

EXHIBIT 1

Carlson, Erik

From: Villarreal, Jose
Sent: Thursday, October 18, 2018 7:01 PM
To: Sam Joyner
Cc: Chiji Offor; WSGR - OVT/IP Bridge; Bindu Palapura; David Ellis Moore; TeamIPB_Omni_DE_290; Alicia Cary-Howell
Subject: Markman Evidence - Godo Kaisha IP Bridge 1 v. OmniVision Ltd., No. 1:16-CV-290 (D. Del.)

Categories: OmniVision - IPB 1

Sam:
Over our discovery meet and confer of earlier today the parties mutually agreed not to take the depositions of the other side's experts submitting declarations as part of the Markman hearing. We also notified IPB that at this time OmniVision does not intend to bring any expert to testify at Markman, in particular as Dr. Yang is in sabbatical in Thailand and it would very burdensome, if not impossible given his commitments, to come to Delaware to testify. IPB stated that it would object to the use of any of OmniVision's expert's declaration as evidence for the Court's consideration at Markman. When I asked for an explanation and legal basis for the objection IPB declined to elaborate.

As should be clear to IPB, OmniVision does intend to rely on its experts' declarations as extrinsic evidence for the Court's consideration for claim construction purposes, including at the Markman Hearing. These declarations are already part of the Markman record as they were submitted as part of OmniVision's briefing. If IPB intends to object to OmniVision's use of its experts' declarations as extrinsic evidence please state the legal basis for doing so and notify us when IPB intends to file a motion to preclude this evidence. As the Markman hearing is less than two weeks from today any delay by IPB in providing a substantive response to this email would be highly prejudicial to OmniVision.

We look forward to your response.

Thank you
Jose

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