

EXHIBIT A

I. DEFINITIONS

The following definitions are applicable to terms employed in this Notice:

1. “Patent-at-Issue” and “Patents-at-Issue” shall mean United States Patent Nos. 7,193,239; 7,474,004; 7,504,732; 8,035,233; 8,410,617; 8,629,542; 8,653,672; 8,791,581; 8,796,862; 8,841,778; 8,907,499; 8,928,119; and 8,933,570.

2. “Related Patent” and “Related Patents” shall include, whether or not abandoned and whether or not issued, (a) any patent or patent application that claims priority to the Patents-at-Issue, (b) any patent or patent application that claims priority from any patent or patent application to which the Patents-at-Issue claims priority, (c) any patent or patent application on which the Patents-at-Issue depends for priority, (d) any patent or patent application identified in the Related U.S. Application Data for the Patents-at-Issue, (e) any patent or patent application that claims priority from any patent or patent application identified in the Related U.S. Application Data for any of the Patents-at-Issue, (f) any reissue or reexamination of any of the aforementioned patents or patent applications, and (g) any foreign counterpart patent or foreign counterpart application of any of the aforementioned patents or patent applications (a foreign counterpart patent and foreign counterpart application shall include any foreign patent or foreign patent application in which a claim for priority has been made in either a U.S. application or a foreign application based on the other, or that the disclosures of the U.S. and foreign patent applications are substantively identical).

3. “Prior Owner” and “Prior Owners” shall mean all of the persons and entities with a prior ownership or financial interest in any of the Patents-at-Issue or Related Patents.

4. “You” shall mean Ron Epstein and any person or entity acting or purporting to act on his behalf.

5. The term “Epicenter” shall mean and include Epicenter IP Group LLC and all related entities, parents, subsidiaries (either wholly or partly-owned) or divisions, any entity under its control, any proprietorship, joint venture, partnership or other business cooperation in which it

is involved, and any predecessor or successor entities and any of its officers, directors, agents, attorneys, consultants, employees, and any other persons acting, or purporting to act for or on its behalf.

6. The terms “Defendants” refer to SK hynix Inc., SK hynix America Inc., Hynix Semiconductor Manufacturing America Inc., and SK hynix Memory Solutions Inc. (collectively, “SK hynix”); Micron Technology, Inc., Micron Semiconductor Products, Inc., and Micron Consumer Products Group, Inc. (collectively, “Micron”); Samsung Electronics Co., Ltd., Samsung Semiconductor, Inc., Samsung Electronics America, Inc., and Samsung Austin Semiconductor, LLC (collectively, “Samsung”) and their officers, directors, employees, agents, representatives, attorneys, affiliates, successors, and assigns, and to persons and entities acting or purporting, to act on behalf of SK hynix, Micron, or Samsung.

7. The terms “Elm” and “Elm 3DS” refer to Elm 3DS Innovations LLC and its employees, agents, representatives, attorneys, affiliates, predecessors, successors, and assigns, and to persons and entities acting or purporting to act on behalf of Elm 3DS Innovations LLC, including, but not limited to Glenn J. Leedy.

8. The term “person,” unless otherwise specified, means any natural person, firm, partnership, association, corporation, business, proprietorship, government or quasi-governmental body, agency or commission, or any other organization or entity.

9. The term “Tezzaron” shall mean and include Tezzaron Semiconductor Corporation, Tachyon Semiconductor Corporation and all related entities, parents, subsidiaries (either wholly or partly owned) or divisions, any entity under its control, any proprietorship, joint venture, partnership or other business cooperation in which it is involved, and any predecessor or successor entities and any of its officers, directors, agents, attorneys, consultants, employees, and any other persons acting, or purporting to act for or on its behalf.

10. The term “document” and its plural shall refer to anything that would be a “writing” or “recording” as defined in Rule 1001 of the Federal Rules of Evidence, or a “document,” as defined in Rule 34 of the Federal Rules of Civil Procedure, and refers to all handwritten, typed,

printed, electronic, or otherwise visually or aurally reproduced materials, and all originals and copies that contain any notes, handwriting, underscoring, deletions, or that in any way otherwise differ from the original thereof. Such documents include but are not limited to: (1) all the written, printed, recorded, graphic, or sound reproductions, however produced, including but not limited to correspondence, memoranda, notes, telegrams, notebooks, diaries, desk calendars, charts, photographs, and records of any kind; (2) all computer-readable data compilations, including but not limited to tapes, diskettes, cards, cassettes; electronic mail, and all other electronic or mechanical devices, which contain information stored in mainframe and personal computers or devices (such as PDAs/cell phones) or accessible “online”; (3) all originals, drafts, and copies that differ in any respect from the original, all marginal comments that appear on such documents, all transcripts or recordings of such documents, and all attachments, enclosures, or documents affixed or referred to in such documents.

11. The terms “relating,” “related” or “relates” shall mean concerning, referring, describing, evidencing, or constituting the referenced subject matter, to the extent that such material is reasonably calculated to lead to the discovery of admissible evidence.

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

II. INSTRUCTIONS

1. You are to search all documents within your possession, custody, or control, wherever located, including but not limited to any documents placed in storage facilities or in the possession of any employee, agent, representative, attorney, investigator, or other person acting or purporting to act on your behalf, in order to fully respond to the requests herein.

2. If you do not produce each document or thing requested herein as they are kept in the usual course of business, you must organize and label the documents or things produced to correspond with the particular document request to which the document or thing is responsive.

3. You are to produce all documents that are responsive, in whole or in part, to any of the requests herein in full, without abridgement or abbreviation. If any such documents cannot be

produced in full, produce the document to the extent possible and indicate in your written response what portion of the document is not produced and why it could not be produced.

4. If any of the documents requested herein are no longer in your possession, custody, or control, you are requested to identify each such requested document by date, type of document, person(s) from whom sent, person(s) to whom sent, and person(s) receiving copies, and to provide a summary of its pertinent contents.

5. If any document responsive to these requests has been destroyed, describe the content of such document, the location of any copies of such document, the date of such destruction and the name of the person who ordered or authorized such destruction.

6. If the production of any documents responsive to these requests is objected to on the ground of privilege or work product, or for any other reason, with respect to each such document state:

- a. the date appearing on such document, or if no date appears, the date on which such document was prepared;
- b. the name of each person to whom such document was addressed;
- c. the name of each person, other than the addressee(s) identified in subparagraph (b) above, to whom such document or copy thereof was sent, or with whom such document was discussed;
- d. the name of each person who signed such document or, if not signed, the name of each person who prepared it;
- e. the name of each person making any contribution to the authorship of such document;
- f. the job title or position of each person identified in subparagraph (b), (c), (d), and (e) above;
- g. the date such document was received or discussed by each person identified in subparagraphs (b) or (c) above;
- h. the general nature or description of such document and its number of pages;

and

- i. the specific ground(s) upon which the privilege or work product rests.

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