

EXHIBIT 1

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

UNIVERSITY OF MASSACHUSETTS
and CARMEL LABORATORIES, LLC,

Plaintiffs,

v.

L'ORÉAL USA, INC.,

Defendant.

Case No. 17-cv-868-CFC-SRF

**UNIVERSITY OF MASSACHUSETTS AND CARMEL LABORATORIES, LLC'S
FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS TO DEFENDANT
L'OREAL USA, INC.**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Plaintiffs University of Massachusetts (“UMass”) and Carmel Laboratories, LLC (“Carmel Labs”) hereby request that Defendant L’Oréal USA, Inc. (“L’Oréal”) produce the following documents and things at the office of Susman Godfrey L.L.P., 1301 Avenue of the Americas, 32nd Floor, New York, NY 10019, or at such other mutually agreed upon place, within 30 days hereof and in the manner required by the Federal Rules of Civil Procedure.

DEFINITIONS

1. The term “UMass” refers to the University of Massachusetts, including any of its past and present affiliates, operating divisions, campuses, subsidiaries, directors, officers, agents, employees, representatives, and all persons acting on its behalf.
2. The term “Carmel Labs” refers to Carmel Laboratories, LLC, including any of its past and present affiliates, operating divisions, parent corporations, subsidiaries, directors, officers, agents, employees, representatives, and all persons acting on its behalf.

3. The terms “Defendant,” “You,” “Your,” or “L’Oréal” shall refer to defendant L’Oréal USA, Inc., and shall include L’Oréal S.A. as well as L’Oréal USA Inc.’s parent, subsidiaries, affiliates, divisions, successors or assignees, and their respective officers, directors, employees, consultants, representatives, and agents.
4. The term “Present Lawsuit” refers to the case styled *University of Massachusetts, et al. v. L’Oréal USA, Inc.*, Case No. 1:17-cv-00868-CFC-SRF, pending in the United States District Court for the District of Delaware.
5. The term “Document” or “Documents” is used in the broadest sense permitted by the Federal Rules of Civil Procedure and means the original (or any copy when originals are not available) and any drafts or non-identical copies thereof, whether different from the original because of interlineations, receipt stamp, notation of copy sent or received or otherwise, of any email, instant message, voicemail, book, pamphlet, periodical, letter, report, note, memorandum, record, minutes, calendar or diary entry, transcript, study, compilation, analysis, tabulation, map, diagram, drawing, plan, picture, summary, working paper, chart, paper, graph index, data sheet, data processing card, computer printout, summary of a computer printout, tape, contract, agreement, lease, ledger, journal, balance sheet, account, invoice, purchase order, receipt, billing record, financial data, financial statement, file, diary, film, trip tickets, telex, teletype or other messages, telegram, expense vouchers, instructions, bulletins or any other writing or recording of information, as well as all tape recordings, computer tapes, discs and other electronic or mechanical recordings, however produced, maintained or reproduced, including information stored in or generated by a computer whether or not ever printed out or displayed, within the possession,

- custody or control of Defendant or any of its officers, directors, employees, attorneys, or other agents and/or representatives.
6. The term “Person” means natural person, corporation, firm, company, sole proprietorship, partnership, joint venture, association, institute, or other business, legal or governmental entity or association, including any directors, officers, employees, agents or representatives thereof.
 7. The term “Agreement” means a contract, agreement, arrangement, or understanding, formal or informal, oral or written, between two or more persons.
 8. The term “Communication” refers to any transfer of information, oral or written, be it in the form of facts, ideas, inquiries, opinions or otherwise, by any means, at any time or place, under any circumstances, and is not limited to transfers between persons, but includes other transfers, such as records and memoranda to the file.
 9. The phrase “Relating To” means discussing, describing, referring to, pertaining to, containing, analyzing, studying, reporting on, commenting on, evidencing, constituting, setting forth, considering, recommending, concerning, or pertaining to, in whole or in part.
 10. The terms “Asserted Patents” and “Patents-in-Suit” shall mean United States Patents No. 6,423,327 and 6,645,513.
 11. The term “’327 Patent” refers to U.S. Patent No. 6,423,327.
 12. The term “’513 Patent” refers to U.S. Patent No. 6,645,513.
 13. The term “Prior Art” means any evidence qualifying as prior art to the Patents-in-Suit under 35 U.S.C. § 102 and/or 35 U.S.C. § 103.
 14. The terms “all” and “each” shall be construed as “and,” “each,” and “and/or.”

15. 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.
16. The term “including” shall mean including but not limited to.
17. The terms “relate,” “relating,” or “related” mean in any way, directly or indirectly, in whole or 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.
18. The terms “and” and “or” shall be construed disjunctively or conjunctively as necessary to bring within the scope of these topics all information which might otherwise be construed to be outside their scope.
19. References to the singular shall include the plural, and references to the plural shall include the singular as may be appropriate to construe the individual document requests in their broadest form.
20. The masculine form of a noun or pronoun shall be considered to include within its meaning the feminine form of the noun or pronoun, and vice versa as may be appropriate to make the individual document requests inclusive rather than exclusive.

INSTRUCTIONS

1. Responsive documents shall be produced as they have been kept in the usual course of business and shall not be shuffled or otherwise rearranged. Alternatively, you may produce responsive documents organized and labeled to correspond to the enumerated

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