1598-LPS; *Arendi S.A.R.L. v. LG Electronics Inc., et al.*, 12-CV-1595-LPS; *Arendi S.A.R.L. v. Sony Mobile Communications (USA) Inc., et al.*, 12-CV-1602; *Arendi S.A.R.L. v. Blackberry Ltd., et al.*, 12-CV-1597-LPS.

18. “Identify” or “identity of” when used with reference to:

- a. An individual person, means to state his or her full name, present or last known employer, job title, general job description, present or last known residence addresses and telephone number, and present or last known business addresses and telephone number;
- b. A business entity, means to state the full name and address of the entity and the names and positions of the individual or individuals connected with such entity who have knowledge of the information required;
- c. A document, means to identify the document by bates number, or if it is not bates numbered, to state the type of document (letter, memorandum, email, etc.), its dates, author(s) or originator(s), addressee(s), all individuals who received copies of the document, the identity of persons known or presumed by You to have present possession, custody, or control thereof, and a brief description of the subject matter and present location;
- d. A product, system, or method, means to specify a part number, trade name, catalog name, version number, and any other designation used to refer to the product, system, or method.

Topics

1. How Google realizes, recognizes, and classifies revenues from the Accused Products, including a description of Google’s methodology for characterizing revenue as U.S. or international for U.S. tax purposes.
2. Google’s accounting practices pertaining to the Accused Products, including Google’s methods of accounting for revenues, costs, profits, methods or depreciation, allocation of expenses, inventory measurements, profit allocation, losses, and assignments of debt.

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