

EXHIBIT A

The Honorable Indira Talwani

Date: November 9, 2020

Subject: *Philips North America LLC v. Fitbit, Inc.*, Case No. 1:19-cv-11586-IT

Dear Judge Talwani:

I am in-house counsel for Philips in the above-referenced Action.

By this letter, I acknowledge that I have read: the Protective Order (Order No. 59, Attachment 2) issued by Judge Indira Talwani (the "Protective Order"). I also acknowledge that I have read: the Supplement to the Protective Order (Dkt. No. 69, Exhibit A). Specifically, I hereby agree:

- 1) To be bound by the terms of the Protective Order and its Supplement;
- 2) Not to reveal any confidential business information (as the term is defined in the Protective Order) to anyone other than another person designated in Paragraph 3 of the Protective Order;
- 3) To utilize such confidential business information solely for purposes of this Action;
- 4) To the acknowledgement at paragraph 4 of the Protective order, specifically that "Confidential business information submitted in accordance with the provisions of paragraph 2 [of the protective order] shall not be made available to any person designated in paragraph 3(iii) unless he or she shall have first read [the protective] order and shall have signed the undertaking at Attachment A [of the protective order]. However, Attorneys who have filed an appearance in this matter need not sign the undertaking at Attachment A, but shall nevertheless be subject to, and bound by, the provision of [the] Protective Order."; and
- 5) To be bound by the Prosecution Bar in paragraph 14 of the Protective Order.

Respectfully submitted,



Arie J.W. Tol
Principal Licensing Counsel

