IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
Civil Action No. 1:22-CV-22706-RNS

BELL NORTHERN RESEARCH, LLC,

    Plaintiff,

        v.

HMD AMERICA, INC., HMD GLOBAL OY,
SHENZHEN CHINO-E COMMUNICATION
CO. LTD., WINGTECH TECHNOLOGY CO.
LTD., WINGTECH INTERNATIONAL, INC.,
BEST BUY CO., INC., BEST BUY STORES
L.P., TARGET CORP., WALMART INC.,

    Defendants.

JURY TRIAL DEMANDED

STIPULATED PROTECTIVE ORDER

IT IS HEREBY STIPULATED AND AGREED, pursuant to Rule 26(c) of the Federal Rules of Civil Procedure and subject to the approval of the Court, by and between the parties and by their respective undersigned counsel, that this Stipulation and Order shall govern the handling of documents, depositions, deposition exhibits, interrogatory responses, admissions, and any other information produced, given, or exchanged by and among the parties and any non-parties to the above-captioned action.

Accordingly, based upon the agreement of the parties, IT IS HEREBY ORDERED pursuant to Rule 26(c) of the Federal Rules of Civil Procedure that the following procedures shall be adopted for the protection of confidential and proprietary information:

PROCEDURES FOR PROTECTION OF CONFIDENTIAL
AND PROPRIETARY INFORMATION

1.   **DEFINITIONS**

1.1   <u>Challenging Party</u>: A Party that challenges the designation of information or items under this Order.

1.2   <u>"CONFIDENTIAL" Information or Items</u>: A Party's information (regardless of how it is generated, stored, or maintained) or tangible things that qualify for protection under Federal Rule of Civil Procedure 26(c)(1)(G).

1.3   <u>Counsel (without qualifier)</u>: Outside Counsel of Record (as well as their support staff).

1.4   <u>Designating Party</u>: A Party or Non-Party that designates information or items that it produces in disclosures or in responses to discovery as "CONFIDENTIAL" or "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" or "HIGHLY CONFIDENTIAL – SOURCE CODE."

1.5   <u>Disclosure or Discovery Material</u>: All items or information, regardless of the medium or manner in which it is generated, stored, or maintained (including, among other things, testimony, transcripts, and tangible things), that are produced or generated in disclosures or responses to discovery in the above-captioned action.

1.6   <u>Expert</u>: A person with specialized knowledge or experience in a matter pertinent to the above-captioned action who (1) has been retained by a Party or its counsel to serve as an expert witness or as a consultant in the above-captioned action, (2) is not a current employee of a Party or of a Party's competitor, and (3) at the time of retention, is not anticipated to become an employee of a Party or of a Party's competitor.

1.7   "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY" Information or Items: A Party's information that is more sensitive than "CONFIDENTIAL Information or Items," the disclosure of which is likely to significantly harm that Party's competitive position, or the disclosure of which would contravene an obligation of confidentiality, including particularly sensitive confidential information that a Party believes in good faith cannot be disclosed without threat of injury because such information contains trade secret or other proprietary or commercially sensitive information.

1.8   "HIGHLY CONFIDENTIAL – SOURCE CODE" Information or Items: A Party's information that is more sensitive than "CONFIDENTIAL Information or Items" representing any source code, human-readable programming language text that defines software, firmware, or electronic hardware descriptions, object code, Register Transfer Level ("RTL") files, VHDL, Verilog, and other Hardware Description Language ("HDL") files, or other hardware description language, live data (i.e., data as it exists residing in a database or databases), or pseudo-source code (i.e., a notation resembling a programming language but not intended for actual compilation, which usually combines some of the structure of a programming language with an informal natural-language description of the computations to be carried out), and associated comments and revision histories.

1.9   In-House Counsel: Attorneys who are employees of a Party to the above-captioned action. In-House Counsel does not include Outside Counsel of Record or any other outside counsel.

1.10   Non-Party: Any natural person, partnership, corporation, association, or other legal entity not named as a Party to an above-captioned action in question.

1.11   Outside Counsel of Record: Attorneys who are not employees of a Party to the above-captioned action but are retained to represent or advise a Party to that action and have appeared in the action on behalf of that Party or are affiliated with a law firm which has appeared on behalf of that Party.

1.12   Party: A named party to an above-captioned action, including all of its officers, directors, employees, consultants, retained experts, and Outside Counsel of Record (and their support staffs).

1.13   Producing Party: A Party or Non-Party that produces Disclosure or Discovery Material in an above-captioned action.

1.14   Professional Vendors: Persons or entities that provide litigation support services (e.g., photocopying, videotaping, translating, oral interpreting, preparing exhibits or demonstrations, and organizing, storing, or retrieving data in any form or medium) and their employees and subcontractors.

1.15   Protected Material: Any Disclosure or Discovery Material that is designated as "CONFIDENTIAL," or as "HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY," or as "HIGHLY CONFIDENTIAL – SOURCE CODE."

1.16   Receiving Party: A Party that receives Disclosure or Discovery Material from a Producing Party.

1.17   Relevant Technology: System and method for conserving battery power in a mobile station; backward-compatible long training sequences for wireless communication networks; efficient feedback of channel information in a closed loop beamforming wireless communication system; method and system for frame formats for MIMO channel measurement exchange; automatic handoff for wireless piconet multimode cell phone; theft alarm in mobile device;

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